

Bryan County Board of Commissioners - April 3, 2007

The regular meeting of the Bryan County Board of Commissioners was held on Tuesday, April 3, 2007. The following members were present: Chairman Jimmy Burnsed, Commissioner Ed Bacon, Commissioner Blondean Newman, Commissioner Rick Gardner, 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 was accepted as presented.

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 March 6, 2007 regular meeting. A motion was made by Toby Roberts and seconded by Glen Willard to approve the minutes of the March 6, 2007 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 Toby Roberts to approve the consent agenda as presented. Motion carried unanimously.

The following items were listed on the consent agenda:

1. ***Approval of Superior Court Judges Budget for FY 2008***
*Budget in the amount of \$102,750 with Bryan County's share being \$17,313.38
2. ***Approval of Superior Court Law Clerk's Budget for FY 2008***
*Budget in the amount of \$5,180 with Bryan County's share being \$872.83
3. ***Approval of Public Defenders Budget for FY 2008 and Extension Agreement***
*Budget in the amount of \$779,766 with Bryan County's share being \$170,367
4. ***Approval of Proposed Budget Calendar for FY 2008***
5. ***Approval of New Occupational Tax Certificates***
*Trina Marie Doyle - The Treasure Chest
*Randy Lee Futch - Randy's Automotive Service & Custom Center, Inc.
*B. F. Sandling, Jr. - Sandling Electrical Services
*Allen Cummings - Cummings Cement Finishing
*Nancy White - Coastal Clear Window Cleaning
*Kenneth Rushing - Southeastern Sprinkler System Corporation
*Gary Olliff - Gary's Handyman Service

- *Christopher Jones - Cut-N-Edge Lawn Care & Maintenance
- *Joy Pederson - Natural Images
- *Wayne Grimes - WLG Construction Clean Up
- *Michael Jetchick - Michael Jetchick
- *Randy A. & Lonnie H. Sims - L and R Hydroseeding

Dylan Kohler of Boy Scout Troop 691 was recognized and presented a proclamation by the Board of Commissioners for earning the Boy Scouts of America's highest honor, the **Eagle Scout Award**.

“Copy Proclamation”

Pratt Lockwood, Recreation Director, met with the board to give an update on sites he and Dale Dudley had visited that have installed synthetic soccer/football fields. The RFP for synthetic fields has been developed and reviewed individually and will be collectively reviewed during the week of April 9. The RFP should be put out for bid shortly thereafter. A discussion was held on bidding out the entire project for completion. Hussey, Gay, Bell & DeYoung have already prepared engineering estimates for the cost to construct all elements of the park. The estimates were given to each of the commissioners. Mr. Lockwood was asked to solicit prices for the baseball fields, softball fields and tennis courts. The board would like to meet with Mark Bolton of Coastal EMC to discuss the various lighting options available.

Jim Anderson, Director of Emergency Services, met with the board to discuss the emergency management ordinances. The state has suggested that counties adopt certain emergency management ordinances that automatically take precedence when a State of Emergency has been declared by the Governor or Chairman. The ordinance changes are dealing with the authority to waive procedures and fee structures; prohibit overcharging for goods, materials, services and housing; registration of building and repair service providers; and imposition of curfews. A motion was made by Rick Gardner and seconded by Blondean Newman that this reading be a first reading of the ordinances on emergency management. Motion carried unanimously.

Mr. Anderson made a presentation on **Hurricane Preparedness** and reported that two community meetings have been scheduled to educate the citizens on hurricane preparedness and what to expect. A meeting will be held on April 24 at 7:00 p.m. at the Commissioners Meeting Room in Pembroke and a meeting will be held at the Richmond Hill Courthouse Annex on May 2 at 7:00 p.m.

