

Bryan County Board of Commissioners - September 6, 2005

The regular meeting of the Bryan County Board of Commissioners was held on Tuesday, September 6, 2005. The following members were present: Chairman Jimmy Burnsed, Commissioner Blondean Newman, Commissioner Rick Gardner, Commissioner Ed Bacon, Commissioner Toby Roberts and Commissioner Glen Willard. Also present: County Administrator Phillip Jones, County Clerk Donna Waters and County Attorney Charles Brown.

Chairman Burnsed called the pre-agenda meeting to order at 1:25 p.m. The agenda items were discussed and the agenda was accepted as presented.

Chairman Burnsed called the regular meeting to order at 1:30 p.m. Invocation was given by Commissioner Gardner. Everyone joined in the Pledge of Allegiance. Visitors were recognized.

A discussion was held on the *minutes* of the August 2, 2005 regular meeting. A motion as made by Blondean Newman and seconded by Rick Gardner to approve the minutes of the August 2, 2005 regular meeting as presented. Motion carried unanimously.

A discussion was held on the *minutes* of the August 23, 2005 called meeting. A motion was made by Rick Gardner and seconded by Blondean Newman to approve the minutes of the August 23, 2005 called meeting as presented. Motion carried unanimously.

A discussion was held on the *minutes* of the August 24, 2005 called meeting. A motion was made by Toby Roberts and seconded by Glen Willard to approve the minutes of the August 24, 2005 called meeting as presented. Motion carried unanimously.

A discussion was held on the *consent agenda*. A motion was made by Rick Gardner and seconded by Toby Roberts to approve the consent agenda as presented. Motion carried unanimously.

The following items were listed on the consent agenda:

1. ***Approval of New Occupational Tax Certificates***
 - *D.R.D. Construction, LLC - Danny R. DeLoach
 - *Helen's Country Flowers - Helen Strickland
 - *Leggett's Lawn Care - Charles & Susanne Leggett
 - *MB Painting - Matthew Birchall
 - *Unique Powder Coat - Joseph Heath

2. ***Approval of Tax Refunds***

*Earline Geiger	0211-076 & 0211-077	\$89.03
*Renee Worrell	Overpaid taxes on vehicles	\$51.24
*Michael L. Balke	Exempt status on vehicles	\$236.85
*Mohammad Khan	Unused 2006 tag decal	\$25.00

3. ***Appointment to Bryan County Library Board***
 *Re-appoint Ms. Michelle Bush with a term of July 1, 2005 through June 30, 2008

4. ***Approval of Resolution to amend the third restated plan for ACCG's defined benefit program***

“Copy Resolution”

Sheila Galbreath met with the board to request the board reconsider the naming of the new recreation park in Richmond Hill (DeVaul “Dee” Henderson Memorial Park). She feels as though several other citizens should have been considered when naming this park. Chairman Burnsed thanked Ms. Galbreath for taking the time to come meet with the board.

Phillip Jones, County Administrator, to discuss several issues.

****Amendment to the county personnel policy*** - A first reading was held on an amendment to the personnel policy adding a paragraph to chapter 5 addressing declared mandatory evacuation.

****Appointment to the Middle Coastal Unified Development Authority (MCUDA)*** - A motion was made by Rick Gardner and seconded by Glen Willard to appoint Jean Bacon to the Middle Coastal Unified Development Authority for a period of four (4) years with a term of July 1, 2005 through June 30, 2009. Motion carried unanimously. Commissioner Bacon abstained.

****Resolution in support of the Georgia National Guard*** - ACCG has asked that we approve the enclosed resolution in support of the National Guard and Reserve. These young men and women are used to augment the United States Armed Forces and over the past 20 years have been used extensively. Many National Guardsmen and Reservist participated in the Irag Conflict and are still serving there. A motion was made by Glen Willard and seconded by Blondean Newman to approve and authorize the Chairman to sign the resolution in support of the National Guard and Reserves. Voting for: Roberts, Willard, Gardner and Newman. Voting against: Bacon. Motion carried.

Neil Smiley, Director of Engineering & Inspections, met with the board to give an update on projects in his department.

***Traffic Signal at Highway 144 and I-95 Off Ramp** - This project is scheduled to be in the October 2005 DOT letting. This work will be funded 100% by the Department of Transportation.

