

**MAYOR**  
Shirley Sessions

**CITY COUNCIL**  
Barry Brown, Mayor Pro Tem  
John Branigin  
Jay Burke  
Nancy DeVetter  
Spec Hosti  
Monty Parks



**CITY MANAGER**  
Dr. Shawn Gillen

**CLERK OF COUNCIL**  
Jan LeViner

**CITY ATTORNEY**  
Edward M. Hughes

## **CITY OF TYBEE ISLAND**

### **A G E N D A** **REGULAR MEETING OF TYBEE ISLAND CITY COUNCIL** **August 26, 2021 at 6:30 PM**

*Please silence all cell phones during Council Meetings*

#### Consideration of Items for Consent Agenda 6:30PM

##### Opening Ceremonies

Call to Order  
Invocation  
Pledge of Allegiance

##### Announcements

##### Recognitions and Proclamations

1. Employee of the Quarter: 3rd Quarter, Sara Benton, TIPD
2. Employee of the Quarter: 4th Quarter Wally Hattrich, TIPD
3. US Coast Guard Recognition

##### Consideration of the approval of the minutes of the meetings of the Tybee island City Council

4. Minutes, August 12, 2021
5. Attachments to Minutes

##### Reports of Staff, Boards, Standing Committees and/or Invited Guest. Limit reports to 10 minutes.

6. Michael Pappas, Tybee Island Ethics Commission

##### Citizens to be Heard: Please limit comments to 3 minutes. Maximum allowable times of 5 minutes.

7. Kate Burns: Dogs on the Beach

If there is anyone who would like to speak to anything on the agenda other than the Public Hearings, please come forward. You are allotted 3-5 minutes.

##### Consideration of Approval of Consent Agenda

**P.O. Box 2749 – 403 Butler Avenue, Tybee Island, Georgia 31328-2749**  
**(866) 786-4573 – FAX (866) 786-5737**  
**[www.cityoftybee.org](http://www.cityoftybee.org)**



#### Consideration of Bids, Contracts, Agreements and Expenditures

- [8.](#) Award Leasing of Garbage Truck to Under CDL, \$42,436.00
- [9.](#) Revocable License/Indemnity Agreement/Right-of-Way
- [10.](#) Travel Request: Out of state travel for two Campground staff to the National Association of RV Parks and Campgrounds Outdoor Hospitality Conference and Expo in Raleigh, NC November 8-12, 2021. Budgeted under line item 555-6180-52-3500. \$4,187
- [11.](#) Purchase of Gas Pumps for Safety Building. Budget Amendment forthcoming for \$31,185.88

#### Consideration of Ordinances, Resolutions

- [12.](#) Reimbursement Resolution
- [13.](#) Resolution: 2021-06, STVR Moratorium
- [14.](#) Resolution, 2021-07, Municipal Court/Probate Court Prosecutor, Andre Pretorious, Solicitor Tybee Island Municipal Court
- [15.](#) Second Reading, 2021-17 Tree Removal, Art VII, Land Development Code
- [16.](#) Second Reading, 2021-18, Chapter 42-67, Marijuana
- [17.](#) First Reading, 26-2021, Regulatory Fees for Alcohol Licenses
- [18.](#) First Reading, 2021-23, STVR Occupancy Rate
- [19.](#) First Reading, 2021-24, Motorized Carts
- [20.](#) First Reading, 2021-25, STVR Parking
- [21.](#) First Reading, 2021-27, Motorized Vehicle Access Back River Boat Ramp

#### Council, Officials and City Attorney Considerations and Comments

22. Nancy DeVetter: Dogs on the Beach
23. Monty Parks: Definition of Residential Use
24. Monty Parks: Discussion of Island Wide Rental Overlay Zone
25. Monty Parks: Reallocation of Visit Tybee funds
26. Peter Gulbranson/Shawn Gillen: Bathroom at the Screened Pavilion, Memorial Park FOR DISCUSSION ONLY
- [27.](#) Peter Gulbranson/Shawn Gillen: Construction of Polk Street south of Highway 80 FOR DISCUSSION ONLY

#### Executive Session

Discuss litigation, personnel and real estate

#### Possible vote on litigation, personnel and real estate discussed in executive session

#### Adjournment

*Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities are required to contact Jan LeViner at 912.472.5080 promptly to allow the City to make reasonable accommodations for those persons.*

**\*PLEASE NOTE:** Citizens wishing to speak on items listed on the agenda, other than public hearings, should do so during the citizens to be heard section. Citizens wishing to place items on the council meeting agenda must submit an agenda request form to the City Clerk's office by Thursday at 5:00PM prior to the next scheduled meeting. Agenda request forms are available outside the Clerk's office at City Hall and at [www.cityoftybee.org](http://www.cityoftybee.org).



#### THE VISION OF THE CITY OF TYBEE ISLAND

*"is to make Tybee Island the premier beach community in which to live, work, and play."*



#### THE MISSION OF THE CITY OF TYBEE ISLAND

*"is to provide a safe, secure and sustainable environment by delivering superior services through responsible planning, preservation of our natural and historic resources, and partnership with our community to ensure economic opportunity, a vibrant quality of life, and a thriving future."*

**File Attachments for Item:**

4. Minutes, August 12, 2021



### **Consideration of Items for Consent Agenda**

Mayor Sessions called the Consent Agenda to order at 6:30PM. Those present were Jay Burke, Monty Parks, John Branigin, Nancy DeVetter and Spec Hosti. Also attending were Dr. Shawn Gillen, City Manager; Bubba Hughes, City Attorney; Tracy O'Connell, Assistant City Attorney; George Shaw, Director, Community Development; and Janet LeViner, Clerk of Council. Mayor pro tem Brown was excused.

### **Mayor Sessions listed the following items on the consent agenda:**

- Minutes: July 8, 2021, City Council Meeting
- AR Universal LLC dba Frozen Daiquiri-Alcohol and Entertainment License Request-Liquor/Beer/Wine/Sunday Sales
- Lease for Vac-Truck, \$51,862 yearly
- River's End Campground: Architectural/Agreement with Greenline Architecture to complete Construction Drawings and Construction Administration for New Workshop/Storage Building. \$28,200, line item 555-6180-54-1315.
- Final 2021 Budget Amendment. **Discussion: Dr. Gillen** stated this Amendment is the final clean-up of the FY2021 budget as it is required to balance. Mr. Parks confirmed the increase in salaries were covered for TIPD and TIFD with the additional revenue. Dr. Gillen confirmed. He continued the excess revenues might be used for infrastructure.

**Mayor Sessions** called the regular meeting to order. All those present for the consent agenda were present.

### **Opening Ceremonies**

- Call to Order
- Invocation: Jan LeViner, Clerk of Council
- Pledge of Allegiance

### **Invited Guests**

**Chairman Chester Ellis, Chair, Chatham County Commission** approached Mayor and Council to speak on **One Chatham Initiative**. Mayor Sessions thanked Chairman Ellis for his financial support for the south-end bathrooms as well as SPLOST funding. Chairman Ellis thanked Mayor Sessions for inviting him to speak. He continued, after he was elected he did research on the spending habits of previous Chairman's as well as each municipality in Chatham County. He found there was a lot of cross spending and decided there needs to be a "new way to do things". Chairman Ellis stated the citizens all need to come together with collaboration and cooperation to work together. He came up with the title, "One Chatham" as if we work as one, we can get more done. Chairman Ellis thanked our local legislators as they passed the Infrastructure Bill to give Chatham County \$30.7M for public transportation. We all need together to get everything done. His concerns also include the ship wake and the effect on Chatham County. Chairman Ellis stated, it is his goal not have a street in Chatham County flood. He will meet with all elected officials as well as staff to set a goal and work together, all municipalities. Chairman Ellis asked if anyone has questions to please call his office so a meeting can be set-up. Mayor Sessions thanked Chairman Ellis for his Initiative and prospective on unity.

**Mack Kitchens** approached Mayor and Council to speak to Short Term Vacation Rentals (STVR's). Mr. Kitchens stated he is opposed to STRV's operating without regulations. He cited State Statutes and the Tybee Island Land Development Code in regards to STVR's in residential neighborhoods. He also presented a comparison of registration fees: flat vs. occupancy. Mayor

Sessions asked Mr. Kitchens to submit his presentation to the Clerk for inclusion in the minutes and thanked him for his presentation.

**Citizens to be Heard: Please limit comments to 3 minutes. Maximum allowable times of 5 minutes.**

- Ernest Hutson approached Mayor and Council to speak to Alley 3. Mr. Hutson stated he has not seen many issues with motorized vehicles using Alley 3. Mayor Sessions thanked Mr. Hutson for his comments.
- Matt Campbell expressed his concerns with the possible registration on Short Term Vacation Rentals (STVR's)
- Code Jones expressed his concerns with inspections and registration fees with STVR's
- Keith Gay expressed his concerns with registration fee changes regarding STVR's

**Monty Parks** made a motion to approve the consent agenda. **John Branigin** seconded. Vote was unanimous to approve, 5-0.

**Public Hearings**

**Tybee Island Comprehensive Plan.** **George Shaw** stated every ten (10) years the City is required to do a full Comprehensive Plan to remain a qualified government and every five (5) years a brief update is done. The City contracted with the Coastal Regional Commission (CRC) to produce the update and the process was started in January. Stakeholder Committees were formed and meetings were held to include public meetings. Mr. Shaw introduced Cole Mullis, CRC who was in charge of the update. Mr. Mullis thanked Mayor Sessions for the opportunity to speak. He stated he has been working with the City on the Plan and there was a public engagement process that included three (3) stakeholder meetings and two (2) draft review meetings. The next step is to transmit the draft to the Department of Community Affairs for review as they are the organization that regulates planning for Georgia. Mr. Mullis stated there is still time for public comment even after the document is transmitted, 40 day public comment period. Mayors Sessions stated the City will post the agenda for the public comments on the website for accessibility. Mr. Mullis stated the document is basically a document that provides guidance and direction for the City, a visionary document, so it does not create policy in its own right directly, but something that should be considered for planning and land use decisions. Having this documents is a requirement for receiving state funding in Georgia. He further explained the role of the CRC is to run the meetings and write the document but this is not their document but Tybee Island's document. Mr. Mullis went over the goals which provide guidance and values: (1) Vision and Goals; (2) Needs and Opportunities; (3) Character Areas; and (4) Work Program all which are included in the packet before them this evening. Ms. DeVetter asked the population trends and key indicators, as to the scale. Mr. Mullis stated he does not know as he did not do the writing of the Plan. Mr. Parks confirmed he moderated several of the meetings and has done this type of work with other cities. **Dotty Kluttz** approached Mayor and Council. Ms. Kluttz apologized to the City and the citizens of Tybee Island as she was a stakeholder member of the committee and became so frustrated with the process that she did not continue. She then expressed her concerns with the Plan and some of the language. She is against this Plan as presented. It was clarified that correct language was included in the Plan as posted on the CRC website. **Shirley Wright** approached Mayor and Council. Ms. Wright stated the membership of Forever Tybee has addressed the Master Plan and how to ensure its success. She read from a prepared statement (attached). Mayor Sessions thanked Ms. Wright for her presentation. **Ken Williams** approached Mayor and Council to speak to the Master Plan. He outlined five (5) specific core values to guide the policy: respect, unity and community, civility and kindness, and equity and balance, accountability, transparency and respectful visitors (attached). Mayor Sessions thanked Mr. Williams for his comments and presentation. **Cody**

**Jones** approached Mayor and Council. Mr. Jones explained the difference between a housing unit and a household as if you had a house to include a garage or out building, that would be considered one household and two household units. Mayor Sessions thanked Mr. Jones for his explanation. **Tanya Huff** approached Mayor and Council. She thanked Mayor and Council for the opportunity to attend the public meetings as they were very informative. Ms. Huff stated one of the main concerns is transportation of day trippers and is not included on the Plan. Mayor Sessions thanked Ms. Huff for her comments and concerns. Mr. Shaw stated there have been efforts to get transportation to the Island in the past which had to be significantly subsidized as there was not sufficient demand. **Roger Huff** approached Mayor and Council. Mr. Huff stated there was great discussions at the stakeholder meetings and he agrees there needs to be free bus service. In this way it would reduce the amount of vehicles circling the Island. Mayor Sessions thanked Mr. Huff for his comments. **Monty Parks** made a motion to transmit the most current version and move forward with the 4 day comment period. **John Branigin** seconded. Vote was unanimous to approve, 5-0.