A discussion was held on the **proposed annexation** by the City of Richmond Hill of 6.514 acres of land owned by **Ellis Phillips** on Harris Trail Road, map & parcel # 55-058. The proposed zoning for this tract is R-1, Single Family Residential. The commissioners would like to have open discussions with the City of Richmond Hill on annexation, to include the care, maintenance and upkeep of any roads involved in future annexations. The County Attorney was

asked to write a letter to the City Attorney with a copy being sent to the Mayor and Council Members discussing this issue, in particular the Timber Trail Road, which is totally within the city limits of Richmond Hill. A motion was made by Rick Gardner and seconded by Toby Roberts that we approve map & parcel # 055-058 for annexation. Voting for: Gardner, Roberts, Newman and Willard. Voting against: Bacon. Motion carried.

Chairman Burnsed called a *public hearing* to order at 2:30 p.m. and stated the purpose of the public hearing was to receive public input on the *impact fee assessment report* and the development of capital improvements element to be prepared under the minimum planning standards and procedures for local comprehensive planning established by the Georgia Planning Act of 1989. The public hearing was turned over to Bill Ross of ROSS+associates. Mr. Ross indicated this is the kick off meeting and the first of four (4) public hearings that are required by law to enact Impact Fee Ordinances in Bryan County. Mr. Ross suggested that impact fees be developed for Fire, EMS, Parks and Recreation, and Roads. He stated that funds could be collected for water and sewer, but it was pointed out that the commissioners are considering a cost recovery fee structure for this service. Mr. Ross stated that if all goes well, the final documents should be ready for adoption around October 2007. The public hearing was declared closed.

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

1. **Case # PUD-330-06 - Ralph Cavender Rezoning** of 109 acres, corner of Highway 80 and Highway 280 in Ellabell. No one present to speak on this rezoning.
2. **Case # Z-0103-07 - Modern Craft Homes, LLC Rezoning** of 42.37 acres on Highway Spur 144 in Richmond Hill. Several citizens were present to speak in opposition and in favor of this rezoning.

Chairman Burnsed declared the public hearing closed.

Brian Harvey and Christine Stringer, Zoning Administrators, met with the board with planning & zoning issues.

1. **Case # PUD-330-06 - Ralph Cavender** makes application to rezone 109 acres located at 4465 Highway 80 (corner of Highway 80 and Highway 280, Blitchton) from AR-1 to PUD. The property is tax parcel number 034-014. The proposed development is mixed use development consisting of approximately 160 single family homes, 40 townhouses, commercial, retail stores and recreation area. A discussion was held on the entrance/exit into the development and the close proximity to the intersection of Highway 80 & 280. The board feels there is a need for an additional entrance/exit cut on Highway 280 in the direction closer to Interstate 16. A motion was made by Ed Bacon and seconded by Glen Willard that we approve the rezoning for Case # PUD-0330-06 from AR-1 to PUD.

Motion carried unanimously.

2. **Case # Z-103-07 - Modern Craft Homes, LLC** makes application to rezone 42.37 acres off Spur 144 in Richmond Hill from A-5 to R-1. The property is tax parcel number 061-035. The proposed development is to develop a subdivision composed of approximately 44 lots. A discussion was held on the location, drainage concerns and topography of this property. A motion was made by Toby Roberts and seconded by Ed Bacon to deny the request of Case # Z-103-07 from A-5 to R-1. Motion carried unanimously.

Kevin Trankle of the Richmond Hill Area Tennis Association met with the board to discuss the development of tennis courts at Henderson Park. The tennis association expressed their willingness to work with and participate in the development of the tennis complex planned for Henderson Park. They suggested consideration be given to constructing clay courts as well as surfaced courts. The tennis complex is slated for 12 courts and the tennis association would like to see 10 of the courts constructed using Hydro-Grid clay. The total estimated costs for the tennis courts is \$674,000, which includes courts, lines, nets & posts, fencing, wind screens and lighting. Mr. Trankle was asked to meet with the Recreation Director, Pratt Lockwood, in regards to their involvement with the development of the tennis courts.

A discussion was held on a request to change the **curb & gutter requirement for Brewton Place**. The preliminary plat and construction plans were approved with curb & gutter. The developer is requesting the plans be changed to allow swales instead of curb & gutter. The board approved a similar change for Brewton Acres. A motion was made by Rick Gardner to deny the request to allow the developer to change the plans from curb & gutter to swales. Motion died for lack of second. A motion was made by Toby Roberts and seconded by Blondean Newman to approve changing curb & gutter to swales for Brewton Place. Voting for: Willard, Bacon, Roberts and Newman. Voting against: Gardner. Motion carried.

