

Bryan County Board of Commissioners – January 16, 2023

The regular meeting of the Bryan County Board of Commissioners was held on Tuesday, January 16, 2024, 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, County Clerk Lori Tyson and County Attorney Aaron Kappler.

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 Patrick Kisgen and seconded by Noah Covington to approve the proposed agenda, with the amendment of striking Consent Agenda Item 1 and County Administrator Item 5. Motion carried unanimously. Vote 5:0

A motion was made by Gene Wallace and seconded by Dallas Daniel to approve the minutes of the December 2023 meetings as presented. Motion carried unanimously. Vote 5:0

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

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

* Cindy Miles and Brenda Caruthers – Second Reading of an Ordinance to Amend the Zoning Map for ±6.73 acres - Parcel 0341-089 and ±2.64 acres- Parcel 0341-090. Holly Young was present for any questions.

* Matt Hollingsworth – Second Reading of an Ordinance to Amend the Zoning Map for ±11.05-acre portion of Parcel 019-032-03. Matt Hollingsworth was present, as well as Kevin Ray, who spoke in opposition of the project.

* Matt Hollingsworth – Conditional Use Permit for a Self-Storage Facility located on a ±11.05-acre portion of Parcel 019-032-03

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

*** Cindy Miles and Brenda Caruthers – Second Reading of an Ordinance to Amend the Zoning Map for ±6.73 acres - Parcel 0341-089 and ±2.64 acres- Parcel 0341-090** - Holly Young is requesting to rezone Parcel Numbers 0341-089 and 0341-090, from the existing “RR-1”, Rural Residential Zoning District, to the “I-1”, Light Industrial Zoning District for warehousing and distribution. A motion was made by Noah Covington and seconded by Patrick Kisgen to approve the rezoning of Parcel 0341-089 and 0341-090 with the following conditions:

1. The developer shall enter into a Water and Sewer Agreement with the County prior to the issuance of any development permits.

2. The developer shall enter into a Transportation Agreement with the County prior to the issuance of any development permits.
3. For a full access driveway, due to potential queuing from the US80/US280 intersection along with being the primary truck access to site, the driveway shall be relocated as close as possible to the western property line, subject to review and approval by GDOT.
4. Connectivity and/or a shared access driveway to US 280 shall be coordinated and provided with the adjacent lot to the west.
5. Old Cuyler Road shall be improved to County road paved standards from the end of the southern most driveway curb return to the end of the current paved section adjacent to Dollar General.
6. The parcels shall be combined via a minor plat and recorded prior to site plan approval.

Motion carried unanimously. Vote 5:0

*** Matt Hollingsworth – Second Reading of an Ordinance to Amend the Zoning Map for ±11.05-acre portion of Parcel 019-032-03** - Jared Mock of Maxwell Reddick and Associates, representing Matt Hollingsworth and James Stanfield requesting to rezone an 11.05-acre portion of a 25.54 tract of land from the "A-5" Agricultural Zoning District to the "B-2" General Commercial Zoning District. The property is located on Wilma Edwards Rd and GA SR 119, PIN# 019 032 03. The applicant plans to subdivide the property to develop a self-storage facility on the Wilma Edwards Frontage. A motion was made by Noah Covington and seconded by Dallas Daniel to approve the rezoning of Parcel 019-032-03 from the A-5 to B-2 Zoning District. Motion carried unanimously. Vote 5:0

*** Matt Hollingsworth – Conditional Use Permit for a Self-Storage Facility located on a ±11.05-acre portion of Parcel 019-032-03** - Project 20230947, Jared Mock of Maxwell Reddick and Associates, representing Matt Hollingsworth, requesting a Conditional Use Permit for a "Self-storage facility" (Mini Warehouses) to be located on the north side of Wilma Edwards Road east of its intersection with GA SR 119, PIN# 019 032 03, in unincorporated Bryan County, Georgia. A motion was made by Noah Covington and seconded by Wade Price to approve the Conditional Use for a "Self-storage facility" subject to continued compliance governing self-storage facilities, as set forth in the Bryan County Ordinance. Motion carried unanimously. Vote 5:0.