***Lights at Highway 144 & I-95** - This project has been set back to a January 2006 let date with the Department of Transportation.

***Pine Ridge Road** - The GAB phase of this project is nearing completion. The contractor should come in next week to pave.

***Deep Patching: Harris Trail and Port Royal Road** - This project was re-bid with the low bidder being Carroll & Carroll in the amount of \$366,830. This project will be a 50/50 split with the Department of Transportation. A motion was made by Toby Roberts and seconded by Glen Willard that 51% (our portion) of Carroll & Carroll's bid in the amount of \$366,830 for the deep patching of Harris Trail and Port Royal Roads be taken out of contingency and it be put back as soon as possible with year end funds or LARP funds.

Jim Anderson, EMA Director, met with the board to discuss a grant. Bryan County has been awarded a grant in the amount of \$98,000. Bryan County will need to match 10% (\$9,800) and the matching funds can come from the fire fund. This grant is for thermal imaging cameras, training, text books, videos, etc.

Charles Brown, County Attorney, met with the board to discuss *ethics & conflicts of interest*. Mr. Brown reviewed what is unethical and what is a conflict of interest. He emphasized that even if an issue is not a conflict but the issue appears as a conflict and can be perceived as a conflict, you should step aside. This is especially true with zoning issues.

Commissioner Bacon discussed the right-of-way of a watershed located on two lots at **Barrington Pointe Subdivision**. Future landowners need to know that the county reserves the right to restrict building on this right-of-way. The County Administrator was asked to take care of this issue.

Christine Stringer and John Butler met with the board on planning & zoning issues.

1. Vice-Chairman Bacon called the **planning & zoning public hearing on Case Z # 0286 -05 -Lloyd Murray/Jake Davis Rezoning** to order. No one was present to speak on this matter. The public hearing was declared closed. Chairman Burnsed abstained from this public hearing and the discussion and voting on this issue.

Lloyd Murray, Sr. & Jake Davis, Jr.* makes application to **rezone a 2.5 acre portion of the 9.94 acre tract owned by Jake Davis and depicted on Exhibit B (the recorded plat). Also shown on the Exhibit C (the conceptual subdivision plan) as Lot 3. There is a very small portion of parcel 64-85 that will be included in lot 3. The property is tax parcel number 065-070 (2.5 acre portion) 64-85 (small portion). The current zoning is A-5 and the requested zoning is AR-2.5. The proposed development is residential. A motion was made by Toby Roberts and seconded by Glen Willard that we allow for the rezoning from A-5 to AR-2.5 for Case Z # 0286-05 for Lloyd Murray and Jake Davis. Motion carried unanimously.

2. Chairman Burnsed called the **planning & zoning public hearing on Case Z # 0287-05 - Roy Joyner Rezoning** to order. Several citizens were present to speak in opposition of this rezoning. Mr. Joyner was present to speak on this request. The public hearing was declared closed.

Roy Joyner* makes application to **rezone a parcel consisting of 2.5 acres on Highway 204 just east of the Black Creek Church Road/Highway 204 intersection in Ellabell. The property is tax parcel number 031-040 and the current zoning is AR-1. The requested zoning is B-1 CD and the proposed development is an auction house. A motion was made by Blondean Newman and seconded by Toby Roberts to deny the request of Roy Joyner to rezone tax parcel number 031-040. Motion carried unanimously.

3. Chairman Burnsed called the **planning & zoning public hearing on Case Z # 288-05 - James C. Hart Rezoning** to order. No one was present to speak on this rezoning. The public hearing was declared closed.

James C. Hart* makes application to **rezone a parcel consisting of 5.17 acres on Highway 280 roughly 5 miles west of Pembroke. The property is tax parcel number 005-007.02 and the current zone is AR-1. The requested rezoning is AR-2.5 and the proposed development is low density residential. A motion was made by Ed Bacon and seconded by Blondean Newman to approve the rezoning request of James C. Hart, Case Z # 288-05, from AR-1 to AR-2.5. Motion carried unanimously.

4. Chairman Burnsed called the **planning & zoning public hearing on Case Z # 0290-05 - Mike Jones/Danny Warnell Rezoning** to order. No one was present to speak on this rezoning. The public hearing was declared closed.

