

Bryan County Board of Commissioners - March 6, 2007

The regular meeting of the Bryan County Board of Commissioners was held on Tuesday, March 6, 2007. The following members were present: Chairman Jimmy Burnsed, Commissioner Ed Bacon, Commissioner Rick Gardner, Commissioner Glen Willard, Commissioner Blondean Newman and Commissioner Toby Roberts. 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 1:27 p.m. The agenda was discussed. A motion was made by Toby Roberts and seconded by Ed Bacon to accept the agenda as amended. Motion carried unanimously.

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 February 13, 2007 regular meeting. A motion was made by Blondean Newman and seconded by Rick Gardner to approve the minutes of the February 13, 2007 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. Motion carried unanimously.

The following items were listed on the consent agenda:

1. ***Approval of Budget Amendment***
 - *Transfer \$24,012 from Contingency to Payroll and FICA in the Planning & Zoning Budget

2. ***Approval of Tax Refunds*** due to homestead exemption being removed in error
 - *Emmit & Arlene Hendrix - \$1,489.51
 - *Debra Ray - \$944.98
 - *Jerry McKenzie - \$726.39
 - *Lester Wiggins - \$234.92
 - *Michael Martin - \$224.92
 - *Nancy Brinson - \$343.75
 - *Joyce Lippa - \$726.39

3. ***Approval/Denial of Tax Refunds*** due to getting tax notices out late in the year
 - *Approval for Erin Searfoss - \$10.00
 - *Denial for Charlotte Hinely - \$15.44

4. ***Approval of Tax Refund*** for Fire Tax due to being 100% disabled veteran
 - *Donald Bennett - \$75.00

5. ***Approval of New Occupational Tax Certificates***
*Bruce Pringle Ford, Jr. - Magnolia Grill, Inc. dba Outriggers
*Gene Louder - G & B Maintenance
*Lora Ann Kangeter - Lora's Salon
*David B. Bosworth - The Basworth Group, LTD
*Julia Katharina Futch - Precision Finish Carpentry, Inc.
*Christine D. Wilson - A.C.E. Transcription Professionals
*Sharon D. Gutierrez - Savannah Home Staging
*Ned Christianson - Belle Island Construction
*Victoria Gary - Jani King
*Dennis K. Warren - Dennis Warren Logistic, LLC
*Teresa Palumbo - Summit Homes & Land, LLC
*Daniel E. Johnson - Ace Roofing & Remodeling, Inc.

6. ***Request for Proposal - This item was removed from the consent agenda***

A discussion was held on a request from ***Beulah Baptist Church*** to refund the building permit fee of \$2,140.00 for the construction on a new sanctuary. A motion was made by Ed Bacon and seconded by Toby Roberts to deny the request because in the past it has been brought to our attention by the news media that this a privilege that should not be shared with churches, boy scouts, etc. Motion carried unanimously.

A discussion was held on the ***maintenance of the county fund balance*** in the Department of Family & Children Services. ***DFACS*** currently has a fund balance of \$22,969.98 that has accumulated over the past few years. It is the opinion of the DFACS Director and County Administrator that \$7,000 should be a more appropriate amount to be maintained as fund balance. A motion was made by Ed Bacon and seconded by Glen Willard that we take back the \$22,969.98 fund balance from DFACS and re-allocate them \$7,000 and the remainder for the funds to be put into contingency. Motion carried unanimously.

A discussion was held on the ***DFACS Building***. We have received notification from the Department of Human Resources that the maximum size of the new DFACS building should be 5,894 square feet. (This is smaller than the current building, but the State will only pay for 5,894 square feet.) We could use the ACCG lease purchase program for the construction of this building. We will actually be building the building and then leasing it back to the State on a one year contract. A motion was made by Rick Gardner and seconded by Blondean Newman that we proceed with pursuing the funds through ACCG Lease Purchase Program as a means to construct a new DFACS building with the building not exceeding 6,000 square feet and that the water/sewer system in this area be changed to establish a single system to meet all requirements for sewer and water in this area. Motion carried unanimously.

