

Bryan County Board of Commissioners – December 13, 2022

The regular meeting of the Bryan County Board of Commissioners was held on Tuesday, December 13, 2022, in Richmond Hill. The following members were present: Chairman Carter Infinger, Commissioner Andrew Johnson, Commissioner Dallas Daniel, Commissioner Gene Wallace, Commissioner Noah Covington and Commissioner Wade Price. Also present was County Administrator Ben Taylor, County Clerk Lori Tyson, and County Attorney Lea Holliday.

Chairman Infinger called the meeting to order at 5:30 p.m.

Chairman Infinger gave the invocation, and everyone joined in the Pledge of Allegiance.

A motion was made by Noah Covington to approve the agenda, with the addition of County Administrator Item 11, MOU with Project KSG. The motion was seconded by Gene Wallace. Motion carried unanimously. Vote 5:0

A motion was made by Andrew Johnson and seconded by Wade Price to approve the minutes of the November 2022 meetings, as presented. Motion carried unanimously. Vote 5:0

A motion was made by Noah Covington and seconded by Gene Wallace to approve the Consent Agenda. Motion carried unanimously. Vote 5:0

Chairman recognized **Commissioner Johnson** for his service to the citizens of Bryan County during his term as Commissioner of District 4, filling a vacancy by a previous Commissioner.

Chairman Infinger recognized **Commissioner Wallace** for completing his ACCG Commissioner Training and obtaining his Commissioner Certification.

A motion was made by Noah Covington and seconded by Andrew Johnson to close the regular meeting and open the public hearing. Motion carried unanimously. Vote 5:0

**Audra Miller** and **Audra Miller** met with the Commissioners on the following Public Hearing Items.

- \* Preliminary Plat Approval for Marina Village Phase 2, PIN# 075-001
- \* Second Reading of an Ordinance to Amend the Zoning Map for 1913 Wildwood Church Road, Parcel# 014-023-02
- \* Conditional Use Permit for approximately 10 acres of PIN# 055-060 for a timber yard
- \* Comprehensive Plan Amendment
- \* Second Reading of an Ordinance Amending the Zoning Map, parcel 035-001
- \* Second Reading of an Ordinance to Amend Article IV Division 1 – Minor Plats; Article IV Division 3 – Other Community Development Director Actions; and Article VI Division 5 – Landscaping, Tree Preservation, Buffering and Screening; - of the Unified Development Ordinance (“UDO”)

A motion was made by Andrew Johnson and seconded by Gene Wallace to close the public hearing and return to the regular meeting. Motion carried unanimously. Vote 5:0

\* **Preliminary Plat Approval for Marina Village Phase 2, PIN# 075-001-** Hussey Gay Bell Engineering, representing Savannah Land Holdings, LLC, requesting preliminary plat approval for Marina Village Phase 2, located in the Waterways Development. The plat is for 77 single-family lots with open/common space on a 62.91-acre portion of property. The development is located on parcels 27, 28 and 29 of the Waterways PD. A motion was made by Gene Wallace and seconded by Dallas Daniel to **approve** the Waterways, Marina Village Phase 2 Preliminary Plat with the following conditions: 1. 911 approve all road names 2. Correct the total acreage in the title block to 62.91 on pages 2-4 of the plat 3. Provide an updated Master Plan. Motion carried unanimously. Vote 5:0

\* **Second Reading of an Ordinance to Amend the Zoning Map for 1913 Wildwood Church Road, Parcel# 014-023-02-** Mary Ann Chance, requesting to rezone 2.5 acres of an approximately 10-acre property from the "A-5" Agricultural Zoning District to the "RR-2.5" Rural Residential 2.5 Acre Zoning District. The property is located at 1913 Wildwood Church Road, PIN# 014-023-02. The applicant plans to subdivide the rezoned property from the remaining acreage, which will be purchased by the neighboring property, PIN# 014-023-01, and combined with their "A-5" zoned lot. A motion was made by Andrew Johnson and seconded by Wade Price to **approve** the rezoning for Parcel# 014-023-02 with the condition that a plat be approved and recorded, for the proposed subdivision. Motion carried unanimously. Vote 5:0