**SPECIAL REVIEW: Build Boardwalk Crossover – 708 Butler Ave. – 40005 20006 – Zone R-2 – Heath Shelton Habersham Development, LLC.** **George Shaw** approached Mayor and Council. Mr. Shaw stated Habersham Development submitted an application for a crossover for the parcel, Butler Avenue to the beach. Planning Commission approved this application 3-1 and Staff approved unanimously. Mr. Shaw confirmed Mayor and Council need to approve this application prior to submission to DNR. Ms. DeVetter asked Mr. Shaw who is the owner of the property. Mr. Shaw responded it is his understanding the KM Meadow Farms is the current property owner. **Ben McKay** approached Mayor and Council. He stated he is the engineer on the project and stated the potential owner does not have intentions for future development. The potential owner would like to update the current structure and build the crossover. Mr. Parks made reference to the Planning Commission Meeting where a great deal of information was presented. He expressed his concerns with the possibility of Mayor and Council approving a 500 foot boardwalk intruding into the dunes. Mr. McKay responded the crosswalk is to protect the dunes which will keep beach goers out of the dune(s) and re-establishes beach access to the lot. Mr. Parks again expressed his concerns as there is only one residence using the crossover. Ms. DeVetter expressed her concerns with future development of the piece of property. **Heath Sheldon** approached Mayor and Council stating he is purchasing the property. He stated initially his intentions were to develop the property under the current zoning but is not moving forward. The plan currently is to purchase the home, restore the old cottage and build a home on the oceanfront. He is asking for access to the beach by way of a crossover as this will be a safer way for his family to get to the beach. Mr. Shaw confirmed DNR will not approve an application for a crossover without Mayor and Council's approval. **Dotty Kluttz** approached Mayor and Council. Ms. Kluttz expressed her concerns with building a crossover over the dunes as it does not allow the dunes to move. **Spec Hosti** made a motion to approve. **John Branigin** seconded. Voting in favor were Spec Hosti and John Branigin. Voting against were Jay Burke, Monty Parks and Nancy DeVetter. Motion to approve failed 2-3. **Monty Parks** made a motion to deny. **Nancy DeVetter** seconded. Voting to deny were Monty Parks, Nancy DeVetter and Jay Burke. Voting against were John Branigin and Spec Hosti. Motion to deny passed 3-2.

**Text Amendment: Amendment to Tree Ordinance.** **George Shaw** approached Mayor and Council. Mr. Shaw stated the proposed ordinance provides monitoring of tree removal to include additional penalties. It requires staff to be on site when three (3) or more are to be cut at any one time. This was approved by the Planning Commission, 3-2. Mr. Parks confirmed that this applies to three (3) or more trees being cut. Mr. Shaw confirmed. He agrees with the Planning Commission discussions and has concerns with enforcement. Mr. Branigin agrees with the penalties but not with the requirement to have staff watch at the property during cutting. **Monty**

**Parks** made a motion to approve. **Nancy DeVetter** seconded. Voting in favor were Monty Parks and Nancy DeVetter. Voting against were Jay Burke, Spec Hosti, and John Branigin. Motion to approve failed 2-3. **Monty Parks** amended his motion to approve Section 3 only of the proposed ordinance for first reading. **John Branigin** seconded. Vote was unanimous to approve, 5-0.

**Variance: Rear Addition to residence – 3 Kingry St. – 40019 03006 – Zone R-2 – Anne K. Smith, Architect for Owner (Robin Crain).** **George Shaw** approached Mayor and Council. He stated the applicant wishes to add a screen room to the rear of the house. By doing this, it would encroach 18" into the rear set-back. Staff recommended denial and the Planning Commission recommended approval, 3-1. **Ann Smith** approached Mayor and Council. She requested Mayor and Council approve this request. **Spec Hosti** made a motion to approve. Motion failed as there was no second. **Monty Parks** made a motion to deny. **Nancy DeVetter** seconded. Voting in favor of denial were Jay Burke, Monty Parks, John Branigin and Nancy DeVetter. Voting against was Spec Hosti. Motion to deny passed 4-1.

### **Consideration of Ordinances, Resolution**

**Second Reading, 2021-22, Chapter 12, Beaches and Waterways. Mayor Sessions** stated her concerns with the situation of open fishing on any part of the beach and with no designated areas for fishing vs. surfers. She asked why we are moving forward with the proposed ordinance. Ms. O'Connell responded there is a specific State Statute that designates who can control areas for fishing and hunting. Local government can do this but only for land it owns or leases. The ordinance is being changed to be consistent with State Law. Ms. O'Connell recommended having a Code of Conduct on the beach which would address fishing on the beach. Dr. Gillen stated there was a fisherman who contacted DNR and confronted the TIPD regarding violation of State Law. As a result, DNR reached out to the City. If a fisherman is purposely casting into swimmers it could be considered Disorderly Conduct which would cause a violation. Ms. DeVetter asked Dr. Gillen where people can fish. Dr. Gillen responded he would hope people will use common sense. He also recommended reaching out to our local delegation to have local legislation allowing Tybee Island to regulate fishing areas on the beach. Mr. Hughes stated this cannot happen as the City does not own the beach. Mr. Parks stated he would ask DNR to do something to assist Tybee Island with this issue. Dr. Gillen confirmed he will reach out to DNR for assistance. **Monty Parks** made a motion to approve. **Spec Hosti** seconded. Voting in favor were Jay Burke, Monty Parks, John Branigin and Spec Hosti. Nancy DeVetter stepped out of the room. Motion to approve was unanimous, 4-0.

### **Council, Officials and City Attorney Considerations and Comments**

**Bubba Hughes** approached Mayor and Council to speak to the **Status of Department Management – Leadership.** Mr. Hughes stated this involves department heads and the personnel policy that is currently being reviewed. Per the Charter, the City Manager is in charge of city employees and departments although the departments are established by ordinance. He continued prior to any prioritization of a department, it would need to come before Mayor and Council for approval. Mayor Sessions confirmed that she has no recollection of any conversations regarding outsourcing any department within the City. As to the current personnel manual, there is a grievance procedure that addresses everyone with the exception of department heads. He is recommending there be a process to discuss a grievance outside the structure of the City. Mayor Session concurred. Mr. Hughes stated this process will be included in the personnel policy. **To come back to future City Council Meeting**

**Bubba Hughes: Golf Carts.** Mr. Hughes stated what is before them tonight is a draft of an amendment to the Golf Cart Ordinance that he was asked to prepare. This has been through the

Public Safety Committee. Currently the ordinance requires someone to within ten (10) days of acquiring or bringing a golf cart on to the Island, to have registered and inspected by the City. This is to reduce this time from ten (10) days to 24 hours. This provides in Sec 2, "any unregistered carts are subject to citation for the failure to pay and/or register timely for parking in authorized places and no unauthorized cart shall have a decal until it is registered". Mr. Hughes continued, this is an effort to bring individuals into compliance. Mr. Branigin stated his concerns with individuals bringing their golf carts on the Island and park wherever they want and are gone by the ten (10) days are up. We need to effectively have a means to write them a citation and collect a fine. Mr. Hughes responded there are identification markings on golf cart and parking enforcement can take photographs and place the citation on the cart. Mr. Hosti stated identification markings are hard to locate on a cart and agrees with Mr. Branigin that something needs to be done. He would recommend 48 hours rather than the 24. Ms. DeVetter asked why a sticker couldn't be placed on the cart. Mr. Hughes responded that such a sticker represents an abandoned vehicle. Mr. Branigin stated there are two violations: (1) violation of registration and (2) not paying to park. He feels if a golf cart is not registered they do not have the right to drive on City streets. Mr. Hughes responded he will revise the proposed ordinance to provide that it is an offense to operate an unregistered cart and require the hours in which to accomplish registration and cannot be operated in the City until registration is complete. Dr. Gillen stated Code Enforcement and Tybee Island Police Department will be enforcing the proposed ordinance. Mr. Parks recommended an annual inspection and well at proof of insurance. **To come back to future City Council Meeting**

**Bubba Hughes** approached Mayor and Council to address **STVR: Ordinance Amendments**. Mr. Hughes stated he was directed by Mayor and Council to craft an ordinance that would do two things: (1) require a parking plan for an STVR location and (2) to craft an occupancy measurement for potentially tiered fees. What is before Mayor and Council is a draft for discussion only. He asked council if it is their desire to do a flat fee or tiered rate. Mayor Sessions asked if Mr. Hughes had reached out to the City of Savannah regarding their ordinance with STVR as she was curious. Mr. Hughes stated no but will, if it is the desire of Mayor and Council. Mr. Parks stated as he would not like to address the parking issues as Mayor pro tem Brown is not present. In regards to the registration rate, he is requesting it is set so that the cost of enforcement is covered. Mr. Parks stated it is his understanding, the stated occupancy on the application form would be used to calculate the registration rate, not based off SAGIS or based on property records. As to enforcement, we would compare their advertising for occupancy vs. what their stated occupancy is on the application form. Ms. DeVetter would like the Ordinance Amendments brought back in final form. Mr. Hosti does not feel additional fees need to be placed on STVR's to cover enforcement. Ms. DeVetter requested Mr. Hughes bring back a document with the fees included for the first meeting in September. Mr. Hughes confirmed. Mr. Parks made reference to a chart: 1-5 people, one level; 6-10 people, next level; and 10 or more a different level which met the budget. He recommended the City take the occupancy stated on the application, derive a fee, based on three (3) tiers and move forward. Mr. Hosti recommended basing the registration fee on the bedrooms and not people. Mayor Sessions expressed her concerns moving forward and stated by using Host Compliance there is a measurable way to set fees. Mr. Hughes stated his understanding as there is a consensus that the application require the applicant to state the planned occupancy of the structure and the fee is going to be structured or changed based on that statement. If the structured fee is 1-5 is \$200, 6-10 is \$400, and above 10 is \$500, all STVR's are going to state the have 1-5 people. Is it the desire of Mayor and Council to have the numbers be in the ordinance as to what the fees are going to be? Dr. Gillen stated there is a base rate of \$200 plus a per occupant fee of tier one (1) of \$10 per occupant; tier two (2) of \$15 per occupant; and tier three (3) of \$20 per occupant. Mr. Parks stated he concurs with Dr. Gillen's explanation. Mr. Hughes confirmed. **To come back to September 9, 2021 City Council Meeting**

**Bubba Hughes** approached Mayor and Council to address a **Resolution: EV Charging Stations and Future Contracts**. Mr. Hughes stated this is a result of communications from Georgia Power and the Public Service Commission to have a charging station available to the City. He is asking approval of a Resolution that would permit him to go forward and finalize the negotiations with Georgia Power. They have asked for two (2) locations in the North Beach Parking Lot and they have agreed, when not in use for charging electric vehicles the parking spaces could be used for regular parking places which would be "pay to park". Mayor Sessions stated there is another individual that would like to donate two (2) chargers to be placed in Memorial Park. Dr. Gillen confirmed. **Monty Parks** made a motion to move forward with the Resolution. **Spec Hosti** seconded. Vote was unanimous to approve, 5-0

**John Branigin: City Gas Pump Update.** Mr. Branigin asked Dr. Gillen to ensure that all repairs are made to the gas pumps so the City does not purchase gas at retail. Dr. Gillen stated in summary, the gas pumps have completely failed, these are the original gas pumps prior to the construction of the Public Safety Building, purchasing of fuel then went to a local gas station to test that at a concept rather than repairing existing pumps. There is currently crowding at the station which is causing safety issues. Therefore, this is on the upcoming Infrastructure Committee Meeting and Mr. Gulbranson has received quote to move forward for complete replacement of the pumps. The underground tank is fine. Mr. Parks stated his concern is if there is a storm the City has an alternative plan.