A discussion was held on the **proposed tree plan for Bryan County**. The commissioners were presented with versions 5 and 6 of the proposed tree plan. After some discussion, a motion was made by Rick Gardner and seconded by Blondean Newman to adopt the version 6 tree plan with a minimum tree canopy of 50%, with changes of purging net plant-able language, and jurisdictional wetlands be at 50%. Voting for: Gardner & Newman. Voting against: Bacon, Willard and Roberts. Motion did not carry. A motion was made by Toby Roberts and seconded by Glen Willard to adopt the version 6 tree plan changing the minimum tree canopy to 40% and omit anything that addresses the net plant-able area and jurisdictional wetlands of 50% and add this document to the Engineering & Design Manual. Voting for: Roberts, Willard, Bacon and Newman. Voting against: Gardner. Motion carried.

A discussion was held on a request for a **refund for interest charges** assessed for late payment. Mr. Monty Walker requests a refund of interest charges in the amount of \$25.67. The interest charges were for late payment of taxes. Mr. Walker stated that he notified his BILLPAY

to pay the taxes on February 28 (due date). The tax payment was not received until March 7 and the check was dated March 5. A motion was made by Ed Bacon and seconded by Glen Willard to deny the request of Mr. Monty Walker for a refund of interest charges. Motion carried unanimously.

A discussion was held on a ***modification to Highway 144***. There are concerns with the intersection of Port Royal and Highway 144 with the projected opening of Publix in the May time frame. Georgia Department of Transportation required the developers of Publix's to modify Highway 144 on the west side of their property but did not require any modification for the east side. The county suggested that a third lane be extended from the Cove Subdivision to Port Royal Road, which will ensure traffic flow and improve safety at the intersection. The DOT is willing to provide a county contract to widen the road but is not willing to do the work themselves because Highway 144 is scheduled to be four laned in 2010. The Chairman has discussed this issue with Mayor Davis and an agreement was made to cost share the expense for the project. The projected costs are estimated to be \$100,000. The County Administrator will continue to work with the DOT to solicit full cost recovery. A motion was made by Toby Roberts and seconded by Blondean Newman to move forward with this project with our portion coming from SPLOST V roads funds and the Chairman to negotiate with the city on their share. Motion carried unanimously.

A discussion was held on an ***appointment to the Bryan County Library Board***. A motion was made by Blondean Newman and seconded by Toby Roberts to appoint Ms. Betty Rosenthal to the Bryan County Library Board for a three year term beginning 7/1/07 and ending 6/30/10. Motion carried unanimously.

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

****Daley Brown Case*** - The Superior Court Judge heard the case this morning on the ownership of the road and once a decision has been made the board will be notified.

****Hayden Lakes Contract*** - A conceptual agreement was entered into with Hayden Lakes that the contract that was previously approved would be modified to simplify the accounting, to ensure an allocation of water within the capacity that we have to do it, to ensure that if we were ever out of the public liberty of services that the Hayden Lakes people would have the same opportunity as anyone else. A motion was made by Ed Bacon and seconded by Toby Roberts that we give the Chairman the authority to sign the amended contract to the Hayden Lakes project. Motion carried unanimously.

****Technology Park*** - Most of the right-of-way into Technology Park Site are in place and the rest should be in place shortly.

****Deed and plat*** for the 21.25 acres for the wastewater treatment plant at ***Genesis Point*** has been recorded.

****Roberts Rules of Order*** - It is recommended we make an amendment to the ordinances to reference the use of Roberts Rules of Order. A first reading was held to amend 1-101-13 by striking the existing language and inserting the following: Parliamentarian and parliamentary procedure: The County Attorney shall act as the parliamentarian for board meetings. Parliamentary procedural rules, where not otherwise declared by state law or county ordinance, shall be as set out in Robert's Rules of Order, which the County adopts for its parliamentary rules.

The meeting adjourned at 5:40 p.m.