\* **Conditional Use Permit for approximately 10 acres of PIN# 055-060 for a timber yard-** Scott Allison of Coleman Company, representing Raydient, LLC, requesting a Conditional Use Permit (CUP) to allow a timber yard for a 10-acre portion of PIN# 055-060. The property is zoned "A-5", Agricultural, and the timber yard is categorized as the processing of agricultural products grown off-site, a CUP. The yard will include a truck scale with a small office and bathroom, parking area, and yard for loading/unloading trucks, containers, and log treatment. The proposed operation would be active Monday to Friday 7 AM to 5 PM with approximately 20 trucks per day. A motion was made by Dallas Daniel and seconded by Noah Covington to **approve** the Conditional Use for Parcel# 055-060, with the condition that trips cannot exceed a daily average of 20 round trips per day. Motion carried unanimously. Vote 5:0

\* **Comprehensive Plan Amendment** - Thomas and Hutton Engineering, on behalf of Haiseal Timber Inc., requesting a Comprehensive Plan Amendment to amend the North Bryan County Character Areas and Future Land Use Map, by changing the classification of property located on Old Cuyler Road from Low Density Agricultural to Industrial. PIN# 035-001. A motion was made by Noah Covington and seconded by Dallas Daniel to **approve** a Comprehensive Plan Amendment of Parcel# 035-001 located on Old Cuyler Road, from Low Density Agricultural to Industrial. Motion carried unanimously. Vote 5:0

\* **Second Reading of an Ordinance Amending the Zoning Map, parcel 035-001-** Thomas and Hutton Engineering, representing Haiseal Timber Inc., requesting to rezone PIN# 035-001 from "A-5" Agricultural to "I-2" General Industrial. A motion was made by Noah Covington and seconded by Andrew Johnson to **approve** the comprehensive plan amendment and rezoning with the following conditions: 1. The developer shall enter into a Water and Sewer Agreement with the County 2. The developer shall enter into a Transportation Agreement with the County. Motion carried unanimously. Vote 5:0

\* **Second Reading of an Ordinance to Amend Article IV Division 1 – Minor Plats; Article IV Division 3 – Other Community Development Director Actions; and Article VI Division 5 – Landscaping, Tree Preservation, Buffering and Screening; - of the Unified Development Ordinance ("UDO")** - The Board of Commissioners requested revisions to the minor subdivision and buffer standards in the Unified Development Ordinance ("UDO"). The County retained a consultant to assist in drafting these revisions.

Staff and the Consultant are presenting three sections of the UDO for amendment: Article IV – Division 1 - Minor Plats, Article IV – Division 3 – Other Community Development Director Actions, Article VI – Division 5 – Landscaping, Tree Preservation, Buffering and Screening. A motion was made by Gene Wallace and seconded by Andrew Johnson to **approve** the ordinance amending Articles IV and VI of the Unified Development Ordinances as presented. Motion carried unanimously. Vote 5:0

**Audra Miller** and **Amanda Clement** met with the Commissioners on the following Non-Public Hearing Items.

**\* First Reading of an Ordinance to Amend the Zoning Map for 4.02 acres, Parcel# 034-014-02 and 034-014-03** - Marc Liverman with Atlantic Coast Consulting, representing First City Associates, LLLP, requesting to rezone 4.02 acres from the "PD" Planned Development Zoning District to the "C-1" Interchange Commercial Zoning District. The property is located at 4480 Hwy 80, Parcel# 034-014-02 and 034-014-03. This ordinance is being presented for a first reading only. No action required.

**\* First Reading of an Ordinance to Amend the Zoning Map for 104.59 acres, Parcel# 034-014** - Marc Liverman with Atlantic Coast Consulting, representing Blitchton Bryan Oaks, LLC, requesting to rezone 104.59 acres from the "PD" Planned Development Zoning District to the "I-2" General Industrial Zoning District. The property is located on Hwy 280, Parcel #034-014. This ordinance is being presented for a first reading only. No action required.