**Monty Parks** stated he would like a **Discussion of Protected Trees** to come back to a future City Council Meeting.

**Monty Parks** stated Mr. Hughes is to bring a chart to Mayor and Council with structured fees regarding **Liquor License Renewal Fees**. **To come back to the August 26, 2021 City Council Meeting**

**Shawn Gillen** gave a brief update on **Beach Crossover Benches**. He stated Mr. Robertson is working with DNR on an application and working with Thomas and Hutton on design work. They will meet with DNR in early spring 2022.

**Shawn Gillen** approached Mayor and Council to speak on **Alley 3 - Motorized Vehicle Exemption**. Dr. Gillen stated this is an item that has come up before during the Public Safety Committee Meeting. Ms. McLemore, resident of Alley 3, is requesting the Mayor and Council remove the exemption at Alley 3 for motorized vehicles. This would eliminate Alley 3 as a boat ramp. Mr. Hosti recommends the boat ramp at Alley 3 remain as it is. Ms. DeVetter asked Dr. Gillen to explain the scope of the problem. Dr. Gillen responded it gets very busy during the weekends. Sgt. Hattrich approached Mayor and Council to speak to the issues at Alley 3. Sgt. Hattrich stated occasionally there are issues during the weekends but that is due to familiarization of the area. Mr. Branigin stated if the City is going to keep Alley 3 as a boat ramp then the ramp needs to be repaired and if not then do away with the ramp. Dr. Gillen recommended limiting use of the ramp, for motorized vehicles, on weekends during certain times such as between Memorial Day and Labor Day. Mr. Parks asked Mr. Hughes to bring an ordinance back restricting use of motorized vehicles at Alley 3 during certain times. **To come back to future City Council Meeting.**

**Monty Parks** made a motion to adjourn. **John Branigin** seconded. Vote was unanimous to approve, 5-0.

Meeting adjourned at 10:45PM.

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Janet R. LeViner, MMC  
Clerk

**File Attachments for Item:**

5. Attachments to Minutes



Testimony to City Council re: the Comprehensive Plan  
August 12, 2021

My name is Shirley Wright. I live on Pulaski Street in the Fort Screven Character Area.

Thank you for giving me the opportunity to speak on this very important update to our Master Plan, now called the **2021-2026 Comprehensive Plan Update**.

I am Chair of Forever Tybee, a Tybee nonprofit organization. Our 200+ members are residents. Most live here full time. In early 2021 we conducted a member survey to find out

(1) what issues were most important to them and  
(2) what educational programs they wanted us to plan, when we can safely meet together again. We received a huge response – their votes on topics – and many pages of comments and ideas.

Their primary issues of concern were -- in priority order:

1. Over-tourism and traffic
2. Infrastructure: water, sewer, power, roads
3. Short Term Vacation Rentals and their proliferation into our neighborhoods
4. Ethics and transparency in our government
5. Safety
6. Alcohol excess
7. Beach erosion

The topics they wanted to be educated on:

1. **Quality of life for residents**
2. Water and other infrastructure needs
3. The culture of alcohol, drugs, and violence
4. Tourism -- and the "investors" who are buying up our island
5. The City's Master Plan and how to ensure its success – **52% of our members wanted us to educate them on the City's Master Plan and how to ensure its success.**

So, we take the City's planning effort very seriously. Some members were on the Stakeholder Committee. Some attended meetings.

**We read the 107 pages that are proposed.** Some of us have read it two or three times. We sent it to all our members three times for comments – the last time with a form where they could take notes by page number and send back their ideas. They did.

Then we held our own Zoom meeting for members this past Monday night. 36 people signed up to attend in order to dig deeper into the details. I believe that is the largest group to gather to discuss this plan.

We did all this because we believe that **good plans CAN produce good actions.**

And, we want to ensure that **the resident needs and resident voice is heard -- for residents who live here now-- and those who will live here long after we are gone.**

I have owned property on Tybee for 23 years – and lived here full-time for 12 years. From the first year until now we have talked about the same issues. The solutions aren't easy, but in many areas, we know what needs to be done. You --and we --have been working hard over all those years to put band-aids on problems instead of making the very hard decisions to deal with root causes. We are now saturated -- with too many people in too small a space -- and without adequate infrastructure or personnel.

In addition to dealing with symptoms (litter, recycling, traffic, speed bumps, noise, and making more and more rules for decent tourist behavior) **we must deal with root causes.**

Recently I have written you about the detailed and expensive Tourism Study that is underway by Georgia Southern to update the 2015 Tourism Study. The purpose of the 2015 Study is "to examine various aspects of the tourism economy on Tybee Island." In neither 2015 nor in 2021 is there one question about the impact of tourism on **residents** and their Quality of Life.

I am grateful that you are willing to consider a **Quality of Life Study for Residents** to run parallel to this new Tourism study. We are hopeful that those two studies, along with our Comprehensive Plan, will give residents a seat at every table to find solutions to our complex problems.

Most of you ran for office to make a difference. We want to help you make that meaningful difference for now and the future.

Ken Williams has collected the ideas and issues generated by Forever Tybee members about the Comprehensive Plan in its current form, and organized them into a Summary for you to consider. He will now summarize the recommendations we want to bring to your attention.

Thank you for listening – and for acting.

Shirley Wright  
Chair, Forever Tybee

## FT CP Talking Points

- The purpose of the CP is to provide guidance on policy to adapt to future challenges. However, as written by the consultant, it is a smorgasbord of ideas without a clear vision for decision making. We suggest specific core values to guide policy - respect, unity and community, civility and kindness, equity and balance, accountability, transparency, and respectful visitors.
- Goal 1 is "Guide development patterns to protect community character and enhance the distinctive nature of Tybee Island." The plan's development recommendations actually erode community character and the "family friendly" environment. We suggest real policies that protect community character.
- Goal 2 is "Nurture a diverse, vibrant and innovative business community." However, the CP includes no elements to diversify the economy. Instead, it emphasizes expanding tourism throughout the year. We recommend true diversification of businesses that support quality of life.
- Goal 3 is "Invest in sustainable practices and policies to protect the Island's natural and historic features, and improve quality of life." The CP does not include specific protections, such as water conservation and expansion of waste water treatment. We recommend strict adherence to the Carrying Capacity Study and updating it. Citizens pick up trash on the beach each week. But some developers and STVR managers pack in as many people as possible, which increases trash. Ignoring the Carrying Capacity Study and allowing oversaturated development and STVRs is not sustainable.
- Goal 4 is "Foster a livable and vibrant community in which people are proud to live, visit and do business." There are no specific elements that address the challenges of housing, transportation, and cultural initiatives. Actually, many of the recommendations degrade livability.

- As written, the CP creates conflict between tourism, including STVRs, and permanent residents by ignoring quality of life issues. We recognize the symbiotic relationship between the tourism industry and permanent residents and we support the industry. However, we also believe the oversaturation of STVRs has degraded quality of life and resident population.
  - We recommend several actions to promote livability – make quality of life for residents a priority; engage residents on issues; regulate oversaturation and accountability of STVRs; attract businesses that impact quality of life, and address transportation and housing issues.
  - Quality of life should be the strategy, not a luxury or a by-product.
  - Thank you for considering our recommendations.
- 
- Goal 5 is “Embrace intergovernmental cooperation to create better outcomes for all.” The CP includes no specific actions for partnering with other municipalities, agencies, nonprofits, citizens organizations. We recommend specific partnerships that enhance city operations and quality of life.
  - As written by the consultant, the CP lacks vision, focus, and direction. It includes many buzz-words and a smorgasbord of ideas, but has few specific actions to improve city services and quality of life. It appears to be a document to check-the-block and fulfill the State’s requirement. Our analysis and recommendations provide clarity and focus for city policy to improve city operations, the economy, and quality of life. We ask the council to consider our recommendations.

**File Attachments for Item:**

6. Michael Pappas, Tybee Island Ethics Commission

Ethics Commission  
City of Tybee Island  
March 27, 2021  
25 ju.

Jay Burke, City Council Councilmen, I believe has violated sections of the Ethics Code at the March 11, 2021 City Council meeting. A movie production representative was giving a progress report in an open council meeting when Mr. Burke stated that closing of the beaches would cause his family business great financial distress, as they rent beach equipment. The movie representative offered to meet with him, but was instructed to meet with his sister who ran the business. Burke continued to emphasize the financial damage in his tirade referencing to a month or more of damages. He refused to stop his participation in the meeting and recuse himself from the discussion of the issue. He continued to emphasize his interest in seeing the financial remuneration for his family business to be substantial.

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## Code of Ethics, Chapter 23

### Section 23-2 Acceptance of Gifts

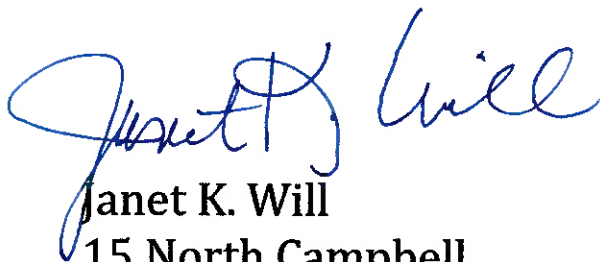
Solicited money from a movie production official  
doing business with City of Tybee

### Section 23-3 Intent

Used public office for private gain  
Affected adversely the confidence of the public in  
the integrity of the government

### Section 23-7 Coercion by City Official

Used his position to coerce a business to provide  
financial benefit to him and his immediate family



Janet K. Will  
15 North Campbell  
PO Box 272  
Tybee Island, GA 31328  
770-487-9491  
geiret@bellsouth.net



Janet R LeViner  
NOTARY PUBLIC  
Chatham County, GEORGIA  
My Commission Expires 10/15/2024

## Michelle Owens

---

**From:** Michael Pappas  
**Sent:** Thursday, July 29, 2021 10:48 AM  
**To:** Janetpeach Will; Jay Burke; Tmahoney@Tmahoneylaw.com; Edward Hughes  
**Cc:** CBarrow@GM-LLP.com; Mark Reed; Ben Goggins; James McNaughton; Marie Rodriguez; Nancy Frankenhauser; Trey Conners; John Branigin; Barry Brown; Spec Host; Monty Parks; Nancy DeVetter; Michelle Owens; Jan LeViner  
**Subject:** Findings of Tybee Island Ethics Commission on Will vs. Burke

Findings of the Tybee Island Ethics Commission hearing of 7-28-2021

Will vs. Burke:

To Ms. Jan Will, Complainant:  
Councilman Jay Burke, Respondent:  
Tom Mahoney III, Attorney:  
Mayor Sessions:  
City Council Members:

Our Findings:

We, The Ethics Commission of Tybee Island, GA, wish to address Councilman Burke's exchange with Ms. Laura Bryant, involving the filming permit matter under consideration by City Council at its March 11 meeting.

While Councilman Burke's dialogue involving the loss to the family business was inadvertent and relatively benign, the Commission finds that it did violate the letter and the spirit of the City's Ethics ordinances.

We advise that Councilman Burke formally apologize, before Council, for his lack of good judgment in his comments to Ms. Bryant before recusing himself from voting on the matter.

Our members voted unanimously in favor of this decision.

Sincerely,

Michael G. Pappas





**MAHONEY COLE & COURSEY<sup>PC</sup>**  
ATTORNEYS AT LAW

April 30, 2021

Michael G. Pappas  
Ethics Commission Chair  
City of Tybee Island  
P.O. Box 2749  
Tybee Island, GA 31328

Re: Janet K. Will Ethics Complaint

Dear Mr. Pappas:

Our firm represents Tybee Councilman Jay Burke. This letter shall serve as his response to the ethics complaint filed by Janet K. Will concerning the approval of a commercial film production request at the March 11, 2021, Tybee City Council meeting. Contrary to the allegations of the complaint, Councilman Burke did not violate the Ethics Code. Councilman Burke did not solicit money. He was not promised money or anything of value. He did not receive any money. He did not use his office for private gain. Councilman Burke raised this concern in an effort to be transparent, and on advice of counsel, he recused himself.

