

Bryan County Board of Commissioners – February 13, 2023

The regular meeting of the Bryan County Board of Commissioners was held on Tuesday, February 13, 2024, in Richmond Hill. 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 Attorney Gage Hawkins.

Chairman Infinger called the meeting to order at 5:30 p.m. Commissioner Covington 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, with the amendment of adding Executive Session for Real Estate and Litigation and adding three items to the County Administrator items. Motion carried unanimously. Vote 5:0

A motion was made by Noah Covington and seconded by Wade Price to approve the minutes of the January 2024 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

**Audra Miller** met with the Commissioners on the following Non-Public Hearing issues:

\* **First Reading of an Ordinance to Amend the Zoning Map for property located at 4307 Belfast River Road, identified by Parcel Number 057-092** - Drayton-Parker Companies, represented by Cody Rogers of EMC Engineering, is requesting to rezone 4307 Belfast River Road, Parcel Number 057-092, from the existing "A-5", Agricultural Zoning District, to the "B-2", General Commercial Zoning District for a convenience store with fuel pumps. This is a first reading; no action is required.

\* **First reading of an Ordinance to amend the Zoning Map for 60 Interstate Centre Blvd and 11451 E Hwy 280, PINS 029 061 & 029 016** - Joshua Yellin, Representing Race Trac Inc, proposes to change the "A-5" Agricultural zoning for a 5-acre tract of land located at 60 Interstate Centre Blvd, PIN# 029 061, to "C-I", Interchange Commercial District, and to change the "B-2" General Commercial District zoning for a 5 acre tract of land located at 11451 E Hwy 280, PIN#029 016 to "C-I", Interchange Commercial District, in order to construct a gas station.. This is a first reading; no action is required.

\* **Approve Second 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. A motion was made by Patrick Kisgen and seconded by Dallas Daniel to approve an Ordinance to Amend the Code of Bryan

County, Georgia, Chapter 4 “Bryan County Alcohol Ordinance,” as presented. Vote 5:0; Motion carried unanimously.

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

**\* 2023 North Bryan Water and Sewer 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 the necessary water and sewer improvements that are required to serve potential future development, Thomas & Hutton was authorized to prepare a water and sewer masterplan report for North Bryan. The study area is generally described as the region bounded by Black Creek to the south and west, the Bryan-Bulloch County Line to the north, and the Ogeechee River to the east. Thomas & Hutton has completed the necessary fieldwork, planning, water and sewer analysis, and engineering tasks as required for the study area; and subsequently prepared the North Bryan Water & Sewer Masterplan Report. The study addresses the current North Bryan water and sewer infrastructure assets, anticipated future development, capital improvement projects currently under construction, and proposed future infrastructure improvement projects. A motion was made by Wade Price and seconded by Gene Wallace to Adopt the North Bryan Water & Sewer Masterplan Report, as presented. Vote 5:0, motion carried unanimously.

**\* Intergovernmental Agreement with City of Pembroke – Property Transfer** – In the fall of 2023 Bryan County was awarded CDBG funds to assist with the construction of a new North Bryan Senior Center. The City of Pembroke committed to the donation of land on which to construct the new senior center. Bryan County has agreed to return the 24 W. Bacon Street building to the City of Pembroke. The presented IGA is reviewed and approved by City of Pembroke attorneys and Bryan County attorneys. A motion was made by Noah Covington and seconded by Wade Price to approve the Intergovernmental Agreement to accept the donated parcels and transfer of the 24 W. Bacon Street building. Vote 5:0, motion carried unanimously.

**\* Reuse Water Program Planning and Implementation Consideration** – EPD has adopted a “Coastal Georgia Water and Wastewater Permitting Plan for Managing Saltwater Intrusion.” Bryan County is located within the 24-county region covered by this Plan. The primary focus of the Plan is to stabilize or halt the intrusion of salt water into the Upper Floridan aquifer. The Plan has a multi-faceted approach to limiting saltwater intrusion into the aquifer. One method for limiting saltwater intrusion is for the County to implement a reuse water program. The resolution confirms Bryan County’s commitment to this program and authorizes County staff, County Administrator, and County Attorney to create a plan for the implementation of reclaimed water facilities and assessment of reuse fees in lieu thereof. A motion was made by Gene Wallace and seconded by Patrick Kisgen to approve a Resolution Authorizing the Planning and Implementation of a Reuse Water Program. Vote 5:0, motion carried unanimously.

**\* Expectations for Developers Resolution** – Bryan County, Georgia, (the “County”) has experienced significant growth and development in certain areas in Northern Bryan County, which have the potential to cause significant degradation of public roads and other public utilities. It is necessary and in the best interest of the public health, safety, and welfare to take appropriate measures available by law to ensure the reasonable construction and maintenance of County roads and other public utilities. This Resolution Identifying Expectations from Developers puts the world on notice that the County has required, and will continue to require, contributions from developers for road improvements and other public utilities within the County as available by law. A motion that was made by Gene Wallace and

seconded by Wade Price to approve a Resolution identifying Expectations from Developers, in Bryan County. Vote 5:0, motion carried unanimously.

