

416

REGULAR MEETING, BOARD OF COMMISSIONERS, GLYNN COUNTY,  
GEORGIA, HELD THURSDAY, FEBRUARY 16, 1978  
AT 7:30 P.M.

PRESENT: Chairman Roy J. Boyd, Commissioners C. K. Curry, Larry Dixon, Lorraine Dusenbury, Henry T. Smith and Ronald Young.

ABSENT: Commissioner Robert E. Owens

ALSO PRESENT: Administrator Harry G. Perkins and Attorney J. Thomas Whelchel.

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Chairman Boyd opened the meeting by calling on Commissioner Dixon for the invocation.

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Bill Wainwright addressed the Commission on behalf of a large delegation regarding the fact that building permits for St. Simons Island are now being issued with a notation that sewer taps will not be guaranteed. Under this condition an owner might invest money in a structure that cannot be occupied, he said, therefore lending institutions cannot continue to finance homes and businesses on St. Simons. This action has the effect of a moratorium on new construction there, he said, and presented a report on the resulting detrimental economic effect. Mr. Wainwright suggested that a short-term solution be improvised by working out an agreement whereby St. Simons Properties would release the large number of unused sewer taps previously committed to them by the County, said sewer taps then to be made available to the general public.

Chairman Boyd observed that the Commission has hired a new sanitary engineering firm who are working on solutions to the St. Simons sewer problem that will cover a short period of time as well as providing for long term expansion. He said a report is expected from these engineers in a few days and action will be taken at the next regular meeting.

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I-95 Association Request for Lighting and Approval of Local Tour.

Charlie Thrower, representing the I-95 Association, explained that this group consists of hotel, motel and restaurant owners who have banded together to try to improve and beautify the I-95 Interchange area. A lot of planting has been done, he said, and the group has been working for three years on getting the area lighted. Joint efforts with Georgia Power Company and the Department of Transportation have produced two alternate lighting plans, and Mr. Thrower recommended Plan No. 1 consisting of 13 towers, at a power cost of \$11.68 per day. The Department of Transportation would provide installation and responsibility for electrical power would lie with the County. He suggested that hotel/motel tax be used to defray the cost. He stressed economic benefits from the proposed lighting in that it would help keep the 820 motel rooms in the vicinity filled. He asked that the Commission approve an agreement to authorize the Department of Transportation to install the lighting system, with the County to assume electrical power costs.

Chairman Boyd asked Mr. Thrower to leave the proposed plans with the Commission for further study with the DOT, and he promised a decision at the next regular meeting.

Mr. Thrower asked the Commission's approval for a project called a "self guided tour," which would direct travelers along a scenic route to every historic site and point of interest in the Golden Isles. The tour would be depicted by signs bearing the Golden Isles treasure chest logo, with arrows pointing to specific attractions, he said, and folders advertising the tour would be provided at local proceed from the I-95 welcome center, along Highway 341 to the Court House, then past the Brunswick River to the U.S. Highway 17 Overlook Park. Approval would be needed to place arrow directional signs on rights of way along the route, Mr. Thrower said.

Motion to endorse this tourism promotion and to refer same to the County Traffic Safety Engineering Department for coordination was made by Commissioner Dusenbury, seconded by Commissioner Smith and adopted by majority vote with one dissent by Commissioner Young.

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Road Problem in Basswood Estates Mobile Home Subdivision.

A delegation from subject Subdivision presented a petition requesting assistance in keeping May Road in passable condition. Roads and ditches in this Subdivision were reported to be in such bad condition that school buses and mail carriers cannot enter. One resident commented that these conditions have existed since 1973, and asked when some action might be expected.

Chairman Boyd replied that May Road was improperly built by the developer, and only a portion has been accepted by the County although the entire length has been maintained at various times. He then accepted the petition and directed Administrator Perkins to authorize the Public Works Department to investigate this complaint and see if immediate relief can be provided.

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Request of Brunswick Port Authority to Extend Facilities.

John Raulerson, Manager of the Brunswick Port Authority, asked the Commission's approval of their proposal to build three additional bulk storage buildings on a tract located adjacent to Lanier Dock which is under a 49 year lease from the City and County. He advised that approval has already been expressed by the City Commission.

Motion to support this proposal was made by Commissioner Dusenbury, seconded by Commissioner Young and unanimously adopted.

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GC-53-77; Request for Rezoning; Florine B. Reid, Lillian Shaw and Samuel Richards, Jr., Applicants; Doyle Raulerson, Agent.

