

Bryan County Board of Commissioners - August 1, 2006

The regular meeting of the Bryan County Board of Commissioners was held on Tuesday, August 1, 2006. The following members were present: Chairman Jimmy Burnsed, Commissioner Rick Gardner, Commissioner Glen Willard, Commissioner Toby Roberts, Commissioner Blondean Newman and Commissioner Ed Bacon. 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 was accepted as amended.

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

A discussion was held on the *minutes* of the July 11, 2006 regular meeting. A motion was made by Toby Roberts and seconded by Ed Bacon to approve the minutes of the July 11, 2006 regular meeting as presented. Motion carried unanimously.

A discussion was held on the *consent agenda*. A motion was made by Glen Willard and seconded by Blondean Newman 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***
 - *Oracal USA, Inc. - Oracal USA, Inc.
 - *Peachy Kleen - Michele Payton
 - *Roberts Construction - Isiah Roberts
 - *Triple H Landscape - Edward Anderson
 - *Beloved Keepsakes - Lori McDonald
 - *Shoreline Landscape Solutions - Kevin William Smith

2. Approval of Authorizing Resolution for the ***Section 5311 Rural Transportation Program***

“Copy Resolution”

Phillip Jones, County Administrator, gave an update on the ***Coastal Georgia Water and Wastewater Permitting Plan for Managing Salt Water Intrusion***. With this plan, the 24 coastal counties would be divided into three regions. Region 1 - Bryan, Chatham, Lower Effingham and Liberty Counties; Region 2 - Glenn County; and Region 3 - The remaining 19 counties and the upper half of Effingham County. Region 1 would be further divided into two sub-regions. Red - Chatham and Lower Effingham Counties; Yellow - Bryan and Liberty Counties. The red zone would be restricted to 2004 withdrawal levels from the Upper Floridan and would be required to

meet additional water demands with treated water from the Savannah I & D Plant; further reduction of 5 MGD will be required by 2008. The yellow zone will be allowed to withdraw and additional 5 MGD through 2008. The State will monitor the additional pumpage and note the cause and affect of the additional pumpage on the cone of depression. If the cone of depression (under Chatham County) is negatively affected, then it is likely that additional withdrawal will not be allowed from the Upper Floridan. If the increased pumpage has not affect on the cone of depression, then an additional 5 MGD step withdrawal will be allowed.

Richard Deal of Thigpen, Lanier, Westerfield & Deal, met with the board to present the 2005 annual financial statement. He reported the county had a good year with assets exceeding liabilities.

Gus Bell of Hussey, Gay, Bell & DeYoung, met with the board to present the County Sewer and Water Master Plan. The plan breaks the county into 5 service delivery areas and sizes out the system(s) that will be needed to meet expected growth to the year 2025. The study reflects an expected water use of 22.5 MGD and sewer treatment of 14.3 MGD by 2025. The county will have several options for water: Upper Floridan; Lower Floridan; or the Cretaceous Aquifer. A Cretaceous Aquifer water system will require extensive treatment and will be very expensive to build and operate; well dept approximately 3,000 feet. Water from the Lower Floridan may require some treatment and the depth of the well makes it more expensive; depth approximately 900-1,000 feet. The Upper Floridan is the preferred option but restrictions imposed by the State limits the amount of water that can be withdrawn. Future studies may change these restrictions but change is not likely. Mr. Bell was ask to provide a cost for a water reuse plan, and they go back and identify the environmentally sensitive areas that would specifically require sewer treatment (how would non point source pollution affect our sensitive areas and how would you control it) and they provide a cost for a transportation plan.

Sam Davis, Probate Judge, met with the board and reported the county had a 15% turnout for the July 18 election. The cost for each election is approximately \$8,000 - \$10,000. Mr. Davis also reported the voters on the homestead exemption referendum from the cities of Richmond Hill and Pembroke will be required to cast ballots at two different voting precincts. The law requires city voters to cast votes on city issues in the city precincts. This process will cause some confusion but attempts will be made to educate the public. Mr. Davis also reported he will need two additional express pole machines for the November election. He will be able to lease the two machines for a total cost of \$1,000 instead of purchasing machines.

Chairman Burnsed called the planning & zoning public hearing to order.