At the March 11, 2021, meeting, Tybee City Council considered and approved a request to allow a commercial film production company to set up and film a commercial movie to be entitled "Devotion" on the beach for a three-week period. In an effort to be transparent, Councilman Burke raised a concern of whether he could vote on the request. Councilman Burke explained that a family member owned business that could be negatively impacted by the closing of the beach. Councilman Burke's father owned a beach equipment rental business that is permitted to operate on the beach six months of the year, and the filming could disrupt one of the six months of operation.

After Councilman Burke explained this potential conflict, City Attorney Edward Hughes advised him not to vote. As he gave this advice, Mr. Hughes stated that the potential conflict was not apparent until Councilman Burke raised it. Councilman Burke followed the City Attorney's advice. He recused himself. He did not vote. He did not discuss the matter further after receiving the City Attorney's advice.

Councilman Burke certainly took no action in exchange for money. He neither solicited nor received any money. He has no ownership interest in the beach rental

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[Signature]

business, and he receives no compensation from the business. His sole connection to the potentially affected business is that a family member owns it.

A presumption arises in this case that Councilman Burke acted in accordance with and not in violation of the Tybee Ethics Code. Section 23-14 of the Tybee Ethics Code provides as follows:

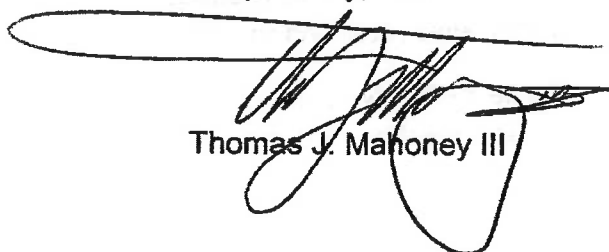
In reference to acts or omissions on which the city attorney has given an opinion, an official acting consistently with the opinion shall be presumed to be acting in accordance with the obligations imposed under the ethics ordinance and not in violation thereof, however the final determination as to whether or not a violation has occurred is to be determined by the ethics commission and/or city council as otherwise provided.

When the City Attorney considered and advised Councilman Burke that he should recuse himself, Councilman Burke did so. Since Councilman Burke acted on advice of counsel there is a presumption under law that he was "acting in accordance with the obligations imposed under the ethics ordinance and not in violation thereof," in accordance with Tybee Ethics Code Section 23-14.

The ethics provisions of Sections 23-8 and 23-14 operated exactly as they were intended. When it became apparent to Councilman Burke that a family member could be affected by the filming, he disclosed the potential conflict. It should be noted that there is no **actual** conflict of interest by Councilman Burke, only a **perceived potential** conflict. The purpose of the pertinent Tybee ethics provisions is not only for an elected official to not be involved in actual conflicts but also *to avoid even the appearance of conflicts*, and this is exactly what occurred.

Councilman Burke did not violate the Ethics Code. He did not solicit money. He was not promised money or anything of value. He did not receive any money. He did not use his office for private gain. In an effort to be transparent, Councilman Burke raised a potential conflict that was not apparent and recused himself on advice on the City Attorney. The allegations do not overcome the presumption that Councilman Burke acted in accordance with and not in violation of the Tybee Ethics Code. Accordingly, we respectfully request the Ethics Commission to dismiss this complaint.

Respectfully,



Thomas J. Mahoney III

TJM/lf



*City of Tybee Island*  
*P.O. Box 2749 – 403 Butler Avenue, Tybee Island, GA 31328*  
*(912) 786-4573 – FAX (912) 786-5737*  
[www.cityoftybee.org](http://www.cityoftybee.org)

April 5, 2021

Hon. Jay Burke  
City of Tybee Island Council  
P.O. Box 2314  
Tybee Island, GA 31328

Dear Councilman Jay Burke:

The Ethics Commission reviewed the enclosed ethics complaint against you at a meeting on April 1, 2021. In that meeting, the Commission determined that the complaint based on its face value met the statutory standards set out in the ordinance to move forward with process.

This Commission request that you respond in writing to the allegations contained in this attached complaint within 30 business days. After your response has been received, the Commission will meet to determine if the charge is valid and qualifies for further action.

If it is determined at the meeting that further action is required, an informal hearing will be scheduled. Both parties will be notified of the date, place and time of the informal hearing. The informal hearing is an opportunity for both parties to present their cases and resolve the issue themselves through guidance from the Ethics Commission. An attorney may represent you at this meeting if you wish. No evidence other than that contained in the complaint with its attachments and your written response with your attachments will be considered at the informal hearing.

If the issues cannot be resolved at the informal hearing, the Commission will proceed to a formal hearing within 45 days of the informal. At the formal hearing additional evidence may be presented for the Commission for consideration.

Enclosed is a copy of the complaint policy and procedure to answer any questions you may have.

If you elect to have legal counsel represent you, you may be responsible for your legal fees and expenses subject to Section 23-46 – Legal fee of the Ethics Ordinance.

Thank you for your cooperation with this process.

Yours truly,

*Michael S. Pappas*  
Ethics Commission Chair

Enclosures: Complaint, Complaint Policy, Complaint Procedure

Ethics Commission  
City of Tybee Island  
March 27, 2021

25 juw.

Jay Burke, City Council Councilmen, I believe has violated sections of the Ethics Code at the March 11, 2021 City Council meeting. A movie production representative was giving a progress report in an open council meeting when Mr. Burke stated that closing of the beaches would cause his family business great financial distress, as they rent beach equipment. The movie representative offered to meet with him, but was instructed to meet with his sister who ran the business. Burke continued to emphasize the financial damage in his tirade referencing to a month or more of damages. He refused to stop his participation in the meeting and recuse himself from the discussion of the issue. He continued to emphasize his interest in seeing the financial remuneration for his family business to be substantial.

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juw

## Code of Ethics, Chapter 23

### Section 23-2 Acceptance of Gifts

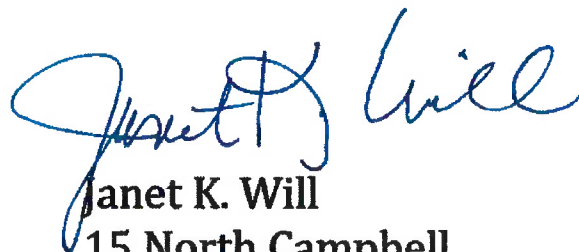
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financial benefit to him and his immediate family



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Janet R LeViner  
NOTARY PUBLIC  
Chatham County, GEORGIA  
My Commission Expires 10/15/2024



## Ethics Commission Minutes

### Meeting April 1, 2021

Members Present: Trey Connors, Nancy Frankenhauser, Ben Goggins, James McNaughton, Michael Pappas, Mark Reed, Marie Rodriguez

Members Absent: None

Ex-Officios Present: Jan LeViner, City Clerk; Michelle Owens, Recording Clerk; Charlie Barrow, Ethics Commission Attorney

#### **Roll:**

Michael Pappas called the meeting to order at 4:00 PM. Members present: Trey Connors, Nancy Frankenhauser, Ben Goggins, James McNaughton, Michael Pappas, Mark Reed, Marie Rodriguez

#### **Approval of Minutes:**

Trey Connors motioned to approve minutes of February 16, 2021. Ben Goggins seconded the motion. Motion passed unanimously. Minutes approved

#### **New Business:**

Attorney Charlie Barrow gave an overview of the state ethics laws for ethics commission members.

The commission reviewed a pending Ethics Complaint received March 25, 2021.

Mark Reed motioned to adjourn to executive session. Ben Goggins seconded the motion. The motion passed unanimously. The commission convened to executive session at 4:16 PM to discuss a pending ethics complaint.

Ben Goggins motioned to end executive session and reconvene the regular meeting. Marie Rodriguez seconded the motion. The motion passed unanimously. The regular meeting reconvened at 4:45 PM

Commission Chair Michael Pappas announced that the complaint would proceed to the next step and that the subject of the complaint would be notified for a response.

#### **No Old Business**

None to discuss

#### **Adjournment:**

Mark Reed motioned to adjourn the meeting. Marie Rodriguez seconded the motion. The motion passed unanimously. Meeting adjourned at 5:00 PM



## **Ethics Commission Minutes Meeting May 27, 2021**

Members Present: Trey Connors, Nancy Frankenhauser, Michael Pappas, Mark Reed, Marie Rodriguez

Members Absent: Ben Goggins, David McNaughton

Ex-Officios Present: Jan LeViner, City Clerk; Michelle Owens, Recording Clerk; Charlie Barrow, Ethics Commission Attorney

### **Roll:**

Chairman Michael Pappas called the meeting to order at 3:00 PM and conducted roll call. Members present: Trey Connors, Nancy Frankenhauser, Michael Pappas, Mark Reed, Marie Rodriguez

### **Approval of Minutes:**

Mark Reed motioned to approve minutes of April 1, 2021. Nancy Frankenhauser seconded the motion. Motion passed unanimously. Minutes approved

### **New Business:**

Chairman Pappas announced that the commission would review the pending ethics complaint and the response letter from Jay Burke.

### **Call for Motion to go into executive session:**

Mark Reed motioned to adjourn to executive session to discuss the pending ethics case. Chairman Pappas seconded the motion. Motion carried. The board adjourned to executive session at 3:03 PM.

Marie Rodriguez made a motion to reconvene the open meeting. Nancy Frankenhauser seconded. Motion carried. Board reconvened open meeting at 3:38 PM.

Chairman Pappas announced that the commission found sufficient cause to move to the next phase and hold an informal hearing.

Mark Reed made a motion to move to the next phase of an informal hearing. Trey Connors seconded the motion. The motion passed unanimously.

Attorney Charlie Barrows explained that both parties have the option to resolve the complaint prior to the informal hearing. otherwise the informal hearing would be scheduled as soon as possible.

### **No Old Business**

None.

### **Adjournment:**

Mark Reed motioned to adjourn the meeting. Marie Rodriguez seconded the motion. The motion passed unanimously. Meeting adjourned at 3:48 PM



## **Ethics Commission Minutes Informal Hearing, July 14, 2021**

Members Present: Trey Connors, Ben Goggins, James McNaughton, Michael Pappas, Mark Reed, Marie Rodriguez

Members Absent: Nancy Frankenhauser

Ex-Officios Present: Michelle Owens, Recording Clerk; Charlie Barrow, Ethics Commission Attorney

City Council Members Present: Barry Brown, Spec Hosti, Monty Parks

### **Roll:**

Chairman Michael Pappas called the meeting to order at 1:00 PM and conducted roll call. Members present: Trey Connors, Ben Goggins, James McNaughton, Michael Pappas, Mark Reed, Marie Rodriguez

### **Approval of Minutes:**

Marie Rodriguez motioned to approve the minutes from May 27, 2021. Ben Goggins seconded the motion. Motion passed unanimously. Minutes approved

### **New Business:**

Chairman Pappas announced that the ethics commission meeting served as an informal hearing during which both parties to the ethics complaint would have 10 minutes to make comments.

### **Informal Hearing:**

#### Statement by Jan Will

Jan Will read a statement summarizing her complaint against city council member Jay Burke. Ms. Will stated that Councilman Burke violated sections of the city ethics code at the March 11, 2021 council meeting. She stated that a movie production representative was giving a progress report in an open council meeting Mr. Burke remarked that closing the beaches would cause great financial distress for his family's beach equipment rental business. Ms. Will further stated that the movie production representative offered to meet with Mr. Burke and was instructed to meet with his sister. Mr. Burke refused to leave the meeting or recuse himself. Ms. Will stated She stated Mr. Burke's actions violated the Code of Ethics Section 23-2: Acceptance of Gifts; Section 23-3: Intent; and Section 23-7: Coercion by a City Official.

