

Bryan County Board of Commissioners – September 12, 2023

The regular meeting of the Bryan County Board of Commissioners was held on Tuesday, September 12, 2023, in Pembroke, at the J. Dixie Harn Center. The following members were present: Chairman Carter Infinger, Commissioner Dallas Daniel, Commissioner Noah Covington, Commissioner Wade Price and Commissioner Gene Wallace. Also present: County Administrator Ben Taylor, Assistant County Administrator Kathryn Downs, County Attorney Aaron Kappler and Deputy County Clerk Charlene Butler.

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 Gene Wallace to approve the proposed agenda, with the removal of Consent Agenda items 5-8. Commissioner Covington seconded this motion. Motion carried unanimously. Vote 4:0

A motion was made by Noah Covington and seconded by Dallas Daniel to approve the minutes of the August 2023 meetings as presented. Motion carried unanimously. Vote 4:0

A motion was made by Gene Wallace and seconded by Wade Price to approve the Consent Agenda, except for items 5-8, as presented. Motion carried unanimously. Vote 4:0

A motion was made by Noah Covington and seconded by Gene Wallace to close the regular meeting and open the Public Hearing. Motion carried unanimously. Vote 4:0

Amanda Clement, and Brett Kohler met with the Commissioners on the following **Public Hearing** Items.

* Melinda Madden - Second Reading of an Ordinance to Amend the Zoning Map for ±1.5 acres Parcel 026-050

* John and Meagan Mowry - Second Reading of an Ordinance to Amend the Zoning Map for ±182.94 acres Parcel 017-005

* Blitchton Investments 1, LLC – Second Reading of an Ordinance to Amend the Zoning Conditions Adopted by Ordinance No. 2021-5 for the “Conley Tract” - Parcel 028-031

* Blitchton Investments 1, LLC – Second Reading of an Ordinance to Amend the Zoning Conditions Adopted by Ordinance No. 2021-6 for the “Davis Tract” - Parcel 033-024-01

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

* **Melinda Madden - Second Reading of an Ordinance to Amend the Zoning Map for ±1.5 acres Parcel 026-050** – William Mark on behalf of Melinda Madden, requesting to rezone a 1.5-acre property from the "RR-1" Rural Residential Zoning District to the "RR-1.5" Rural Residential 1 Acre Zoning District. The property is located at 167 Carlos Cowart Road, PIN# 026 050. The applicant plans to complete a lot line adjustment adding acreage from another lot. A motion was made by Wade Price and seconded by Gene Wallace to approve the rezoning of Parcel 026-050 from RR-1 to RR-1.5. Motion carried unanimously. Vote 4:0

*** John and Meagan Mowry - Second Reading of an Ordinance to Amend the Zoning Map for ±182.94 acres Parcel 017-005** - Jonathon Felix on behalf of John and Meagan Mowry, requesting to rezone a 182.94-acre property from the "RR-1" Rural Residential Zoning District to the "A-5" Agricultural Zoning District. The property is located at 2812 Hwy 67 S, PIN# 017 005. The rezoning will remove the size limitations on accessory structures as the applicant plans to build a detached garage. A motion was made by Dallas Daniel and seconded by Wade Price approve the rezoning of Parcel 017-005 from RR-1 "Rural Residential" to A-5 "Agricultural" Zoning District. Motion carried unanimously. Vote 4:0

*** Blitchton Investments 1, LLC – Second Reading of an Ordinance to Amend the Zoning Conditions Adopted by Ordinance No. 2021-5 for the “Conley Tract” - Parcel 028-031** - The Board of Commissioners adopted Ordinance No. 2021-5 on January 12, 2021, which rezoned parcel 028-031 (“Conley Tract”) to the “I-2” General Industrial Zoning District subject to certain conditions. Blitchton Investments 1, LLC has purchased the tract and intends on developing the property as an industrial development. In order to facilitate the timely development of this project, Blitchton Investments 1, LLC is requesting to amend the zoning condition adopted as a part of Ordinance No. 2021-5, by revising Condition Number Two under “Water and Sewer – General Conditions Related to Water and Sewer.” A motion was made by Noah Covington and seconded by Dallas Daniel to approve the amendment of Bryan County Ordinance No. 2021-5 in order to revise Condition Number Two under “Water and Sewer – General Conditions Related to Water and Sewer.” Motion carried unanimously. Vote 4:0