Audra Miller met with the Commissioners on the following Non-Public Hearing issue.

*** First Reading of an Ordinance to Amend the Code of Bryan County, Georgia, Chapter 4 "Bryan County Alcohol Ordinance"** - Bryan County repealed and replaced Chapter 4 "Bryan County Alcohol Ordinance" on September 12, 2022. The new ordinance required employees who serve alcohol to obtain an Alcohol Sales Permit ("Permit"). To obtain such a Permit, the employee has to pass a criminal background check. In response to concerns expressed by business owners, Bryan County suspended this section of the Code and requested staff research how other communities address this type of issue. Staff is recommending the Alcohol Sales Permit requirement be removed. The proposed amendments also include a revised date for reducing new application fees and clarifications to certain sections in order to improve efficiency and implementation of the Alcohol Ordinance. This is a first reading; no action is required.

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

* **Appointment of Commission 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 2024 will be the 2nd District Commissioner Wade Price. A motion was made by Patrick Kisgen and seconded by Gene Wallace to appoint Mr. Wade Price, 2nd District Commissioner as the Vice-Chairman of the Bryan County Board of Commissioners for FY 2024. Vote 5:0, motion carried unanimously.

* **Appointment of County Attorney** - In January of each year, the Board of Commissioners appoints the County Attorney. Aaron Kappler with Thompson O'Brien has been serving as the County Attorney since January 2023. A motion was made by Gene Wallace and seconded by Wade Price to appoint Aaron Kappler as the County Attorney for FY 2024. Vote 5:0, motion carried unanimously.

* **2024 Qualifying Fees** - The Bryan County Board of Commissioners are required to set and publish qualifying fees for County Offices by February 1, 2024. Qualifying fees are generally set by Law, the amount is depending on the county office. A motion was made by Gene Wallace and seconded by Noah Covington to adopt a resolution setting the 2024 Qualifying Fees for County Offices, as presented. Vote 5:0, motion carried unanimously.

* **ACCG Mental Health Resolution** - The ACCG is asking its members to pass a resolution urging the Governor and General Assembly to continue their commitment to mental health services for the citizens of Georgia during the 2024 legislative session by continuing to fund additional health crisis centers, additional co-responder units, and other resources needed for mental health and substance abuse disorders. A motion that was made by Patrick Kisgen and seconded by Wade Price to approve a Resolution Urging the Governor and General Assembly to Continue Efforts to Reform and Improve Mental Health Services. Vote 5:0, motion carried unanimously.

* **Megasite Road Names** - Hyundai Motor Group Metaplant America ("HMGMA") is constructing an electrical vehicle manufacturing facility in Bryan County. HMGMA has requested the County name the two new access roads "Kia Drive" and "Genesis Drive." Additionally, HMGMA would like the section of Hwy 280 between Kia Drive and Genesis Drive be named "Hyundai Way." This section of road is owned and maintained by the State, and GDOT and/or the State will need to approve this name. The County, however, must approve the name first and recommend GDOT and/or the State name this section of Hwy 280. A motion and was made by Noah Covington and seconded by Dallas Daniel to approve a Resolution Authorizing the road names "Genesis Drive" and "Kia Drive" and recommending GDOT rename the section of U.S. Highway 280 from Kia Drive to Genesis Drive "Hyundai Way." Vote 5:0, motion carried unanimously.

