

Bryan County Board of Commissioners - February 1, 2005

The regular meeting of the Bryan County Board of Commissioners was held on Tuesday, February 1, 2005. The following members were present: Chairman Jimmy Burnsed, Commissioner Ed Bacon, Commissioner Blondean Newman, Commissioner Toby Roberts, and Commissioner Rick Gardner. Also present: County Administrator Phillip Jones, County Clerk Donna Waters and County Attorney Charles Brown. Commissioner Glen Willard was not present due to being out of state.

Chairman Burnsed called the pre-agenda meeting to order at 1:30 p.m. The agenda items were discussed. Chairman Burnsed stated rezoning request # 1 and item # 5 under topics for discussion had been withdrawn from the agenda.

Chairman Burnsed called the regular meeting to order at 1:35 p.m. Invocation was given by Commissioner Roberts. Everyone joined in the Pledge of Allegiance.

A discussion was held on the *minutes* of the January 4, 2005 regular meeting. A motion as made by Toby Roberts and seconded by Blondean Newman to approve the minutes of the January 4, 2005 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 Rick Gardner 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***
 - *Sandra's Seafood - Linda & Dave Bragg (New Ownership)
 - *T.M. Construction Company - Troy Mallard
 - *Bryan Mechanical, Inc. - Robert E. Shuman, Jr.
 - *CMS Electric Co. - John W. Sparks
 - *J. Murray Electric - Randy J. Murray
 - *Terri's Trinkets - Terri Herndon
 - *Global Business Solutions - Michael Kornegay
 - *National Barn Co. - Jeffrey Christian

2. ***Closing on 109.24 acres of land for recreation purposes***

'Copy Deed & Agreement'

3. ***Approval of Tax Refund***

*Refund in Interest:

*English Richmond Hill LTD Partnership - 53-1-040 - \$150.00

*Tax Appeal Refunds - 2004 Appeals Settled:

*Sam B. Blair, Jr. - 54-4-022 - \$1300.80

*J. Harry & Ella Lewis - 57-1-149 - \$19.96

*Mulberry Co. LLC - 53-2-279 - \$67.32

*Mulberry Co. LLC - 53-2-276 - \$267.84

*Mulberry Co. LLC - 53-2-275 - \$55.92

*Mulberry Co. LLC - 53-2-277 - \$267.84

*William W. Wyman (Trustee) - 54-5-017 - \$261.66

*Albert & Tracey Papa - 54-5-020 - \$190.58

*Refund for Late Charges Assessed on Vehicle Registration Renewals:

*Steve Herzog - APN0196 - \$16.43

*Steve Herzog - 2270ARG - \$25.36

*Crystal French - 5837AHE - \$12.95

*Robert A. Caldwell - 5717AC - \$8.00

*Michael Fordham - 7607QT - \$10.00

*Michael Fordham - TL9289Y - \$8.00

*Edward L. Smith - BW9116 - \$16.02

*Barry D. Grove - APN1202 - \$19.40

*Barry D. Grove - 39784QG - \$10.00

*Release Bills on Mobile Homes Assessed Taxes by no longer in Bryan County

*Jimmy & Casey Thompson - 1997-2004 - \$1093.15

*Ed W. Boutwell - 2004 - \$241.47

*Jimmy & Marjorie Dickey - 2004 - \$147.73

*Henry Mitchell - 1994-2003 - \$819.31

*William E. Olson - 2002-2003 - \$274.19

*Amanda Reynolds - 2003 - \$161.67

*April Roberts - 2001-2003 - \$396.95

*Sharon Ann Wells - 2003 - \$178.30

*Savannah Container Depot - 2004 - \$122.34

*Tonise Gardner - 2002-2003 - \$1371.09

*Susan & Teddy Parker - 2004 - \$119.30

*Daniel Smart Phillips - 2003-2004 - \$336.73

*Wesley Dawson - 2003 - \$811.73

*Oliver Cowart - 2002-2003 - \$206.98

*Taxes Paid Twice

*Carol Miller for Willis & Patricia Taylor - \$205.83

4. ***Transfer of Property***

‘Copy Deeds’

Jack Carter of Gateway Behavioral Health Services met with the board to give an overview of the programs in the Pembroke location. These services include:

Child and Adolescent Services:

*Intake/Diagnostic Assessments

*Psychiatric Evaluation and Medication management

*Nursing Assessments

*Individual, Group and Family Counseling

*Community Support Services (in home and community based)

*Teen Group

*Day Support Program

*Problem Solving/Peer Development

*Depression/Grief Group

Adult Mental Health Services:

*Supported Employment

*Substance Abuse Treatment (Intake/Diagnostic, Individual, Group and Family)

*Community Support (in-home and community-based counseling

services)

Gateway is currently seeing approximately 125-150 children. The adult day program was moved to Hinesville or Springfield in November. Due to the inconvenience to clients, Gateway is beginning to see adults in Pembroke again. They will have an adult psychiatric in the near future.