Pursuant to advertisement, Public Hearing was held on application to amend the Glynn County Zoning Ordinance changing from RR Resort Residential to HC Highway Commercial the following described property.

An 0.9 acre of high land in a 1.7 acre tract on St. Simons Island fronting 217.72 ft. on the north side of Demere Road and lying approx. 530.48 ft. southwest of the intersection of said road with Frederica Road, and excluding from the over-all tract 0.8 acre of marsh land.

Administrator Perkins read the Joint Planning Commission recommendation of approval subject to a 25 ft. right of way dedication being given along the Demere Road frontage and a 10 ft. strip on the west boundary line of the property involved being left as Resort Residential to provide a buffer strip to adjacent residential property to the West indicating a policy to restrain further commercial development to the West. JPC Director Ed Stelle explained that this change was being sought to allow construction of a Burger King restaurant.

Attorney Ed Boshears was present to represent Samuel Richards, Jr. and Lillian Shaw, and Attorney James Abernathy represented Florine B. Reid. Mr. Abernathy explained that his client owns one-half interest in the property. He said he could find no equitable way to divide the property, therefore it would be better to sell it and divide the proceeds among the three owners. A residential sale would not bring as much as a commercial sale, hence the request to rezone to commercial. Inasmuch as his client had received correspondence from Mrs. Henry T. Smith relating to this matter, he suggested that Commissioner Smith disqualify himself due to conflict of interest, or that the Commission disqualify him.

Commissioner Smith said he thought every person had the right to seek all sources of information he can regarding these zoning matters, and his wife had been very useful to him in getting facts relating to this property. He said he had no intention of disqualifying himself. This matter is of considerable public interest, he said, and all available input is needed.

Attorney Abernathy expressed formal protest against Commissioner Smith voting on this matter. He stated that the property is located on Demere Road west of Frederica Road and that it is surrounded on three sides by commercial tracts. He said he did not see how changing this property to commercial for a Burger King location would in any way be detrimental, and asked the Commission to vote to rezone to Highway Commercial to allow the proposed facility.

Attorney Boshears then spoke on behalf of his clients, Lillian Shaw and Samuel Richards, Jr. who live in Philadelphia, Pennsylvania, explaining that they were old, poor and black, and need the money from sale of this land. He said he had represented these people for three years in lawsuits regarding title to this property, and he felt they would be deprived of just compensation if it cannot be zoned for commercial sale. Mr. Boshears described this as being commercial property in that it fronts a major thoroughfare, with a shopping center, hamburger establishment and bank located across the street, and property lying to the rear and to the east also being zoned commercial. He said he considered it inconceivable that anyone would build a residence on this property, and without rezoning it will remain a vacant lot which will be absolutely useless to its owners. Mr. Boshears said opponents to the change claim it to be a part of Jewtown, although it is actually several hundred feet away, and they also oppose any growth on St. Simons. He proposed the natural and reasonable western commercial boundary on Demere Road to be the western line of the new shopping center. If the Commission would like to create a buffer zone for residential property on Demere Road, he offered to rezone a strip on the western edge of said property for this purpose.

He then asked, on behalf of his clients, for rezoning as requested.

In response to Commissioner Young's question, Joint Planning Commission Director Ed Stelle commented that the JPC recommendation for approval was reached by affirmative vote of four members out of seven present, with one member absent.

Ann Wages expressed the Glynn County Civic Association's unanimous opposition to this rezoning on the grounds that it might not be in conformance with the proposed St. Simons Master Plan, it would aggravate traffic problems, and interfere with the historic black community of Jewtown which has existed since slavery days.

Gloucester Buchanon stated that this tract is definitely a part of Jewtown, and his relatives, who own adjacent property, want to keep the area residential. Berthenia Gibson presented a 5-page petition signed by Jewtown residents requesting denial. Mrs. Avery Jones, President of the St. Simons Woman's Club, expressed their opposition to this rezoning and the next two zoning items on the agenda. She supported the St. Simons Master Plan and opposed any further density on the Island. Bill Dismar, representing certain area residents who oppose the rezoning, stated that property owners should be able to do what they want with their property, as long as it is within the realm of reason and responsibility. He described the traditional natural commercial barrier on Demere Road as being the dead end of Dunbar Creek. George Sullivan opposed the change, suggesting sale of the property as residential.

Albert Shelander and Doyle Raulerson requested approval of rezoning.

Commissioner Young said he did not think it would be in the best interest of local residents to rezone because the area has acquired historical value over the years. Residents of the community have a right to live peacefully and enjoy their own property, he said, and existence of a Burger King would interfere with such right. He then moved for denial of this request, and Commissioner Dusenbury seconded the motion.

