

Bryan County Board of Commissioners – November 8, 2022

The regular meeting of the Bryan County Board of Commissioners was held on Tuesday, November 8, 2022, in Pembroke. The following members were present: Chairman Carter Infinger, Commissioner Andrew Johnson, Commissioner Dallas Daniel, Commissioner Noah Covington, Commissioner Wade Price and Commissioner Gene Wallace. Also present: County Administrator Ben Taylor, County Clerk Lori Tyson and County Attorney Lea Holliday.

Chairman Infinger called the meeting to order at 5:32 p.m. The Chairman gave the invocation, and everyone joined in the Pledge of Allegiance.

A motion was made by Noah Covington and seconded by Wade Price to approve the proposed agenda. Motion carried unanimously. Vote 5:0

A motion was made by Gene Wallace and seconded by Dallas Daniel to approve the minutes of the October 2022 meetings as presented. Motion carried unanimously. Vote 5:0

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

Sara Farr-Newman, Amanda Clement and Audra Miller met with the Commissioners on the following Non-Public Hearing Items.

* Samuel Brown, New Church of Christ of the Apostolic – Conditional Use Permit – Parcel 0311-098

* Mary Ann Chance – First Reading of an Ordinance to Amend the Zoning Map for 2.5 acres – Parcel 014-023-02

* Haiseal Timber, Inc. – First Reading of an Ordinance to Amend the Zoning Map for 1144 acres – Parcel 035-001

* First Reading of an Ordinance to Amend Article IV Development Procedures Requiring Administrative Review Division 1 – Minor Plats of the Unified Development Ordinance

* First Reading of an Ordinance to Amend Article VI Development Procedures Requiring Administrative Review - Division 3 – Other Community Development Director Actions

* First Reading of an Ordinance to Amend Article VI Site Development Standards Division 5 – Landscaping, Tree Preservation, Buffering and Screening of the Unified Development Ordinance

* **Samuel Brown, New Church of Christ of the Apostolic - Conditional Use Permit for a Church - Parcel 0311-098** - CUP#182-22, Samuel Brown requesting a Conditional Use Permit for a church to be located on Black Creek Church Road, PIN# 0311-098. The property is zoned "RR-1", Rural Residential Zoning District, and the applicant plans to build a church on the property. Religious Institutions are a conditional use in the "RR-1" zoning district. A motion was made by Wade Price and seconded by Andrew Johnson to deny the Condition Use Permit. Motion carried unanimously. Vote 5:0

* **Mary Ann Chance – First Reading of an Ordinance to Amend the Zoning Map for 2.5 acres – 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. This ordinance is being presented for a first reading only, with no official action to be taken. The item will be scheduled for a Public Hearing with the Planning and Zoning Commission on November 15, 2022, and a Public Hearing and 2nd Reading of the Ordinance with the Board of Commissioners on December 13, 2022.

*** Haiseal Timber, Inc. – First Reading of an Ordinance to Amend the Zoning Map for 1144 acres – Parcel 035-001-** Thomas and Hutton Engineering, representing Haiseal Timber Inc., requesting to rezone property from "A-5" Agricultural to "I-2" General Industrial. PIN#035-001. This ordinance is being presented for a First Reading only, with no official action to be taken. The item will be scheduled for a Public Hearing with the Planning and Zoning Commission on November 15, 2022, and a Public Hearing and 2nd Reading of the Ordinance with the Board of Commissioners on December 13, 2022.

*** First Reading of an Ordinance to Amend Article IV Division 1 – Minor Plats; Article VI Division 5 – Landscaping, Tree Preservation, Buffering and Screening; and Article IV Division 3 – Other Community Development Director Actions - 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 VI – Division 5 – Landscaping, Tree Preservation, Buffering and Screening
- Article IV – Division 3 – Other Community Development Director Actions

These revisions will be presented to the Planning and Zoning Commission at their November 15, 2022, meeting for a public hearing and recommendation and presented to the Board of Commissioners at the December 8, 2022, meeting for second reading and public hearing. A 2nd Reading of the Ordinance will be presented to the Board of Commissioners on December 13, 2022.

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

*** Approve Partial Funding Claim on the Damage caused by the Tornado with ACCG Insurance** - On April 5, 2022 Bryan County was hit by a devastating F4 Tornado. Since that time the County has been working with Belfor Property Restoration and ACCG Insurance to estimate the cost of rebuilding and restoring the County's Buildings and Assets. This is a preliminary funding agreement for \$10,409,201.44 less the County's deductible of \$2,500 and preliminary checks of \$2,993,948.01 for a balance due of \$7,412,753.34. These are not the final numbers and supplements will be added as more estimates are approved by ACCG Insurance. A motion was made by Gene Wallace and seconded by Andrew Johnson to authorize the Chairman to execute the ACCG Insurance Agreement for a Gross Amount of \$10,409,201.44 with a Net Claim Amount of \$7,412,753.34. Vote 5:0, motion carried unanimously.