**\* First Reading of an Ordinance to Amend the Zoning Map for 745 Shuman Town Road, Parcel# 030-021-01**- Robert and Gendolyn Conley, requesting to rezone 1.84 acres of an approximately 14.67-acre property from the "A-5" Agricultural Zoning District to the "RR-1.5" Rural Residential 1.5 Acre Zoning District. The property is located at 745 Shuman Town Road, Parcel# 030-021-01. The applicant plans to subdivide the rezoned property from the remaining acreage, which will be used to place an additional home for a family member. This ordinance is being presented for a first reading only. No action needed.

**\* First Reading of an Ordinance to Amend the Zoning Map for 215 Lincoln Trail, Parcel# 070-005-01**- Scott Allison on behalf of Kevin Smith, requesting to rezone a 3.5-acre property from the "RR-1" Rural Residential 1 Acre Zoning District to the "RR-2.5" Rural Residential 2.5 Acre Zoning District. The property is located at 215 Lincoln Trail, Parcel# 070-005-01. The applicant plans to add a guest house to the property. This ordinance is being presented for a first reading only. No action needed.

**\* Adoption of the Bryan County Bicycle and Pedestrian Vision Plan**- Goodwyn Mills Cawood (GMC) was retained by the County to develop a Bicycle and Pedestrian Plan. The plan is organized into two phases. This phase, Phase I, is referred to as the *Vision Plan* and sets an overall vision for a comprehensive countywide bicycle and pedestrian network, which can be used to guide future planning decisions. If approved, then Phase II, which will be referred to as the *Design Plan*, will build from this effort and will present planning level cost estimates for the recommended projects and create a detailed project prioritization action plan for short, medium and long-range timelines. A motion was made by Andrew Johnson and seconded by Dallas Daniel to **approve** the Bryan County Bicycle and Pedestrian Vision Plan Motion carried unanimously. Vote 5:0

**\* Approve a Resolution Designating an Officer to Approve or Issue any Form or Certificate Necessary to Perfect Petitions and Accept Service of Process** - The Georgia State Legislature amended the Zoning Procedures Law (O.C.G.A. §36-66-1, *et. seq.*) in 2022. Certain procedural requirements have been added and/or clarified for land use decisions: legislative and quasi-judicial. The revised statute

requires the local body designate by resolution or ordinance amendment the authorized County official to accept service of process for Petitions of Writ of Certiorari or appeals from legislative or quasi-judicial land use decisions and designate the County official to approve and/or issue the appropriate forms and certificates, necessary to perfect petitions seeking judicial review. A motion was made by Noah Covington and seconded by Gene Wallace to **approve** a Resolution Designating an Officer to Approve or Issue a Form or Certificate Necessary to Perfect Petitions and Accept Service of Process. Motion carried unanimously. Vote 5:0

**Ben Taylor**, County Administrator, met with the board on the following issues:

\* **Adoption of the 2023 Bryan County Annual Budget** - Each year, the County is required by state law to adopt a budget to include revenues and expenditures by departments for the following year. Staff has worked hard over the past several months coordinating with all managers and directors to develop a balanced budget that continues to allow Bryan County to provide outstanding services and resources that will meet the needs of our continuously growing community. A motion was made by Wade Price and seconded by Andrew Johnson to adopt the 2023 Bryan County Annual Budget and all fee schedules as presented in the 2023 budget book. Motion carried unanimously. Vote 5:0

\* **Southeast Corrections Probation Services Agreement** - Bryan County entered into an agreement with Southeast Corrections in January 2018 to provide probation services for Bryan County State Court and Bryan County Superior Court. The Agreement is due for approval of the Commissioners, and renewal. Unless earlier terminated, this Agreement shall commence on January 1, 2023 and will expire on December 31, 2027. A motion was made by Noah Covington and seconded by Andrew Johnson to authorizing the Chairman to execute the Agreement for Probation Services between Southeast Corrections, LLC and Bryan County State Court and Bryan County Superior Court, for a period of January 1, 2023 through December 31, 2027. Motion carried unanimously. Vote 5:0

