

## Bryan County Board of Commissioners – February 11, 2020 Regular Meeting

The regular meeting of the Bryan County Board of Commissioners was held on Tuesday, February 11, 2020 in Richmond Hill. The following members were present: Chairman Carter Infinger, Commissioner Wade Price, Commissioner Brad Brookshire, Commissioner Noah Covington, Commissioner Gene Wallace and Commissioner Steve Myers. Also present: County Administrator Ben Taylor, County Clerk Donna Waters and County Attorney Lea Holliday.

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

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

A discussion was held on the **minutes** of the October 9, 2019 and January 2020 meetings. A motion was made by Brad Brookshire and seconded by Steve Myers to approve the minutes as presented. 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 Family Connection Fiscal Agent Designation & Acceptance Agreement**
- 2. Approval of 2019 Budget Amendments**

A motion was made by Brad Brookshire and seconded by Wade Price to close the regular meeting to hold Planning & Zoning public hearing. Motion carried unanimously.

- 1. Case CUP #163-19 – Ricky Jeffcoat Conditional Use** – No one was present to speak on this public hearing.

A motion was made by Brad Brookshire and seconded by Wade Price to close the public hearing and go back into regular session. Motion carried unanimously.

**Sara Farr-Newman, Zoning Administrator**, met with the board with Planning & Zoning issues.

**\*Case CUP #163-19 – Ricky Jeffcoat Conditional Use** – This request is for a conditional use for three borrow pits for property located on Highway 204 in Ellabell, PIN # 037-006 and is currently zoned A-5 conditional. The parcel consists 551 acres and the applicant is requesting conditional use for 124 acres. Staff and the Planning Commission recommends approval with conditions. A motion was made by Noah Covington and seconded by Steve Myers to approve the conditional use for Ricky Jeffcoat for Case CUP #163-19 with the ten conditions recommended by the Planning Commission, those conditions being: 1) Final surface mining plans must be updated and approved by the Engineering Department prior to commencing on-site work; 2) The applicant shall obtain a NPDES and state mining permit from the Department of Natural Resources, Environmental Protection Division. A copy of the approved permits must be submitted to the Community Development office prior to commencing any excavation activities; 3) Any expansion in the size or change in location of the borrow pits that exceeds what is shown in the plans will require an additional conditional use approval; 4) The side slopes of any excavated area must be constructed to be no steeper than a 3:1 slope (three feet of horizontal distance

per one foot in vertical drop) from the top of the excavation to the bottom at all times during construction and at completion of the excavation; 5) The edge of the borrow pit may not be located at any one point, closer than fifty (50) feet to any property line; 6) A natural vegetative buffer within the 50-foot setback area shall be maintained for the duration of the conditional use; 7) Excavation activities shall be limited to Monday through Friday from 7:00 am–5:30 pm and Saturday from 8:00 am–5:30 pm; and hauling activities shall be further limited to Monday through Friday from 7:15 am-4:45 pm and Saturday from 8:00 am-5:30 pm; 8) Approval shall be valid for a duration of 6 years from the date of approval. Any extension of time must be permitted by a conditional use amendment; 9) On average, the Applicant shall not exceed the represented daily trips. Should the Community Development Director or Engineering Director determine that the actual operation of the mine is generating more vehicle trips than represented during the application and approval process, they may require a Traffic Impact Analysis and/or traffic mitigation improvements; 10) If the property is developed as residential in the future, no portion of the ponds resulting from the borrow pits can be included in the lot area. Motion carried unanimously.

**Audra Miller, Community Development Director**, met with the board with 1<sup>st</sup> Readings on Ordinance Amendments.

**\*Chapter 22 Article II – Litter Control and Solid Waste Management** – The amendments to this chapter address: 1. Add a definition for “inoperable motor vehicle” and repeal the definition for “junked vehicles”; 2. Add a definition for IPMC; 3. Correct scrivener’s errors in definitions for dumpster, garbage, and rubbish; 4. Clarify how to address conflicts between specific and general requirements; 5. Repeal a provision for appointing a monitor; 6. Remove references to “junked vehicle” or “junked motor vehicle”; 7. Identify the violation for keeping an inoperable motor vehicle on a property; 8. Clarify how to properly dispose of landscape materials; and 9. Add a reference to the IPMC for the section addressing trash and weeds. This is a 1<sup>st</sup> reading with no action being required at this time.

**\*Chapter 103 Article II – Building Code** – The amendments to this chapter address: 1. Add language to each paragraph identifying the applicable code, e.g., electrical, building, plumbing, etc. is being adopted by reference; 2. Include the reference to the International Property Maintenance Code; and 3. Include a reference to the Life Safety Code. This is a 1<sup>st</sup> reading with no action being required at this time.

**\*Chapter 102 – Property Maintenance** – This chapter is an addition to the ordinance and is needed to provide revisions to the IPMC, which address the following: 1. Adds the name of the jurisdiction, Bryan County; 2. Identifies the Code Official as the Community Development Director; 3. Identified Code Enforcement as the “Department of Property Maintenance” as referenced in the IPMC; 4. Identifies the Community Development Director as the County department with the adopted schedule of fees; 5. Removes provision 107.6, which placed an obligation on the County to ensure sellers of real property provide potential buyers copies of notices of violations; 6. Removes reference to “immoral persons”; 7. Removes Section 110, as demolishing of structures is addressed in another section of the Code; 8. Clarifies the appeals process the County will use for code violations; 9. Appoints the Bryan County Construction Board of Adjustments and Appeals as the Appeals Board for certain violations; 10. Identifies the potential fines; 11. Identifies the maximum height for grass before violation occurs; 12. Identifies the time period for window screening if windows are needed for ventilation; 13. Removes Section 507 regarding storm drainage, as the Engineering Department addresses these issues

via other ordinances; 14. Identifies the dates heat must be available/provided for leased dwelling units or spaces; and 15. Identifies the dates heat must be available/provided for occupiable work spaces. This is a 1<sup>st</sup> reading with no action being required at this time.

**\*Chapter 104 – Bryan County Derelict Property Ordinance** – This chapter is an addition to the ordinance and is needed to consolidate the enforcement options for addressing property nuisances, providing for a formal abatement process, and ensuring the County has the legal authority to enforce property maintenance regulations by addressing violations through the civil court system. This is a 1<sup>st</sup> reading with no action being required at this time.

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

**\*Lease John Deere 60G Compact Excavator** – Based on our capital plan to keep up with infrastructure maintenance and growth, staff is recommending the lease of a John Deere 60G Compact Excavator. The funds for this piece of equipment will come from our TSPLSOST funds. A motion was made by Noah Covington and seconded by Steve Myers to approve the 60 months/1,000 hour lease with a \$1 buy-out with 5 annual payments of \$20,077.53 for a John Deere 60G Excavator. Motion carried unanimously.

**\*Lease John Deere 310SL Backhoe Loader** – Based on our capital plan to keep up with infrastructure maintenance and growth, staff is recommending the lease of a John Deere 310SL Backhoe Loader. The funds for this piece of equipment will come from our TSPLSOST funds. A motion was made by Noah Covington and seconded by Steve Myers to approve the 60 months/1,000 hour lease with a \$1 buy-out with 5 annual payments of \$25,845.55 for a John Deere 310SL Backhoe Loader. Motion carried unanimously.

**David Newlin** spoke under public comments about his concerns with a lawn care business being located on Barnard Road. Some of his concerns were the loud noises and large amount of debris being burned on this property.

A motion was made by Brad Brookshire and seconded by Wade Price to **adjourn**. Motion carried unanimously. Meeting adjourned at 6:00 p.m.