

Bryan County Board of Commissioners – January 10, 2023

The regular meeting of the Bryan County Board of Commissioners was held on Tuesday, January 10, 2023, in Pembroke. The following members were present: Chairman Carter Infinger, Commissioner Patrick Kisgen, Commissioner Dallas Daniel, Commissioner Noah Covington, Commissioner Wade Price and Commissioner Gene Wallace. Also present: County Administrator Ben Taylor and County Clerk Lori Tyson.

Chairman Infinger called the meeting to order at 5:30 p.m. The Chairman gave the invocation, and everyone joined in the Pledge of Allegiance, led by Cooper Kisgen.

Judge Billy Reynolds swore in newly elected Commissioners Patrick Kisgen, Jr., Wade Price and Dr. Gene Wallace.

A motion was made by Dallas Daniel and seconded by Gene Wallace to approve the proposed agenda, with the amendment of deferring Community Development Public Hearing Items 1-3 to the March meeting, and deferring County Administrator Item 2, until the end of the meeting. Motion carried unanimously. Vote 5:0

A motion was made by Wade Price and seconded by Noah Covington to approve the minutes of the December 2023 meetings as presented. Motion carried unanimously. Vote 5:0

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

A motion was made by Noah Covington and seconded by Wade Price to close the regular meeting and open the Public Hearing. Motion carried unanimously. Vote 5:0

**Brett Kohler** met with the Commissioners on the following Public Hearing Items.

\* Second Reading of an Ordinance to Amend the Zoning Map for 745 Shuman Town Road, Parcel# 030-021-01

\* Kevin Smith – Second Reading of an Ordinance to Amend the Zoning Map for 3.5 acres 070-005-01

\* **Second 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. A motion was made by Noah Covington and seconded by Gene Wallace to approve the rezoning of Parcel# 030-021-01 from A-5 to RR-1.5. Motion carried unanimously. Vote 5:0

\* **Kevin Smith – Second Reading of an Ordinance to Amend the Zoning Map for 3.5 acres 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. A motion was made by Gene Wallace and seconded by Dallas Daniel to approve the rezoning of Parcel# 070-005-01 from RR-1 to RR-2.5. Motion carried unanimously. Vote 5:0

**Amanda Clement** met with the Commissioners on the following Non-Public Hearing issues.

\* **Approval of Task Order Five to the Professional Services Agreement with Goodwyn Mills Cawood, LLC** - The Department of Community Affairs (“DCA”) requires cities and counties to update their Comprehensive Plans every five years. Bryan County’s update is due in October 2023. Goodwyn Mills Cawood, LLC (“GMC”) was selected as the consulting firm to assist the County in the completion of the Comprehensive Plan Update. It was anticipated that the update would be completed in two phases with a total project cost of \$150,000. The Board of Commissioners have previously approved “Task Order 3” and “Task Order 4” to address the scope of professional services for Phase 1 and Phase 1A of the update, which occurred in 2022 at a total cost of \$90,000. It is now being requested that this “Task Order 5” for phase 2 be approved using the remaining budgeted amount of \$60,000. A motion was made by Noah Covington and seconded by Wade Price to approve Task Order Five to the Professional Services Agreement with Goodwyn Mills Cawood, LLC. Motion carried unanimously. Vote 5:0

\* **Adoption of Revised 2023 Alcohol Permit Fees** - The Board of Commissioners approved the 2023 Alcohol License Fee Schedule with the adoption of the 2023 County Budget on December 13, 2022. There is an investigative fee charged for new applications. A portion of the fee is paid to the state. The version of the 2023 Alcohol License Fee Schedule adopted with the budget did not include the portion paid to the state. In order to provide applicants a better understanding of all costs associated with alcohol licenses, staff has revised the attached 2023 Alcohol License Fee Schedule to note the total investigative fee is \$65. A motion was made by Dallas Daniel and seconded by Wade Price to approve a Resolution adopting the revised 2023 Alcohol License Fee Schedule. Motion carried unanimously. Vote 5:0

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

\* **Appointment of Vice-Chairman** - Each year the Board of Commissioners appoints one of its members as the Vice-Chairman. For a number of years, the Board of Commissioners has been using the rotation of 5th District, followed by 3rd District, then 4th District, 2nd District and 1st District. The Vice-Chairman for 2021 was Dr. Gene Wallace, 5th District. The Vice-Chairman for 2022 was Dallas Daniel, 3rd District. The proposed Vice-Chairman for 2023 will be the 4th District Commissioner Patrick Kisgen. A motion was made by Gene Wallace and seconded by Wade Price to appoint Mr. Patrick Kisgen, 4th District Commissioner as the Vice-Chairman of the Bryan County Board of Commissioners for FY 2023. Vote 5:0, motion carried unanimously.