#### Statement by Jay Burke

Mr. Burke's attorney Tom Mahoney announced he would speak on behalf of Mr. Burke. Mr. Mahoney said from his review of the case, it was apparent this case is the result of a misunderstanding. He stated Mr. Burke did not violate the ethics code, did not solicit or receive money, didn't use his office for public gain or coerce anyone. He stated Mr. Burke raised a potential conflict and recused himself from the vote and any further discussion on the advice of the city attorney. Mr. Burke acted in accordance with the ethics code and not in violation, he stated. Mr. Mahoney further stated the movie production representative told council she had been





in touch with businesses and residents about the production, yet Mr. Burke believed that was not true because his family business had not been contacted. His concern was for all the businesses impacted by closing the beach, and not just his family business, Mr. Mahoney stated. Mr. Burke was also the first to raise the question of whether he could vote on the issue, after which the city attorney recommended recusal. Mr. Burke recused himself and did not vote. Therefore, The Code of Ethics Section 23-14 raises a presumption in favor of Mr. Burke that he was in compliance, Mr. Mahoney stated.

Mr. Burke acknowledges that he did misspeak, which led to a misunderstanding, he said. Mr. Burke did not mean to say that his family business was being impacted. He was speaking to all residents and businesses being impacted, Mr. Mahoney stated. He also stated that Mr. Burke was not notified of the previous ethics commission meeting but would have attended had he known.

Mr. Pappas announced that each party would have the opportunity to question the other.

Ms. Will asked Mr. Burke if he attended a workshop shortly after the council meeting in question and whether he arrived on time and found it beneficial.

Mr. Burke stated he arrived 10 minutes late but stayed for the rest of the meeting. Ms. Will responded she thought he was 30 minutes late. Ms. Will stated she did not have any more questions.

Mr. Mahoney asked Ms. Will if she acknowledged that Mr. Burke recused himself from the March 11 meeting.

Ms. Will acknowledged that Mr. Burke did recuse himself.

Mr. Mahoney asked Ms. Will whether she knew if Mr. Burke had received any payments. Ms. Will responded that she is only aware of what occurred on the meeting recording.

Mr. Mahoney had no further questions.

Ms. Will had no further questions but asked to make another statement. Mr. Pappas consented to the statement.

Mr. Mahoney questioned if the statement contained new evidence not in the original complaint and stated that he thought the informal hearing was an opportunity to resolve the complaint.

Ethics Commission Attorney Charlie Barrow stated that the goal of the informal hearing was to find middle ground, but that had not happened yet. Mr. Barrow said it was permissible for both parties to make additional statements as long as it was not new evidence.

Ms. Will stated that there was an “egregious violation” the city’s ethics code at the March 11 city council meeting and that the public’s trust had been damaged. She stated that city council and the ethics commission should follow their rules to ensure the “very highest standards of ethical conduct” for Tybee Island. Ms. Will said she expected censure, public reprimand, an apology to the citizens and affirmation that it will not happen again.



Mr. Pappas advised Ms. Will that the ethics commission could only determine if a violation occurred and that only city council could issue consequences.

Mr. Mahoney responded to Ms. Will's statement. He stated the situation was a misunderstanding and not an "egregious violation."

Mr. Pappas opened the floor to comments from the Ethics Commission members.

Trey Connors asked Mr. Burke if he felt his comments swayed the vote of other council members. Mr. Burke responded that he did not.

Ben Goggins asked Mr. Burke if he emerged from the city's recent ethics training with a different sense of how he would have brought up the topic at the March 11 meeting. Mr. Burke responded that he learned he should not have mentioned his family business, but that he was concerned about miscommunications. Mr. Burke stated he realized he should have addressed his concerns through the city manager and city attorney.

Mr. Goggins asked Mr. Burke if he felt he should apologize publicly and face censure. Mr. Mahoney answered on Mr. Burke's behalf, saying Mr. Burke would apologize and that he wanted to resolve the matter at the informal hearing.

Mr. Connors asked Mr. Burke if he spoke to the movie production representative after the meeting in person or electronically. Mr. Burke responded that he had not.

Marie Rodriguez asked Ms. Will if she would be willing to accept an apology from Mr. Burke.

Ms. Will stated that it was not a personal issue. She stated she wanted the city council and the ethics commission to ensure the highest ethical standards for Tybee Island. She restated that she wanted censure, public reprimand, an apology to the citizens and affirmation that it would not happen again.

Mr. Pappas asked Ms. Will who she wanted to issue the censure and public reprimand. Ms. Will replied city council and ethics commission. Mr. Pappas reminded her that only city council and not the ethics commission, has authority to take those actions. Mr. Barrow informed her that only city council could do so by ordinance.

Mr. Barrow asked Ms. Will if she was willing to accept Mr. Burke's apology on behalf of herself and the citizens of Tybee and not proceed further.

Ms. Will stated that the apology should be at a televised city council meeting and not at the hearing with a few people viewing.

Mr. Barrow asked Ms. Will if she would be satisfied resolving the case at the informal hearing if Mr. Burke agreed to apologize publicly at a city council meeting. Mr. Barrow stated the informal hearing was an opportunity to resolve the grievance without the ethics commission making a decision.



Ms. Will stated she wanted the commission to make the decision.

Mr. Barrow clarified again that city council, not the ethics commission, would not make a decision on a censure or reprimand.

Mr. Goggins asked Mr. Burke if he would be willing to apologize to the citizens publicly at a city council meeting, including sharing what he has learned and assuring it would not happen again.

Mr. Mahoney stated that Mr. Burke would apologize if it would resolve the case at the informal hearing.

Ms. Will stated she wanted the ethics commission and city council to make the decision on the outcome.

Ms. Rodriguez clarified that ethics commission could not determine the outcome and could only decide if a violation occurred and forward the case to city council for action.

Mr. Barrow stated that once the case goes to city council there is no guaranteed outcome. The council could decide to do nothing or it could censure and reprimand, he said.

Mr. Barrow asked if there was new evidence either side would produce if the matter proceeded to a formal hearing. Mr. Mahoney said he would present new evidence.

**Call for Motion to go into executive session:**

Mark Reed motioned to adjourn to executive session to discuss the pending ethics case. Chairman Pappas seconded the motion. Motion carried unanimously. The board adjourned to executive session at 1:33 PM.

Marie Rodriguez made a motion to reconvene the open meeting. Ben Goggins seconded. Motion carried. Board reconvened open meeting at 1:54 PM.

**Reconvening of Regular Meeting**

Mark Reed motioned to proceed with a formal hearing with new evidence presented. Trey Conners seconded the motion. The motion carried unanimously.

Mr. Pappas stated the formal hearing would be scheduled around the week of July 26.

**Old Business**

None.

**Adjournment:**

Mark Reed motioned to adjourn the meeting. Ben Goggins seconded the motion. The motion passed unanimously. Meeting adjourned at 1:58 PM

**Jan LeViner**

---

**From:** Michael Pappas  
**Sent:** Thursday, July 29, 2021 10:48 AM  
**To:** Janetpeach Will; Jay Burke; Tmahoney@Tmahoneylaw.com; Edward Hughes  
**Cc:** CBarrow@GM-LLP.com; Mark Reed; Ben Goggins; James McNaughton; Marie Rodriguez; Nancy Frankenhauser; Trey Conners; John Branigin; Barry Brown; Spec Hosti; Monty Parks; Nancy DeVetter; Michelle Owens; Jan LeViner  
**Subject:** Findings of Tybee Island Ethics Commission on Will vs. Burke

Findings of the Tybee Island Ethics Commission hearing of 7-28-2021

Will vs. Burke:

To Ms. Jan Will, Complainant:  
Councilman Jay Burke, Respondent:  
Tom Mahoney III, Attorney:  
Mayor Sessions:  
City Council Members:

Our Findings:

We, The Ethics Commission of Tybee Island, GA, wish to address Councilman Burke's exchange with Ms. Laura Bryant, involving the filming permit matter under consideration by City Council at its March 11 meeting.

While Councilman Burke's dialogue involving the loss to the family business was inadvertent and relatively benign, the Commission finds that it did violate the letter and the spirit of the City's Ethics ordinances.

We advise that Councilman Burke formally apologize, before Council, for his lack of good judgment in his comments to Ms. Bryant before recusing himself from voting on the matter.

Our members voted unanimously in favor of this decision.

Sincerely,

Michael G. Pappas

Chairman, Tybee Island Ethics Commission

**File Attachments for Item:**

7. Kate Burns: Dogs on the Beach

**MAYOR**  
Shirley Sessions

**CITY COUNCIL**  
Barry Brown, Mayor pro tem  
John Branigin  
Jay Burke  
Nancy DeVetter  
Spec Hosti  
Monty Parks



**CITY OF TYBEE ISLAND**

**CITY MANAGER**  
Shawn Gillen

**CLERK OF COUNCIL**  
Jan LeViner

**CITY ATTORNEY**  
Edward M. Hughes

**City Council Agenda Item Request**

**Agenda Item Requests must be submitted to the Clerk of Council by 4:00PM on the Thursday prior to the scheduled Council meeting. If this form is received after the deadline, the item will be listed on the next scheduled agenda. There is a three (3) minute limit for all visitors.**

Council Meeting Date for Request:

Item:

Explanation:

- Presentation on Dogs on the Beach Proposal - K. Burns  
- Presentation of survey results - Dogs on Tybee K. Williams  
Budget Line Item Number (if applicable):

Paper Work:

Attached\*

Already Distributed

☒ To Be Handed Out at Council Meeting (by Requester)

☒ Audio/Video Presentation\*\*

\* Thirteen copies for packets must be provided with request.

\*\* Audio/video presentation must be submitted to the IT department at City Hall by 4:00PM on the Thursday prior to the meeting.

**NOTE: Request will be postponed if necessary information is not provided.**

Submitted by:

Phone / Email:

Comments:

Kate Burns 646-469-5959

k.burns@cityoftybee.org

Date given to Clerk of Council

July 26, 2021

P.O. Box 2749 - 403 Butler Avenue, Tybee Island, Georgia 31328-2749  
(866) 786-4573 - FAX (866) 786-5737  
www.cityoftybee.org

## Summary Dogs on Beach Survey

### Executive Summary

At the request of some members of the Tybee Island City Council, we conducted a survey to determine the preferences of public support for a proposal on allowing dogs on the beaches.

### Method

The survey was published on social media involving a convenience sample of volunteer respondents. Anyone with the link could complete the survey. The Survey consisted of six questions: (1) Are you a resident of Tybee FULL TIME? (2) Do you vote on Tybee? (3) Do you own property but do not reside full time? (4) After reviewing the draft proposal for allowing dogs on the beach on Tybee, are you: For or Against? (5) what is your full name? (6) what is your address? Analysis included descriptive statistics.

### Limitations of the Survey

The convenience sample of volunteer respondents does not provide an accurate representation of the preferences of the entire Tybee Island population. A small sample size also hinders generalizability. There were a total of 607 responses. Accounting for duplications and verification of residence status resulted in a data set of 295 for full-time residents and a data set of 294 for non-residents.

### Results

Of the 295 verified full-time residents, 163 (55%) stated they were *For* the proposal and 132 (45%) stated they were *Against* the proposal. The difference in percentages are not statistically significant given a margin of error of 5.4% at a 95% confidence level due to the small sample size. In other words, the responses *For* and *Against* are virtually 50-50.

The positions of verified Tybee voters was 130 (51%) *Against* and 100 (49%) *For*. Nonresident non-Tybee voters support the proposal by 259 to 31.

Of the 96 who identified themselves as property owners, 43 stated *For* the proposal and 53 stated *Against* the proposal. Of the 198 who identified themselves as non-property owners, 119 stated *For* the proposal and 79 *Against* the proposal.

### Summary

Although the survey results for Tybee residents indicate 55% *For* and 45% *Against*, the margin of error indicates a virtual 50-50 tie. Verified voters and self-identified Tybee voters also present a virtual tie. A majority of full-time resident property owners are *Against* the proposal, while a majority of full-time resident non-property owners are *For* the proposal. Those who live outside Tybee Island, both property and non-property owners and non-Tybee voters support the proposal.