1. ***Case # Z0314-06 - Court Smardige Rezoning*** of 5.66 acres at 2994 Wilma Edwards Road, Ellabell, Georgia. No one present to speak on this rezoning other than applicant.

Chairman Burnsed declared the public hearing closed.

Christine Stringer, Zoning Administrator, met with the board with planning & zoning issues.

1. **Case # Z0314-06 - Court Smaridge** makes application to rezone 5.66 acres at 2994 Wilma Edwards Road in Ellabell. The property is tax parcel # 025-017.01 and is currently zoned A-5. The requested zoning is R-30 and the proposed use is for single family homes. The planning commission recommends the property be rezoned to R-1 instead of R-30, which the applicant concurred and accepted. A motion was made by Ed Bacon and seconded by Rick Gardner that we approve the rezoning from A-5 to R-1 with a condition that the existing home be allowed to maintain its own driveway ramp and with the two additional lots one driveway ramp be established to service the two. Motion carried unanimously.
2. **Case # Z0270-04 - Brookwood Properties** requests deviations to a PUD zoning approval for Dunham Marsh. The property is tax parcel # 056-14 and is 200 acres located off of Dunham Swamp Trail and Belfast Keller Road approximately two miles from the intersection of Belfast Keller Road and highway 144. The Master Plan includes the following deviations from the approved Master Plan: 1) instead of housing types which the applicant discussed in this first submittal, the applicant suggests the categories of lots be classified by their size; 2) setbacks vary from the original PUD approval to allow for garages and accessory buildings. A motion was made by Glen Willard and seconded by Rick Gardner that in reference to case Z0270-04, Brookwood Properties, that we allow for the deviations from the approved Master Plan as printed in our books (instead of housing types which the applicant discussed in the first submittal, the applicant suggests the categories of lots be classified by their size and setbacks vary from the original PUD approval to allow for garages and accessory buildings). Motion carried unanimously.
3. **Case # Z0291-05 - Palmetto Developer, LLC** makes notification of changes in his Master Plan for Buckhead Lakes. The following items have been changed on the revised master plan: an additional 83.13 acres has been added to the property to the west; the lot count has increased from 180 to 274, and the density has decreased from 1.5 dwelling units per acre to 1.38 dwelling units per acre; the existing wetlands and their requisite buffers have been delineated and are incorporated into the drawing; the centralized recreation area has been relocated to the southern portion of the property and consolidated into one large area; and the total percentage of greenspace/open space has increased from 23% to 38.2%. The information was provided for commissioner comments and requires no action.

A discussion was held on **Dunham Marsh Road and county dirt road standards**. For clarification, we are actually upgrading this road to the county engineering standards for a county dirt road. We are going to clear the right of way, building the road bed up to the standards that meet the engineering standards (60' standards). We will attempt to acquire the right of way all

the way to the end and eventually build the road up to the end. The developer will pave to 100' beyond his entrance. It is not the intention to buy any right of way, if not donated, the developer will have to acquire the right of way.

A discussion was held on the *water system for Hayden Lakes Subdivision* on Page Road. Middle Georgia Water has made a request for approval from the board to establish a privately owned and operated water system in the proposed Hayden Lakes Subdivision. It was the consensus of the board that Bryan County is in the water business and water should come through Bryan County. A motion was made by Ed Bacon and seconded by Toby Roberts that we advise the County Administrator to notify EPD of our negative response for a private development and we authorize the County Administrator to negotiate a water delivery contract with the developer (same type as we did with Brookwood Properties for Dunham Marsh) and have this agreement ready for the next meeting. Motion carried unanimously.

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

**Development Agreements for Industry* - Mr. Brown provided an article which addressed economic development incentives. Congress is considering legislation in this matter. This article confirmed that the incentives we offered Orafol were legal and appropriate.

**Daley Brown* - This case has not been resolved. The ownership of the road was appealed to the Superior Court and Mr. Brown will be petitioning the court to dismiss.

