

Bryan County Board of Commissioners - January 6, 2004

The regular meeting of the Bryan County Board of Commissioners was held on Tuesday, January 6, 2004. The following members were present: Chairman Brooks Warnell, Commissioner Ed Bacon, Commissioner Al Dixon, Jr., Commissioner Toby Roberts and Commissioner Blondean Newman. Also present were County Administrator Phil Jones, County Clerk Donna Waters and County Attorney Charles Brown.

Chairman Warnell called the pre-agenda meeting to order at 1:27 p.m. The agenda items were discussed and the agenda was accepted as amended.

Chairman Warnell called the regular meeting to order at 1:31 p.m. Invocation was given by Dr. Michael Guido. Everyone joined in the Pledge and Allegiance. Visitors were recognized.

A discussion was held on the *minutes* of the December 2, 2003 regular meeting. A motion was made by Al Dixon and seconded by Toby Roberts to approve the minutes of the December 2, 2003 regular meeting as presented. Motion carried unanimously.

A discussion was held on the *minutes* of the December 11, 2003 called meeting. A motion as made by Blondean Newman and seconded by Ed Bacon to approve the minutes of the December 11, 2003 called meeting as presented. Motion carried unanimously.

A discussion was held on the *consent agenda*. A motion was made by Ed Bacon 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 New Occupational Tax Certificates***
 - *Lane Electric - Elizabeth Lane
 - *Black Creek Café - Charles Broad, Sr.
 - *Coastal Coring, Inc. - Carol Seigworth
 - *Bryan Welding - Benjamin Smits
 - *Dalmatia Properties LLC - The Inger Family Trust (Linda Scheller)

Tara Jennings and Bill Collins of the ***Family Connections Program*** met with the board to discuss some employee changes paid through grants.

*Request approval of a grant funded ***position from part time to full time***. Wendy Sims has been working with the ***Juvenile Diversion Program*** as a part time employee. This grant has

been approved with the position being full time. A motion was made by Toby Roberts and

seconded by Al Dixon to approve Wendy Sims going full time at a salary of \$28,080 annually. Motion carried unanimously.

*Request approval of the *coordinator salary* being increased to \$32,500 annually. This salary will be paid by the *Family Connection* grant. A motion was made by Al Dixon and seconded by Blondean Newman to accept the recommendation of the Bryan County Family Connection Board of setting Tara Jennings' annual salary at \$32,500. Motion carried unanimously.

Jeanmarie DeLoach and June Burke of USDA Rural Development met with the board to give an update on funds available for Bryan County through their loan programs. They have funds available for single family housing direct loans at low interest rates for qualified applicants, as well as guaranteed rural housing loans. Every year congress appropriates an amount of money for the sole purpose of making housing loans to low income applicants. This year the Statesboro office, which serves 11 counties including Bryan, has been appropriated \$2,000,000 to make these housing loans to low and very low income families. The maximum loan amount is \$104,100 to purchase or construct a home.

Vernon Rushing, EMA Director, met with the board to give an update on Emergency Management and the Hazard Mitigation Plan.

Dale Mitchum, Chief Magistrate, met with the board to request an *additional magistrate*. Mr. Mitchum will be retiring the end of March and he feels as though an associate magistrate is needed for the Richmond Hill area. No decision was made at this time

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

**Bridge Repair on Bacontown over Otter Hole Branch and Harris Trail over Sterling Creek* - The Department of Transportation has signed off on the notice to proceed on this project. The contract was awarded to Batir Bridge Company. Work should begin within 8-10 days. This work should take approximately ten to twelve days to complete. The Department of Transportation has notified us that these bridges need major repairs, if not completely redoing. This will be handled by federal funds and will be done at a later date (contract is scheduled to be let midyear). The work being done now will be a temporary fix.

**Pine Ridge Road* - DOT Commissioner Harold Linnenkohl has approved our request and will allow us to construct this project of the existing right-of-way.