*** Blitchton Investments 1, LLC – Second Reading of an Ordinance to Amend the Zoning Conditions Adopted by Ordinance No. 2021-6 for the “Davis Tract”- Parcel 033-024-01** - The Board of Commissioners adopted Ordinance No. 2021-6 on January 12, 2021, which rezoned parcel 033-024-01 (“Davis Tract”) to the “I-2” General Industrial Zoning District subject to certain conditions. Blitchton Investments 1, LLC has purchased the tract and intends on developing the property as an industrial development. In order to facilitate the timely development of this project, Blitchton Investments 1, LLC is requesting to amend the zoning condition adopted as a part of Ordinance No. 2021-6, by revising Condition Number Two under “Water and Sewer – General Conditions Related to Water and Sewer.” A motion was made by Noah Covington and seconded by Wade Price to approve the amendment of Bryan County Ordinance No. 2021-6 in order to revise Condition Number Two under “Water and Sewer – General Conditions Related to Water and Sewer.” Motion carried unanimously. Vote 4:0

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

*** Alivia Duffus – First Reading of an Ordinance to Amend the Zoning Map for Parcels 026-032, 026-32-001-007, and 026-32-001-008** – Alivia Duffus is requesting to rezone Parcel Numbers 026-32-001-007, 026-32-001-008, and 026-032, from the existing “RR-1”, Rural Residential Zoning District, to the “A-5”, Agricultural Zoning District. This is a First Reading, so no action is needed.

*** Richard Goodman – First Reading of an Ordinance to Amend the Zoning Map for Parcel 011-52** – Richard and Bobbi Goodman, requesting to rezone a 6.41-acre property from the "A-5" Agricultural Zoning District to the "RR-1" Rural Residential 1 Acre Zoning District. The property is located at 1737 Sims Road, PIN# 011 052. The applicant plans to subdivide the property to build a single-family house for a family member. This is a First Reading, so no action is needed.

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

*** Georgia Outdoor Stewardship Program Grant – Fisherman’s Co-Op – Bryan County (“County”)** purchased the Fisherman’s Co-Op property in September 2020 to develop a boat launch facility. Bryan County received a GOSP grant during the 2021/2022 grant cycle, and the County is in the process of constructing Phase I improvements. The County has started planning for the Phase II improvements, which include two additional boat ramps, paving the parking area, a 6,000-square foot education building, a boardwalk, and additional wayfinding signage. In order to help offset the cost of these Phase II improvements, the County is applying for a second Conserve Georgia Grant through the Georgia Outdoor Stewardship Program. The County will be applying for a \$3 million grant, which requires a minimum 25% match (\$1 million). In order to be competitive, the County must exceed the minimum match, and staff is recommending the match be 35% (\$1,621,000). A requirement of the grant application is a resolution from the Board of Commissioners authorizing the submittal of the grant application and committing to funding the project. The attached resolution fulfills this requirement. A motion was made by Gene Wallace and seconded by Dallas to approve a Resolution Authorizing the Submittal of the Conserve Georgia Grant Application for the Fisherman’s Co-Op Phase II Project and Committing all Necessary and Required Funds. Motion carried unanimously. Vote 4:0

*** McLendon Enterprises U.S. Highway 80 Regional Sewer Improvements Change Order No. 2** – In conjunction with the U.S. 80 Regional Sewer Improvements project attached Change Order #2 addresses necessary field revisions to the project scope due to the reconfiguration of the U.S. 80 pump station layout, and changes to the piping at the North Bryan MBR treatment plant. These revisions include the addition of storm drainage pipe associated with the gravel access driveway, and additional material costs associated with the gravity sanitary sewer and water main piping modifications. A motion was made by Noah Covington and seconded by Dallas Daniel to approve Change Order #2 in the amount of \$161,755.65. Motion carried unanimously. Vote 4:0