*** Approve 3 Additional Belfor Tornado Rebuilding Contracts** - On April 5, 2022 Bryan County was hit by a devastating F4 Tornado. Since then the County has been working with Belfor Property Restoration and ACCG Insurance to rebuild the County's facilities back. During these first 5 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. These are 3 more contracts that have been negotiated and agreed upon by the County, Belfor, and ACCG Insurance. The legal language and the scope of services has been reviewed and ACCG has agreed to pay for everything in these 3 contracts. A motion was made by Andrew Johnson and seconded by Gene Wallace to adopt a resolution authorizing staff to

sign 3 additional contracts with Belfor in the amount of \$1,792,838.37, allowing Belfor to begin repair work on these facilities. Vote 5:0, motion carried unanimously.

*** Resolution to approve a Private Development Agreement between Bryan County and NGI Acquisitions, LLC, a Georgia limited liability company** - NGI Acquisitions, LLC is a multi-family developer, and it is seeking to develop a multi-family project within the Rayonier Planned Unit Development boundary, which is within the city limits of Richmond Hill. This project will have access on Belfast Keller Road. Bryan County, the city of Richmond Hill, and Rayonier have been working together to develop a funding mechanism for the required Belfast Keller Road Improvements. One of the methods for funding these improvements is to require developers seeking access onto Belfast Keller to mitigate their impacts to this road by contributing a proportionate share of the required funding. NGI Acquisitions, LLC has agreed to mitigate the impacts from their development, and the Private Development Agreement memorializes the terms and conditions. NGI Acquisitions' proportionate share is \$416,420.00. A motion and was made by Dallas Daniel and seconded by Noah Covington to adopt a resolution approving a Private Development Agreement between Bryan County and NGI Acquisitions, LLC. Vote 5:0, motion carried unanimously.

*** I-16 Regional Force Main Realignment** - In conjunction with the Sewer Service Agreement with the City of Savannah which was approved on December 8, 2020 Bryan County engaged Thomas & Hutton to design and bid the I-16 regional force main connection project which has subsequently been awarded for construction. The proposed alignment route along I-16 was selected based on initial discussions with the Effingham IDA and the assumption that Effingham County would be willing partners in the establishment of the utility corridor on the north side of I-16 as it would provide direct access to sewer and future water for the IDA. Since negotiations for critical easements within Effingham County have faltered it has become apparent that an alternate route needs to be established as the construction timeline necessary to meet obligations for Hyundai may be at risk. The attached scope prepared by Thomas & Hutton provides the necessary engineering services to establish and alternate route for the sewer force main. A motion that was made by Noah Covington and seconded by Dallas Daniel to approve the Thomas & Hutton Scope of Services for the re-alignment of the I-16 sewer force main and corresponding Task Order #89 in the amount of \$485,950 and the corresponding Scope of Services for the re-alignment of the I-16 sewer force main, as presented. Vote 5:0, motion carried unanimously.

*** I-16 Mega-Site On-Site Water & Sewer Infrastructure Engineering Services** - 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 infrastructure includes upgrades to the existing Interstate Centre well, Phase 1 I-16 water main crossing, 2 MG elevated water storage tank and on-site well, large diameter water transmission main, on-site sewage lift station, force main and gravity sewer main. A motion and was made by Andrew Johnson and seconded by Wade Price to approve the Thomas & Hutton Scope of Services for the Mega-Site On-Site Water and Sewer Infrastructure and corresponding Task Order #82 in the amount of \$2,213,900, as presented. Vote 5:0, motion carried unanimously.

*** Approval of MOU for Project Diamond** - The County has been asked to approve, as the same may apply to the County, a Memorandum of Understanding between the Development Authority of Bryan County, The Board of Tax Assessors, the Tax Commissioner and the Company involved. The MOU is an economic development effort to attract investment and employment in the County and outlines certain benefits available to the Company and the obligations of the Company to meet specific commitments of investment and employment within the County. A motion was made by Noah Covington and seconded by

Andrew Johnson to adopt a resolution authorizing the Chairman to execute the MOU for Project Diamond. Vote 5:0; motion carried unanimously.

*** Approval of MOU for Project Market** - The County has been asked to approve, as the same may apply to the County, a Memorandum of Understanding between the Development Authority of Bryan County, The Board of Tax Assessors, the Tax Commissioner and the Company involved. The MOU is an economic development effort to attract investment and employment in the County and outlines certain benefits available to the Company and the obligations of the Company to meet specific commitments of investment and employment within the County. A motion was made by Andrew Johnson and seconded by Wade Price authorizing staff to adopt a resolution authorizing the Chairman to execute the MOU for Project Market. Vote 5:0; motion carried unanimously.

A motion was made by Wade Price and seconded by Andrew Johnson to adjourn. Vote 5:0, motion carried unanimously.

The meeting was adjourned at 5:52 p.m.