

Bryan County Board of Commissioners - February 13, 2007

The regular meeting of the Bryan County Board of Commissioners was held on Tuesday, February 13, 2007. The following members were present: Vice-Chairman Glen Willard, Commissioner Blondean Newman, Commissioner Toby Roberts, Commissioner Rick Gardner, and Commissioner Ed Bacon. Also present: County Administrator Phillip Jones, County Clerk Donna Waters and County Attorney George Rountree. Chairman Burnsed was not present due to being out of state.

Vice-Chairman Willard called the pre-agenda meeting to order at 1:20 p.m. The agenda was discussed and accepted as presented.

Vice-Chairman Willard 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 January 9, 2007 regular meeting. A motion was made by Toby Roberts and seconded by Blondean Newman to approve the minutes of the January 9, 2007 regular meeting as presented. Motion carried unanimously.

A discussion was held on the *minutes* of the January 25, 2007 called meeting. A motion was made by Blondean Newman and seconded by Toby Roberts to approve the minutes of the January 25, 2007 called meeting as presented. Motion carried unanimously.

A discussion was held on the *consent agenda*. A motion was made by Blondean Newman 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 Budget Amendments*** to balance the FY 2006 operating budget
2. ***Approval of New Occupational Tax Certificates***
 - *Joseph Kendrick, Sr. - The Station
 - *Karen Ledbetter - Ellabell Feed & Seed #2
 - *Bradley Morey - Morey's Windshield Repair
 - *Carrie Hall - Recycle Your World
 - *Curt Roy - Low Cut Lawn Care, LLC
 - *Lindy Stewart - WLS Construction, LLC
 - *Joseph Nutter - Kellar Boatwork
 - *William Mathis - Mathis Masonry
 - *Stewart Carpenter, Jr. - Silver Moon Perillo
 - *Lori Fisher - Enchanted Unicorn

Vicky Myers met with the board to discuss a drainage ditch in the **Mill Hill Subdivision**. She is requesting county assistance with a water flow problem with the canal on Mill Hill Road. The board instructed Phillip Jones and Dale Dudley to look into this problem and see what it will take to correct.

A public hearing on **Advanced Funding for SPLOST Projects** was held at 1:45 p.m. Vice-Chairman Willard called the public hearing to order and stated the purpose was to receive public input on the county seeking advanced funding for the County Administrative Complex and Recreational Projects, the projects would be paid with SPLOST funds. The proposed funding will be with an ACCG lease purchase program. No one was present to speak on this public hearing. A motion was made by Ed Bacon and seconded by Toby Roberts to close the public hearing. Motion carried unanimously.

A discussion was held on a **sewer & water master plan** for Bryan County. A motion was made by Toby Roberts and seconded by Rick Gardner to incorporate the sewer & water master plan. Motion carried unanimously. This plan will be incorporated as part of the Engineering & Design Standards.

A discussion was held on the **sewer & water system at the Interstate Centre**. A motion was made by Ed Bacon and seconded by Rick Gardner that the county acquire all aspects of the water & sewer system at the Interstate Centre from the Development Authority and we acquire the debt as associated with this and funds be transferred from the Development Authority to make this installment payment. Motion carried unanimously. Commissioner Bacon commented that although we are in the water & sewer business, we do not have guidelines on how to manage the system. We need to have our engineer to work with the administrator to come up with a set of rules and regulations (ordinances) for the use of distribution, recovery, cost, etc. as soon as possible.

Phillip Jones gave an **annual report from the leave committee**. The committee considered two cases during the past 12 months. One case was rejected based on excessive leave usage and departmental recommendation. The other case was granted donated leave and the employee has returned to work. This is information only and with no action being required.

A discussion was held on a request from the **Ogeechee-Canoochee Riverkeeper** (OCRK) to use the Jerry Bacon Park on the Canoochee River at Groveland for the finish line and festival for the 2007 Canoochee River Race. A motion was made by Ed Bacon and seconded by Blondean Newman to approve the request of the Ogeechee-Canoochee Riverkeeper for the use of the Jerry Bacon Park. Motion carried unanimously.

A discussion was held on an **appointment** to the **Coastal Georgia Regional Development Center Historic Preservation Advisory Council**. A motion was made by Rick Gardner and seconded by Toby Roberts to appoint Brad Brookshire to the CGRDC Historic Preservation Advisory Council. Motion carried unanimously.