Tara Jennings of Family Connections met with the board to discuss ***budget amendments***. Family Connections last a Family Support Grant of \$18,000 but received two new grant with a total value of \$27,600, a net change of \$9,600. This change will increase the Family Connections budget from \$178,422 to \$187,480 and will also increase the grant money revenue by \$9,600. A motion was made by Toby Roberts and seconded by Rick Gardner to approve the budget amendments for the Family Connections budget as presented. Motion carried unanimously.

Mrs. Jennings also presented the 2005 budget for the ***Drug Abuse Treatment and Education Fund***. The total budget is \$19,643 and the funds have already been included in the general fund budget as revenue for Family Connections.

Sam Oliver, Conflict Defender, met with the board to discuss funds for State Court and Juvenile Deprivation conflict cases to the Conflict Public Defender Office. Mr. Oliver will be covering conflict cases in the Superior and Juvenile Courts as part of the state approved program, The county will need some coverage for conflict cases in the State Court and Juvenile Deprivation issues. The request is for Attorney Angel Blair, Assistance Conflict Defender for Bryan County, to provide additional legal defense services. It is estimated that there will be an average of five State Court Conflict cases per month at the average cost of \$250 per case. Ms. Blair is willing to handle these cases, as well as the approximately 75 cases she presently has in State and Superior Courts for a \$500 monthly supplement. Mr. Oliver is also requesting the use of room 203 in the Bryan County Courthouse Annex in Richmond Hill, a single telephone line, fax line and connection to Bryan County's internet system. A motion was made by Toby Roberts and seconded by Ed Bacon to allocate \$6,000 for state court and deprivation conflict cases to the conflict public defenders office and authorize the Chairman to sign the agreement when completed and reviewed by the County Attorney. Motion carried unanimously.

'Copy Addendum'

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

****Harris Trail Road Sidewalk*** - Approximately 550' of sidewalk was setup on the plan running from Osprey Drive to a point across from the middle school. Bryan County school officials, along with Sheriff Clyde Smith, met on site and recommends this sidewalk should continue on and tie into the Plantation Apartments (Casey Drive). This would help keep the students from walking on the edge of the pavement to and from school. The request is for approximately 650' of additional sidewalk. It was recommended the School Board approach the City of Richmond Hill for the additional sidewalk due to it being located in the city limits of Richmond Hill. This topic will be discussed further at the work session on February 10.

****Harris Trail Road Railroad Crossing*** - We have been dealing with the railroad since May, 2001 about putting in a new crossing, automatic gates and flashing lights. A cost estimate of approximately \$295,000 was sent to us. They requested we pay one-half up front. A check for approximately \$144,000 was sent to them in March, 2003. We have now found out that CSX has sold the railroad track to Georgia Central. In meeting with Georgia Central, they have stated we are going to have to renegotiate with them on getting supplies, etc. and this could take 4-5 months.

****Proposed Traffic Light on Highway 144 @ I-95*** - This should be in the February DOT letting.

A discussion was held on conflicting portions of the *Personnel Ordinance*. Section 1002 and Section 5-212 have different definitions of immediate relatives. A motion was made by Rick Gardner and seconded by Blondean Newman that Section 1002 be rewritten so as to correspond with Section 5-212 of the Personnel Ordinance. Motion carried unanimously.

“Immediate Family Definition: Included are the employee’s spouse, child, parent, brother, or sister. The definition is extended to spouse’s child, parent, brother, sister, or any other person who resides in the employee’s household or who is recognized by law as a dependent of the employee.”

A discussion was held on the naming of the main road going into the *Interstate Centre*. The Bryan County-Pembroke Development Authority has made a request to name this road “*Orafol Parkway*” in honor of the first company to locate in the industrial park. A motion was made by Ed Bacon and seconded by Blondean Newman that we name the main roadway into the Interstate Centre as “Orafol Parkway”. Motion carried unanimously.