A discussion was held on the ***Economic Diversification Study*** for Bryan County. Joy Wilkins with Georgia Tech is prepared to make a formal presentation to all governments and the

public. The Commissioners established March 26, 2007 from 6:00 p.m. until 8:00 p.m. as the meeting date with March 27 as a backup date. The location is to be determined, but one of the gymnasiums in Richmond Hill is a likely location.

Tara Jennings, Family Connections Coordinator, met with the board to present a briefing on the “Indicators of Substance Abuse in Bryan County”. The briefing highlighted the problem with alcohol and substance abuse in Bryan County schools. Chief Billy Reynolds, Chairman of Family Connections, asked that the county review the current ordinances concerning the sale of alcohol and make modifications and changes as necessary in an effort to assist with the alcohol concerns of our youth.

Pratt Lockwood, Director of Recreation, met with the board to give an update on the soccer fields at the Dee Henderson Park. Soil samples have been taken to determine the amount of base material that will be required for the installation of synthetic turf on both fields. He is currently working with two companies that provide and install synthetic turf. A bid package for lights and fencing should be prepared by March 15, 2007 and released for quotes. Mr. Lockwood and Dale Dudley will be going to South Carolina State College and Rock Hill South Carolina Recreation Department to look at their synthetic fields. After completing these trips, a bid package will be developed to get prices for the preparation and installation of synthetic turf for the two soccer fields. A drainage plan needs to be developed for Henderson Park to ensure adequate drainage for all playing fields.

A discussion was held on the **TerraPoint Land**. The Chairman met with representatives of TerraPoint to discuss the Belfast Siding I-95 Interchange. The Interstate Justification Report is in the process of being written. Mr. Stackpool with TerraPoint also provided a map that indicated 3,335 acres of land that was transferred from Rayonier to TerraPoint. They are working to add an additional 1,000 acres to this tract, which will take the property to the Seaboard Coastal Railroad. This property will be used for industrial development.

The commissioners were provided a **GEMA update** on the damage from tornados that hit Georgia on March 1, 2007. They were also provided an article on water, which indicates that water issues are a problem statewide and an article on Smart Growth.

Derek Pommerenck of Woodland Commons, LLC met with the board to request consideration of annexation into the City of Richmond Hill. Mr. Pommerenck is considering the purchase of a 2.69 acre tract of land. He is proposing to build 29 town homes that would be from 1300 to 1500 square feet and be priced around \$150,000 each. The Commissioners did not indicate whether they would approve annexation but did indicate the density was considered to be very high for such a small tract. No action was required as this was information only at this time.

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

1. **Case # Z-334-06 - W. K. "Buddy" Polk Rezoning** of 7.08 acres on Highway 280 on the Lanier curve at Highway 204/Paradise Lane. Several citizens were present to speak against this rezoning request.

Chairman Burnsed declared the public hearing closed.

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

1. **Case # Z-334-06 - W. K. "Buddy" Polk** makes application to rezone a parcel consisting of 7.08 acres on Highway 280 on the Lanier curve at Highway 204/Paradise Lane from AR-1 to B-2 (General Commercial). The tax parcel number is 021-067. The applicant is seeking to develop the property as several commercial/industrial lots. A motion was made by Blondean Newman and seconded by Toby Roberts that case number Z-334-06, the request for rezoning of map and parcel 021-067 from AR-1 to B-2 be approved with the following conditions: that the parcel be limited to two lots as recommended by the P & Z Board; that hours of operation be limited from 7:00 a.m. to 7:00 p.m.; that all lighting of the lots be turned inward so as not to cause problems for area residents; that county staff work with Georgia Department of Transportation to determine turning lanes that may be required as a result of locating business at the Lanier curve and that the developer be required to install turning lanes as defined by the Georgia Department of Transportation; and that an alternative method of entering the property be designed and approved by the county and the Georgia Department of Transportation; an planted tree buffer around the property (30 feet on the sides and rear, 50 feet fronting highway 280) is required, and no bill boards can be constructed on this property. Voting for: Roberts, Gardner, Newman and Willard. Voting against: Bacon. Motion carried. Ms. Newman further stated that she has concerns with the current entry point of Paradise Lane that intersects with Highway 280, and that is why she has recommended working with Georgia Department of Transportation and the county to develop a better point of entry, if possible.
2. **Case # Z-335-06 & Case # Z-0315-06** were removed from consideration at the request of the developers.
3. **Brewton Acres Preliminary Plat and Construction Plan Approval** - This request was brought before the board at the February 13, 2007 regular meeting and the board, due to lack of information, voted to require curb and gutter. The engineer is now requesting this decision be reconsidered to allow swales. He has provided additional information to allow the board to more clearly see what the intent is for

