

Bryan County Board of Commissioners - June 1, 2004

The regular meeting of the Bryan County Board of Commissioners was held on Tuesday, June 1, 2004. The following members were present: Chairman Brooks Warnell, Commissioner Blondean Newman, Commissioner Ed Bacon, Commissioner Toby Roberts, Commissioner Rick Gardner, County Administrator Phillip Jones, County Clerk Donna Waters and County Attorney Charles Brown. Commissioner Al Dixon, Jr. arrived at 3:10 p.m.

Chairman Warnell called the pre-agenda meeting to order at 1:33 p.m. The agenda items were discussed and the agenda was accepted as amended.

Chairman Warnell called the regular meeting to order at 1:35 p.m. Invocation was given by Reverend Jim Correll of the First Baptist Church of Pembroke. Everyone joined in the Pledge of Allegiance. Visitors were recognized.

Representative Bob Lane met with the board to offer his assistance to Bryan County. Mr. Lane was welcomed by the board to Bryan County. He will represent a portion of Bryan County after December 2004.

A discussion was held on the *minutes* of the May 4, 2004 regular meeting. A motion as made by Ed Bacon and seconded by Rick Gardner to approve the minutes of the May 4, 2004 regular meeting as presented. Motion carried unanimously.

A discussion was held on the *consent agenda*. A motion was made by Toby Roberts and seconded by Blondean Newman 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***
 - *Reliable Septic Services - Rory Blaney
 - *M. Brice Ladson, P.C. - Brice Ladson
 - *Lazenby & Associates LLC - Jefferey Lazenby
 - *Element One - Gabriel Mata
 - *O'Neal Income Tax & Business Services - Janell O'Neal
 - *Richmond Hill Locksmith, Inc. - Stewart Smith

2. ***Approval of Tax Refunds***
 - *David & Tammy Carter - \$17.78
 - *Freddie Benjamin - \$494.8

3. ***Budget Amendment - Emergency Management***

\$3,000.00 added to radios in EMA budget
\$3,000.00 added to donation under revenue

4. ***Budget Amendment - Roads Department***
\$75,000.00 added to payroll in roads budget
\$75,000.00 transferred form extra help in roads budget
5. ***Approval of Section 5311 Resolution***
‘Copy Resolution’

Derrell Newman, Director of Public Works, met with the board to discuss the ownership of ***Peachtree Drive***. This road is approximately 1460 feet long and 18 feet wide. The county has been maintaining the first 460 feet of this road for years and has added crushed stone to this portion. The county has not maintained the remaining 1000 feet of this road. The county attorney was asked to review this matter and report back to the board. Commissioner Gardner stated his concerns over not having an accurate list of county roads. The county administrator stated he is currently working on a list of county roads to be re-adopted. Commissioner Bacon stated his concerns over the current criteria on accepting public roads and feels this needs to be reviewed.

A discussion was held on ***mosquito control***. Mr. Newman stated spraying will begin as needed. Once started, spraying will continue using two trucks, 6 days per week 4-5 hours per day, covering the entire county and then beginning again. Mr. Newman was told to continue doing as he is currently doing.

Collis Brown, Georgia Flood Plain Management Coordinator met with the board to present a certificate to ***Brian Harvey*** signifying him as a certified flood plain manager

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

****Median Cut Easement on US 17*** - We are still waiting to hear from the Department of Transportation, with hopes of hearing something in the next day or two.

****Greenspace Walking Trail in Richmond Hill Area*** - We are currently working with Jo Hickson on getting these walkways surveyed. The primary surveys were done by three different surveyors and we are having a problem with tying them together. The board asked that the 20 acres on Spur 144 be looked at to be purchased with Greenspace funds.

****Jack & Boring under State Route 30/280 at Interstate Centre*** - The contractor should begin this project tomorrow and it should take approximately two weeks to complete.

****Harris Trail Phase II (four laning)*** - Bids will be opened on June 4, 2004 at 10:00 a.m. on this project. The time frame on this project is 10 days to start and 90 days to complete.

***Harris Trail Extension to Belfast Keller Road** - Phil Jones and Neil Smiley met with Paul Sakalosky and Mr. Watson of Rayonier concerning this project and the intersection of Belfast Siding Road and Belfast Keller Road. A letter of request has been sent to Rayonier requesting we be allowed to do survey work on their property and we are waiting for a response. A discussion was held on the alignment of Harris Trail down to Dunham Swamp with no decision being made.

