

Bryan County Board of Commissioners - November 2, 2004

The regular meeting of the Bryan County Board of Commissioners was held on Tuesday, November 2, 2004. The following members were present: Chairman Brooks Warnell, Commissioner Ed Bacon, Commissioner Al Dixon, Jr., Commissioner Toby Roberts, Commissioner Rick Gardner, County Administrator Phillip Jones, Deputy County Clerk Charlene Butler and County Attorney Charles Brown.

Chairman Warnell called the pre-agenda meeting to order at 1:40 p.m. The agenda items were accepted as presented.

Chairman Warnell called the regular meeting to order at 1:42 p.m. Commissioner Toby Roberts gave the invocation. Everyone joined in the Pledge of Allegiance. Visitors were welcomed.

*Minutes* of the October 5, 2004 meeting were reviewed and a motion was made by Al Dixon and seconded by Ed Bacon to approve the October 5, 2004 minutes as presented. Motion carried unanimously.

*Minutes* of an October 20, 2004 meeting were reviewed and a motion was made by Toby Roberts and seconded by Rick Gardner to approve October 20, 2004 minutes as presented. Motion carried unanimously.

A discussion was held on the *consent agenda*. A motion was made by Al Dixon and seconded by Ed Bacon 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*
  - \*A & R Tree Service - Randy S. Ryan
  - \*Groves Appliance Repair - Adam Groves
  - \*Homes of Integrity, Inc.- John Mowry
  - \*Lenny Resnick Massage Practitioner - Lenny Resnick
  - \* Lucky Designs - Kathy Gitlin
  - \*Richardson's Enterprise - Richard Richardson
  - \*Grey Ghost Seafood - Traci Arnsdorff

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

*Harris Trail* - A notice to proceed has been issued for the 4-lane project, expect construction to begin within ten (10) days. However the three point levels have been taken and have been approved by the GDOT.

*Harris Trail/Port Royal Road* - Deep patching and overlay - Mr. Smiley informed the

commission that he is seeking state aid for this project. He stated prior approval had been given for a 50/50 split county contract. However he feels that the commission should seek additional funding for this project. This project was let under a 70/30 percent contract and Mr. Smiley urged the commission to seek the latter if not total cost of repair.

**Bridge Replacement** - The contracts have been let but have not been awarded. The contract it is anticipated to be awarded in the next 10-15 days for three Bryan County bridges..

**Pine Ridge Road Paving** - The GDOT District Office has approved funding and the existing 50 foot R/W. It is now pending approval from the General Office. Cost estimate is approximately \$70,000 for base and paving and the county participation is estimated at approximately \$35,000 to \$38,000 for this project.

**Lighting Interchange at I-95 and State Route 144** - The lighting contract for the intersection of I-95 and State Route 144 has been approved. Notice to proceed has been given to Georgia Power by GDOT and preliminary work can begin.

Phillip Jones, County Administrator shared information with the Commissioners gathered at the **water and sewer workshop** and the visit to the Beaufort/Jasper Sewer & Water Facility. Mr. Jones shared two types of sewer treatment facility options and the projected cost effects of operating these types of systems.

A motion was made by Al Dixon and seconded by Toby Roberts to go into **closed session** to discuss land acquisition and litigation. Motion carried unanimously. The board went into executive session at 2:40 p.m.

A motion was made by Toby Roberts and seconded by Al Dixon to return to **regular session**. Motion carried unanimously. The regular session reopened at 3:23 p.m.

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 applications.

1. **Robert E. Shuman, Jr.** - 2.22 acres at 8575 Hwy 280, Ellabell, Georgia. No one was present to speak on this issue.
2. **William Medrick Smith** - 7/8th of an acre at 6006 Hwy 17, Richmond Hill, Georgia. Mr. William Smith was present to speak in favor this issue.

Chairman Warnell declared the public hearings closed.

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

1. Case Number Z#250-04 - **Robert E. Shuman, Jr.** makes application to rezone

Parcel 25-1-34 from B-2 to B-2 Conditional in order to allow for the construction of three 200 foot mini storage rental units. The planning commission recommended approval with conditions. The condition would be that security lighting at the facility would not spill over to adjoining properties. A motion was made by Al Dixon to approve the rezoning from B-2 to B-2 Conditional for the purpose of developing rental storage units with conditions that all lighting be directed inward to avoid spill over on adjacent properties and that the entrance way be of some paved surface. The motion was seconded by Ed Bacon. Voting for: Bacon, Dixon, Roberts and Gardner. Motion carried.