## Introduction

At the request of some members of the Tybee Island City Council, we conducted a survey to determine public support for a proposal on allowing dogs on the beaches. The survey was conducted between May 30, 2021 and June 30, 2021. The survey requested respondents to indicate their position, either “For” or “Against” a proposal that includes the following items:

- P**ilot: One season pilot. Closely monitored
- R**estricted area: mid beach from 14th to Gullick
- O**ff-season only 1 November through 31 March
- D**ogs on leash only
- O**wners **must** BYOBags: Owners may be checked for having a bag to collect waste or may be issued a citation
- G**roup of Tybee residents dedicated to encouraging owners to follow the Dog Beach Rules.
- S**ignage on rules with mass media blitz

## Method

The data was collected online through a Google form. The survey was publicized through various social media outlets. Respondents entered the survey URL into their browser for access, which was unrestricted. Anyone with the link could complete the survey. The Survey consisted of six questions: (1) Are you a resident of Tybee FULL TIME? (2) Do you vote on Tybee? (3) Do you own property but do not reside full time? (4) After reviewing the draft proposal for allowing dogs on the beach on Tybee, are you: For or Against? (5) what is your full name? (6) what is your address? Analysis of the data set included descriptive statistics of the questions and positions on the proposal, either “For” or “Against”. Residential status was confirmed through voter registration records and comparisons of addresses, family names, and email addresses. Each question was evaluated separately.

## Limitations of the Survey

### Sample Size

There were a total of 607 responses to the survey, including 311 self-identified as full-time Tybee residents, 294 non-residents, two identified as full-time residents but provided a non-Tybee Island address and were removed from the data set for the analysis of Question 1, *Are you a resident of Tybee FULL TIME?* Fourteen respondents were confirmed as Tybee Island residents due to an association with a registered voter. Of the 311, six respondents reside outside the Tybee Island voting district (Spanish Hammock) but were included due to having a Tybee Island address. Sixteen duplications were removed. These eliminations resulted in a data set of 295 for full-time residents and a data set of 294 for non-residents.

### Generalizability

The results of the survey cannot be generalized to the Tybee Island population at large. This is to say the results do not represent an accurate description of the positions of all Tybee Island residents combined. It can only be said the survey results represent only those who responded. Responses are influenced by people of one position being more motivated to complete the survey, the methods of publicizing the survey, and the likelihood of people one position having more access to the publication methods than those of another position. Additionally, self-reported surveys are notably unreliable research methods since people often provide inaccurate information. Since the survey was voluntary, survey validity requires at least half of the population to respond.

### Property Ownership

Question 3 asked, *Do you own property but do not reside full time?* This question focuses on property ownership in general, either a residence and/or rental property. A City Council member requested the survey include the determination of support for the proposal based upon short-term vacation rental (STVR) property owners. Analysis of the survey data is unable to provide accurate results for this request due to the ambiguousness of the question. Additionally, Question 3 conflicts with Question 1 by asking those who previously stated they are full-time residents to identify whether or not they own property. This is confusing since the second half of Question 3 specifies “do not reside full-time”. Therefore, the intent of the respondent is unclear. If the respondent has already identified as a full-time resident, is the intent “Yes, I own property but do not participate in STVR”, “Yes, I own STVR property”, “Yes, I do not reside full-time”, “No, I am a renter of my full-time residence”, “No, I do not own property on Tybee Island,” or “No, I do not have STVR property”. This ambiguity makes a determination impossible and the results invalid for identifying the position of STVR owners. However, Question 3 is valid for identifying the positions of resident and non-resident property and non-property owners. Therefore, a limitation of the survey is the inability of Question 3 to determine accurate data from both resident and non-resident populations regarding STVR.

## Results

### Full Time Residents

Of the 295 verified full-time residents, 163 stated they were *For* the proposal and 132 stated they were *Against* the proposal as shown in Table 1. These numbers indicate 55% *For* the proposal and 45% *Against* the proposal as shown in Figure 1. These percentages are not far apart given a margin of error of 5.4% at a 95% confidence level due to the small sample size.

Table 1. Position of Verified Full-time Residents

<b>For</b>	<b>163</b>
<b>Against</b>	<b>132</b>

*n* = 295

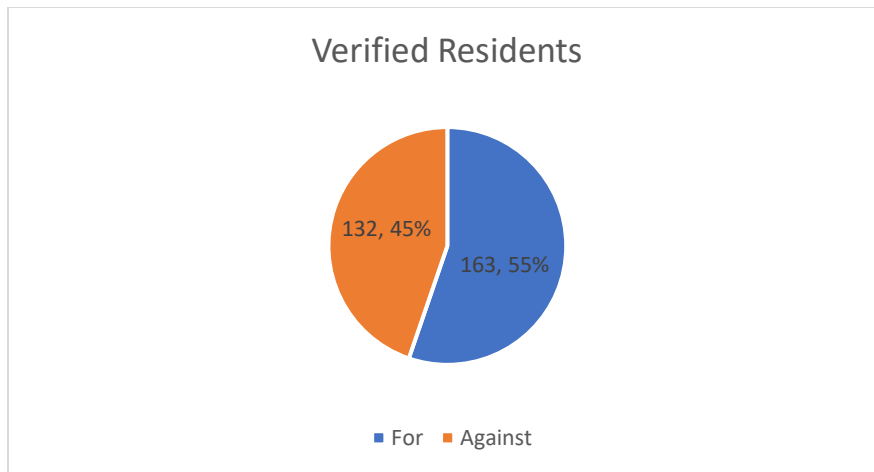


Figure 1. Position of Verified Full-time Residents

### Voters on Tybee Island

Question 2 asked voters to state their voting status. There was a significant discrepancy between the numbers of self-identified and verified Tybee Island voters. Table 2 shows 263 full-time residents self-identified as Tybee Island voters, 45 full-time residents identified as non-Tybee voters, four non-residents identified as Tybee voters, and 290 as non-Tybee voters. However, checking against the voter registration record from September 2021, actual Tybee Island voters were 203.

Table 2. Self-identified Tybee Island Voters

	Tybee Voter	Not Tybee Voter
Full-time Resident	263	34
Non-resident	4	290

*n* = 591

The positions of *self-identified* Tybee Island voters were 143 or 54% (including 139 resident and 4 nonresident voters) *For* and 124 or 46% *Against* (See Figure 2.) However, the positions of verified Tybee voters was 130 (51%) *Against* and 100 (49%) *For* (See Figure 3.). Nonresident non-Tybee voters support the proposal by 259 to 31. Full-time resident non-Tybee voters support the proposal by 26 to 8.

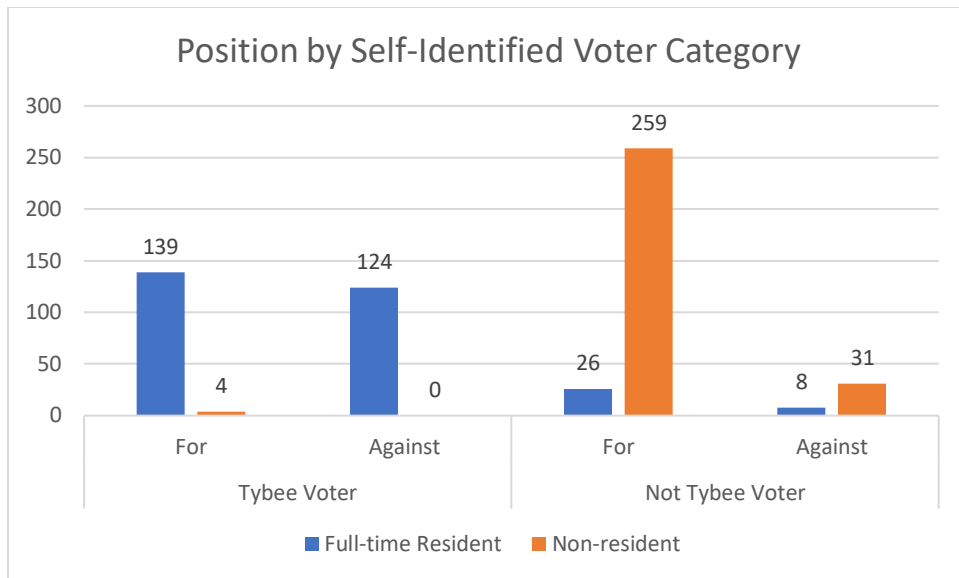


Figure 2. Positions of Self-identified Tybee Island Voters

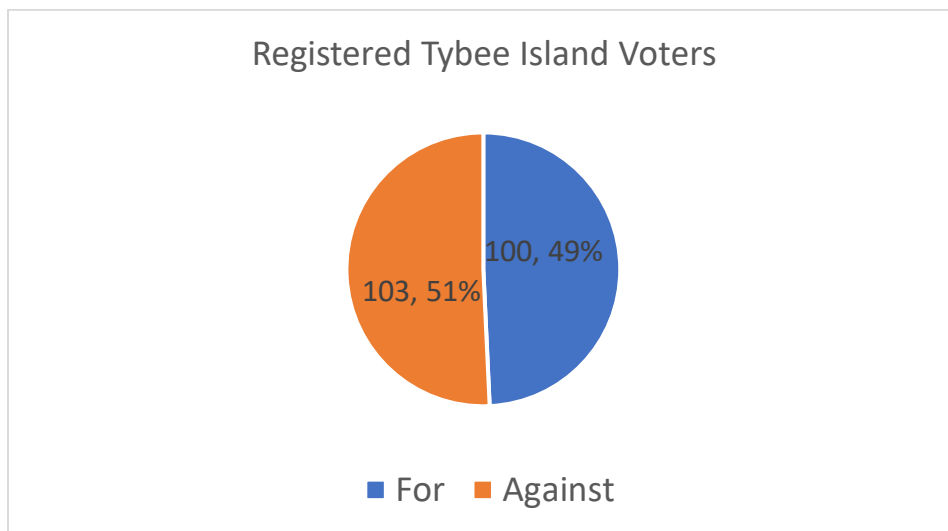


Figure 3. Registered Tybee Island Voters

### Property Ownership

Of the 294 verified full-time residents, 96 (33%) stated they owned property and 198 (67%) stated they did not own property. See Figure 4 below. As discussed above, Question 3 on property ownership is ambiguous and confusing by using the general term *property* and not specifying specific term *STVR property*. Therefore, the results of this section are only valid for determining the positions of property owners in general without specific qualification and not specifically for STVR property.

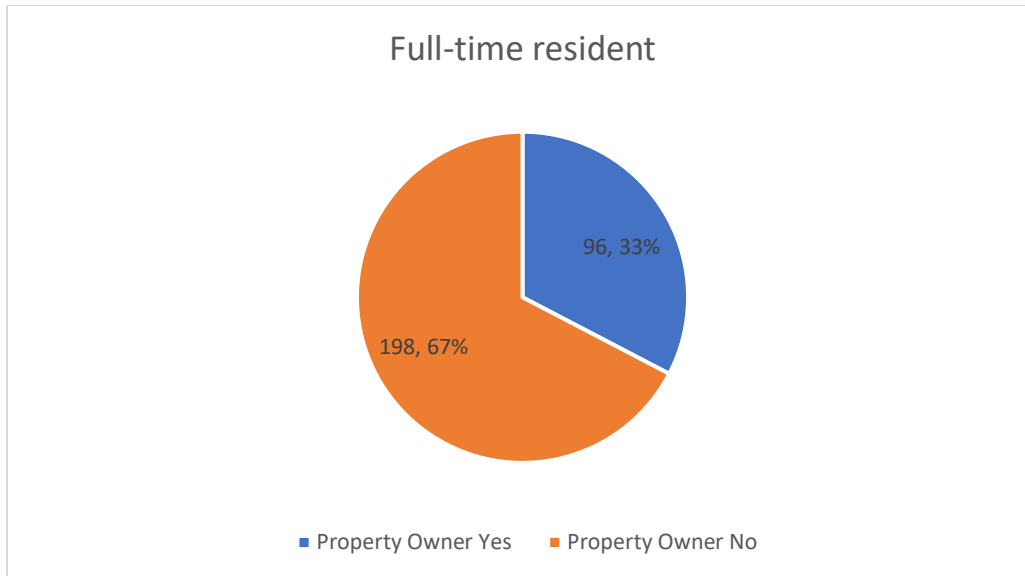


Figure 4. Property Ownership of Full-time Residents

(NOTE: One respondent submitted two surveys. One identified as a property owner; the second identified as a non-property owner. Both were eliminated from the data set resulting in a total of 294.