*** Commission Room Expansion Bid Award Amendment** – On Monday May 22, 2023, the Public Works Department advertised a Request for Proposals (RFP) for the expansion of the Commissioners Meeting Room in North Bryan County. This project has a contract time of 180-day and would consist of all construction related activities required for expanding the existing meeting room by 672 square feet. On June 8, 2023, a pre-bid meeting was held for this project, however on June 22, 2023, no bids were received. Staff has since reached out to several contractor in an attempt to receive quotes and to date the only quote that has been received is from Foley Construction, LLC from Statesboro GA for \$156,114. A motion was made by Gene Wallace and seconded by Noah Covington approving staff to award a contract to Foley Construction, LLC in the amount of \$156,114, for the expansion of the Pembroke Commission Room. Motion carried unanimously. Vote 4:0

*** Selection of the Master Developer for the Rural Housing Workforce Imitative Partner** - At the direction of the Commission a public procurement process was conducted. A RFQ (Request for Qualifications) was published in the Bryan County News on July 27 with a submission deadline of August 10. A letter and copy of the RFQ was sent to the Home Builders Association of Greater Savannah. Staff communicated with the organization and was made aware that they forwarded the RFQ to their members. At the close of the RFQ period on August 10 one response was received. The Commonwealth Corporation of America submitted a response. The submission was found to meet the requirements outlined in the RFQ. A motion was made by Noah Covington and seconded by Wade Price authorizing staff to engage with the Commonwealth Development Corporation of America, to develop workforce housing utilizing Rural Workforce Housing Initiative funds in the northern portion of the county. Also approve the Chairman and County Administrator to sign all related forms and approve submission of a Rural Workforce Housing

Initiative application to OneGeorgia and DCA by October 13, 2023. Motion carried unanimously. Vote 4:0

*** Harris Trail Paving Change Order (LMIG Project)** – As part of fiscal year 2023 Bryan County budgeted \$1.2 million for road resurfacing. As this point, a total of \$973,971.85 has been allocated for various resurfacing projects. On May 9, 2023, a contract was awarded to Sikes Brothers Inc. in the amount of \$681,541.85 for the 2023 LMIG project. Prior to completing this project staff is requesting that the Board approve a change order with Sikes Brothers Construction in the amount of \$275,000 for overages on the existing contract as well as improvements at various locations along Harris Trail Road (0.44 miles). As you will recall Sikes Brother Inc. bid for the 2023 Road Resurfacing Project was well below the other bids received and by approving this change order, Sikes Brothers Inc. will be holding their contract prices. The additional \$275,000 will be funded by TSPLOST. A motion was made by Wade Price and seconded by Gene authorizing the Administrator to approve a change order in the amount of \$275,000 with Sikes Brothers, Inc. from Cobbtown, Georgia, for the 2023 Road Resurfacing Project. Motion carried unanimously. Vote 4:0

*** Chamber of Commerce Tourism Agreement** – Staff recommends approval of the MOU with The Richmond Hill Bryan County Chamber of Commerce. In this MOU, Bryan County will pay \$15,000.00 for a sponsorship to the Chamber for the "Great Ogeechee Seafood Festival" to promote tourism in Bryan County, GA. A motion was made by Dallas Daniel and seconded by Gene Wallace authorizing County staff to execute an MOU with The Richmond Hill Bryan County Chamber of Commerce, for sponsorship of the Great Ogeechee Seafood Festival. Motion carried unanimously. Vote 4:0.

*** Belfor Change Order and Contract** - Staff is requesting approval of a contract with Belfor for rebuilding Shelter #3 at Hendrix Park, which is a baseball pavilion located between fields 1&4. This contract has been negotiated and agreed upon by 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. Total contract amount is \$60,774.08. Staff is also requesting the approval for change order #3 for the Courthouse Belfor contract. The change order represents the increase in costs (based on current bids received) for the sidewalks, security systems, and fire/access systems. The total change order is \$113,702.43, which brings the new total for the Courthouse to \$2,611,254.29. A motion was made by Noah Covington and seconded by Wade Price approving staff to sign the contract for Shelter #3 at Hendrix Park in the amount of \$60,774.08, and courthouse Change Order #3 in the amount of \$113,702.43. Motion carried unanimously. Vote 4:0

