

Bryan County Board of Commissioners – June 13, 2023

The regular meeting of the Bryan County Board of Commissioners was held on Tuesday, June 13, 2023, in Richmond Hill. The following members were present: Acting Chairman Patrick Kisgen, 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 Aaron Kappler. Chairman Carter Infinger was not present for the meeting.

Acting Chairman Patrick Kisgen called the meeting to order at 5:30 p.m.

Commissioner Kisgen gave the invocation, and everyone joined in the Pledge of Allegiance.

A motion was made by Gene Wallace and seconded by Dallas Daniel to approve the proposed agenda, but with the deferment of Community Development Public Hearing 3, to the August meeting. Motion carried unanimously. Vote 4:0

A motion was made by Gene Wallace and seconded by Noah Covington to approve the minutes of the May 2023 meetings, as presented. Motion carried unanimously. Vote 4:0

A motion was made by Noah Covington and seconded by Wade Price to approve the Consent Agenda. Motion carried unanimously. Vote 4:0

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 4:0

Brett Kohler, Sara Farr-Newman and Audra Miller met with the Commissioners on the following Public Hearing Items.

** Patrisha Wilson and Deidre Williams – Second Reading of an Ordinance to Amend the Zoning Map for ±8.11 acres – Parcels 028-032 and 028-032-01.* Applicants Patricia Wilson & Deidra Wilson spoke, as well as their realtor, Debbie (did not get last name).

** Aaron Walker – Amend the Sketch/Preliminary Plat for Lot 10 of Black Creek Estates – Parcel 025-002-06.* The applicant, Aaron Walker, Jr. spoke.

** North Bryan Rezoning Moratorium.* No one from the public was present to speak on this item.

A motion was made by Gene Wallace and seconded by Dallas Daniel to close the public hearing and reopen the regular meeting. Motion carried unanimously. Vote 4:0

*** Patrisha Wilson and Deidre Williams – Second Reading of an Ordinance to Amend the Zoning Map for ±8.11 acres – Parcels 028-032 and 028-032-01.** - Deidre Williams and Patrisha Wilson are requesting to rezone 1347 Eldora Road, Parcel Number 028-032-01, and 1369 Eldora Road, Parcel Number 028-032, from the existing “RR-1.5”, Rural Residential Zoning District, to the “I-2”, General Industrial Zoning District. A motion was made by Gene Wallace and seconded by Noah Covington to approve the rezoning of Parcel # 028-032-01 and 028-032 from RR-1.5 Rural Residential to I-2 General industrial Zoning District., with the following conditions: 1. A TIA 2. A Water/Sewer Agreement 3. A Transportation Agreement 4. Connection to Public Water and Sewer with capacity being subject to availability. Motion carried unanimously. Vote 4:0

*** Aaron Walker – Amend the Sketch/Preliminary Plat for Lot 10 of Black Creek Estates – Parcel 025-002-06** - Aaron Walker, requesting subdivision plat approval for property located within the Black Creek Estates subdivision. The plat is for two lots to be created from one 5.75-acre parcel. The applicant is not proposing any additional development on the new lot. The property is located at 30 Aaron Drive, PIN# 025-002-06. A motion was made by Noah Covington and seconded by Wade Price to motion to approve the plat of lot amendment for Lot 10, Black Creek Estates. Motion carried unanimously. Vote 4:0

*** North Bryan Rezoning Moratorium** - Due to the recent development in North Bryan County, which may exceed the rate of development anticipated in the 2018 Comprehensive Plan and may be exceeding the rate of anticipated infrastructure improvements, including but not limited to public water and sewer and transportation, Bryan County staff is recommending the Board of Commissioners enact a moratorium for new zoning map amendments concerning industrial, commercial and residential uses in the area identified as “Northern Bryan Industrial Area” through December 31, 2023. During this time, Bryan County staff will study and analyze land use regulations, Comprehensive Plan updates, water and service capacity and infrastructure needs, and transportation improvement requirements and any other information, data, or reports necessary for staff to make informed recommendations to the Board of Commissioners to address public health, safety, welfare, aesthetics and other considerations of public interest. A motion was made by Noah Covington and seconded by Gene Wallace to approve a Resolution Enacting a Moratorium on Zoning Map Amendments Concerning Industrial, Commercial, and Residential Uses in Certain Portions of Bryan County through and Including December 31, 2023; Making Certain Findings; Providing for the Severance of Certain Provisions and Repealing Contrary Law. Motion carried unanimously. Vote 4:0

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

*** Silverman Land Holdings, LLC – First Reading of an Ordinance to Amend the Zoning Map for ±298.37 acres – Parcel 028-026** - Scott Allison with Coleman Company, representing Silverman Land Holdings LLC, requesting to rezone 298.37 acres from “A-5” to “I-2”. Property is located at 1606 Warnell Farm Road, in the northern end of Unincorporated Bryan County. PIN# 028-026 (Stubbs Tract 1). First reading; No action required.