Of the 96 who identified themselves as property owners, 43 stated *For* the proposal and 53 stated *Against* the proposal. Of the 198 who identified themselves as non-property owners, 119 stated *For* the proposal and 79 *Against* the proposal. See Figure 5. It is necessary to reiterate that Question 3 is unclear and these results are only valid for determining the positions of property owners and non-property owners in general without specifying the type of property owned, whether residential rental, and/or STVR.

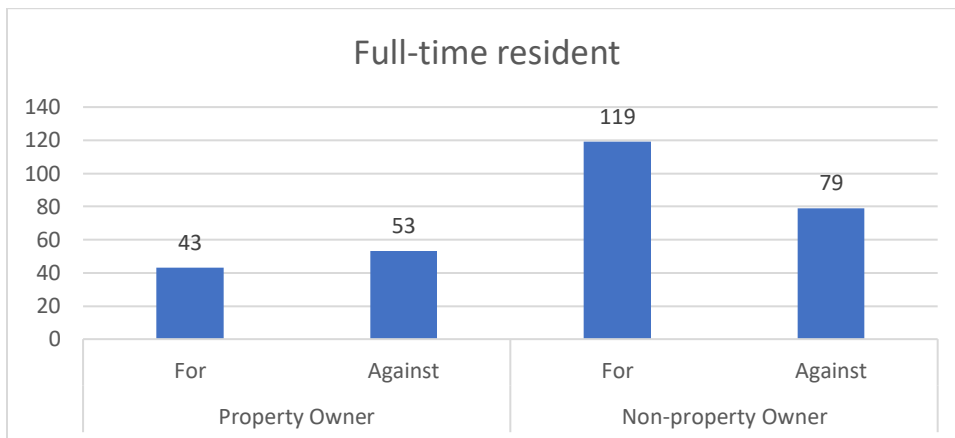


Figure 5. Positions of Property and Non-property Owners (n = 294)

Of the 296 identified as non-full-time residents, 72 stated as property owners and 224 stated as non-property owners. Of the 72 non-resident property owners, 58 were *For* and 14 were *Against* the proposal. Of the 224 non-resident non-property owners, 207 were *For* and 17 were *Against* the proposal.

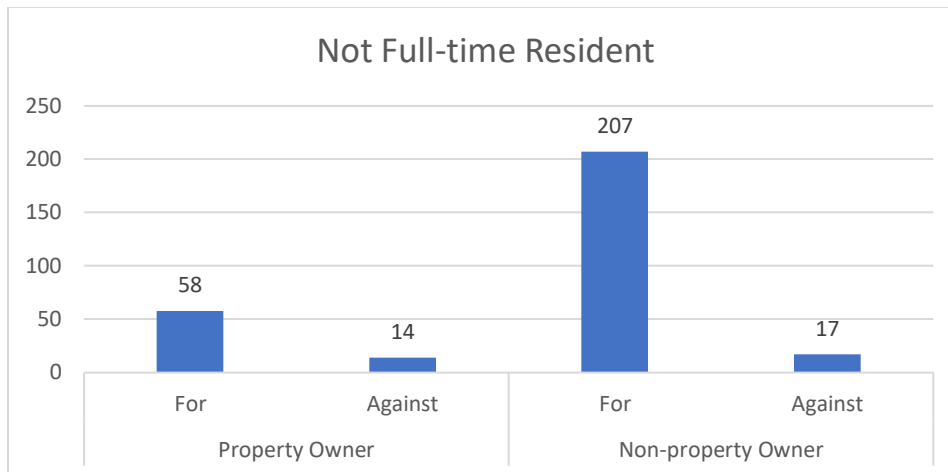


Figure 6. Positions of Non-resident Property and Non-property Owners (n=296)

## Discussion

The results of the position of full-time residents on the proposal indicate mixed conclusions. Although the results show residents favor the proposal by a margin of 55% to 45%, it should not be concluded these percentages represent the positions of the entire population. If the data set was a random sample, the percentages could be close to 50/50, due to the margin of error (5.4% at a 95% confidence level). However, since the data set was not a random sample, the percentages cannot be considered conclusive. When there is such a clear division of public position, city officials should practice caution when establishing public policy based on survey results.

The positions of verified Tybee Island voters is close to a 50-50 split. Although the voter registration used to verify voters was from September 2021, it is unlikely 75 additional people registered to vote on Tybee Island since then. The results of self-identified voters is considered invalid, due to misreporting of voter status. Even so, among those who self-identified as Tybee Island voters, there was a slight, but statistically insignificant edge toward support for the proposal, indicating a virtual tie. Also, among non-Tybee voters, there was clear support for the proposal.

The results of the positions of residents and non-residents based on property ownership is mixed. The results indicate a majority (55%) of full-time resident property owners are *Against* the proposal (53 to 43) and a majority of full-time resident non-property owners are *For* the proposal (119 to 79). There is no way to determine their intent in answering the question – either property ownership in general or STVR ownership specifically. Regarding non-resident positions, both property and non-property owners overwhelmingly support the proposal. The real question is whether non-residents, either owners of residences and/or STVR, should influence public law and policy for the City of Tybee Island. To do so would demonstrate bias

toward non-residents – property owners, STVR owners, and non-property owners – and against full-time residents, whether or not they are property/STVR owners.

## Summary

The results of the survey indicate a somewhat 50-50 divide on the proposition. Although the percentages of full-time residents slightly favor the proposition, the margin of error indicates a virtual tie. Verified voters and self-identified Tybee voters also present a virtual tie. The question of property ownership indicates a majority of full-time resident property owners are *Against* the proposal, while a majority of full-time resident non-property owners are *For* the proposal. Those who live outside Tybee Island, both property and non-property owners and non-Tybee voters support the proposal. If the City Council desires more definitive results regarding STVR, the survey should be repeated with a revision of Question Three to focus specifically on STVR. Also, additional research should be done to assess potential impact to the community. For instance; research could involve several coastal communities to include Tybee Island, Hilton Head Island, St. Simon's Island, and Myrtle Beach area. Analysis would involve population density based on residential population, annual visitors, square mileage of the community, and length of the beaches.

## Disclosure

The analyst of this survey, Kenneth Williams, PhD, received no pay and does not benefit from this analysis in any way, shape, or form. He made every effort to present unbiased analysis.

Submitted to Tybee Island City Council by:

Kate Burns

kburns@cityoftybee.org  
646-469-5959

*Kenneth R. Williams*

Kenneth Williams  
P.O. Box 2077  
Tybee Island, GA 31328  
[ken.williamsphd@gmail.com](mailto:ken.williamsphd@gmail.com)  
479-366-8598

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# Dogs on Tybee Beach Off-Season

## Proposal for Consideration

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### Introduction

Tybee residents who own dogs want to be able to take their dogs on the beach. A proposal was developed by a group of residents to allow dogs safely on a designated area of the beach. The proposal was based on research from other coastal communities and discussions with key actors on Tybee and in Georgia. Community discussions were held to solicit Tybee resident inputs. An online survey For or Against the PRO DOGS proposal was conducted.

Three principles guided the development of this proposal. It would

1. Respect the need for protecting wildlife, the beach and its environs.
2. Acknowledge that residents would be able to enjoy the beach with their dogs.
3. Be administratively-lite, e.g., not adding additional heavy burden on the City.

THE ASK: The Tybee City Council is asked to allow a one-season pilot project for on-leash dogs from November - March in a designated area mid beach. Local university professors have indicated interest in assessing the impact of the proposal. A report would be submitted to Council at the end of the season. Current ordinances would need to be temporarily changed to allow dogs for this pilot.

### Main points - PRO DOGS

**Pilot:** A one-season pilot would be monitored regarding dog owners following beach rules.

**Restricted area:** Mid beach from 14th to Gullick was chosen to be away from potential bird nesting areas, far from residents' homes and allow access to residents living in the north and south part of the island

**Off-season:** 1 November - 31 March was chosen as these months are outside of turtle and bird nesting/migration season.

**Dogs on leash only:** Dog would be under the control of owners on leash. As such the owners would be more alert to collecting dog waste and keeping dogs away from the dunes and from interfering with any shore birds.

**Owners must BYOBags:** Owners may be checked for having a bag to collect waste or may be issued a citation

**Group of Tybee residents dedicated to encouraging owners to follow the Dog Beach Rules.**

**Signage on rules with mass media blitz:** Information campaigns and launch events would stress the need for dog owners to follow rules.



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## Results of the Survey

The analysis of the data was conducted by an independent expert. A total of 607 people took the survey of which 295 were full time residents. Although the survey was meant for Tybee residents/voters/property owners only, many visitors from Savannah, Atlanta and beyond took the survey most of whom were FOR the PRO DOGS proposal. The full report was submitted to City Council. The survey was online for six weeks. Below is a summary.

### Full Time Residents

Of the 295 verified full-time residence, 163 stated they were For the proposal and 132 stated they were Against the proposal as shown in Table 1. These numbers indicate 55% For the proposal and 45% Against. t

Table 1. Position of Verified Full-time Residents

<b>For</b>	<b>163</b>	<b>55%</b>
<b>Against</b>	<b>132</b>	<b>45%</b>

### Voters on Tybee Island

Question 2 asked voters to state voting status. There was a significant discrepancy between the numbers of self-identified and verified Tybee Island voters. However, checking against the voter registration record from September 2021, actual Tybee Island voters were 203.

The positions of self-identified voters were 146 (53%) For and 130 (47%) Against. However, the positions of verified Tybee voters was 130 (51%) Against and 100 For(49%).

### Summary

The results of the survey indicate a somewhat 50-50 divide on the PRO DOGS proposal. Although the percentages of full-time residents slightly favor the proposition, the margin of error indicates a virtual tie. Verified voters also presents a virtual tie. Question 3 on non-full time property ownership is ambiguous and confusing by using the general term property and not specifying specific term STVR property. Therefore the intention to see if STVR owners were For or Against the proposal could not be determined.

The results of the survey cannot be generalized to the Tybee Island population at large.

Anecdotally, some Tybee residents were unwilling to take the survey online because it required 'too much personal data'. In order to verify if a respondent was indeed a Tybee resident or voter, it was necessary to have this information.

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## Frequently Asked Questions - FAQs

1. Will dogs on the beach affect turtles?  
NO! The turtle season is from May 1 to the end of October. The draft proposal to allow dogs on the beach runs from 1 November through 31 March.
2. Will allowing dogs on the beach affect bird nesting?  
NO! Birds nesting season is from April through August. Additionally, since dogs will be on leash they will not disturb shorebirds as they are under owner control.
3. Why was the mid front beach selected?  
Mid island was selected as it has large high defined dune fields and birds do not nest there. The stretch of beach from 14th Street to Gullick (south end of the North Parking Lot) allows residents to park at the north or south parking lots. This area is far from Tybee resident homes due to the long crosswalks and extensive dune fields.
4. Why are dogs allowed only on leash?  
Dogs are allowed only on leash to ensure safety of other dogs and humans. Being on a leash, owners are more likely to collect and dispose of dog waste.
5. How will the proposed plan ensure owners pick up dog waste?  
The plan is to have all dog owners be in possession of dog waste bags at all times. It is BYOBags. A dog owner must be able to show to a code enforcement officer that he/she has dog waste collection/bag/container at all times. If they do not, the code enforcement officers may issue a citation. The City of Tybee will not be responsible for providing waste bags or specially marked waste cans. Waste bags should be deposited in landfill receptacles.