Johnny Murphy met with the board to give a presentation on **joint land acquisition** with Bryan County and the School Board. He presented a conceptual plan for the development of a piece of property identified by both entities for future needs.

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

1. **Rezoning** request for **Ernest Communities/Tranquilla Hall Phase II Subdivision**
No one present to speak for or against this request.
2. **Rezoning** request for **Robert Lindsey** - No one present to speak for or against this request.

Chairman Warnell declared the public hearings closed.

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

1. **Ernest Communities** makes application to rezone approximately 20 acres being a part of Phase II **Tranquilla Hall Subdivision** being bordered on the west by Tivoli Marsh Subdivision, Phase 2, on the east by the remainder of Tranquilla Hall Subdivision, Phase II, on the north by lots 28 and 29 Buckhead Subdivision Phase I. The property is tax parcel number 063-01-110.01 currently zoned AR-2.5, requested zoning R-1, case number Z#264-04. The preliminary plat for phase II of Tranquilla Hall was approved on October 1, 2002. The final plat was approved on March 24, 2004. Unfortunately, no one recognized that about 20 acres of the tract was not zoned R-1. To correct this omission, the Planning and Zoning Department requests that the 20 acres be rezoned to an R-1 to reestablish compliance with the zoning ordinance. A motion was made by Toby Roberts and seconded by Blondean Newman that we change the zoning of the 20 acres from AR-2.5 to R-1 for case number Z#264-04, Ernest Communities, Tranquilla Hall, Phase II. Motion carried unanimously. Commissioner Dixon did not vote due to arriving at the meeting after this discussion had began.
2. **Robert Lindsey** makes application to **rezone** approximately 6.25 acres of a 107 acre tract from AR-5 to AR-2.5. The property is located on the corner of Martin Road and Roberts Road in Ellabell, tax parcel number 028-022, case number Z#265-04. The requested zoning is to allow Mr. Lindsey to subdivide his

property and give a lot to his son. A motion was made by Blondean Newman and seconded by Rick Gardner that we allow the 6.25 acres, tax parcel number 028-022 be rezoned to AR-2.5 with stipulation that the road frontage be increased to 175 feet. Motion carried unanimously.

3. ***D. B. & B., LLC*** makes application for a ***preliminary plat approval for Chastain Park***. The property is approximately 32.5 acres located off Crosswind Drive in Buckhead, tax parcel number 062-056, zoned PUD, case number SD#468-04. The proposed development is for 23 residential lots. A motion was made by Al Dixon and seconded by Toby Roberts that we approve the preliminary plat Article XI for Chastain Park, case number SD#468-04. Motion carried unanimously.

Pat Elders met with the board to voice her concerns with the ***taxes*** in Bryan County.

A discussion was held on an ***appointment to the Bryan County Library Board***. The topic was tabled until next month.

A discussion was held on an ***amendment to the ordinance*** on the overtime pay to deputies. A motion was made by Toby Roberts and seconded by Ed Bacon to amend ordinance section 5-902 as follows:

- 5-902 Occasionally, employees may be called on to work overtime. Employees may be allowed compensatory time off for the period worked, or they will be paid at one and one-half the regular rate for all hours worked over forty (40) hours per week. Law Enforcement Officers will receive overtime at a rate of one and one-half the regular rate for all hours worked over 171 hours in the twenty-eight (28) day work period or all hours worked over 86 hours during the fourteen (14) day work period. Department Heads and Salaried employees will receive their normal salary for any work period.

Motion carried unanimously.

A discussion was held on ***Global Commodities Property***. The Development Authority has contacted Global Commodities and informed them of the agreement on subletting the rail spur, railroad crossing, and the responsibility to remove or pay for the removal if the business closes and the requirement to maintain liability insurance and name Georgia Central and the Development as additional assigns. In addition, any subletting must be approved by the County and Georgia Central Railroad. Anyone purchasing the facility would need to be aware of these responsibilities.