*** Silverman Land Holdings, LLC – First Reading of an Ordinance to Amend the Zoning Map for ±125.54 acres – Parcel 023-001** Scott Allison with Coleman Company, representing Silverman Land Holdings LLC, requesting to rezone 125.54 acres from “A-5” to “I-2”. Property is located on Highway 80, in the northern end of Unincorporated Bryan County. PIN# 023-001 (Stubbs Tract 2). First reading; No action required.

*** Johnny and Pegi Walters – First Reading of an Ordinance to Amend the Zoning Map for ±10 acres Parcel 057-004-01** - Pegi Walters is requesting to rezone 840 Dunham Marsh Trail, Parcel Number 057-004-01, from the existing “A-5”, Agricultural Zoning District, to the “RR-2.5”, Rural Residential Zoning District. First reading; No action required.

*** Dozier Enterprises, Inc. – First Reading of an Ordinance to Amend the Zoning Map for ±8.16 acres – Parcels 0601-102, 0601-103, and 0601-105** - Dozier Enterprises LLC, is requesting to rezone Parcel Numbers 0601-102, 0601-103, and 0601-105, from the existing “R-15”, Single-Family Residential Zoning District, to the “RR-2.5”, Rural Residential Zoning District. First reading; No action required.

February 2024. The cost of one tanker truck and all necessary equipment will be reimbursed to the county by the Hyundai Motor Group. The purchase of these trucks is consistent with the FY 2023 budget. A motion was made by Gene Wallace and seconded by Wade Price to approve a resolution authorizing financing through Magnolia Bank, accepting the terms as presented to be finalized at the time of funding. Motion carried unanimously. Vote 4:0

*** LVAP Board Appointment** - In March of 2019, the Bryan County Board of Commissioners established the LVAP Advisory Board. The Board is required to meet annually to discuss and recommend an allocation of LVAP funding to the eligible victim assistance entities serving the Bryan County area. There is a current vacancy on the LVAP Advisory Board, with a term that will expire on March 31, 2023. A motion was made by Noah Covington and seconded by Dallas Daniel to appoint Kathryn Downs to the Bryan County LVAP Advisory Board to fill the remainder of a 2-year term, which will expire on March 31, 2025. Motion carried unanimously. Vote 4:0

*** Intergovernmental Lease Agreement- Harn Center** - The City of Pembroke has agreed to allow Bryan County to occupy the Harn Center for use by the Bryan County Board of Commissioners, the Bryan County Planning and Zoning Commission, and the Bryan County Superior Court. This Lease Agreement sets forth the terms of that occupancy, including the payment of rent by Bryan County to Pembroke, maintenance obligations, and other standard terms for a commercial lease agreement. A motion was made by Wade Price and seconded by Gene Wallace authorizing the County Administrator to execute and deliver the Lease Agreement to Pembroke, subject to final legal review and Pembroke's review and approval. Motion carried unanimously. Vote 4:0

*** T&H Task Order #63a for Belfast Keller/Cranston Bluff - School Roundabout Construction Management/Observation** - Bryan County is scheduled to receive bids for the Belfast-Keller/Cranston Bluff Roundabout on June 20, 2023. If responsive and responsible bids are received, Staff intends to seek Commission approval to award a contract at the July Commission meeting. Construction is anticipated to begin August 2023 with completion anticipated within 12-months. Bryan County engaged Thomas & Hutton (T&H) Engineering to design, permit, and assist in project bidding (Task Order #63). The proposed Task Order #63a includes construction management, observation, and other engineering services during the 12-month construction phase. T&H will provide services on a time and expense basis as directed by County in accordance with the task order scope and budget. A motion was made by Dallas Daniel and seconded by Wade Price to approve Thomas & Hutton Scope of Services and authorize the Chairman to execute corresponding Task Order #63a in the amount of \$543,000 for the Belfast-Keller/Cranston Bluff School Roundabout Construction Management/Observation Services, as presented. Motion carried unanimously. Vote 4:0

*** T&H Task Order #83 for Belfast Keller Road East Engineering Services** - In cooperation with Raydient Places + Properties, Bryan County is committed to the design, permitting, and construction of roadway improvements to Belfast-Keller Road. The proposed Thomas & Hutton Task Order #83 includes engineering services for initial phases of the eastern portion of the overall project. The initial project phases consist of roadway widening along Belfast-Keller Road from just east of the interchange ramp termini to the new high school site located approximately 6,100' east of I-95. The widening includes improving the existing two-lane section to a six-lane divided section from the ramp termini to Great Ogeechee Parkway and a four-lane divided section from Great Ogeechee Parkway to the school site. There will be a new roundabout design included at the future Heartwood Avenue intersection as well as two R-CUT intersections constructed between Heartwood and Cranston Bluff Road. The section between the ramp termini and Heartwood will have two full access points. The access point at Great Ogeechee