* **2023 North Bryan Transportation Study** - The North Bryan area is set to see unprecedented growth due to the Hyundai site and the associated development that will follow the opening of the plant. In an effort to determine future transportation improvements that are outside those associated with the site or projects already agreed upon by GDOT, Thomas & Hutton was authorized to undertake a transportation study in order to evaluate the potential need for improvements along two corridors north of I-16 as well as several intersections and corridors south of I-16. Thomas & Hutton has completed the necessary fieldwork, planning, traffic analysis, and engineering tasks as required for the study area; and

subsequently prepared the October 2023 Draft North Bryan County Regional Traffic Study. The study outlines the current baseline conditions, background growth rates, current and future proposed development projects, future build-out traffic projections, traffic signal warrant analyses, and projected conditions with future proposed transportation improvements. A motion was made by Noah Covington and seconded by Gene Wallace to approve October 2023 Draft North Bryan County Regional Traffic Study for adoption as the Final North Bryan County Regional Traffic Study. Vote 5:0; motion carried unanimously.

* **T&H CO #85 Belfast Keller Road Improvements** - 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 #85 includes survey and engineering services for the western portion of the project. The project will consist of roadway widening along Belfast-Keller Road from just west of the interchange ramp termini to just west of Belfast Commerce Center Drive approximately 6000' west of I-95, which includes improving the existing two-lane section to a three-lane and four-lane divided highway section. A motion was made by Dallas Daniel and seconded by Patrick Kisgen to approve Thomas & Hutton TO #85 in the amount of \$859,400. Vote 5:0; motion carried unanimously.

* **Revised 2024 Capital Recovery Fee Schedule** - The Board of Commissioners adopted the 2024 Capital Recovery Fee Schedule with the 2024 Budget. The Schedule included in the Budget Book had a scrivener's error for two of the fees. The identified fees for the South of I-16/Hwy 280 SW Quadrant and South of I-16 Olive Branch Road districts were incorrect. The correct fees are \$8,183 and \$10,951 respectively. A motion was made by Patrick Kisgen and seconded by Gene Wallace to approve a resolution adopting Revised 2024 Capital Recovery Fee Schedule. Vote 5:0; motion carried unanimously.

* **Environmental Health Funding Consideration** - Given the tremendous growth in Bryan County over the past several years, the Department of Public Health has requested additional funding for the purpose of adding an additional Environment Health Specialist. The annual supplement Bryan County has provided to the department of public health has remained constant for the last 10 years at \$139,700 per year. The requested additional funding for the salary and associated fringe benefits total \$79,330, which will bring the annual funding for 2024 to \$219,000. A budget amendment for this additional funding is necessary in the amount of \$79,330. A motion was made by Gene Wallace and seconded by Wade Price to authorize a budget amendment and additional funding of \$79,330/year to the Department of Health for the purpose of adding another position in Bryan County. Vote 5:0; motion carried unanimously.

* **Construction Award for Fire Stations 5 & 8** - On November 7, 2023, County staff advertised a Request for Proposals (RFP) for a design-build contractor to provide turnkey design, construction, and delivery of a new 2,700 sf building. This building will be utilized by the Fire and Emergency Services at Fire Station 5, located at 7392 US-280 in Ellabell. On December 14, 2023, three bids were received with the lowest bid coming from Foley Construction LLC, \$472,500.00. In addition, Foley Construction LLC has agreed to hold their price of \$472,500.0 for the construction of a second building to be located at Fire Station 8 at 1400 Oracal Pkwy, Ellabell. Foley Construction LLC meets the requirements for experience as established by the RFP. Funding for both buildings was included as part of the 2024 approved budget for Bryan County. A motion was made by Noah Covington and seconded by Wade Price to approve staff awarding a contract to Foley Construction LLC, in the amount of \$945,000.00 for the construction of two 2,700 square foot buildings to be located at Fire Stations 5 and 8. Vote 5:0; motion carried unanimously.

*** Adoption of the 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 2024 Road Classification Plan, and he has determined the Road Classification Plan accurately reflects Bryan County’s Road Inventory as of December 31, 2023. A motion was made by Patrick Kisgen and seconded by Gene Wallace to approve a Resolution Adopting the 2024 Road Classification Plan, as presented. Vote 5:0; motion carried unanimously.