2. Case Number Z274-04 - **William Medrick Smith** makes application to rezone 7/8th of an acre at 6006 Hwy 17 from B-1 to B-2 in order to operate a transmission repair shop. The planning commission recommended approval of the request with conditions that buffers between the property and adjacent residential properties be added. A motion was made by Al Dixon and seconded by Toby Roberts to approve request to rezone from B-1 to B-2 with condition of added buffers being added between adjacent properties. Voting for: Bacon, Dixon and Roberts. Abstain: Gardner. Motion carried.
3. Administrative **Amendment to Zoning Ordinance** Text. A motion was made by Al Dixon and seconded by Rick Gardner to amend zoning text to reflect I-L to I-1 be corrected on zoning maps for parcels, 29-105, 29-106 and 29-1. Voting for: Bacon, Dixon, Roberts and Gardner. Motion carried.
4. Case Number SD-484-04 - **Preliminary Plat and construction plan** approval for **East Chastain Park** - D.B. & B LLC . A motion was made by Al Dixon and seconded by Rick Gardner to approve the preliminary plat and construction plans for East Chastain Park. Voting for: Bacon, Dixon, Roberts and Gardner. Motion carried.

**Sam Davis, Probate Judge** gave a brief report overview of voter turnout and stated that the few problems that had arisen had been minor ones. He also praised the dedication of the poll workers and commented the new voter recorders were performing great.

**Appointment to the Coastal Development Authority** - Linda Barker's name was submitted to be reappointed to the Coastal Development Authority for a four (4) year term. Due to vacancies on both boards, it was the consensus of the Commission to postpone any appointments to the boards until a decision is made whether to consolidate.

**Industrial Development** - The County Attorney provided the Memorandum of Understanding between the County and Bryan/Pembroke Development Authority to enhance industrial development. A motion was made by Rick Gardner and seconded by Al Dixon to authorize the Chairman sign the memorandum of understanding (MOU) for the enhancement of Industrial Development. Voting for: Gardner, Dixon, Roberts. Abstain: Bacon Motion carried.

***SPLOST DISTRIBUTIONS*** - It was the consensus of the commission to authorize County Administrator Phillip Jones, to approve SPLOST restitutions to the City of Pembroke and the City of Richmond upon submittal of documentation of expenses for SPLOST projects. The payments are to be issued on a quarterly basis.

***Report Tax Study Committee*** - Commissioner Roberts gave a report on the findings and recommendations of the Tax Study Committee to Commission. It was the consensus of the commission accept the recommendations of the committee and authorize the Chairman to sign the Resolution provided by the tax committee. After discussion a motion was made by Al Dixon and seconded by Toby Roberts to accept the Tax Committee finding and adopt said resolution as presented. Motion carried unanimously.

**RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF BRYAN COUNTY, GEORGIA**

**Whereas**, the issue of property tax reform and relief is of the greatest importance to the citizens and local governments of Bryan County; and,

**Whereas**, various methods to attempt to achieve such tax reform and relief have recently been proposed; and,

**Whereas**, both support for and concerns with many of the proposed methods were raised by county citizens and elected officials; and,

**Whereas**, the Bryan County government appointed a "Tax Reform Joint Study Committee" in March of 2004 to objectively evaluate previously proposed methods and research additional alternatives; and,

**Whereas**, said committee was composed of representative stakeholders, including elected officials or staff members from each of the ad valorem tax-levying governmental entities in Bryan County, representatives from various groups of concerned citizens, and additional citizens from each political district within Bryan County; and,

**Whereas**, the committee met regularly for six months, examining data, creating and evaluating financial and growth projections, reviewing tax reform methodologies as implemented in other communities, requesting and receiving legal research, and meeting with expert resource persons with statewide knowledge about taxes; and,

**Whereas**, the committee found that uniformity in valuation of property is vital to the basic fairness and constitutionality of the current tax system, but that some tax reform proposals would lead to increasing non-uniformity; and,

**Whereas**, the Tax Reform Joint Study Committee has agreed upon and submitted its findings; now therefore,

**Now, Therefore, Be It Resolved**, that the Bryan County Board of Commissioners accepts and endorses the findings of said committee and urges the Bryan County delegation to the Georgia General Assembly to work toward a unified, statewide reform of the tax code, to include providing and facilitating the ability of local governments to utilize alternative revenue sources including, but not limited to, real estate transfer taxes and impact fees, but to undertake no legislation to change the tax structure of our community that would not apply to all communities and taxpayers in Georgia.

The Clerk and County Administrator are directed to distribute the report of the Tax Reform Joint Study Committee report along with this Resolution to the other local government entities in Bryan County, the members of the Bryan County legislative delegation, the Bryan County Board of Tax Assessors and Tax Commissioner, the Commissioner of the Georgia Department of Revenue, the Governor of Georgia, the Association of County Commissioners of Georgia, and to other appropriate or interested persons and agencies.

Adopted this 2<sup>nd</sup> day of November, 2004.

***Curbside Pick-up*** - A discussion was held on curbside pick up. A motion was made by Al Dixon and seconded by Toby Roberts to increase the fee for FY 2005 to thirty dollars (\$30) per household and in addition new homes and mobile homes be assessed and pay a prorated fee upon date of issuance of the certificate of occupancy. Motion carried unanimously.

***Equipment Lease*** - The County Attorney provided an overview of a proposed equipment lease between the County and the Probate Judge. Commissioner Dixon made a motion to authorize the Chairman to sign said lease. After discussion Commissioner Dixon withdrew his motion.

A motion was made by Toby Roberts and seconded by Ed Bacon to adjourn. The meeting was adjourned at 5:45 p.m.