

Bryan County Board of Commissioners - January 4, 2005

The regular meeting of the Bryan County Board of Commissioners was held on Tuesday, January 4, 2005. The following members were present: Chairman Jimmy Burnsed, Commissioner Ed Bacon, Commissioner Blondean Newman, Commissioner Toby Roberts, Commissioner Glen Willard and Commissioner Rick Gardner. 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 1:30 p.m. The agenda items were discussed. A motion was made by Toby Roberts and seconded by Ed Bacon to move topic item #4 to the consent agenda. Motion carried unanimously. A motion was made by Toby Roberts and seconded by Rick Gardner to add working session to the agenda. Motion carried unanimously.

Chairman Burnsed called the regular meeting to order at 1:33 p.m. Invocation was given by Commissioner Willard. Everyone joined in the Pledge of Allegiance. Visitors were recognized.

A discussion was held on the *minutes* of the December 7, 2004 regular meeting. A motion as made by Toby Roberts and seconded by Blondean Newman to approve the minutes of the December 7, 2004 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 Toby Roberts to accept the consent agenda as amended. Motion carried unanimously.

The following items were on the consent agenda:

1. ***Approval of New Occupational Tax Certificates***
 - *Burns Construction - Donald Burns
 - *Photographics and Design - Paul Englebaugh

2. ***Approval of Tax Refunds***
 - *Raymond Gastor - \$3717.50
 - *English Richmond Hill LTD Partnership - \$6773.97

3. ***Denial of Tax Refund***
 - *Pembroke Christian Church - \$650.88

4. ***Denial of Request by City of Pembroke to reopen discussions to modify the Service Delivery Strategy in regards to the millage rate differential.***

Charles Brown, County Attorney, met with the board to discuss several issues:

***Development Authority** - The legal status of the old Bryan County Development Authority was provided. He also discussed the current split authority and possible alternative for a future authority. It was the consensus of the board to discuss this topic at the working session.

***Overview** - A power point presentation was provided giving an overview of procedural issues, open meetings, open records and ethical issues.

***Semi-Annual Taxes** - Taxes can be collected semi-annually, but the county would have to act on it before the calendar year in which you plan to do it. There are other issues to consider such as the tax commissioner will now have two address list, two collection periods and there will be questions about personnel, locations, dual billings, etc. Legally, this can be done easily, administratively, this will be difficult.

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

***Harris Trail Road** - The contractor has moved equipment and personnel onto this project and work is in progress. A problem has arisen concerning two large covers over pressure release valves. The covers are not rated to carry traffic and must be changed. The City of Richmond Hill has agreed to work with the county to resolve the problem so that work does not come to a *stop*.

***Proposed Road - Sheriff Complex** - An estimate of \$198,000 for a two-way access road without divided median and an estimate of \$240,000 for a two-way road, single lane each side with divided median has been given for this project. At this time, funds have not been identified.

***Pine Ridge Road** - The county is pretty much completed the grading and preparation on the base for this project. We are in the process of getting a DOT let contract on this project to assist on the base and paving.

***Deep Patching and Overlay @ Harris Trail/Port Royal Roads** - The problems on this road continue and are getting worse. Funds have not been identified for this project. We need to ask the DOT Commissioner for assistance on this project.

***Lighting Project @ I-95 & Highway 144** - Preliminary work has already started on this project. Part of the funding for this project is Federal Aid and it is a slow process getting the money assigned to these projects.

***Traffic Light @ I-95 & Highway 144** - This will be a DOT project. The indicators are that installation will start in the February/March time frame.

***Lights @ I-16 & Highway 280** - There are several lights out at the I-16/Highway 280 interchange. The County Administrator will pass this information on to the Bryan County-Pembroke Development Authority.

A discussion was held on an **appointment of a Vice-Chairman**. A motion was made by Toby Roberts and seconded by Blondean Newman to appoint Ed Bacon as Vice-Chairman for 2005 and next year rotate back to the 5th District. Motion carried unanimously.

A discussion was held on the **appointment of the County Clerk**. A motion was made by Toby Roberts and seconded by Glen Willard to appoint Donna Waters as County Clerk. Motion carried unanimously.

A discussion was held on the **appointment of the County Attorney**. A motion was made by Toby Roberts and seconded by Rick Gardner to re-appoint Charles Brown as County Attorney for 2005. 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 maintain the First Bank of Coastal Georgia as the County Depository for 2005. Motion carried unanimously.

A discussion was held on **compensation for the Bailiffs and Jurors**. We have received a recommendation from the Grand Jury to increase the compensation for the bailiffs from \$50 per day to \$60 per day and the increase the compensation for the jurors from \$25 per day to \$30 per day. A motion was made by Ed Bacon and seconded by Rick Gardner to disapprove the recommendation of the Grand Jury. Voting for: Bacon, Gardner & Willard. Voting against: Roberts and Newman. Motion carried. A motion was made by Ed Bacon to raise the bailiff pay to \$100 per day. Motion dies for lack of a second. A motion was made by Rick Gardner and seconded by Glen Willard to increase the bailiff pay to \$60 per day and the jurors remain at \$25 per day with funds of \$4,050 to come from contingency. Motion carried unanimously.

