

Bryan County Board of Commissioners – May 12, 2015

The regular meeting of the Bryan County Board of Commissioners was held on Tuesday, May 12, 2015 at 5:30 p.m. in Pembroke. The following members were present: Chairman Jimmy Burnsed, Commissioner Steve Myers, Commissioner Carter Infinger, Commissioner Wade Price, Commissioner Noah Covington, and Commissioner Rick Gardner. Also present: County Administrator Ben Taylor, County Clerk Donna Waters, and County Attorney Lea Holliday.

Chairman Burnsed called the meeting to order at 5:30 p.m. Invocation was given by Commissioner Covington. Everyone joined in the Pledge of Allegiance. Visitors were recognized.

A discussion was held on the **agenda**. A motion was made by Carter Infinger and seconded by Steve Myers to approve the agenda with one addition. Motion carried unanimously.

A discussion was held on the **minutes** of the April 14, 2105 regular meeting minutes. A motion was made by Wade Price and seconded by Steve Myers to approve the minutes of the April 14, 2015 regular meeting minutes as printed. Motion carried unanimously.

A discussion was held on the **consent agenda**. A motion was made by Noah Covington and seconded by Wade Price to approve the consent agenda as printed. Motion carried unanimously.

The following items were listed on the consent agenda:

1. Approval of New Occupational Tax Certificates

- *Robin & Lynn Smith – R.J. Smith Custom Trim, LLC
- *Robert E. Parker – Parker’s Septic Service
- *Cynthia Trautman – Cynthia Trautman Designs
- *Lisa Brown – Lisa Brown Portraits
- *Esther Griffin – Esther Griffin Photography
- *Bryan Woods – Vet to Pets
- *Francisco Buenrostro – R.C. Masonry Construction, LLC
- *Michael Barrett Wingate – Green Leaf Energy Conservation, LLC
- *Victoria Fleahman – Fleahman Photography
- *Christopher Allen – Haunted Savannah Tours

Christine Williams, Zoning Administrator, met with the board with a **preliminary plat and construction plan approval for East Buckhead, LLC**. This is case # SD-2079-15. The property is 50 acres being depicted as Phase 3 East Buckhead. The tax parcel number is 061-066 (mother parcel) and the current zoning is PUD. The proposed development is 119 lots with common area, right of ways, drainage and utility easements. The applicant requests that the Board of Commissioners approve his application for the Article XI Preliminary Plat. The staff recommends approve on the condition that Soil and Erosion plans are approve by NRCS and all items identified by the engineering department are met. A motion was made by Noah Covington and seconded by Wade Price to approve Case # SD-2079-15 -Article XI

Preliminary Plat for East Buckhead, LLC subject to a traffic study and other comments identified by the engineering department. Motion carried unanimously.

John Grotheer, Finance Director, met with the board to discuss several issues.

***2015 Budget Amendment** to purchase two county vehicles. The first amendment is in the amount of \$25,000 for the purchase of a replacement vehicle to be used by the Planning and Zoning/ Inspections Department. This vehicle replaces a vehicle with mileage in excess of 200,000 miles. Funding for this vehicle is to be from the NPEDS Funds, which is income derived from the issuance of soil and erosion permits. The second amendment is in the amount of \$20,000 for the purchase of a vehicle to be used by the Administrative staff for county business as directed by the County Administrator. Funding for this vehicle is to be from contingency. A motion was made by Steve Myers and seconded by Carter Infinger to approve the purchase of the two vehicles and amend the budget accordingly. Motion carried unanimously.

*Budget approval for **Atlantic Judicial Circuit Law Clerk** FY 2015-2016 Budget; **Atlantic Judicial Circuit Superior Court Judges** FY 2015-2016 Budget; **Atlantic Judicial Circuit Public Defenders** FY 2015-2016 Budget. The Atlantic Judicial Circuit Law Clerk FY 15-16 Budget request is in the amount of \$9,380.00, which is no change from the previous year. The Atlantic Judicial Circuit Superior Court Judges FY 15-16 Budget request is in the amount of \$131,596.00, which is no change from the previous year. The Atlantic Judicial Circuit Public Defenders FY 15-16 Budget request is in the amount of \$926,943 minus office space credits of \$83,858, which means \$843,085 is the actual appropriation. Bryan County's share of the 15-16 Budget request is \$178,369, which is less than last year's budget of \$826,488. A motion was made by Rick Gardner and seconded by Steve Myers to approve the Atlantic Judicial Circuit budgets as presented. Motion carried unanimously.