\* **Approve Additional Belfor Tornado Rebuilding Contract** - On April 5, 2022, a devastating F4 Tornado hit Bryan County. Since then, the County has been working with Belfor Property Restoration and ACCG Insurance to rebuild the County's facilities back. During these first five months, the County has worked daily with Belfor and ACCG Insurance to mitigate the initial damage, then to restore operations, and now to begin the rebuilding of the County facilities. This contract has been negotiated and agreed upon by the County, Belfor, and ACCG Insurance. The legal language and the scope of services have been reviewed, and ACCG has agreed to pay for everything in this contract. A motion was made by Andrew Johnson and seconded by Wade Price to approve a Resolution authorizing staff to sign additional contracts with Belfor in the amount of \$1,469,681.30, allowing Belfor to begin repair work on these facilities. Motion carried unanimously. Vote 5:0

\* **Appointment to the Savannah Harbor-Interstate 16 Corridor Joint Development Authority (JDA Board)**- Mrs. Anna Chafin currently serves on the Savannah Harbor-Interstate 16 Corridor Joint Development Authority (JDA Board). This term will expire on December 31, 2022, and Mrs. Chafin has expressed her interest in continuing to serve on this board for another four-year term. A motion was made by Gene Wallace and seconded by Noah Covington to approve the appointment of Anna Chafin to the Savannah Harbor-Interstate 16 Corridor Joint Development Authority (JDA Board) with a term of January 1, 2023 until December 31, 2026. Motion carried unanimously. Vote 5:0

\* **South Bryan County Sewer Flow Diversion to Richmond Hill Construction Contract** - In conjunction with obligations as outlined in the Sewer Service Agreement entered into with the City of

Richmond Hill July 2021, Bryan County engaged Thomas & Hutton (T&H) Engineering to design and permit a South Bryan County Sewer Flow Diversion to Richmond Hill. T&H prepared contract bid documents and associated plans for the construction of the sewer flow diversion, and upon approval of the documents the project was subsequently advertised for construction bids. Bids were received for the project on November 29, 2022 and evaluated by T&H. The bids were received for the project. As a result, T&H has prepared the attached letter of recommendation. A motion was made by Noah Covington and seconded by Wade Price to award contract of the South Bryan County Sewer Flow Diversion to Richmond Hill to Tyson Utilities, Inc., in the amount of \$3,136,796.17 and authorize staff to execute the necessary documents to initiate the project. Motion carried unanimously. Vote 5:0

**\* Bryan County Mega-Site 2 MG Elevated Storage Tank and 1,800 GPM Well** - In conjunction with the State of Georgia and the Savannah Harbor-Interstate 16 Corridor Joint Development Authority (JDA), Bryan County is committed to the design, permitting, and construction of on-site water and sewer improvements to serve Hyundai. Bryan County engaged Thomas & Hutton (T&H) Engineering to design and permit the Bryan County Mega-Site (BCMS) 2 million gallon (2 MG) Elevated Storage Tank and 1,800 GPM Well. T&H prepared contract bid documents and associated plans for the construction of the BCMS 2 MG Elevated Storage Tank and 1,800 GPM Well, and upon approval of the documents the project was subsequently advertised for construction bids. Bids were received for the project on November 30, 2022, and evaluated by T&H. Two bids were received and evaluated. T&H has prepared the attached letter of recommendation. A motion was made by Andrew Johnson and seconded by Gene Wallace to award contract of the BCMS 2 MG Elevated Storage Tank and 1,800 GPM Well to Landmark Structures I, LP in the amount of \$13,236,000.00 and authorize staff to execute the necessary documents to initiate the project. Motion carried unanimously. Vote 5:0