Mike Jones/Danny Warnell* makes application to **rezone a parcel consisting of 124 acres on Wilma Edwards Road within a mile of Hendrix Park, roughly across from Page Road. The property is tax parcel number 025-017 and the current zone is A-5. The requested rezoning is R-1 and the proposed development is high density residential. A motion was made by Ed Bacon and seconded by Blondean Newman that we approve the rezoning request of Mike Jones/Danny Warnell, case Z # 0289-05, from A-5 to R-1. Motion carried unanimously.

5. Chairman Burnsed called the *planning & zoning public hearing on Case Z # 0290-05 - Charlie Watson Rezoning* to order. No one was present to speak on this rezoning. The public hearing was declared closed. Commissioner Willard abstained from the public hearing and the discussion and voting on this issue.

**Charlie Watson* makes application to *rezone* property consisting of 1.83 acres on Highway 17 in South Bryan County. The property is tax parcel number 042-042 and the current zoning is AR-1. The requested zoning is I-1. The applicant wants only to add a storage building to the already existing marble plant on the property in question. Because the property is zoned AR-1, the planning & zoning department advised Mr. Watson to rezone his property and come into compliance with the current zoning ordinance. A motion was made by Rick Gardner and seconded by Toby Roberts to rezone Case Z # 0289-05, Charlie Watson, from AR-1 to I-1 Provisional and the provisional be that the current marble manufacturing business be retained on that property and if not it comes back before us. Motion carried unanimously.

6. Vice-Chairman Bacon called the *planning & zoning public hearing on Case Z # 0291-05 - Jeremy Jones, Palmetto Developers, LLC Rezoning* to order. No one was present to speak on this issue. The public hearing was declared closed. Chairman Burnsed abstained from this public hearing and the discussion and voting on this issue.

**Jeremy Jones, Palmetto Developers, LLC* makes application to *rezone* property consisting of 116.8 acres on Belfast Keller Road in South Bryan County. The property is tax parcel number 062-60, 062-61, 062-62 and the current zone is A-5. The requested rezoning is R-1 and the proposed development is high density residential. A motion was made by Glen Willard and seconded by Toby Roberts to rezone Case Z # 0291-05, Jeremy Jones, Palmetto Developers, LLC from A-5 to R-1. Motion carried unanimously.

7. Chairman Burnsed called the *planning & zoning public hearing on Case Z # 292-05 - Wilhelmina Jefferies Rezoning* to order. No one was present to speak on this issue. The public hearing was declared closed.

**Wilhelmina Jefferies* makes application to *rezone* 17.92 acres of property located on Belfast Keller Road. The property is tax parcel number 062-025 and the current zone is AR-5. The requested rezoning is AR-2.5 and the proposed development is residential. A motion was made by Toby Roberts and seconded by Ed Bacon that as been presented to us by planning & zoning and Ms. Jefferies, that the first 130 feet will be curb & gutter on a 40 foot easement and the remaining 168+ feet will be paved, but they will have the 60 foot needed to meet the county standards, they will not have to have curb & gutter on the second leg of it (this will be a 20' road, it will meet county standards) and the rezoning of AR-2.5 be approved contingent upon the above. Motion carried unanimously.

John Butler, Zoning Administrator, gave *information* to the board members to review. The state has informed us that some of our environmental regulations are not sufficient. In order to retain Qualified Local Government status, we need to consider adopting wetlands protection, well head protection and applicable recharge area protection. We have elements of all of these currently in our ordinances, however, our ordinances have been reviewed and they do not meet the state requirements. These changes have to be in place by the end of the year. Other information given to the board was regarding an increasing number of small developments that are using community water systems. Some of these developments are not meeting the standards in our engineering standards. The engineering firm has come up with a recommended standards for small well systems and this was given to the board members. The commissioners were ask to review all information and make comments so we can move forward on this.

Charles Brown informed the board that **Milton Smith** has filed a suit and the case will be heard on September 20, 2005 at 9:00 a.m.

A discussion was held on the **October meeting**. It was the consensus of the board to change the October 4, 2005 meeting from 1:30 p.m. to 4:00 p.m. with the planning & zoning issues being heard at 5:00 p.m.

The meeting was declared adjourned at 4:30 p.m.