A discussion was held on the approval of an alcoholic beverage license for Lonnie Lyle for the Shrimp Dock at Kilkenny Creek. A motion as made by Toby Roberts and seconded by Ed Bacon to approve the ***Alcoholic Beverage License*** for ***Lonnie Lyle*** for the ***Shrimp Dock at Kilkenny Creek***. Motion carried unanimously.

Charles Brown, County Attorney, met with the board with several issues.

***Coastal Bryan Development Authority land transfer** - An agreement was made in 1998, when the county created the two joint authorities, for the property held by the old development authority in South Bryan to be conveyed to the Coastal Bryan Development Authority and for the property in North Bryan be conveyed to the Bryan County-Pembroke Development Authority. The property in South Bryan has not been conveyed and the Coastal Bryan Development Authority would like to sell two small tracts of property which commutatively total about one acre. This transfer will be done as a quitclaim deed from the county to the Coastal Bryan Development Authority. Given the understanding between the County and the Development Authorities to convey land as sold and given that two tracts which are the subject of the motion has been or will be immediately sold, the county will convey the title to clear the title. A motion was made by Toby Roberts and seconded by Blondean Newman to authorize the Chairman to sign the quitclaim deeds conveying the two pieces of property to the Coastal Bryan Development Authority. Motion carried unanimously.

“Copy Quitclaim Deeds”

***Comprehensive Land Use Plan** - The county has a time line of June 2007 to complete a the comprehensive land use plan. It is very important this process go forward due to the dramatic change in the county since the last comprehensive land use plan.

***Zoning Ordinance** - There is an ongoing study about zoning ordinance revisions, putting the procedure all in one place and the substance all in one place, whereas we presently have them spread all around.

***Subdivision Regulations** - Suggesting that the subdivision regulations be modified with about two sentences which would give the board additional discretion for imposing particular conditions that serve the general public health and welfare.

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

***Bryan County Newsletter** - A sample newsletter was given to each commissioner on what the newsletter could look like. It was the consensus of the board to proceed with this newsletter with each of the commissioners giving their comments for the newsletter to the County Administrator no later than June 14.

***Water Issue for Waterway RV Park** - A request has been received from George Merritt requesting allocation of water for his RV Park from the County’s Water Bank. This park has been in business well over 30 years. The local EPD recently made a visit to the RV Park and indicated to the owner that the well was un-permitted. It is the consensus of the board that the county should not be responsible for allocating water for a system that was operational before the permitting process began. The board concurred with the County Administrator to issue a

letter to Mr. Merritt stating the water provided in the county water bank was for new construction and the county will not issue water for a system that has been in operation before permits were issued by the state. The state should use other means to handle these issues.

***Planning Director** - Requesting to change the position of the Planning & Zoning Director to Zoning Administrator position, giving us two zoning administrator positions and contract with UGA and/or a Professional Planner to meet specific needs. A motion was made by Al Dixon and seconded by Rick Gardner that we cease advertising for a Planning & Zoning Director and we create a new position titled zoning administrator. Motion carried unanimously.

A motion was made by Toby Roberts and seconded by Ed Bacon to go into **executive session** to discuss land acquisitions. Motion carried unanimously. The board went into executive session at 4:40 p.m.

A motion was made by Toby Roberts and seconded by Rick Gardner to go back into **regular session**. Motion carried unanimously. The board went back into regular session at 5:05 p.m.

A discussion was held on the proposed site on Highway 144/Spur 144 for the joint **purchase of property** with the Board of Commissioners and the Board of Education. A motion was made by Toby Roberts and seconded by Ed Bacon to authorize the County Administrator and County Attorney to write a letter to Rayonier stating this is an acceptable site for a recreational park in South Bryan County. Motion carried unanimously.

Phillip Jones reported the **EMS billing** is averaging \$41,000 per month, which is an increase of approximately \$8,000 per month for billing and collection. We have backed billed for four years and have currently netted \$1350 for old debts. In the past we used a collection agency for older bills, but are not using one at the current time. It was the consensus of the board to have past due bills over six months be turned over to a collection agency.

Mr. Jones also reported he will be reviewing **traffic accident reports** from the Sheriff, converting them to a spread sheet and giving them to the board members each month.

Commissioner Bacon commented on this being year four of our current **SPLOST**. We need to start working on our next SPLOST in order to avoid a lapse in collection.

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

The meeting adjourned at 5:25 p.m.