**\* North Bryan Water Reclamation Facility – Headworks and EQ Tank Engineering Services Contract** - In conjunction with the State of Georgia and the Savannah Harbor-Interstate 16 Corridor Joint Development Authority (JDA), Bryan County is committed to the design, permitting and construction of on-site water and sewer improvements to serve Hyundai. The proposed task order includes design, permitting, bidding, and construction services for a new headworks facility and flow equalization (EQ) tank as part of the proposed new Water Reclamation Facility (WRF) in north Bryan County. Thomas & Hutton has provided engineering including master planning, survey, design, permitting and other professional services for this project for over 3 years. Pursuant to County Task Orders No. 73 and No. 80 Thomas & Hutton has commenced engineering phase services for the proposed WRF which has been excluded from this current scope. Thomas & Hutton has exclusive expertise and institutional knowledge linked directly to the Mega-Site property and of Bryan County's regional infrastructure planning for all North Bryan County. Their prior work on the project, assistance in grant writing/funding for the project, expansive database of survey, previous design, and planning efforts makes Thomas & Hutton uniquely capable of providing the required engineering design, permitting, and construction administration within the required timelines. Given the critical nature of the project, and in order for the County to meet its commitments regarding the delivery of water and sewer utilities to the Mega-Site as specified in our May 10, 2022 Water and Sewer Service Availability Letter, it is imperative that Thomas & Hutton continue to provide the necessary engineering services for the project without interruption. Due to the phasing and complexity of the various construction projects associated with Water Reclamation Facility, the engineering has been separated into four (4) scopes. This is the final scope of the first phase. A motion was made by Gene Wallace and seconded by Dallas Daniel to approve the Thomas & Hutton Scope of Services and authorize the Chairman to execute corresponding Task Order #79 in the amount of \$989,500.00 for the North Bryan Water Reclamation Facility: Headworks and EQ Tank. Motion carried unanimously. Vote 5:0

**\* North Bryan Regional Water Supply and Transmission Main Engineering Services Contract** - In conjunction with the State of Georgia and the Savannah Harbor-Interstate 16 Corridor Joint Development Authority (JDA), Bryan County is committed to the design, permitting and construction of on-site water and sewer improvements to serve Hyundai. The proposed task order includes planning, design, permitting, bidding, and construction phase services for the North Bryan Regional Water Supply and Transmission Main. The project includes two (2) new green zone groundwater wells, one (1) meter station, two (2) new booster pump stations, and large diameter water transmission mains. Thomas & Hutton has provided engineering including master planning, survey, design, permitting and other professional services for this project for over 3 years. Pursuant to County Task Orders No. 86 and No. 87, Thomas & Hutton has commenced engineering phase services for the regional water supply and transmission infrastructure which has been excluded from this current scope. Thomas & Hutton has exclusive expertise and institutional knowledge linked directly to the Mega-Site property and of Bryan County's regional infrastructure planning for all North Bryan County. Their prior work on the project, assistance in grant writing/funding for the project, expansive database of survey, previous design, and planning efforts makes Thomas & Hutton uniquely capable of providing the required engineering design, permitting, and construction administration within the required timelines. Given the critical nature of the project, and in order for the County to meet its commitments regarding the delivery of water and sewer utilities to the Mega-Site as specified in our May 10, 2022 Water and Sewer Service Availability Letter, it is imperative that Thomas & Hutton continue to provide the necessary engineering services for the project without interruption. A motion was made by Noah Covington and seconded by Dallas Daniel to approve the Thomas & Hutton Scope of Services and authorize the Chairman to execute corresponding Task Order #81 in the amount of \$2,798,870.00 for the North Bryan Regional Water Supply and Transmission Main Engineering Services Contract. Motion carried unanimously. Vote 5:0