*** Consideration of a Resolution to condemn a property interest in Tax Parcel 050-024, Bryan County, Georgia, for the Belfast Keller Road Improvement Project; Owners David and Kelly Grieninger, to authorize the Chairman to execute documents in furtherance of the same; to authorize the County Attorney to proceed with proceedings in furtherance of the same; estimated just and adequate compensation: \$16,000.00** - The County is proceeding with the Bryan County Belfast Keller Road School Access ROW project for the purposes of constructing and maintaining public roads which will provide suitable, sustainable, and reliable access on, to, and from Belfast Keller Road for the benefit and use of the public at large. This item for consideration is to condemn and acquire certain property owned by David and Kelly Grieninger, located at 282 Cranston Bluff Road. The appraised value for said property is \$16,000.00. A motion was made by Dallas Daniel and seconded by Gene Wallace to approve the Declaration of Taking, Order and Resolution to Condemn Property to authorize the County Attorney to initiate and maintain condemnation proceedings to acquire the property necessary for the purposes of facilitating the Bryan County Belfast Keller Road School Access ROW project. Motion carried unanimously. Vote 4:0

*** Consideration of a Resolution to condemn a property interest in Tax Parcel 050-031, Bryan County, Georgia, for the Belfast Keller Road Improvement Project; Owners Abdullah H. and Shula Maria Clark, to authorize the Chairman to execute documents in furtherance of the same; to authorize the County Attorney to proceed with proceedings in furtherance of the same; estimated just and adequate compensation: \$600.00** - The County is proceeding with the Bryan County Belfast Keller Road School Access ROW project for the purposes of constructing and maintaining public roads which will provide suitable, sustainable, and reliable access on, to, and from Belfast Keller Road for the benefit and use of the public at large. This item for consideration is to condemn and acquire certain property owned by Abdullah H. Clark and Shulah Maria Clark, known as 181 Cranston Bluff Road, Richmond Hill, Georgia 31324. The appraised value for said property is \$600.00. A motion was made by Gene Wallas and seconded by Dallas Daniel to approve the Declaration of Taking, Order and Resolution to Condemn Property to authorize the County Attorney to initiate and maintain condemnation proceedings to acquire the property necessary for the purposes of facilitating the Bryan County Belfast Keller Road School Access ROW project. Motion carried unanimously. Vote 4:0

*** Consideration of a Resolution to condemn a property interest in Tax Parcel 050-10-033-001, Bryan County, Georgia, for the Belfast Keller Road Improvement Project; Owner Liberty Commercial Rentals, LLC, to authorize the Chairman to execute documents in furtherance of the same; to authorize the County Attorney to proceed with proceedings in furtherance of the same; estimated just and adequate compensation: \$3,200.00** - The County is proceeding with the Bryan County Belfast Keller Road School Access ROW project for the purposes of constructing and maintaining public roads which will provide suitable, sustainable, and reliable access on, to, and from Belfast Keller Road for the benefit and use of the public at large. This item for consideration is to condemn and acquire certain property owned by Liberty Commercial Rentals, LLC, known as Bryan County Pin No. 050-10-033-001. The appraised value for said property is \$3,200.00. A motion was made by Gene Wallace and seconded by Dallas Daniel approve the Declaration of Taking, Order and Resolution to Condemn Property to authorize the County Attorney to initiate and maintain condemnation proceedings to acquire the property necessary for the purposes of facilitating the Bryan County Belfast Keller Road School Access ROW project. Motion carried unanimously. Vote 4:0

The following **Public Comments** were made:

Kevin Kruger, spoke about voting software.

Christy Hayes, spoke about elections, information from the Secretary of State and voter integrity.

Lisa Freeman, spoke about voting software.

Pamela VanAlstine, spoke about voter fraud.

Ben Radcliff, spoke on voter integrity.

Tom Seaman, spoke on election security.

Connie & Mike Jones, spoke on the Comprehensive Plan, and would like the Commissioners to reconsider the zoning of her property to industrial.

Commissioner Covington commended the Recreation staff, and other members of staff who worked so diligently to get Hendrix Park in great shape for the Playing for Parker Tournament, which was held in August.

A motion was made by Noah Covington and seconded by Dallas to go into **Executive Session** for purposes of litigation at 6:23 p.m. Motion carried unanimously.

At 7:38 the Commissioners returned to the open meeting.

A motion was made by Dallas Daniel and seconded by Gene Wallace to adjourn. Motion carried unanimously. Vote 4:0

The meeting was adjourned at 7:38 p.m.