Commissioner Dusenbury described this as being a very special community with a unique and lengthy background of history on St. Simons Island. She suggested investigation into uses compatible with its present zoning.

After further discussion, the following vote was taken:

Aye: Commissioners Young, Dusenbury and Smith.

Nay: Commissioner Curry

Abstaining: Commissioner Dixon.

Chairman Boyd declared no action in this matter and referred same to the next regular meeting.

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GC-37-77; Request for Rezoning by Jasper Barnes.

Pursuant to advertisement, public hearing was held on application to amend the Glynn County Zoning Ordinance changing from FA Forest Agricultural to HC Highway Commercial the following described property:

A tract fronting 75 ft. on the south side of Demere Road with a depth of 125 ft.; said tract being located approx. 2,376.75 ft. west of the intersection of said road with Frederica Road.

Administrator Perkins read the Joint Planning Commission's recommendation for denial, and JPC Director Ed Stelle commented that the property does not abut any other commercial property.

Jack Lissner, attorney for Mr. Barnes, read a letter in which Mr. Barnes outlined his plans to build an art studio and office building on this site. He also addressed the Commission's attention to an opposing petition which he said misrepresented the facts and was signed by non-St. Simons residents.

Mr. Barnes said as long as he was paying taxes on this property and not establishing something detrimental to the community he felt he was entitled to rezoning. The community is striving for integration, he said, and he had never felt like preserving a "black" community. The facility he plans to build will create jobs, though not bringing an influx of more people, he said.

Mrs. Berthenia Gibson opposed this rezoning, and advised that she circulated the petition mentioned by Mr. Lissner, adding that it contained no false statements and was signed only by area residents and members of the two neighborhood churches.

Commissioner Dixon said he could not understand the fact that some persons who spoke in opposition to the previous zoning request for commercial zoning also signed a petition favoring Mr. Barnes' similar request. He asked one such person, Gloucester Buchanan, if he favored commercial zoning in this area. Mr. Buchanan replied that he had changed his mind since making opposing statements against the preceding application, and he did in fact support Mr. Barnes' request.

Georgia Sullivan expressed opposition on the grounds that it would be spot zoning. Mr. Barnes responded that Mrs. Sullivan does not live in this neighborhood, but on the north end of St. Simons. He suggested that only people who are directly affected should have a say.

JPC member Bill Cowman commented that the Frederica/Demere Road area is Glynn County's No. 1 traffic hazard, and plans for 4-laning have been discussed.

Mr. Lissner advised that Mr. Barnes owns the lot directly behind this tract and is willing to move his plans back in order to provide a 25 ft. right of way dedication to allow for future widening of Demere Road. He then suggested withdrawal of this application in order to go back to the JPC with request to rezone both lots and to provide the 25 ft. dedication.

Commissioner Smith moved to proceed along the lines suggested by Mr. Lissner, and the motion died for lack of support.

Commissioner Young moved to accept the JPC recommendation for denial, and Commissioner Dusenbury seconded the motion.

Aye: Commissioners Young, Dusenbury and Dixon.

Nay: Commissioner Curry.

Abstaining: Commissioner Smith

Chairman Boyd declared a no-decision vote, and referred this issue to the next regular meeting.

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GC-3-79; Request for Rezoning; Bradford, Parette, Clark and Shaffer, Applicants; G. Carroll Palmatary, Agent.

Pursuant to advertisement, public hearing was held on application to amend the Glynn County Zoning Ordinance changing from R-6 One Family Residential to GR General Residential the following described property:

Lots 7, 8, 9, 11 and 12 in Block 6 of Island Retreat Subdivision on St. Simons Island; said property being located on the north side of Magnolia Avenue and the south side of Park Avenue at the intersection of the two avenues.

Administrator Perkins read the Joint Planning Commission's recommendation of approval.

Attorney Carroll Palmatary explained that he represented owners of all subject lots, and this request was being made to bring existing buildings and lots in for conformance with the Zoning Ordinance. It was recently learned that these lots are not zoned to allow existing structures, and in the event of destruction by fire or other means, buildings cannot be replaced.

Motion for approval was made by Commissioner Dixon and seconded by Commissioner Dusenbury. It was then adopted by majority vote with one dissent by Commissioner Young.

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GC-2-77 A-3; Application to Amend Text of Zoning Ordinance.

Pursuant to advertisement, public hearing was held on application to amend Article X, Section 1001, Appointment of the Board of Appeals, Paragraph 2, to read as follows:

No member of the Board shall hold any public office or position, except that one member shall serve on the Planning Commission.

