

Bryan County Board of Commissioners - December 6, 2005

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

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

A discussion was held on the *minutes* of the November 1, 2005 regular meeting. A motion was made by Blondean Newman and seconded by Glen Willard to approve the minutes of the November 1, 2005 regular meeting as presented. Motion carried unanimously.

A discussion was held on the *consent agenda*. A motion was made by Ed Bacon and seconded by Glen Willard to approve the consent agenda as noted. Motion carried unanimously.

The following items were listed on the consent agenda:

1. ***Approval of New Occupational Tax Certificates***
  - \*Uncle Shugs Kitchen - Russell Shea Deal
  - \*Bargains 4 All - Anthony M. Phillips
  - \*Coastal Fire Protection - Manzy Vernon Brown *\*(upon verification of licenses)*
  
2. ***Denial of Tax Refund***
  - \*Map & Parcel # 0531-042
  
3. ***Emergency Services Director - Fire Chief Positions*** *\*This item removed from consent agenda*
  
4. ***District Attorney Request to Convert Position to State Employee***
  - 'Copy Resolution'
  
5. ***ACCG's 457 Deferred Compensation Plan***
  - 'Copy Amendments'

6. ***Resolution on Worker's Compensation Fund***

'Copy Resolution'

***Mr. Jerry Harrison and Mr. Michael Emlaw of the National Weather Service,*** presented a plaque to Bryan County and recognized Mr. Jim Anderson for his efforts in helping Bryan County to meet the requirements to be ***STORM READY***. Bryan County was re-certified as STORM READY and will remain certified for three years.

A discussion as held on the ***February 7, 2006 regular meeting***. The ACCG Legislative Conference is being held at this same time in Atlanta and several of the commissioners would like to attend. A motion was made by Glen Willard and seconded by Rick Gardner that the February 7, 2006 meeting be changed to February 14, 2006 due to the ACCG Legislative Conference. Motion carried unanimously.

A discussion was held on an ***appointment to the Bryan County Family & Children Services Board***. A motion was made by Blondean Newman and seconded by Glen Willard to appoint ***Ms. Joye Johnson*** to the Family & Children Services Board with a term of office for the present until June 30, 2010. Motion carried unanimously.

A discussion was held on a request from personnel at Ft. Stewart for Bryan County to install a culvert at ***Lily Geiger Road*** in order for Ft. Stewart to allow authorized access for recreation, hauling timber from the Installation, visits to cemeteries, and other requirements. It is their intention to install a gate at this point in the near future to facilitate access control and ensure that unauthorized entry does not occur. A motion was made by Ed Bacon and seconded by Toby Roberts to deny the request to install a culvert at Lily Geiger Road. Motion carried unanimously.

***Don Chandler of Forum Municipal Development Services (Forum MDS)*** met with the board to discuss the DFACS building. Mr. Chandler has worked with various counties to obtain funding for new DFACS buildings. His organization is a one stop shop that provides a turn key product that includes land, building construction and financing alternatives. The finished product is typically leased to the state for use, at maturity (15-20 years) the facility is owned by the county with the state continuing to lease but reduced to operational costs. The typical building design today contains approximately 7,500 square feet and is tailored to local needs. A county generally advertises for an RFP in the local paper, solicits proposal for a building, debt serving, and lease back to the state. The design phase of the project takes approximately two months and is followed by the construction process that takes approximately six to eight months. Senator Eric Johnson stated he would work with us to get this project funded. Mr. Chandler will forward additional information so the county can start the process.

**Rita Spalding**, Attorney for Sea Island Company, made a presentation on the preservation of **Native American Burial Sites**. She outlined the procedures which should be followed if such a site is found. She also provided brochures and videos that can be used to educate the public about the procedures to follow when a burial site is found.

A discussion was held on the contract to purchase **land adjacent to the Dee Henderson Recreation Park** in Richmond Hill. In the original contract, the county has the option of purchasing an additional 100 acres of land if the school board did not exercise their option. The school board will not be purchasing this 100 acres. This allows the county the option to purchase this additional property. A discussion was held on acquiring an additional 10-20 acres. A motion was made by Rick Gardner and seconded by Glen Willard that Jimmy Burnsed and Phillip Jones be authorized to enter into negotiations with Murphy and Partners for a 12 month option to purchase as much land as we can get adjacent to the Dee Henderson Recreation Park. Motion carried unanimously.

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

**\*Bridge Replacements** - The work crew moved in yesterday to begin work on the two bridges on Harris Trail Road. This work should take approximately two months to complete.

**\*Traffic Signal at Highway 144 & I-95** - This project should begin in March, 2006.

**\*Interchange Lighting at Highway 144 & I-95** - The State has completed all of the preparatory work to move this project forward and has sent this information to the Federal Aid for approval.