**Steve Bruner* - This case against the Sheriff was dismissed, but his attorney indicates the decision will be appealed.

**Breach of Peace against Steve Bruner* - This case has been presented to the Magistrate Judge and is under advisement.

**Annexation* of 277 acre tract into the City of Richmond Hill - This property is on Tranquilla Road and the annexation will create an island. Chairman Burnsed reported the City of Richmond Hill understood our concerns on the PUD and the creation of an island. The PUD was denied by the City of Richmond Hill and the developer was advised the desired development would be single family dwellings, not a PUD. The developer is working with the board on this issue. He is also in the process of purchasing the property that would have created an island.

A discussion was held on a *petition to create a special tax district (Belfast Pines)* - The majority of residents have forwarded a petition to the board asking that a special tax district be created to pave the private road in their subdivision. A motion was made by Rick Gardner and seconded by Glen Willard to accept the petition and to instruct the Administrator/Attorney to work with the residents and their attorney and generate the appropriate paperwork and bring back to the September meeting. Motion carried unanimously.

A discussion was held on ***Infrastructure Development District (IDD)***. During last year's legislative cycle, House Bill 1323 was introduced to allow the creation of Infrastructure Development Districts. It was not approved, but will be resurrected again this year. An IDD is an independent special taxing district with the primary purpose to provide and maintain public infrastructure. Debt of the IDD is not debt of the state, county, or city. It does not affect credit rating or borrowing capacity of other governments. A county or city does not approve their operational budget but can review and submit written recommendations. The county or city does not approve board members, but does have a local government representative on the board. Since Bryan County is a high growth county and susceptible to large scale development, we need to ensure that our concerns are addressed in any legislation that would create an IDD. A meeting is scheduled for August 9, 2006 in Atlanta, and we have been asked to attend. Commissioners Burnsed and Gardner will attend this meeting along with Phillip Jones.

A discussion was held on an ***Easement on the Martin Property*** adjacent to the Interstate Centre. The county will be completing Orafol Parkway to the end of the industrial park. DOT funds have been approved for this project. The road terminates at the Martin property. The Martins have agreed to give the county an easement that would extend the road approximately 100 feet on their property. This would be the first phase of extending the road to the Haiseal Tract, which the development authority has an option to purchase. A motion was made by Blondean Newman and seconded by Toby Roberts to authorize the chairman to sign an easement on the Martin Property. Motion carried unanimously.

A discussion was held on the ***Genesis Point*** project. Letters have been sent to Fletcher Management Group, owner/manager of the Genesis Point tract requesting the status of this project. Fletcher Management Group responded and stated an agreement has been signed between Genesis Partners and Sunbelt Holding. Sunbelt will provide the venture capital to develop the project and a new entity will be formed. Mr. Fletcher further indicated that the Fletcher Group or new entity will be responsible for meeting all conditions and requirements applicable to the Genesis Point Property. The board directed the Administrator to write Mr. Fletcher a letter stating the requirements for the conditional rezoning, such as a new ladder truck, EMS building, etc.

A discussion was held on the ***lighting of I-95 and Highway 144***. The original contract for this project was approved by the board during 2004, but contract award has been delayed waiting for federal funds. The federal funds have been approved and the commissioners need to allocate additional funds because costs have increased since 2004. Funds were budgeted in the SPLOST IV budget and funds were budgeted in the general fund budget in 2004 and 2005, but never expended. The excess funds at the end of the year remained in the county general fund. The SPLOST IV funds need to be expended on other projects. A motion was made by Toby Roberts and seconded by Glen Willard that we take money out of contingency in the amount of \$116,807 for the I-95 and Highway 144 interchange lighting project. Motion carried unanimously.

A discussion was held on the problem with *school traffic on Highway 144*. The board discussed the school board's plan to build another school in the city limits of Richmond Hill. They noted the increased traffic problems that are created when school is in session. A discussion was held on writing a letter to each school board member asking them to reconsider the construction of another school within the city limits of Richmond Hill; to consider staggering school start times; to open schools earlier to reduce traffic congestion; and to ask for a joint meeting to address transportation issues. A motion was made by Toby Roberts and seconded by Ed Bacon that we send this letter immediately with each commissioner's signature and the letter be sent to the Board of Education and each board members home address. Motion carried unanimously. The board requested a copy of this letter be sent to state board of education, our senator and our two representatives.

Chairman Burnsed reported the *county revaluations* should go out by Friday, August 4, 2006.

The meeting adjourned at 5:28 p.m.