

Bryan County Board of Commissioners – July 14, 2020

The regular meeting of the Bryan County Board of Commissioners was held on Tuesday, July 14, 2020 at the Hendrix Park Gym. The following members were present: Chairman Carter Infinger, Commissioner Noah Covington, Commissioner Brad Brookshire, Commissioner Gene Wallace, and Commissioner Wade Price. Also present: County Administrator Ben Taylor, County Clerk Donna Waters, and County Attorney Lea Holliday. Commissioner Steve Myers was not present.

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

A discussion was held on the **agenda**. A motion was made by Noah Covington and seconded by Gene Wallace to approve the agenda with the addition of an executive session to discuss real estate and litigation. Motion carried unanimously.

A discussion was held on the **June 2020 meeting minutes**. A motion was made by Noah Covington and seconded by Gene Wallace to approve the June 2020 meeting minutes as printed. Motion carried unanimously.

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

The following items were listed on the consent agenda:

1. Approval of Bryan County Surplus Property Declaration
2. Approval of Alcoholic Beverage License

A motion was made by Noah Covington and seconded by Wade Price to close the regular meeting to hold **public hearings**. Motion carried unanimously.

1. **Case Z#229-20 – Hubert Quiller Rezoning** – No one other than the applicant was present to speak on this rezoning.
2. **Case CUP#169-20 – Hubert Quiller Conditional Use** – No one other than the applicant was present to speak on this conditional use.
3. **Resolution Authorizing Transmittal of Annual Update of CIE** – No one was present to speak on this item.
4. **Resolution Authorizing Transmittal of Second Amendment to Transportation/Mobility CIE** – No one was present to speak on this item.

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

Amanda Clement, Planning Manager, met with the board with Planning & Zoning issues.

***Case Z#229-20 – Hubert Quiller** is requesting the **rezoning** of property located at 7446 Highway 17, PIN # 042-036. The property is comprised of two adjacent lots which are under common ownership, and referred to as “Parcel A” and “Parcel B”. “Parcel B” is already zoned B-2 and the applicant is requesting that “Parcel A” be rezoned from its existing AR-1 Agricultural Residential District to B-2 General Commercial District. Staff and the Planning Commission recommends approval for the rezoning to B-2 General Commercial District subject to a combination survey must be submitted to the

Community Development Department for review and approval in order to formally recombine "Parcel A" with "Parcel B", prior to the permitting of any further development. A motion was made by Noah Covington and seconded by Brad Brookshire to approve the rezoning request of Hubert Quiller for Case Z#229-20 from AR-1 to B-2 General Commercial District subject to a combination survey must be submitted to the Community Development Department for review and approval in order to formally recombine "Parcel A" with "Parcel B", prior to the permitting of any further development. Motion carried unanimously.

***Case CUP#169-20 – Hubert Quiller** is requesting a **conditional use** for property located at 7446 Highway 17, PIN # 042-036, to allow for an accessory building to be associated with an existing church. Staff and the Planning Commission recommends approval of the requested conditional use to expand the use of a church by allowing for an accessory building for Sunday school classrooms, subject to the condition that if development occurs prior to the adoption of the Unified Development Ordinance, and the addition of the accessory building/use triggers the expansion of the required parking by the greater of ten (10) percent or six (6) spaces, then the entire parking lot shall be surfaced with an approved paving material. A motion was made by Brad Brookshire and seconded by Wade Price to approve the conditional use of Hubert Quiller, Case CUP#169-20 with the condition that if development occurs prior to the adoption of the Unified Development Ordinance and the addition of the accessory building/use triggers the expansion of the required parking by the greater of ten (10) percent or six (6) spaces, then the entire parking lot shall be surfaced with an approved paving material. Motion carried unanimously.

Audra Miller, Community Development Director, met with the board with several issues.