\* **US 80 Regional Force Main Project - McClendon CO #3** – TO #3 is being presented to accommodate the following project cost increases: additional project overhead; remobilization of construction crews; additional clearing for future work that will minimize heavy equipment possibly damaging utilities in the future; clearing cost increases for remaining area to be cleared within original project scope; temporary lift station startup; overall project delays due to easement acquisition schedule. A motion was made by Noah Covington and seconded by Dallas Daniel to approve Change Order #3 in the amount of \$99,500.00, allowing the reconfiguration of the proposed pump station layout. Vote 5:0, motion carried unanimously.

\* **Bryan County Water Conservation Plan** – Water supply options in Coastal Georgia have become more limited in recent years due to the moratorium placed on the Upper Floridan aquifer, a vast underground reservoir of water that has been the primary source of drinking water in the coastal area for over 100 years. Therefore, in accordance with the requirements of the Georgia Department of Natural Resources Environmental Protection Division (EPD) *Rules and Regulations for Water Quality Control Chapter 391–3–6*, this “Water Conservation Plan” has been prepared in an effort to ensure the future availability of useable water in Bryan County. The Plan discusses, among other topics, system and source management, water uses, long range and drought contingency planning. Reuse quality water is also discussed in general terms and will be amended in the near future following the development of a Reuse Ordinance. A motion was made by Patrick Kisgen and seconded by Wade Price to adopt the Bryan County Water Conservation Plan, as presented. Vote 5:0; motion carried unanimously.

\* **Bryan Fisherman’s Co-Op Boat Ramp Bid Consideration** – In October of 2022 Bryan County secured funding in the amount of \$3,000,000 from the GA DNR in the form of a Georgia Outdoor Stewardship Trust Fund Project grant. T&H in conjunction with the County prepared contract bid documents and associated plans for Phase 1 of the construction of the Bryan County Fisherman’s Co-Op Boat Ramp Improvements and upon approval of the documents the project was subsequently advertised for construction bids. Bids were received for the project on January 30, 2024, and evaluated by T&H. One (1) bid was received and evaluated. T&H has prepared the attached letter of recommendation. A motion was made by Patrick Kisgen and seconded by Wade Price to approve the budget amendment and award of the Bryan County Fisherman’s Co-Op Boat Ramp Improvements Phase 1 to The Industrial Company (TIC) in the amount of \$5,950,542.00 and authorize staff to execute the necessary contract documents to initiate the project. Vote 5:0; motion carried unanimously.

\* **Legacy I-16 CO #5** – Due to delays in obtaining easements along the I-16 project corridor, the Contract Time has been extended to May 15, 2024. Subsequently, the builder’s risk insurance coverage needs to be extended to match new Contract Times. Previous Change Order No. 3, included extend covered these additional expenses for time until the end of 2023. This current change order is for insurance coverage until August 2024. The change order form is attached. To Comply with the Conditions of the Easement Agreement with the Morgans, the plans have been amended to show no access road and no fill within the Morgan Property (Parcel 2104501001). Wetland matting is needed to traverse 3,000’ along the project corridor in order to complete the construction of the forcemain project. A motion was made by Noah Covington and seconded by Dallas Daniel to approve Change Order #5 in the amount of \$503,439.00, allowing the extension of the builder’s risk insurance coverage and the rental of the wetland mats. Vote 5:0; motion carried unanimously.

**\* Property Acquisition Consideration – Langston** – In furtherance of regional sewer and water improvements, Bryan County is acquiring necessary easements and other property interests. This Option Agreement and Easement for Water, Sewer, and Access grants the County rights to access and construct utilities on property owned by William B. Langston and Laurie A. Langston, as Trustees of the 2012 Langston Family Revocable Trust for the purposes of the regional water and sewer improvements. The property is located at 220 Highway 80, Ellabell, Georgia 31308, assigned tax parcel ID No. 023 010 (the “Property”). This Easement for Water, Sewer, and Access is a perpetual easement. An appraisal was performed, resulting in a fair market value assessment of \$6,000.00, for the required easement interest in the Property. A motion was made by Noah Covington and seconded by Dallas Daniel to approve the Resolution and presented documents to move forward with the Water and Sewer Project. Vote 5:0; motion carried unanimously.

**\* Property Acquisition Consideration – Olliff** – In furtherance of regional sewer and water improvements, Bryan County is acquiring necessary easements and other property interests. This Option Agreement and Easement for Water, Sewer, and Access grants the County rights to access and construct utilities on property owned by Clara Bearden, individually and as heir of the Estate of Rawdon E. Olliff, and Richard E. Olliff, individually and as Administrator of the Estate of Rawdon E. Olliff for the purposes of the regional water and sewer improvements. The property is located at Highway 80, Ellabell, Georgia 31308, assigned tax parcel ID No. 023 005 (the “Property”). This Easement for Water, Sewer, and Access is a perpetual easement. An appraisal was performed, resulting in a fair market value assessment of \$10,000.00, for the required easement interest in the Property. A motion was made by Patrick Kisgen and seconded by Wade Price to approve the Resolution and presented documents to move forward with the Water and Sewer Project. Vote 5:0; motion carried unanimously.