**\* North Bryan Water Reclamation Facility and Effluent Force Main – Phase II (Final) Engineering Services Contract** - In conjunction with the State of Georgia and the Savannah Harbor-Interstate 16 Corridor Joint Development Authority (JDA), Bryan County is committed to the design, permitting and construction of on-site water and sewer improvements to serve Hyundai. The proposed task order includes final design, permitting, and construction services for the Water Reclamation Facility (WRF) and Effluent Force Main in north Bryan County. Thomas & Hutton has provided engineering including master planning, survey, design, permitting, and other professional services for this project for over 3 years. Pursuant to County Task Orders No. 73 and No. 80 Thomas & Hutton has commenced engineering phase services for the proposed WRF which has been excluded from this current scope. Thomas & Hutton has exclusive expertise and institutional knowledge linked directly to the Mega-Site property and of Bryan County's regional infrastructure planning for all North Bryan County. Their prior work on the project, assistance in grant writing/funding for the project, expansive database of survey, previous design, and planning efforts makes Thomas & Hutton uniquely capable of providing the required engineering design, permitting, and construction administration within the required timelines. Given the critical nature of the project, and in order for the County to meet its commitments regarding the delivery of water and sewer utilities to the Mega-Site as specified in our May 10, 2022 Water and Sewer Service Availability Letter, it is imperative that Thomas & Hutton continue to provide the necessary engineering services for the project without interruption. Due to the phasing and complexity of the various construction projects associated with Water Reclamation Facility, the engineering has been separated into four (4) scopes. This is the final scope of service for WRF and Effluent Force Main. A motion was made by Dallas Daniel and seconded by Gene Covington to approve the Thomas & Hutton Scope of Services and authorize the Chairman to execute corresponding Task Order #84 in the amount of \$3,509,400.00 for the North Bryan Water Reclamation Facility and Effluent Force Main – Phase II. Motion carried unanimously. Vote 5:0

**\* I-16 Mega-Site Regional Water & Sewer Infrastructure Engineering Services Contract** - In conjunction with the State of Georgia and the Savannah Harbor-Interstate 16 Corridor Joint Development Authority (JDA), Bryan County is committed to the design, permitting and construction of on-site water and sewer improvements to serve Hyundai. The regional infrastructure includes a new groundwater supply within Bulloch County, large diameter water transmission mains, and initial on-site water and wastewater improvements. Thomas & Hutton has provided engineering including master planning, survey, design, permitting and other professional services for this project for over 3 years. Pursuant to County Task Orders No. 82, No. 86, and No. 87, Thomas & Hutton has commenced engineering phase services for the regional water supply and transmission infrastructure and on-site infrastructure which has been excluded from this current scope. Thomas & Hutton has exclusive expertise and institutional knowledge linked directly to the Mega-Site property and of Bryan County's regional infrastructure planning for all North Bryan County. Their prior work on the project, assistance in grant writing/funding for the project, expansive database of survey, previous design, and planning efforts makes Thomas & Hutton uniquely capable of providing the required engineering design, permitting, and construction administration within the required timelines. Given the critical nature of the project, and in order for the County to meet its commitments regarding the delivery of water and sewer utilities to the Mega-Site as specified in our May 10, 2022 Water and Sewer Service Availability Letter, it is imperative that Thomas & Hutton continue to provide the necessary engineering services for the project without interruption. A motion was made by Andrew Johnson and seconded by Wade Price to approve the Thomas & Hutton Scope of Services and authorize the Chairman to execute corresponding Task Order #90 in the amount of \$1,687,580.00 for the I-16 Mega-Site Regional Water & Sewer Infrastructure Engineering Services Contract. Motion carried unanimously. Vote 5:0

**\* Memorandum of Understanding with Project KSG** - The Company has planned to create a new business in Bryan County at the Cubes in Interstate Center II. The Company will hire over 390 new employees and invest approximately \$121,000,000. The Company has a proven product line and will provide economic development in the County. A motion was made by Noah Covington and seconded by Dallas Daniel authorizing the Chairman to execute the Memorandum of Understanding as presented. Motion carried unanimously. Vote 5:0

**Ella Moore** addressed the Commissioners about the condition of Mill Creek Church Road, and the desire by the residents to have the road paved.

Commissioner Wallace and the other Commissioners thanked Commissioner Johnson for his service on the Board and to the citizens of the county.

A motion was made by Andrew Johnson and seconded by Wade Price to go into Executive Session for litigation matters. Motion carried unanimously.

A motion was made by Noah Covington and seconded by Andrew Johnson to adjourn. Motion carried unanimously.

The meeting was adjourned at 7:21 p.m.