***Resolution authorizing transmittal of annual update of Capital Improvement Element** – Bryan County adopted a Capital Improvement Element "CIE" to the Bryan County 2018 Comprehensive Plan Update "Comp Plan" January 8, 2019 and amended the CIE March 13, 2020. The CIE addresses transportation related capital improvements and includes, as part of the CIE, the Impact Fee Analysis Report for the Unincorporated South Bryan County Transportation Impact Fee District. Per state law regarding CIEs and Impact Fees, the County is required to prepare an annual update and submit the update to the Georgia Department of Community Affairs "DCA". As part of this process, the County must prepare the required documents, hold a public hearing, adopt a resolution, and submit to the DCA a minimum of 60 days prior to the County's reporting deadline. The County's reporting deadline is October 31, 2020. The county is required to submit financial information (impact fees collected, project expenditures and ending balance) and status report on the schedule of improvements. A motion was made by Noah Covington and seconded by Gene Wallace to approve the resolution authorizing the transmittal of the annual update of the Capital Improvement Element to the Department of Community Affairs. Motion carried unanimously.

***Resolution authorizing transmittal of second amendment to transportation/mobility Capital Improvement Element** - Bryan County adopted a Capital Improvement Element "CIE" to the Bryan County 2018 Comprehensive Plan Update "Comp Plan" January 8, 2019 and amended the CIE March 13, 2020. The CIE addresses transportation related capital improvements and includes, as part of the CIE, the Impact Fee Analysis Report for the Unincorporated South Bryan County Transportation Impact Fee District. A Second Amendment has been prepared to the CIE. Per state law, such an amendment must be submitted and approved by the Georgia Department of Community Affairs "DCA" prior to the County officially adopting such an amendment. The County must hold a public hearing and the Board of

Commissioners must adopt a resolution authorizing the transmittal of the proposed amendment. Once DCA approves the proposed amendment, staff will present the Second Amendment to the CIE to the Board of Commissioners again for official adoption. A motion was made by Gene Wallace and seconded by Brad Brookshire to approve the resolution authorizing the transmittal of the second amendment to the Transportation/Mobility Capital Improvement Element to the Georgia Department of Community Affairs. Motion carried unanimously.

***Second Reading on ordinance to amend Chapter 103–Building Regulations–Section 103-90(a) – Permit Application** – The Bryan County Code of Ordinances requires a building permit for any building/structure/addition greater than 120 square feet in size. The State adopted the 2018 International Building Code and International Residential Code for One- and Two-Family Dwellings (Building Codes) in 2019, and the Building Codes became effective January 1, 2020 in Bryan County. The Building Codes require a building permit for any building/structure/addition that is 200 square feet or greater in size. The 120-square foot requirement in the Bryan County Code has been in place since the Code was adopted in 1996, but the Building Codes have used the 200-square foot requirement for at least the last decade. Over the years, there have been policy exceptions carved out because staff realized there was a burden placed on property owners and/or the Code would require a permit that did not further the protection of the public health, safety, and welfare, e.g., requiring a permit for a 10' x 12' shed purchased at Lowes. These policy exceptions have varied and enforcement of the 120-square foot requirement has been inconsistent. These exceptions and inconsistencies have created confusion amongst staff, builders, and property owners. Since the Building Codes are prepared by experts in the industry from around the United States, and the Building Codes address different geographical regions for issues like wind load, staff recommends the ordinance be amended to be consistent with the Building Codes, as there is no compelling reason to have the reduced square footage. A motion was made by Brad Brookshire and seconded by Noah Covington to adopt the ordinance to amend Chapter 103-Building Regulations-Section 103-90(a)-Permit Application. Motion carried unanimously.

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

***Drug Court and Veterans Treatment Court Funding** – The Atlantic Judicial Circuit Judges are requesting Bryan County make contributions from the Drug Abuse Education and Treatment Funds to help fund the Drug Court and Veterans Treatment Court. Georgia Law requires DATE funds be used specifically to fund and support Drug Court that serves the county. Bryan County has made contributions for several years now. A motion was made by Brad Brookshire and seconded by Noah Covington to fund the Atlantic Judicial Circuit Drug Court and the Atlantic Judicial Circuit Veterans Treatment Court in the amount of \$10,000 (\$5,000 for each court) with the funds to come from the DATE Funds. Motion carried unanimously.