**\* Property Acquisition Consideration – Hanna** – In furtherance of regional sewer and water improvements, Bryan County is acquiring necessary easements and other property interests. This Option Agreement and Easement for Water, Sewer, and Access grants the County rights to access and construct utilities on property owned by Tuesday Cook-Hanna, individually on her own behalf, and as heir, Administrator, and Executor of the Estate of George William Hanna, Jr., for the purposes of the regional water and sewer improvements. The property is located at 74 Highway 80, Ellabell, Georgia 31308, assigned tax parcel ID No. 023 009 (the “Property”). This Easement for Water, Sewer, and Access is a perpetual easement. An appraisal was performed, resulting in a fair market value assessment of \$29,000.00, for the required easement interest in the Property. A motion was made by Noah Covington to approve the Resolution and presented documents to move forward with the Water and Sewer Project. Vote 5:0; motion carried unanimously.

**\* Property Acquisition Consideration – Goodwin** – In furtherance of regional sewer and water improvements, Bryan County is acquiring necessary easements and other property interests. This Option Agreement and Easement for Water, Sewer, and Access grants the County rights to access and construct utilities on property owned by Timothy B. Goodwin and Randall B. Goodwin for the purposes of the regional water and sewer improvements. The property is located at Highway 80, Ellabell, Georgia 31308, assigned tax parcel ID No. 034 013 07 (the “Property”). This Easement for Water, Sewer, and Access is a perpetual easement. An appraisal was performed, resulting in a fair market value assessment of \$125,000.00, for the required easement interest in the Property. A motion was made by Dallas Daniel and

seconded by Noah Covington to approve the Resolution and presented documents to move forward with the Water and Sewer Project. Vote 5:0; motion carried unanimously.

**\* Appointment to Savannah Harbor-Interstate 16 Corridor Joint Development Authority (JDA) Member** – Anna Chafin, CEO of the Development Authority of Bryan County, currently is one of two Board Members representing Bryan County on the Savannah JDA Board. Anna has resigned from her current position effective December 31, 2023, and would like to relinquish her appointment to the Savannah JDA Board. Jon Seagraves, Chairman of the Development Authority of Bryan County, is interested in being appointed to this board to complete a four (4) year term ending on January 1, 2027. A motion was made by Patrick Kisgen and seconded by Dallas Daniel to appoint Jon Seagraves to the Savannah Harbor-Interstate 16 Corridor Joint Development Authority Board, to fulfill an existing term, which will expire on December 31, 2026. Vote 5:0; motion carried unanimously.

**\* Reappointment to Greater Savannah Regional Alliance / Middle Coastal Unified Development Authority (MCUDA) Board** – Ralph Forbes with Thomas and Hutton, currently is one of two Board Members representing Bryan County on the Greater Savannah Regional Alliance / MCUDA Board. Ralph Forbes is interested in being reappointed to this board to complete a four (4) year term ending on June 30, 2026. A motion was made by Noah Covington and seconded by Dallas Daniel to re-appoint Ralph Forbes to the Greater Savannah Regional Alliance / MCUDA Board, for a four-year term, which will expire on June 30, 2026. Vote 5:0; motion carried unanimously.

**\* Appointment to Greater Savannah Regional Alliance / Middle Coastal Unified Development Authority (MCUDA) Board** – Anna Chafin, CEO of the Development Authority of Bryan County, currently is one of two Board Members representing Bryan County on the Greater Savannah Regional Alliance / MCUDA Board. Anna has resigned from her current position effective December 31, 2023, and would like to relinquish her appointment to the Greater Savannah Regional Alliance / MCUDA Board. Andrew Johnson is interested in being appointed to this board to complete a four (4) year term ending on June 30, 2025. A motion was made by Patrick Kisgen and seconded by Dallas Daniel to appoint Andrew Johnson to the Greater Savannah Regional Alliance / MCUDA Board, to fulfill an existing term, which will expire on June 30, 2025. Vote 5:0; motion carried unanimously.

The following citizens made **Public Comments**:

- \* Thomas Burns spoke on election integrity
- \* Pam Van Alstine spoke on election integrity
- \* Christy Hayes spoke on election integrity
- \* Claudiu Ene spoke on election integrity
- \* Tom Seaman spoke on election integrity

The following **Commissioner Comments** were made:

Commissioner Covington gave some background and correction on the pronunciation of “Pembroke.”

Commissioner Wallace gave his appreciation to the Public Works department for their assistance on the Bryan Fisherman's Co-Op Boat Ramp Project

At 6:14 p.m. a motion was made by Patrick Kisgen and seconded by Dallas Daniel to go into Executive Session for litigation and real estate. Vote 5:0; motion carried unanimously.

At 6:49 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 6:50 p.m.