A discussion was held on **advanced funding under ACCG installment sales agreement**. The funding is to build a county administrative complex and certain recreational projects. The agreement will generate \$6,500,000 at 3.75% interest payable in 72 monthly payments of approximately \$100,957, with funds to be paid back from SPLOST V. A motion was made by Toby Roberts and seconded by Blondean Newman that we authorize the Chairman to sign the necessary documents to complete the transaction for advanced funding under ACCG's installment sales agreement in the amount of \$6,500,000 at 3.75% interest payable in 72 monthly payments of approximately \$100,957 with funds coming from SPLOST V to repay the loan. Motion carried unanimously.

A discussion was held on a **groundbreaking** for the **DeVaul Henderson Memorial Park** in South Bryan County. The county administrator was asked to get with the Recreation Director and Recreation Association to schedule this event.

A discussion was held on a **limited warranty deed for Genesis Point**. A motion was made by Toby Roberts and seconded by Blondean Newman that we accept the limited warranty deed form Savannah Land Holdings, LLC and authorize the Chairman to sign to the documents appropriate to complete this transaction. Motion carried unanimously.

Phillip Jones reported on the **GEFA Loan Application** to construct the sewerage treatment facility for **Genesis Point**. A letter of credit has been received from Savannah Land Holding, LLC in the amount of \$1,800,000. The letter of credit was used to guarantee the loan and the application was approved. The loan is in the amount of \$1,625,000 at an interest rate of 3%. This is information only with no action being required.

A discussion was held on an **amendment to the service delivery strategy**. Several months ago the City of Richmond Hill asked that they be allowed to provide services outside their previously designated service delivery area. There is a slight change to the service delivery area, it now includes two additional parcels that have been linked to a previous tract that was approved by the Board of Commissioners for service. The city has agreed to back off on any requirements for restricting the sewer & water service delivery of the county system outside of the Genesis Point tract. A motion was made by Rick Gardner and seconded by Ed Bacon to approve the service delivery strategy revision as presented. Motion carried unanimously.

Kathy Ackerman of Energy Oasis met with the board to request a **road closure** of a portion of Harris Trail Road for a short period to hold a **5k race** as a fund raiser on May 19, 2007. The race is being and end at Energy Oasis. It will turn on to Timber Trail briefly before exiting to the left on Harris Trail, at mile marker 1.55 the race will turn around and return to Energy Oasis. The road closure will be for approximately 1 ½ hour (9:00 am - 10:30 am). A motion was made by Toby Roberts and seconded by Ed Bacon that we approve the blocking off of Harris Trail Road for the Energy 5k Race with all the requirements to be completed. Motion carried unanimously.

Ralph Cavender and Warren Poythress met with the board to discuss water & sewer service for the **Blitchton Crossing Subdivision**. They would like to install and connect to the infrastructure from the outlets of the Interstate Centre. They would be required to pay for lines, lift station(s) and their installation. He would also be required to provide space on his land for the disposal of the treated affluent and connection fees/tap fees would be required per house/business. A motion was made by Ed Bacon and seconded by Blondean Newman that we allow Blitchton Crossing to enter into a contract with Bryan County for water & sewer for development of their property. Motion carried unanimously.

Vice-Chairman Willard called the **planning & zoning public hearings** to order.

1. **Case Z #0327-06 - Dexter Bland Rezoning** of 1.84 acres on the corner of Black Creek Church Road and Shumantown Road in Ellabell. No one other than applicant was present to speak on this request.
2. **Case Z #0333-06 - Virginia Dennis Rezoning** of 3.46 acres at 439 Mannie English Road in Ellabell. Several citizens were present to speak in favor of this request.

Vice-Chairman Willard declared the public hearings closed.

Brian Harvey, Zoning Administrator, met with the board with planning & zoning issues.