\* **Water & Sewer Service Agreement – DSP, LLC**- DSP, LLC intends to develop certain property located adjacent to the Direct Distributors site on the south side of US 280 in unincorporated Bryan County, Georgia. As such, DSP desires certain commitments from Bryan County regarding the construction of water distribution and sanitary sewer collection/disposal systems to serve the proposed development of the property. To do so a Water and Sewer Service Agreement must be entered into with the County to provide water and sewer service in order to accommodate anticipated demands of the proposed development along with additional anticipated demands of future facilities by residential, commercial, and industrial development in North Bryan County. The County has prepared and adopted a Master Water and Sewer Plan, dated June 8, 2021, (“Master Plan”) which identifies the anticipated regional water and

sewer infrastructure improvements required to meet this anticipated demand for water and sewer. The DSP, LLC Water and Sewer Service Agreement identifies and memorializes the scope, terms and conditions for the construction of those water and sewer improvements as identified therein. A motion was made by Dallas Daniel and seconded by Noah Covington authorizing the Chairman to execute the Water & Sewer Service Agreement between the Board of Commissioners of Bryan County and DSP, LLC. Vote 5:0, motion carried unanimously.

**\* Transportation Improvement Contribution Agreement – DSP, LLC**- DSP, LLC intends to develop certain property located adjacent to the Direct Distributors building on the south side of US 280 in unincorporated Bryan County, Georgia. As such, DSP and Bryan County agree that certain transportation improvements will be necessary along the US 280 and US 80 corridors as well as at the intersection of US 80 and US 280 to meet the anticipated traffic demands. In order to accommodate the anticipated demands from the DSP development along with additional anticipated demands of future residential, commercial, and industrial developments in North Bryan a Transportation improvement Contribution Agreement must be entered into with the County to provide the necessary transportation improvements. The County has prepared and adopted a TIA Supplement to the North Bryan Transportation Study which identifies these improvements. The DSP, LLC Transportation Contribution Agreement memorializes the scope, terms and conditions for the construction of those improvements as identified therein. A motion and was made by Gene Wallace and seconded by Wade authorizing the Chairman to execute the Transportation Improvement Contribution Agreement between the Board of Commissioners of Bryan County and DSP, LLC. Vote 5:0, motion carried unanimously.

**\* Adoption of the 2023 Road Classification Plan** - The Bryan County Board of Commissioners (“BOC”) adopted the Unified Development Ordinance (“UDO”) on December 8, 2020. Included in the UDO is a Road Classification Plan, Appendix E. The Road Classification Plan, per the UDO definition, identifies all roads in Bryan County as arterial, collector, local, unpaved, or private. The Engineering Director is tasked with maintaining the County’s Road Inventory, and the Engineering Director updates the Road Inventory throughout the year identifying right-of-way dedications and abandonments, change in ownership, and private roads constructed. At the end of the calendar year, the Engineering Director updates the Road Classification Plan with the Road Inventory information. Pursuant to Section 114-1000, the Engineering Director must present the Road Classification Plan annually to the BOC for review and adoption. The Engineering Director has reviewed the 2023 Road Classification Plan, and he has determined the Road Classification Plan accurately reflects Bryan County’s Road Inventory as of December 31, 2022. A motion that was made by Noah Covington and seconded by Wade Price to approve a Resolution Adopting the 2023 Road Classification Plan. Vote 5:0, motion carried unanimously.

**\* Approval of Additional Tornado Rebuilding Contracts** - on April 5, 2022, a devastating F4 Tornado hit Bryan County. Since at time, 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 3 contracts 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 this contract. A motion and was made by Noah Covington and seconded by Wade Price to approve a Resolution authorizing staff to sign three contracts in the amount of \$2,848,430.76, allowing Belfor to continue the rebuilding Bryan County’s Facilities. Vote 5:0, motion carried unanimously.