**Groover Hill Project* - Bryco is waiting on the contracts from their bonding company. The contracts should be received no later than Friday. Construction will begin once the contracts are received.

**Jerico Subdivision* - The construction of this project has been completed. The contractor is in the process of final cleanup.

***Blige Road** - All of the right-of-way deeds along with right-of-way sketches have been mailed out to the property owners on this project. We have received three signed options and several phone calls.

***Otter Hole Branch Road** - All of the right-of-way deeds along with right-of-way sketches have been mailed out to the property owners on this project. We have received one signed option and several phone calls.

***Oxford Walking Trail** - A discussion was held on installing signs and either painting or installing therma plastic at the cross walks. Mr. Smiley was asked to get a price and bring back to the board.

Chairman Warnell called **planning & zoning public hearings** to order and stated the purpose of the public hearings was to receive public input on the following:

1. **Amendments to the Zoning Ordinance** - No one present to speak for or against.
2. **Jack Hyde Rezoning** - No one present to speak for or against this rezoning.

Chairman Warnell declared the public hearings closed.

Christine Stringer met with the board to discuss planning & zoning issues.

1. **Amendments to the Zoning Ordinance**

***Article XI - Section 1103** - A motion was made by Al Dixon and seconded by Toby Roberts to approve the amendment to Article XI, Section 1103. Motion carried unanimously.

ARTICLE XI

USES PERMITTED IN DISTRICTS

Section 1103. AR-1 Agricultural Residential Districts

(b) Conditional Uses

(v) Bed and Breakfast

***Article XV - Building Height** - A motion was made by Toby Roberts and seconded by Al Dixon to approve the amendment to Article XV, Building Height. Motion carried unanimously.

- (21) **Building Height** - The vertical distance from the established average sidewalk grade, street grade, base flood elevation (BFE), or finished grade at the front of the principal structure, whichever is highest, to the highest point of the roof of the principal structure or from the finished grade at the front of the structure to the eve of the principal structure, whichever is least restrictive.

***Section 1004 of Article X** - A motion was made by Al Dixon and seconded by Blondean Newman to approve the amendment to Section 1004 of Article X. Motion carried unanimously.

Section 1004. Home Business Offices: Shall be submitted to the Planning Commission for review and approval if all of the criteria of (a) through (i) below are met. The Compliance Officer shall have the right to inspect the premises on an annual basis to ensure compliance. The Home Business Office shall be submitted to the Board of Commissioners for informational purposes.

(b) No more than one (1) Vehicle used in the conduct of the Home Business Office shall be parked at the Premises. If signage on this Vehicle exceeds in total signage area the space on the driver and passenger front doors of said Vehicle, then said vehicle shall be parked in an area of the premises, or in an enclosed garage or other accessory structure that would shield the vehicle from view from the street.

(h) On an annual basis at the time of Occupational Tax Renewal(s), the holder of a Home Business Office Permit shall certify to the Planning Director that there have been no changes in the Home Business Office as originally permitted.

(i) If the scope or nature of the Home Business Office changes or if complaints are filed with the Planning Director, the Planning Director shall have the option of revoking the Home Occupation Permit.

***Section 1003 of Article X** - A motion was made by Al Dixon and seconded by Blondean Newman to approve the amendment to Section 1003 of Article X. Motion carried unanimously.

Section 1003. Home Occupation: If it is a Permitted Use within a Zoning District, it shall be submitted for review and approval if criteria are met. It will be provided to the Board of Commissioners for informational purposes. If it requires a Conditional Use, it shall be reviewed by the Planning Commission and forwarded to the Board of Commissioners for review and approval. A Code Compliance Officer shall inspect the premises and report to the Planning Director to ensure the below listed requirements are met prior to recommending approval to the Planning Commission or Board of Commissioners. A Code Compliance Officer shall have the right to inspect Home Occupation sites on an annual basis.

(a) The Home Occupation shall be clearly incidental to the residential use of a Dwelling and must not change the essential Residential character of the Dwelling.