A discussion was held on the *clearing of county owned recreational land*. The county recently purchased 102.88 acres of recreational land. Bryan Land & Timber, LLC has offered the services of Growth Solutions, Inc. and Lee McCurdy Construction to conduct land clearing on parcels B, C, and D and fill as required for the playing fields on parcel B. Bryan Land and Timber, LLC will indemnify and hold harmless the county for claims. The two companies providing the work will provide copies of their insurance and name Bryan County as an additional assigned. Bryan Land and Timber is providing this service at no cost to help initiate recreational services on the newly attained property as soon as possible. A motion was made by Blondean Newman and seconded by Toby Roberts that we accept the services offered for clearing parcels B, C & D and for the preparation of the playing fields in parcel B identified on the enclosed plat. Bryan Land and Timber, LLC and its subsidiaries indemnifies, holds harmless, and releases Bryan County, its agents and employees against any and all claims for damages to personal or properties sustained while working of property owned by the county. The county attorney will prepare the appropriate documents for signature. Motion carried unanimously.

Christine Stringer and John Butler, Zoning Administrators, met with the board to planning & zoning issues.

Case Number SD#0413-03 - *Charlie Stafford* makes application for an article XI plat approval for *Saddlebrook Development*. The property is currently zoned R-1 and is located at the end of Sweet Hill Road, tax parcel number 063-020.01. The proposed development is 19.5 acres and will be 22 lots. A motion was made by Toby Roberts and seconded by Ed Bacon that we follow the recommendation of the planning & zoning staff for approval of a subdivision on 19.5 acres, Saddlebrook Development, 22 lots, SD #0413-03 providing the final approval of the EPD permitting. Motion carried unanimously.

Case Number SD#502-05 - D B & B, LLC was removed from the agenda at this time.

Chairman Burnsed called the *planning & zoning public hearing* to order and stated the purpose of the public hearing was to receive public input on amendments to the zoning ordinance, proposed sign ordinance and proposed addition to pool ordinance. No one was present to speak at the public hearing. Chairman Burnsed stated the Willard Lee Rezoning had been removed from the agenda at this time. The public hearing was closed.

A second reading was held on the following amendments to the code ordinances:

1. Proposed Revisions to Section 1113: "I-L" Light Industrial Districts and Section 1114: "I-1" General Industrial Districts.
2. Section 1014: Dwelling Units in Zoning Districts Other Than Residential
3. Section 1109: "BN" Zone-Neighborhood Business
4. Section 1110: "B-1" Zone-Neighborhood Commercial
5. Section 1115: "O" Zone - Office District
6. Section 1117: "WB-1" Zone-Waterfront Business
7. Proposed Revision to Sign Ordinance
8. Proposed Addition to Pool Ordinance

After a discussion, a motion was made by Toby Roberts and seconded by Rick Gardner to approve the amendments to the code ordinance as discussed. Voting for: Gardner, Roberts and Newman; voting against Bacon. Motion carried.

"Copy Amendments"

Case Number Z#278-05 - D. B. & B., LLC makes application for a deviation from approved PUD. The property is tax parcel number 62-112, zoned PUD. This is a 1.68 acre tract located on the corner of Johns Ferry Road and Channing Drive in North Buckhead on the plat of Chastain Park Place Phase 21, approved by the Bryan County Board of Commissioners and recorded on June 23, 2004 in Bryan County Superior Court in Plat book 539 page 1 designated as an "Out Parcel". Applicant wishes to change this designation. He would like to build one structure which will consist of three townhomes, two attached garages and additional parking of five spaces in front of the building. A motion was made by Ed Bacon and seconded by Blondean Newman to approve the changes of the 1.68 acres to the PUD.

Charles Brown, County Attorney, gave a brief on what a board of commissioners must do on planning issues. Only the commission can adopt a zoning ordinance, only the commission can make text amendments, only the commission can change the zoning map (approve rezonings), and only the commission can approve conditional use districts. All other duties can be assigned to personnel. Appeals can be heard by a board of appeals. This will be discussed further at the work session.

Chairman Burnsed stated the work session has been changed from February 11, 2005 to February 10, 2005.

Phillip Jones, County Administrator, gave an update on legislation and the JLUS (Joint Land Use Study) Proposal.

A discussion was held on a resolution authorizing the Board of Commissioners to convey real property to the Joint Bryan County-Pembroke Development Authority. A motion was made by Blondean Newman and seconded by Toby Roberts to approve the resolution authorizing the Board of Commissioners to convey real property to the Joint Bryan County-Pembroke Development Authority. Motion carried unanimously.

“Copy Resolution”

Charles Brown discussed some large outstanding medical bills the county has on a prisoner. The prisoner is a state prisoner and the county feels as though we should not be responsible for these bills. We will not be paying the bills at this time.

The meeting adjourned at 4:20 p.m.