**\*District Engineer** - Gary Priester has retired as the district engineer with the Department of Transportation. Mr. Glenn Durrence is the new district engineer.

**Christine Stringer and John Butler, Zoning Administrators**, met with the board on planning & zoning issues.

1. Chairman Burnsed called the public hearing on **Case # Z-0297-05, Casey Land Development Partners** rezoning to order. Several citizens spoke with concerns in regards to this rezoning. Chairman Burnsed declared to public hearing closed.

**\*Case # Z-0297-05 - Casey Land Development Partners** makes application to **rezone** 265.2 acres on Belfast Keller Road in South Bryan County from A-5 to R-1. The applicant would like to build a 140 lot subdivision on 265 acres. Gross density will be 1.8 houses per acre. The property is tax parcel number 063-75. The planning commission recommends approval with conditions. A motion was made by Toby Roberts and seconded by Glen Willard to rezone Case Z#0297-05, Casey Land Development Partners from A-5 to R-1 with the three recommendations agreed upon by a representative of the developer here today; the recommendations being 1) the

developer be required to maintain a 30 foot buffer between the project and all existing residential lots and roadways; 2) the developer be limited to at-most 145 lots in the project; 3) the developer shall relocate the “emergency entrance” on Tivoli Trail to a position that will provide adequate line of sight for vehicles using the entrance. Motion carried unanimously.

2. Chairman Burnsed called the public hearing on **Case # Z-294-05, W. K. “Buddy” Polk** rezoning to order. Several citizens were present to speak in opposition of this rezoning request. Chairman Burnsed declared the public hearing closed.

*\*Case # Z-294-05 - W. K. “Buddy” Polk* makes application to **rezone** 7.08 acres on Highway 280 on the Lanier curve at Highway 204/Paradise Lane from AR-1 to B-2. The applicant is seeking to develop the property as several commercial/industrial lots. The property is tax parcel 021-067. Due to not obtaining the proper land disturbing activity permits, the developer cannot develop this property for three years. The planning commission recommends denial. A motion was made by Blondean Newman and seconded by Toby Roberts that the rezoning request of W. K. “Buddy” Polk for tax parcel 021-067 be denied at this time. Motion carried unanimously.

3. **Case # Z-298-05, McMillan/Glisson rezoning** of 352 acres on Page Road and George’s Bluff Road in Black Creek. The applicant requested a thirty day extension on this rezoning request.
4. **Case # SD-558-05, Mulberry Company, LLC, preliminary plat approval for The Sanctuary.** Applicant requested this request be tabled at this time.

A discussion was held on **banked leave for county employees**. Several years ago the commissioners allowed employees with excess accumulated leave to bank the leave to be used at retirement. In 2004, the commissioners approved a new leave policy which allows employees to retain up to 720 hours maximum and all leave in excess of that amount would be lost on January 1 of each year. The commissioners did not specifically address the banked leave time that was approved in 2001. We have 18 employees that have banked time at a total value of \$30,621.48. The total value will increase annually with pay raises and promotions. It is recommended the county pay out the banked leave time with funds to come from excess fund balance. A motion was made by Ed Bacon and seconded by Toby Roberts to pay banked leave with funds to come from excess fund balance. Motion carried unanimously.

A discussion was held on a vacancy on the **Planning & Zoning Board**. A motion was made by Ed Bacon and seconded by Glen Willard to appoint **Mr. Peter Shonka** to the Planning & Zoning Board for a period of four years. Motion carried unanimously.

**Charles Brown, County Attorney**, met with the board to give an update on several issues.

**Genesis Point** - Fountainhead is selling Genesis Point to Genesis Partners, LLC. We entered into a water/sewer agreement with Fountainhead, which now needs to be reassigned to Genesis Partners, LLC. A motion was made by Toby Roberts and seconded by Blondean Newman to reassign the water/sewer agreement to Genesis Partners, LLC and authorize the Chairman to sign the agreement. The agreement substitutes Genesis Partners for Fountainhead and commands Genesis Partners to post a letter of credit in the amount of \$500,000, they accrued all rights and obligations of Fountainhead. Motion carried unanimously.

“Copy Agreement”

**Interstate Justification Report** - Charles reviewed the proposed IJR Agreement between the county and Terra Point, LLC and made several changes. The agreement must be reviewed by Terra Point and Georgia DOT, other changes may be required. A motion was made by Toby Roberts and seconded by Rick Gardner to authorize the Chairman to execute this agreement or one substantially close to it. Motion carried unanimously.

“Copy Agreement”

A discussion was held on the **buffering** which the county requires. At the present time, developers are required to leave a buffer when developing, but there is no requirement for large land owners such as Rayonier, Terra Point, etc. to leave a buffer. No action was taken on this issue.

Commissioner Gardner reminded everyone that tomorrow is **Pearl Harbor Day** and we should all remember our veterans and military.

The meeting adjourned at 5:45 p.m.