(b) Use of a Dwelling for a Home Occupation shall be limited to no more than

twenty-five (25%) percent of the gross floor area of the total Dwelling.

(c) An Accessory Structure shall not be used in connection with a Home Occupation in the R-30, R-1, R-2, R-3 and R-4 Zoning Districts.

(d) Accessory Structures may be used on connection with a Home Occupation within A-5, AR-2.5, AR 1.5 and AR-1 Zoning Districts.

(f) No internal or external alterations inconsistent with the residential use of a Dwelling shall be permitted.

(h) No display of products shall be visible from a Road and only products made on the Premises may be sold on the Premises.

(i) Machinery greater than one (1) horsepower, or machinery which causes interference in the communication reception of others, is prohibited.

(j) Vehicles used primarily as passenger Vehicles only, automobiles and trucks/vans (3/4 ton or less) and utility trailers (less than 10 feet in length), shall be permitted in connection with the conduct of a Home Occupation Vehicles or trailers larger than listed above used in connection with a Home Occupation shall be parked or stored within an enclosed Structure, so as to completely screen the vehicle or trailer from view of adjacent property and from the road. No more than two (2) Vehicles used in the conduct of the Home Occupation shall be parked at the Premises. If signage on Vehicle exceeds total signage area of driver and passenger front doors, then said Vehicle shall be parked in an area of the premises, enclosed garage, or accessory structure that would shield the vehicle from view from the street.

(l) One (1) Sign shall be permitted on the parcel for identification of a Home Occupation as follows:

- (i) The sign shall not be illuminated; and
- (ii) The sign shall be no more than two (2) square feet in size.

(n) On an annual basis at the time of the Occupational Tax Renewal(s), the holder of a Home Occupation Permit shall certify to the Planning Director that there has been no change in the Home Occupation as originally permitted.

(o) If the nature or scope of the Home Occupation changes or if complaints are filed with the Planning Director, the County Commission upon report from the Planning Director may reconsider any previously granted Home Occupation Permit.

2. **Jack Hyde** makes application for **rezoning** from AR-1 to AR-1 CD approximately 1.2 acres at 7230 Belfast Keller Road, Richmond Hill, Georgia. The property is located at tax parcel number 63.01-021. The properties on the north, south, east and west are zoned AR-1. The current use is a residential structure with three bedrooms and an attached den that is proposed to be used as a meeting room. In front of the parcel on Belfast Keller is the historic Bryan Neck Presbyterian Church. The applicant is requesting that the existing residence be allowed as a bed and breakfast business under the conditional use clause for an AR-1 zone. A motion was made by Toby Roberts and seconded by Ed Bacon to approve the rezoning request of Jack Hyde from AR-1 to AR-1 CD. Motion carried unanimously.

A discussion was held on the **Greenspace Fund**. We currently have \$165,881 with a deadline of the end of May, 2004 to commit these funds. Phillip Jones and Christine Stringer were requested to work on a proposal and bring back to the board next month.

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

***Voting Precincts** - The justice department has approved adjusting the precinct lines for precincts 7 and 8 to expedite voting. The change of a polling place in precinct 9 to the Corinth Church, which is handicap accessible, has been approved.

***US 80 Warehouse** - A number of conditions have been worked out with the owner of this building which will permit him to use this facility while maintaining the character of this neighborhood.

***Barge Landing Tract off Highway 144** - The final resolution of this will require some detailed examination of exactly where the Richmond Hill city limits presently are and where this tract is located. The County Attorney and County Administrator will be working on this over the next few days.

A discussion was held on the **appointment of the County Clerk**. A motion was made by Al Dixon and seconded by Blondean Newman to appoint Donna Waters as County Clerk for the year 2004. Motion carried unanimously.

A discussion was held on the **appointment of the County Attorney**. A motion was made by Al Dixon and seconded by Ed Bacon to appoint Charles Brown as the County Attorney for the year 2004. Motion carried unanimously.