**\* Award a Contract to LCH Services, LLC - DBA Amazing Scapes for ROW Mowing-** On Tuesday October 31, 2022, staff advertised a Request for Proposals (RFP) for ROW mowing which includes approximately 115 miles of right-of-ways. On December 1, 2022, staff received five bids that ranged from \$455,400 to \$1,409,900 as shown on the Final Bid Tabulation worksheet. Amazing Scapes, out of Columbus met the requirements for experience and equipment as established by the RFP and submitted the lowest successful bid in the amount of \$455,400 (\$396/mile). This bid is also in line with the previous contract amount (\$400/mile). A motion was made by Dallas Daniel and seconded by Noah Covington approving staff to award a contract to Amazing Scapes based out of Columbus, Georgia for \$455,400. Vote 5:0; motion carried unanimously.

**\* Award a Contract to United Ground Maintenance Services, Inc. -** On Tuesday October 11, 2022, County staff advertised a Request for Proposals (RFP) for a design-build contractor to provide turnkey design, construction, and delivery of a new 3,600 sf building. This building will be utilized by the Water and Sewer Department, as well as the Public Works Department, and will be located at 184 Fort McAllister Road. On November 17, 2022, three bids were received with the lowest bid coming from United Ground Maintenance Services, Inc., in the amount of \$347,357 or \$ 96.49/sf. In addition, United Ground Maintenance Services has also agreed to hold their price of \$96.488/sf or \$202,629 for a second building budgeted to be constructed at the north Public Works facility, replacing the existing outdated office trailer. United Ground Maintenance Services, Inc. also meets the requirements for experience as established by the RFP. A motion was made by Gene Wallace and seconded by Wade approving staff to award a contract to United Ground Maintenance Services, Inc., in the amount of \$549,986. Vote 5:0; motion carried unanimously.

**\* 2023 LMIG Program -** Each year the Georgia Department of Transportation provides grant funding for local governments through the Local Maintenance and Improvement Grant Program (LMIG) for road related construction projects. As per the attached letter for 2023 Bryan County was awarded \$494,835.44. GDOT requires a local match of 30% which equates to \$148,450.63. Additional funding has been allocated through TSPLOST funds bringing the total to \$1,200,000 for the 2023 Bryan County Road Program. A motion was made by Wade Price and seconded by Dallas Daniel authorizing the Chairman to execute the 2023 GDOT LMIG package for submittal to GDOT for their approval. Vote 5:0; motion carried unanimously.

**\* Appointments to the Bryan County Board of Elections and Registration -** Last year, local legislation passed that increased the number of members on the Board of Elections and Registration from three to five members. With the increase in board members and the expired terms of seats vacated by Dan Deneen and Tom Hand, there are currently three vacancies on the Board of Elections and Registrations. Appointment to two seats would begin immediately and the term would expire on December 31, 2026. The term to the final appointment would begin immediately and expire on December 31, 2024. A motion was made by Noah Covington and seconded by Wade Price to appoint Andrew Johnson, Penny DuBoise to the Bryan County Elections and Registrations Board, with terms expiring December 31, 2026, and Elizabeth Ertle with a term expiring December 31, 2024. Vote 5:0; motion carried unanimously.

At 6:20 p.m. a motion was made by Dallas Daniel and seconded by Noah Covington to go into Executive Session for litigation and personnel. Vote 5:0; motion carried unanimously.

At 6:56 p.m. a motion was made by Dallas Daniel and seconded by Noah Covington to close Executive Session and return to the open meeting. Vote 5:0; motion carried unanimously.

\* **Appointment of the County Attorney** - In January of each year, the Board of Commissioners appoints the County Attorney. Leamon (Lea) Holliday with Bouhan Falligan, LLP has been serving as the County Attorney since December 2014. A motion was made by Dallas Daniel and seconded by Gene Wallace to appoint Aaron Kappler as County Attorney for 2023. Vote 5:0; motion carried unanimously.

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

The meeting was adjourned at 6:57 p.m.