*** Fieldprint Service Agreement** - Bryan County issues alcohol licenses for the retail sale of wine, malt beverages, and distilled spirits. Per state law, Bryan County is required to obtain fingerprints from applicants and have a background check performed by the Georgia Department of Investigation (“GBI”) and the Federal Bureau of Investigation (O.C.G.A § 3-3-2(c)). Currently, the Community Development Department (“Department”) partners with the Bryan County Sheriff’s Office (“BCSO”) to implement this requirement by conducting fingerprinting activities at their location in the City of Pembroke. Having only one location where applicants must report to conduct these services can create an unnecessary impediment in the timely processing of these applications, especially for individuals who reside outside of the area. Therefore, the Community Development Department desires to extend this service through the Georgia Crime Information Center’s Georgia Applicant Processing Service (GAPS) which utilizes Fieldprint, Inc to offer fingerprinting services across a larger geographic area. By entering into a Service Agreement with GAPS and Fieldprint, Inc, individuals will be able to electronically schedule appointments at a location that is convenient to them. A motion was made by Patrick Kisgen and seconded by Noah Covington to approve a Resolution authorizing staff to enter into a Service Agreement with Fieldprint, Inc., for the purposes of fingerprinting and background checks. Vote 5:0; motion carried unanimously.

*** Information Exchange Agreement – Community Development and Probate Court** - Bryan County issues permanent alcohol licenses for the retail sale of wine, malt beverages, and distilled spirits. Per state law, Bryan County is required to obtain fingerprints from applicants and have a background check performed by the Georgia Bureau of Investigation (“GBI”) and the Federal Bureau of Investigation (O.C.G.A § 3-3-2(c)). The Community Development Department (“Department”) is seeking to partner with the Probate Court to provide this service on the south end of the County. The Department has a User’s Agreement with the GBI, which identifies the rules and responsibilities for the Department’s handling of criminal background check data/reports. Recently, GBI instituted a new rule requiring the Non-Criminal Justice Agency (“NCJA”), in this case the County, and the Criminal Justice Agency (“CJA”), in this case Bryan County Probate Court, enter into an Information Exchange Agreement (“IEA”). The IEA identifies the procedures for the fingerprint process, and the NCJA and the CJA’s responsibilities. A motion was made by Wade Price and seconded by Noah Covington to approve an Information Exchange Agreement by and between Bryan County and the Bryan County Probate Court. Vote 5:0; motion carried unanimously.

* **Bottom Park Resolution** - The City of Richmond Hill has requested that the County turn over its ownership of the Bottom Park to the city and cease the use of the facilities for all recreational use. A motion was made by Dallas Daniel and seconded by Gene Wallace to approve a Resolution transferring all ownership of the County's portion of the Bottom Park, to the City of Richmond Hill. Vote 5:0; motion carried unanimously.

* **K-9 Anita Decommission** - The Bryan County Sheriff Office operates a K-9 unit. K-9 Anita has dutifully served the County and has reached an age for retirement. The Sheriff's Office has requested authority to formally decommission K-9 Anita, retire her from service, and allow her to be adopted by a qualified person, in accordance with the Sheriff's discretion. A motion was made by Patrick Kisgen and seconded by Wade Price to approve the decommissioning of K-9 Anita and allowing her adoption. Vote 5:0; motion carried unanimously.

The following citizens made **Public Comments**:

- * Lisa Freeman
- * Tom Seaman

At 6:22 p.m. a motion was made by Patrick Kisgen and seconded by Dallas Daniel to go into Executive Session for litigation and personnel. Vote 5:0; motion carried unanimously.

At 8:32 p.m. the Commissioners returned to the Regular Meeting.

A motion was made by Noah Covington and seconded by Gene Wallace to adjourn. Vote 5:0, motion carried unanimously.

The meeting was adjourned at 8:33 p.m.