Parkway will have dual left turn lanes and a signal. The improvements are being completed to accommodate the coming growth at the interchange and along the corridor. The project is being funded with local dollars. A motion was made by Gene Wallace and seconded by Dallas Daniel to approve Thomas & Hutton Scope of Services for the design, permitting, and construction phase engineering and authorize the Chairman to execute corresponding Task Order #83 in the amount of \$2,419,600 for the Belfast Keller Road Improvements – Interstate 95 to Cranston Bluff, as presented. Motion carried unanimously. Vote 4:0

* **T&H Task Order #95 for Bryan/Bulloch Water System Additional SERP** - Following input from Georgia EPD regarding proposed locations of drinking water withdrawal wells for the Hyundai Motor Group Metaplant America (HMGMA), the project corridor shifted from Eldora Road to further west along SR 46. The originally completed State Environmental Review Process (SERP) field investigations, reports, and evaluations were completed prior to the shift in the project corridor. Task Order #95's scope includes additional geotechnical evaluations, USACE wetland permitting, Phase 1 cultural resource survey, threatened and endangered species evaluation, and preparation of a new Environmental Review and Planning Document. The project is being funded through the State Fiscal Recovery Fund (SFRF) grant program. A motion was made by Noah Covington and seconded by Wade Price to approve Thomas & Hutton Scope of Services for the additional SERP permitting and report preparation and authorize the Chairman to execute corresponding Task Order #95 in the amount of \$148,400, as presented. Motion carried unanimously. Vote 4:0

* **Belfast-Keller/Cranston Bluff School Roundabout-Wetland Mitigation Credit Purchase** - Bryan County is scheduled to receive bids for the Belfast-Keller/Cranston Bluff Roundabout on June 20, 2023. If responsive and responsible bids are received, Staff intends to seek Commission approval to award a contract at the July Commission meeting. Construction is anticipated to begin August 2023 with completion anticipated within 12-months. As a part of the construction wetland areas adjacent to the existing roadway will be impacted. In order for the County to be authorized to impact those wetlands mitigation credits must be purchased prior to the impacts being made. The proposed item includes purchase of 10.56 wetlands mitigation credits. A motion was made by Gene Wallace and seconded by Wade Price to approve the purchase of 10.56 wetland mitigation credits in the amount of \$802,560 for the Belfast-Keller/Cranston Bluff School Roundabout project. Motion carried unanimously. Vote 4:0

* **Cindy S. Miles and Teresa S. Rawlinson Option Agreement and Easement** - This item is to approve an Option Agreement and Easement from Cindy S. Miles and Teresa S. Rawlinson, for use in the Hwy 80 Regional Sewer Improvements. This easement was approved for condemnation in March 2023. Following that approval, the County and representatives of Cindy Miles and Teresa Rawlinson engaged in good faith negotiations on the size and shape of the easement, and on the consideration to be paid. The County further accommodated the property owners' request to allow the gas company to encroach within the easement. A motion was made by Wade Price and seconded by Noah Covington to approve the Option Agreement and Easement from Cindy S. Miles and Teresa S. Rawlinson, and to approve staff to cause the consideration to be paid to Cindy S. Miles and Teresa S. Rawlinson. Motion carried unanimously. Vote 4:0

* **GA Department of Corrections – Women's Work Detail Agreement** - This agreement authorizes one (1) women's offender work detail, with a maximum of 10 offenders under the supervision of one full-time correctional officer to work with the Bryan County Parks and Recreation maintenance department. The work detail will be composed of one women's work detail out of the Women's Probation Detention Center. The total cost of the contract is not to exceed \$49,318 for the period of 7/1/2023 to 6/30/2024. Services will be billed monthly for actual workdays with the daily cost of \$237.10 per work detail per day

used. A motion was made by Dallas Daniel and seconded by Gene Wallace authorizing the County Administrator to Execute the Work Detail Agreement with the Georgia Department of Corrections. Motion carried unanimously. Vote 4:0

The following **Public Comments** were made:

***Thomas Seaman**, spoke on election integrity.

***Pamela Van Olstein**, spoke on Georgia law authorizing the local governing authority to determine what form of ballot is used for an election, within that governing bodies jurisdiction.

***Karen Hewitt**, spoke on voter software.

A motion was made by Noah Covington and seconded by Dallas Price to go into Executive Session for litigation at 6:24 p.m. Motion carried unanimously.

The Board returned to the open meeting at 6:58 p.m.

A motion was made by Noah Covington and seconded by Wade Price to adjourn. Motion carried unanimously.

The meeting was adjourned at 6:58 p.m.