***Mutual Aid Agreement with Fort Stewart/Hunter Army Airfield** – This agreement between Fort Stewart/Hunter Army Airfield and Bryan County Emergency Services is to secure for each the benefits of mutual aid in fire prevention; the protection of life and property from fire; to include firefighting, emergency services, basic medical support, basic and advanced life support, hazardous material containment and confinement; and special rescue events involving vehicular and water mishaps, trench, building, confined space extractions. A motion was made by Noah Covington and seconded by Brad Brookshire to approve the mutual aid agreement between Fort Stewart/Hunter Army

Airfield and Bryan County Emergency Services and authorize the Director of Emergency Services to execute such document. Motion carried unanimously.

***Mutual Aid Agreement with Chatham County** – This agreement between Chatham EMS and Bryan County EMS is to mutually assist each other during periods of ambulance system overload. Mutual aid ambulance response will be made, when requested, if the party requested to provide mutual aid service will not significantly jeopardize its ability to provide service to its own community/clients. A motion was made by Gene Wallace and seconded by Brad Brookshire to approve the mutual aid agreement between Chatham County EMS and Bryan County EMS and authorize the Director of Emergency Services to execute such document. Motion carried unanimously.

***Amendment to GEFA Loan** – Due to the COVID-19 pandemic, the Georgia Environmental Finance Authority (GEFA) has decided to offer interest and payment free periods on all outstanding loans to help their customers during this difficult period. This amendment to our existing loan allows for an “Interest-Free” period from June 1, 2020 to November 30, 2020 on all outstanding loans as well as a “Payment-Free” period with no principal, interest, or fees due from July 1, 2020 to December 31, 2020. Both these changes will help the County’s cashflow during this 6-month period. A motion was made by Brad Brookshire and seconded by Noah Covington to approve the amendment to the GEFA Loan. Motion carried unanimously.

***Renewal of Contract with Georgia Cooperative Extension Service** – Bryan County currently has a contract agreement between the Bryan County Board of Commissioners and the Georgia Board of Regents of the University of Georgia on behalf of the University of Georgia Cooperative Extension Service. The contract is for salary, retirement, SS/Med cost for County Extension ANR Agenda, 4H Agent, Secretary and 4H Educator. The contract period is for July 1, 2020 – June 30, 2020. A motion was made by Gene Wallace and seconded by Noah Covington to approve the renewal of contract with the University of Georgia Cooperative Extension Service. Motion carried unanimously.

***Memorandum of Understanding between Bryan County and Cooperative Extension Service** – The Memorandum of Understanding is between the University of Georgia Cooperative Extension Service and Bryan County for the provision of Cooperative Extension Services and personnel in Bryan County. A motion was made by Noah Covington and seconded by Brad Brookshire to approve the Memorandum of Understanding with the University of Georgia Cooperative Extension Service and authorize the Chairman to execute the document. Motion carried unanimously.

***Resolution on Refinancing Equipment/Lease Agreement** – On February 20, 2019, Bryan County Board of Commissioners entered into an Equipment Lease/Purchase Agreement in an original principal amount of \$12,296,000 with Banc of America Public Capital Corp for some energy savings equipment. After study and investigation and upon the advice of First Tryon Advisors, as financial advisors to Bryan County, it has been determined that refinancing the Original Lease Purchase Agreement will achieve significant interest costs savings for the County. The annual interest rate was reduced from 3.09% to 2.49%, which will save \$426,436 in interest costs over the 15-year period. A motion was made by Brad Brookshire and seconded by Wade Price to authorize a resolution for the Chairman to sign on behalf of the County and take such other actions as may be necessary or desirable to facilitate the refinancing of the equipment lease/purchase agreement with a NTE \$12,531,000 which include any refinancing cost. Motion carried unanimously.

Benji Miles met under public comments to get an update on the purchase of the Bryan Fisherman's Coop property. Ben Taylor gave an update of the Bryan Fisherman's Coop Property.

A motion was made by Brad Brookshire and seconded by Wade Price to go into **executive session** to discuss real estate and litigation. Motion carried unanimously. The board went into executive session at 6:05 p.m. The board went back into regular session at 7:10 p.m.

A motion was made by Brad Brookshire and seconded by Noah Covington to **adjourn**. Motion carried unanimously. The meeting adjourned at 7:10 p.m.