this development. A motion was made by Rick Gardner and seconded by Toby Roberts to rescind the February motion. Motion carried unanimously. A motion was made by Ed Bacon and seconded by Glen Willard that we approve to eliminate the requirement for curb & gutter in this subdivision. Voting for: Bacon, Willard, Roberts and Newman. Voting against: Gardner. Motion carried.

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

***R-3 Zoning** - Information was provided to the board on R-3 Zoning and how multi-family housing is considered in Liberty, Bulloch, Chatham and Glynn Counties. The County Administrator, County Attorney and Planning & Zoning Department will be working on making a recommendation to the board on R-3 Zoning.

***Public Participation in Meetings** - This issue is currently addressed in the county ordinances. Information was provided to the board to be reviewed that sets some additional parameters that the board may or may not want to adopt.

***Waiving of Inspection Fees** - The Georgia Constitution states that gratuities cannot be extended to anybody, including churches. Therefore, we cannot waive these fees.

***Rezoning Requests** - The Board of Commissioners is a legislative body and when a judicial body reviews what the board does, whether it is granting or denying rezoning, the judiciary, because of the separation of powers, is going to give the board wide discretion. When the board denies a request for zoning, if the owner has any economic use for which the property can be put, the board's decision won't be reversed. If neighbors are objecting, they won't be reversing the board's decision unless they show corruption, fraud, prejudice within the board.

***AR-1 Zone** - A suggested change to Section 1103(b) should be considered to add: (vii) Horses, provided they are kept by fencing no less than one hundred (100) feet from all property lines; and further provided that no more than one (1) horse is kept per three-fourths (3/4) acre, excluding the area within the one hundred (100) foot perimeter of each lot.

Wayne Carney met with the board to discuss his concern with impact fees and developments. He feels tax payers are having to bear the tremendous burden for all the development going on in the county. Mr. Carney was told we do not have impact fees at this time, but a study is currently being done to implement impact fees. Once the impact fees are adopted, any building permit issued after the Impact Fee Legislation was enacted would be assessed the fee. Mr. Carney also discussed his concern over whether treated affluent is going to be dumped into the Ogeechee River. He was told that no treated affluent would be dumped into the Ogeechee River.

Sheila Galbreath met with the board to discuss the location of the County Administrative Complex. She is concerned over the location being down Highway 144 and if the health department is located in this building, a transportation system would be required because older people are afraid to drive down Highway 144. Ms. Galbreath also stated that good progress is being made on collecting names to move the County Seat. Commissioner Gardner stated that we have worked hard to provide services to all resident of the county; and that almost every service is provided to both ends of the county. If a decision is made to relocate the County Seat, it will have a significant financial impact on the residents of Bryan County.

Dennis Williams met with the board to discuss concerns over the amount of growth taking place before the roads are improved. He feels we are overbuilding for the community and building too fast. He is concerned that the widening of Highway 144 is moving slowly and if development continues, people will not be able to get their children to the new park down Highway 144 and back home safely.

The meeting adjourned at 5:10 p.m.