JPC Director Ed Stelle explained that the Planning Commission initiated this request and recommended its adoption.

Commissioner Smith moved to table action until the next meeting. The motion died for lack of support.

Motion for denial was made by Commissioner Dusenbury and seconded by Commissioner Young.

Aye: Chairman Boyd, Commissioners Dixon, Dusenbury and Young.

Nay: Commissioners Curry and Smith.

Motion passed.

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Request for Final Plat Approval of Glynn Marsh Village Subdivision, Phase 1 (John G. Klinowski, Developer).

Pursuant to recommendation by the JPC, Commissioner Dixon moved to approve said Final Plat, subject to Attorney's approval of bond guaranteeing construction of improvements therein. Commissioner Smith seconded the motion and it was unanimously adopted.

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Receipt of Bids for Furnishing One (1) 1978 4 Door Sedan for the Building Inspector and One (1) 1978 4 Door Sedan for the County Agent.

Pursuant to advertisement, the following bids were received:

	<u>Building Inspector's Car</u>	<u>County Agent's Car</u>
Darien Motors	\$4,524.84	\$4,959.42
Coastal Chevrolet	\$4,532.19	\$4,333.00
Lynch-Davidson Ford	\$4,642.66	\$4,757.72
Atlantic Motors	\$4,922.00	\$4,938.00

Chairman Boyd referred subject bids to Commissioners Dixon and Curry for review and report back at the next regular meeting.

Receipt of Bids for Furnishing and Installing Carpeting for  
Offices in the County Detention Center.

Pursuant to advertisement, the following bids were received:

Wilson Floor Coverings	\$5,523.00
Brunswick Floors	\$5,924.50
E. H. Sanders Carpets	\$6,562.50
Jordan Furniture	\$8,053.50

Commissioner Dusenbury said she understood that a problem exists in some of the offices because of the floors being cold, and that installation of carpet could alleviate the problem.

Motion to accept the bids for consideration was made by Commissioner Dusenbury and seconded by Commissioner Smith.

Aye: Commissioners Dusenbury, Smith, Curry and Dixon.

Nay: Chairman Boyd and Commissioner Young.

Motion passed.

Chairman Boyd appointed Commissioners Dusenbury and Smith to review the bids and make recommendations.

Award of Bids for Furnishing Summer Police Uniforms.

Bids having been received in the last regular meeting and referred to Committee for review, Commissioner Dusenbury recommended award to the low bidder, Frank's Uniforms, in the amount of \$5,183.10.

Motion to award to Frank's Uniforms as recommended was made by Commissioner Dixon, seconded by Commissioner Smith, and unanimously adopted.

Award of Bid for Furnishing Meals to Inmates of the Glynn County  
Detention Center.

Bids having previously been received, Commissioner Dusenbury moved to make the award to Albert Crews at the present time, with the recommendation that study be made and cost analysis obtained covering the possibility of utilizing the Detention Center Kitchen. Commissioner Dixon seconded the motion and it was adopted by majority vote with one dissent by Commissioner Young.

Award of Bids for Furnishing Three (3) 1978 Cab/Chassis Equipped  
with Dump Bodies for the Public Works Department.

Bids having been received in past meeting and referred to committee for review, Commissioner Dixon moved to award to Lynch-Davidson Ford in the amount of \$31,407.93. Commissioner Smith seconded the motion and it was unanimously adopted.

Award of Bid for Providing Custodial Service for the Office Park Building.

Consideration of this award was deferred until a later meeting.

Adoption of Resolution Authorizing the Chemical Bank to Renew Time Deposits for a period of Six Months.

Motion was made by Commissioner Dixon and seconded by Commissioner Young to adopt the following resolution:

WHEREAS, the Board of Commissioners, Glynn County, Georgia, has heretofore authorized the Chemical Bank New York Trust Company, Fiscal Agent for the Brunswick-St. Simons Bridge and Causeway (F. J. Torras Causeway) to invest a certain amount of funds from the Interest and Sinking Fund Reserve Account in Time Deposits which matured December 31, 1977; and

WHEREAS, the total amount of \$145,600 is now on deposit in said Reserve Account and it is the desire of this Board to temporarily reinvest said funds.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Commissioners, Glynn County, Georgia, that the Chemical Bank New York Trust Company, as Fiscal Agent for the Brunswick-St. Simons Bridge and Causeway (F. J. Torras Causeway) be authorized to invest the sum of \$145,600 now in the Interest and Sinking Fund Reserve Account in time deposits for a period of six months at the prevailing rate of 5%.