1. **Case Z#0327-06 - Dexter Bland** makes application to rezone a parcel consisting of an approximately 1.84 acre tract located at the corner of Black Creek Church Road and Shumantown Road in Ellabell. The tax parcel number is 030-015 and the current zoning is A-5. The requested zoning is R-30 and the proposed development is for two .92 acre lots. A motion was made by Blondean Newman and seconded by Toby Robert to approve the rezoning request of Dexter Bland to rezone 1.84 acres from A-5 to R-30 for subdividing into two .92 acre tracts. Motion carried unanimously.
2. **Case Z#0333-06 - Virginia Dennis** makes application to rezone a parcel consisting of an approximately 3.47 acre tract located at 439 Mannie English Road in Ellabell. The tax parcel number is 027-01-035 and the current zoning is AR-1. The requested zoning is AR-2.5 and the proposed development is the permit large farm animals (horses). A motion was made by Toby Roberts and seconded by Rick Gardner to make large farm animals (i.e. horses) a conditional use in AR-1 zone as long as you have sufficient acreage. Motion carried unanimously.

3. **Matthew Young (Brewton Acres)** makes application for a preliminary plat and construction plan approval. This property is approximately 72.6 acres located off Wilma Edwards Road in Ellabell at tax parcel number 024-030 & 024-031. The current zone is R-1 and this phase of the proposed development consists of 93 lots. This Article XI was already approved with curb & gutter streets. The plans have been redesigned with roadside swells instead of curb & gutter. A motion was made by Rick Gardner and seconded by Toby Roberts to deny the request of Matthew Young (Brewton Acres) for a preliminary plat and construction plan on the grounds that they came in and gave us a proposal which we approved and now they are making changes without any drawings or information for the commissioners to review. Voting for: Gardner, Roberts & Newman. Voting against: Bacon. Motion carried.

4. **English Development Group (Magnolia Landing)** makes application for a preliminary plat and construction plan approval. The property is approximately 53.6 acres located off Carlos Cowart Road in Ellabell at tax parcel number 026-035-03, 026-035-02, -26-035, 026-035-06, 026-035-05. The current zone is R-1. A discussion was held on the need for a d-cell lane. A motion was made by Blondean Newman and seconded by Ed Bacon to accept the plans for Magnolia Landing as recommended. Motion carried unanimously.

Commissioner Blondean Newman left the meeting at this time.

George Rountree, County Attorney, met with the board to give an update on several issues.

***Belfast Pines Subdivision** - The land titles have been reviewed and it has been determined who the owner is of each lot in this subdivision. The deeds have been drawn conveying the right-of-way to the county. Mr. Smiley has these deeds now and is in the process of getting the various owners to sign the deeds.

***Hayden Lake Water Agreement** - Mr. Brown has drawn up a water agreement (dated 1/1/507) with Hayden Lakes. A motion was made by Ed Bacon and seconded by Toby Roberts that we accept the 1/15/07 water agreement with Hayden Lakes as presented. Motion carried unanimously.

***Daley Brown Case** - There will be a hearing on this case shortly to determine who owns this road.

***Automobile Accident Case** that was filed against the Sheriff's Department has been referred to ACCG for defense under the insurance policy. The prospect of a good outcome looks good for Bryan County.

Angie Foss met with the board to voice her concerns over the drainage of River Oaks into the Cove Subdivision. She feels the Cove needs help with the drainage issue and believes the county has a responsibility to the Cove to help with this problem because the Cove is in the county. Ms. Foss was told River Oaks is in the city limits of Richmond Hill and she should check with the mayor and council on this issue. Commissioner Bacon expressed his concerns over whether the requirements that were imposed on this development were carried out. It was also noted by Commissioner Roberts and Commissioner Willard that we should contact the city and find out what their response is to the requirements being carried out and the drainage issue.

Sheila Galbreath met with the board to voice her concerns over the citizens not having an opportunity to vote on a Stephens Day for Bryan County. She stated every county on coastal Georgia except Bryan County has some form of Stephens Day. She also stated she will be working tirelessly to have the county seat moved to Richmond Hill from Pembroke.

Lynda Morse met with the board to voice her concerns on zoning issues. She feels the board is not listening to the people and the board does what they want according to who they are partners with.

Mark Smith met with the board to go on record that he feels there are some inaccuracies in the water & sewer master plan for Bryan County. He would also like to make a proposal for a county wide water system to county specifications. He feels their company, South Atlantic Utilities, can save the county a considerable amount of money.

A motion was made by Ed Bacon and seconded by Toby Roberts to adjourn. Motion carried unanimously.

The meeting adjourned at 4:35 p.m.