Kirk Croasmun, County Engineer, met with the board with several updates.

***Olive Branch, McGregor and Harry Hagan Roads** – These roads are complete; the project close-out is underway.

***Murphy McKeel Walking Trail** – The trail is now completed; the project close-out is underway. An opening ceremony is to be scheduled by the Recreation Department.

***Oak Level Road Well & Lift Station** – This station is fully operational and functional now; we are in the process of closing out this project.

***Bacontown Road Resurfacing Project** – Project scope and bid documents to be completed in order to advertise for construction in August, potentially earlier. This project is to be funded through the GDOT LMIG Program. Construction tentatively scheduled to be completed in late fall 2015 or earlier.

Ben Taylor, County Administrator, met with the board with several items.

***Amendment to Chapter 6 "Environmental Regulations"** of Bryan County Ordinance, specifically pertaining to the penalty clauses. Chapter 6 of our Code of Ordinances pertains to

Environmental Compliance which largely addresses property maintenance. Our Code Enforcement Officer enforces these guidelines that are established in the Ordinance. The Code Enforcement Officer has strongly indicated in the past that lack of compliance to these ordinances is often attributed to weak penalties. The majority of cases involving property maintenance are solved with voluntary compliance after the initial contact with the owner of the property. The monetary fine is usually reserved for those owners that fail to comply voluntarily. This ordinance amendment increases the original minimum fine amount of \$50, which was established in the mid-1990s, to a minimum fine amount of \$250. This is a first reading. No action required at this time.

***Removal of Chapter 5 – Personnel** from the Code of Ordinances and establishing new language to enact personnel policy by resolution. Currently our personnel policies are established by ordinance. Most local governments include in their ordinances the ability to adopt personnel policies; however, the actual policies are more than likely outside of the ordinances and established by resolution. Of course, this allows the document to be changed without the requirement of a second reading. This makes the document more reactive to the needs of the organization. It also reinforces the premise that ordinances are for governing and establishing laws for the population, while policies are more applicable for the managing of an organization. This is a first reading. No action required at this time.

***Resolution to restate and readopt the Jail Construction and Staffing Act** – The Georgia General Assembly enacted into law at its 1989 session the “Jail Construction and Staffing Act”, authorizing additional penalty assessments in criminal and traffic cases and cases involving violations of ordinances of political subdivisions so that the proceeds derived therefrom may be used for construction, operation and staffing of jails, correctional institutions and detention facilities by counties. This additional penalty consists of a 10% add-on to criminal and traffic cases. This add-on is assessed at the rate of 10% to each violation and collected by the participating court. This additional assessed fee is then passed on to the County to be placed into a dedicated jail fund. The Bryan County Courts currently collect these fees and are authorized by resolution to do so. The City courts do not participate in this fine add-on that could help to partially relieve Bryan County taxpayers from jail operation costs and capital costs and pass that burden directly to those assessed fines. The obligation to add this additional penalty to fines for a community is triggered when there is an agreement or contract to house that community’s prisoners in a county jail. Funds collected from this fine add-on are then passed on the County operating the Jail. These funds are obligated by Georgia Law and are above and beyond daily prisoner boarding fees charged to communities. This resolution give the city courts the authority to collect this fee which must be legally passed on to the County to offset jail operational and capital improvement costs. A motion was made by Rick Gardner and seconded by Carter Infinger to approve the resolution to restate and readopt the Jail Construction and Staffing Act. Motion carried unanimously.

“Copy Resolution”

***SR 144/Belfast River Road Roundabout** Recommendation of Award – On April 28, 2015 a bid opening was held at the Bryan County Administration Building for the Intersection Improvements for SR 144 at Belfast River Road – Temporary Roundabout. Two (2) bids were received for the work which

includes grading, paving, signing and pavement marking. The bids were Preferred Materials in the amount of \$167,822.40 and RB Baker Construction in the amount of \$255,064.00. A motion was made by Carter Infinger and seconded by Steve Myers to award contract to Preferred Materials in the amount of \$167,822.40 subject to verification of funds by the Finance Director. Motion carried unanimously.

A motion was made by Wade Price and seconded by Carter Infinger to go into **executive session** to discuss real estate. Motion carried unanimously. The board went into executive session at 6:05 p.m.

The board went back into regular session at 6:25 p.m.

A motion was made by Carter Infinger and seconded by Wade Price to adjourn. Motion carried unanimously. The meeting adjourned at 6:25 p.m.