Unanimously adopted.

Approval of Financial Reports and List of Vouchers Issued for the Month of January, 1978.

Motion was made by Commissioner Young and seconded by Commissioner Dixon to approve said reports.

Aye: Commissioner Young, Dixon and Chairman Boyd.

Nay: Commissioners Curry, Dusenbury and Smith.

Chairman Boyd announced a no-action vote and appointed Commissioners Curry and Dixon to review said documents and submit a report back to the Commission at the next regular meeting.

Action Relieving Angelo Victor of Taxes on Property Involved in Right of Way Taking for the Newcastle Street Extension Project.

Due to hardship experience by Mr. Angelo Victor as a result of right-of-way taking a portion of his property for the Newcastle Street Extension project, Commissioner Dixon moved to relieve him of tax obligations on said property through December 31, 1977, and to authorize execution of quitclaim deed clearing title of tax deed clearing title of tax deed dated February 5, 1974. Commissioner Dusenbury seconded the motion and it was adopted by majority vote with one dissent by Commissioner Curry.

Approval of Minutes, November 17, and 18, December 1, 15, 17, and 29, 1977.

Motion to approve minutes as listed was made by Commissioner Dusenbury, seconded by Commissioner Smith and unanimously adopted.

Request for County Registrars to Register City Residents.

Administrator Perkins presented a letter from City Manager Ed Hulse requesting the



Glynn County Board of Registrars assume the duty of registering the residents of the City of Brunswick.

Commissioner Curry moved to authorize Administrator Perkins to confer with Mr. Hulse and devise a proposal covering this request. Commissioner Smith seconded the motion and it was adopted by majority vote with one dissent by Commissioner Young.

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Request for Bids Covering Maintenance of Air Conditioning and Heating Systems.

Administrator Perkins presented a letter from Building Inspector Vernon Lewis asking that he be allowed to advertise for bids covering maintenance contract for central air conditioning and gas operated heating systems for County facilities.

Motion for approval was made by Commissioner Dusenbury, seconded by Commissioner Curry and unanimously adopted.

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Removal of Trees on Whitlock Street for Installation of Sewer Lines.

Administrator Perkins reported request from the City's engineers for removal of certain trees in order to install sewer lines along Whitlock Street.

Commissioner Dusenbury moved to authorize removal of only those trees which are absolutely necessary to facilitate installation of sewer lines. Commissioner Smith seconded the motion and it was unanimously adopted.

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Addition to Police Station.

Glynn County Police Chief Jay Cee Harris reported that he had been working with the Building Inspector in an effort to devise a way to acquire additional space at the Police Station. He and Mr. Lewis then presented a proposal for addition to the existing Station, which they estimated would cost \$20,000 - \$23,000.

Commissioner Smith moved to authorize advertisement for bids for this addition, and Commissioner Dusenbury seconded the motion.

Unanimously adopted.

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Social Security Coverage for State Court Judge & Solicitor.

Administrator Perkins relayed Judge Ronald Adams' request that the Commission take necessary steps to approve social security coverage for his position.

After brief discussion, this matter was held in abeyance.

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Shoreline Protection Bill.

Commissioner Dusenbury requested that the Commission contact the appropriate officials and urge adoption of the Shoreline Protection Bill.

Chairman Boyd said he would like to see previous resolutions in this proposal rejected.

Sale of Beer at Service Stations.

Police Chief Jay Cee Harris reported that the Shell Service Station located on Highway 341, which was granted a Beer License under previous ordinances, does not meet the criteria set forth in recently adopted ordinance requiring that such a license be granted only to a business devoted principally to the retail sale of groceries and food products.

Commissioner Smith moved to authorize the Police Chief to check all business currently licensed to sell beer and wine to be sure they are in conformance with current ordinances, and that he be granted authority to rescind licenses not in conformance, with license fees to be refunded. Commissioner Dusenbury seconded the motion.

Commissioner Young suggested that the Shell Station owner be given ample time to sell his wares.

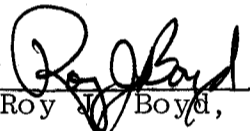
Attorney Whelchel commented that a letter from the License Office might be in order before any action is taken.

Motion and second were withdrawn by Commissioners Smith and Dusenbury, and Chairman Boyd directed Attorney Whelchel to advise the Commission of the proper procedure to follow.

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Meeting Adjourned

BOARD OF COMMISSIONERS  
GLYNN COUNTY, GEORGIA

  
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Roy V. Boyd, Chairman

Attest:

  
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Harry G. Perkins, Clerk