A discussion was held on the **date of the February meeting**. The February meeting is scheduled for February 3, 2004. Several commissioners would like to attend the legislative conference at this same time. A motion was made by Al Dixon and seconded by Ed Bacon to change the February meeting to February 10, 2004 and make notice to the public. Motion carried unanimously.

A discussion was held on going to *Atlanta on January 25, 2004* to meet with the legislators. The commissioners were asked to notify Phillip Jones as soon as possible if they are interested in attending.

A discussion was held on a resolution to adopt the *2004 annual operating budget* for Bryan County. A motion was made by Al Dixon and seconded by Blondean Newman to adopt the 2004 annual operating budget for Bryan County. Motion carried unanimously.

“Copy Resolution”

A discussion was held on the *access road to the proposed sheriff's office* in Richmond Hill. A two-way access road without divided median will cost approximately \$198,000. A two-way road, single lane on each side with a divided median will cost approximately \$240,000. It was the concurrence of the board to proceed with the two-way road with a single lane on each side with a divided median.

A discussion was held on *office space in Richmond Hill* for the tax commissioner, planning & zoning & building inspections. A motion was made by Al Dixon and seconded by Toby Roberts to give the County Administrator authority to move forward with contracting for lease space in the Jack Kingston building. Motion carried unanimously.

A discussion was held on the *donation of leave time* to Melody Hammond. A motion was made by Al Dixon and seconded by Ed Bacon to approve the donation of leave time to Melody Hammond. Motion carried unanimously.

A discussion was held on a request by the *City of Richmond Hill for annexation*. The property is tax parcel number 063-00-001. Said parcel is bound by Sterling Creek on the west, Highway 144 on the north, Port Royal Road on the east and properties of North Tower Corporation, Georgia Ferguson, Harris Trail Rd., Jimmy F. Sommers, Douglas T. Ellis and Richard & Marilyn Johnson on the south. A motion was made by Al Dixon and seconded by Ed Bacon to approve the annexation request by the City of Richmond Hill for 403.2 acres. Motion carried unanimously. Commissioner Roberts abstained from voting.

A discussion was held on an *appointment to the Bryan County Library Board*. A motion was made by Ed Bacon and seconded by Blondean Newman to appoint Michelle Bush to the Bryan County Library Board for a term of January 1, 2004 through June 30, 2005. Motion carried unanimously.

A discussion was held on the *appointment of a Vice-Chairman*. A motion was made by Al Dixon and seconded by Ed Bacon to appoint Toby Roberts as Vice-Chairman for the year 2004. Motion carried unanimously.

A discussion was held on the *appointment of the County Depository*. A motion was made by Ed Bacon and seconded by Blondean Newman to appoint the First Bank of Coastal

Georgia as the county depository for the year 2004. Motion carried unanimously.

A discussion was held on the ***Oxford Pedestrian Trail***. It was the consensus of the board to hold a ribbon cutting and naming of the trail in April. The County Administrator was asked to work with the homeowners association on this.

Phillip Jones, County Administrator, met with the board to discuss several issues.

****Flood Management Ordinance*** - A copy was given to each commissioner for review with plans to adopt at the March meeting.

****Joint Land Use Study Meeting*** - This meeting will be held tomorrow if anyone is interested in attending.

****Article 13*** - A copy of amendments were given to each commissioner for review with plans to adopt at the February meeting.

****Personnel Ordinance*** - A copy of proposed changes to the personnel ordinance was given to each commissioner for review with plans to adopt at the February meeting.

Commissioner Newman discussed the ***purchase of land on Highway 204 for the fire department***. The land owner needs a decision and would like a 10% deposit in order to hold the property with a closure in 90 days. The property is 9.72± acres and the asking price is \$70,000. A motion was made by Toby Roberts and seconded by Blondean Newman that we purchase the 9.72± acres for \$70,000 with 10% at the signing of the contract with a 90 day closing, providing all the due diligence work is done. The purchase of the land is to come from SPLOST and the intended use is for a future fire station. Motion carried unanimously.

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

The meeting adjourned at 5:20 p.m.