A discussion was held on **Fancy Hall Drive**. The residents on this road are requesting the county take over the maintenance on this road. Fancy Hall Drive is a county road, which has been maintained by the county in the past. During the year 2000, the residents of the road requested the county allow them to maintain this road, which is county allowed. A motion was made by Toby Roberts and seconded by Rick Gardner that we take over the maintenance and care of Fancy Hall Drive after we identify the boundaries of the road, width & length, beginning & end, and if it does go back to the boat ramp or further. Motion carried unanimously.

Chairman Burnsed called the **planning & zoning public hearing** to order. The purpose of the public hearing being to receive input on a rezoning request by W. K. Polk. No one other than the applicant was present to speak.

Chairman Burnsed declared the public hearing closed.

John Butler, Zoning Administrator, met with the board with planning & zoning issues.

1. **W. K. Polk, as a member of English Development Group LC**, makes application to **rezone** approximately 70.5 acres of property from an AR-1 zoning district to a R-1 zoning district in order to subdivide for residential use. The property is located on the northwest side of Carlos Cowart Road off Toni Branch Road in Ellabell, Georgia. The tax parcel number is 026-028 and 026-029. A motion was made by Blondean Newman and seconded by Ed Bacon to allow the rezoning of 70.5 acres, tax parcel #026-028 & 026-029 from AR-1 to R-1 for W. K. Polk, as a member of English Development LC. Motion carried unanimously.

2. **Proposed Revisions to Zoning Ordinance Section 1113 and Section 1114**. This is the first reading for the proposed revisions.

Section 1113: Light Industrial District, Changes in Permitted and Conditional

Uses

Section 1114: General Industrial District, Adding Permitted and Conditional Uses

3. **Proposed Revision to Zoning Ordinance Section 1014, Section 1109, Section 1110 and Section 1115**. This is the first reading for the proposed revisions.

Section 1014: Dwelling Units in Zoning Districts Other than Residential: Conflicts with Permitted and Conditional Uses in BN, B-1, B-2, C-1, I-L, O, WP, WB-1, WB-2 and WB-3 zoning districts. Recommend the current paragraph in Section 1014 be omitted and placed in reserve.

Section 1109(b)(ii): "BN" Zone-Neighborhood Business: Change current (ii) to (iii). New (ii) to read: One Residential Dwelling Unit per lot as an Accessory Use within the same structure as the Commercial activity.

Section 1110(b): "B-1" Zone-Neighborhood Commercial: Add: One Residential Dwelling Unit per lot as an Accessory Use within the same structure as the Commercial activity.

Section 1115(b)(iii): "O" Zone-Office District: Add: One Residential Dwelling Unit per Lot as an Accessory Use within the same structure as the Commercial activity.

4. **Proposed Revision to the Pool Ordinance - Chapter 27**. Add: Section 2 in its entirety, to provide rules and regulations governing private swimming pools,

bathing and spa facilities. This is the first reading for the proposed revisions.

5. ***Proposed Sign Ordinance - Chapter 29.*** Add: In its entirety, to provide rules and regulations governing signs. This is the first reading for the proposed ordinance.

Christine Stringer, Zoning Administrator, met with the board to present a list of active subdivisions in Bryan County. She is currently working on a subdivision database which will track all current subdivisions, locations, number of lots and building permits issued.

Chairman Burnsed expressed his desire to work together with the City of Richmond Hill and the City of Pembroke to represent all the citizens of Bryan County to the best of his ability.

Mayor Richard Davis pledged his commitment to work with the county to make Bryan County a better place to live.

A motion was made by Toby Roberts and seconded by Ed Bacon to go into ***closed session*** to discuss potential litigation. Motion carried unanimously. The board went into closed session at 3:40 p.m.

A motion was made by Toby Roberts and seconded by Blondean Newman to go back into ***regular session***. Motion carried unanimously. The board went back into regular session at 4:05 p.m.

Phillip Jones, County Administrator, discussed the ***Middle Coastal Unified Development Authority***. Ralph Chapman is currently on this board and does not want to be reappointed. The Commissioners were asked to start thinking about a potential replacement that can be appointed to replace Mr. Chapman.

Charles Brown, County Attorney, discussed the ***water and sewer agreement*** with BPI Investments. Revisions were made to the proposed water and sewer agreement.

A discussion was held on setting a date for a ***working session***. The date decided upon is Friday, February 11, 2005 at 9:00 a.m. at Bluff Creek in Liberty County.

A discussion was held on requesting support for local or state legislation in regards to imposing ***impact fees*** and collecting ***real estate transfer taxes***. A motion was made by Ed Bacon and seconded by Toby Roberts to instruct the County Attorney and County Administrator to write a letter for the Chairman's signature to the Governor, our local legislative representatives and ACCG seeking assistance on adjusting impact fee legislation and real estate transfer tax legislation. Motion carried unanimously.

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

The meeting adjourned at 4:50 p.m.