### Responsibility of Dog Owners

Owners must be present at all times and ensure their dog is non-aggressive and under voice control. Dogs on leash only.

Owners must have bags on them at all times to collect dog feces and dispose of it off beach in marked trash containers. Tybee will not supply bags. BYOBags.

### Responsibility of the City of Tybee

COTI would announce the new regulations on allowing dogs on the beach on their various websites. The current ordinance would need to be temporarily changed.

COTI would post signage near the designated area on the beach which permits dogs indicating rules and penalties for non-compliance.

Code Enforcement Officers would check compliance of BYOBags and issue tickets.

## People contacted during the development phase

Name	Location	Affiliation
Jesse Petrea	Atlanta	GA State Representative
Mark Dodd	Brunswick	DNR Contacted - no response
Tim Keyes	Brunswick	DNR Wildlife Biologist
Alice Keyes	Brunswick	One Hundred Miles (OHM)
Abby Sterling	Brunswick	Shorebird Biologist with Manomet and OHM
Jill Gambill	Georgia Sea Grant	Possible support with intern/students for monitoring the pilot
Lisa Legee	Georgia Southern	Possible support with intern/students for monitoring the pilot
Ben Carswell	Jekyll Island	Director of Conservation field visit undertaken
Dr. Harper	Savannah	Director of Animal Control for Chatham County
Diana Churchill	Spanish Hammock	Bird expert
Jack Franklin	St Simons	Park Maintenance Manager field visit undertaken
Monty Parks	Tybee	Council Member
Spec Hosti	Tybee	Council Member
John Branigan	Tybee	Council Member
Deb Barreiro	Tybee	DNR
Kathryn Williams	Tybee	Former Council Member
Jeannie Hutton	Tybee	Former Council Member
Alan Robertson	Tybee	Project Manager
Kim Fickes	Tybee	RV Park Officer Supervisor
Tammy Smith	Tybee	Turtle Project Manager (Contacted - No response)
Shawn Gillen	Tybee	City Manager
Nancy DeVetter	Tybee	Council Member
Shirley Sessions	Tybee	Mayor

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## Other Available Documents

1. Full report on the analysis of the Dogs on Tybee Survey by K. Williams PHD.
2. An email from D. Stuart Morelli, Deputy Legislative Counsel, Georgia General Assembly fulfilling a request from Rep. J. Petrea “to the extent that Tybee Island would be addressing dogs on public beaches, that is beaches owned or operated by the Town, there probably isn’t really much of an issue. A local government has the home rule authority to determine how its property is to be used, and to regulate, in a nondiscriminatory manner, the public’s use of such property that is open to the public.”
3. Correspondence from professors at UGA and Georgia Southern demonstrating interest in assisting in monitoring the “success” of the pilot project.
4. Correspondence from DNR Tybee and Brunswick stating in essence that it is up to the Tybee City Council to make the determination if dogs can be allowed on the beach. DNR stated that they have no jurisdiction on this issue.
5. A letter from Abby Sterling MANOMET/OHM providing data on when and where birds nest and migrate on Tybee.
6. A list of 15 beaches visited or researched online to build the PRODOGS proposal. No nearby beaches require a card/license/fee to have dogs on the beach. Most allow both leashed and unleashed dogs in designated areas off season. Dog owners are required to have control of their dogs and pick up and dispose of dog waste.

**File Attachments for Item:**

8. Award Leasing of Garbage Truck to Under CDL, \$42,436.00



# City of Tybee Island

## Memorandum

To: City of Tybee Island City Council Members  
From: Pete Gulbranson, City Engineer/Director of Infrastructure  
Date: August 16, 2021  
Re: Leasing of Garbage Truck

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### Background

The Department of Public Works is looking at a 5-year lease of a new 10 Cubic Yard Garbage Truck, which does not require a CDL license, for the purpose of picking up trash cans from the street side of the crossovers and parking lots.

### Overview

The City solicited written quotes from four (4) companies on a lease of a new 10 Cubic yard Garbage Truck with a maintenance program. The companies were as follows:

1. Adam's Equipment Company, Inc.
2. Environmental Products Group
3. Heil Environmental
4. Under CDL

Adams Equipment Company, Inc. does not have any have any garbage trucks that met our specifications.

Environmental Products Group returned a quote for a lease option with an annual payment of \$73,895.00. The quote and the specifications for the garbage truck are included in this package.

Heil Environmental never returned a quote, even after multiple conversations with them.

Under CDL returned two quotes. One for a five-year lease and one for a six-year lease. The five-year lease with the maintenance agreement was \$42,436.00.

The City of Tybee Island received two (2) valid quotes and reviewed the specifications of each Garbage Truck from Environmental Projects Group and Under CDL. Based on the quotes for the 5-year lease, Under CDL was the low quote with an annual cost \$42,436.00.

### Summary

Funding for this equipment is in the City of Tybee Island's Fiscal year 2022 approved budget, adopted June 24, 2021. The account number 100-4210-52-2320: Vehicle/Equipment Leases, has a budget of \$50,000 for the lease of the garbage truck.

### Recommended Next Steps:

I would recommend the award of the 5-year lease for the new Garbage Truck to Under CDL in the amount of \$42,436.00.

**File Attachments for Item:**

9. Revocable License/Indemnity Agreement/Right-of-Way



**REVOCABLE LICENSE/INDEMNITY AGREEMENT/RIGHT-OF-WAY**

The undersigned applicant hereby requests permission from the City of Tybee Island, Georgia, to construct a structure for the purpose of the use of public property located within said city limits since a portion of the proposed project may encroach upon public property, roads or marshes within the city limits of said municipality. The undersigned understands that the issuance of such a permit does not relieve the applicant of the obligation to obtain additional authorization from any other authority.

The undersigned further recognizes and agrees that this license does not confer upon the undersigned any rights, title, estate or interest in said licensed premises; nor does this license agreement confer upon the undersigned a license coupled with an interest or easement. This license merely gives the undersigned a revocable privilege, it being expressly understood and agreed that, regardless of any improvements or investment made, expense and harm incurred or encountered by the undersigned, this agreement shall be subject to revocation, cancellation or termination and this license shall be null and void.

The undersigned shall further indemnify and save the City of Tybee Island free and harmless from any and all liability, loss, cost, damage or other expense from accident or damage, either to itself or to the persons or property of others which may occur by reason of the exercise of the rights and privileges herein granted by this license except for any loss arising from the sole negligence or willful misconduct of the City of Tybee Island.

The undersigned applicant further recognizes that the City of Tybee Island does not grant permission to proceed with such project unless and until any other appropriate permit is issued and a copy of same is filed with the Clerk of Council of said City.

The license permitted herein is limited to those areas identified as encroaching on said right-of-ways shown on the attached Exhibit "A" hereto.

Date: \_\_\_\_\_ Applicant's Signature: \_\_\_\_\_

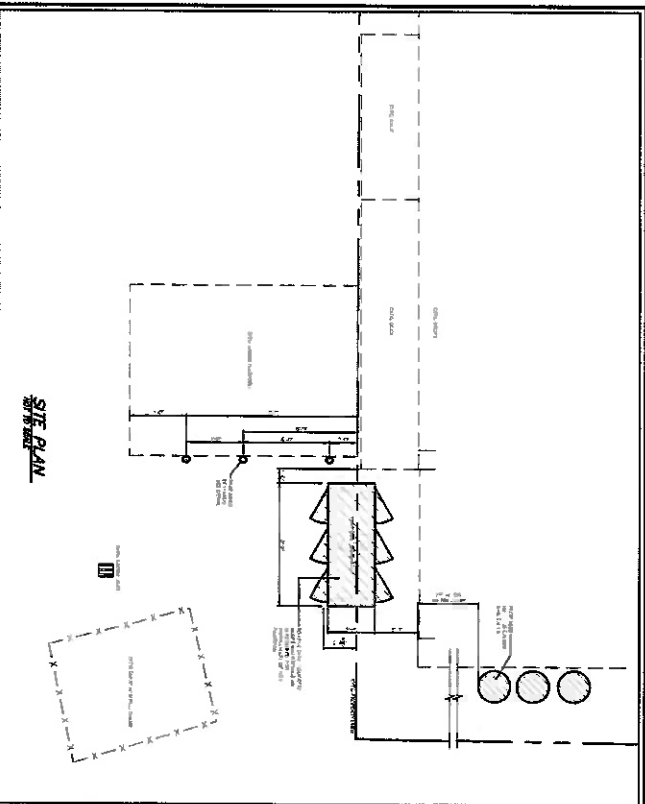
Printed Name: \_\_\_\_\_

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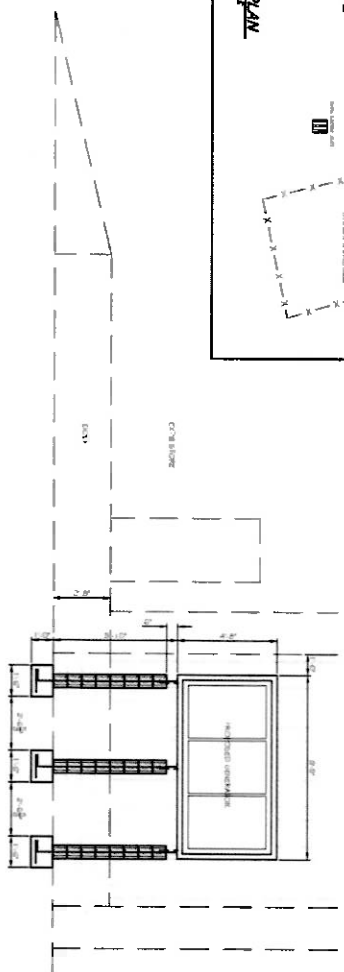
THE CITY OF TYBEE ISLAND hereby grants the above a revocable license for a structure not coupled with an interest as provided in the above request.

Approved this \_\_\_\_ day of \_\_\_\_\_, 2021.

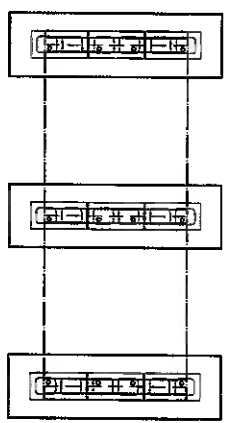
BY: \_\_\_\_\_  
Shirley Sessions  
Mayor



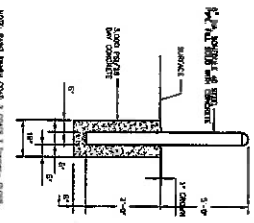
**SITE PLAN**



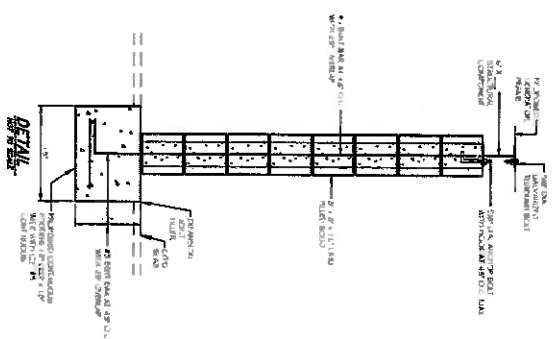
**ELEVATION SECTION**



**PLAN**



**BOLLARD DETAIL**



**DETAIL**

**STATE AND LOCAL CODES:**

1. ALL ROAD CROSSINGS BETWEEN AND ARE TO BE CONSIDERED WITH THE CITY OF NEW HAVEN, CONNECTICUT.
2. ALL ROAD CROSSINGS BETWEEN AND ARE TO BE CONSIDERED WITH THE CITY OF NEW HAVEN, CONNECTICUT.
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10. ALL ROAD CROSSINGS BETWEEN AND ARE TO BE CONSIDERED WITH THE CITY OF NEW HAVEN, CONNECTICUT.

**PROJECT INFORMATION:**

PROJECT: 1000-10-01

ADDRESS: 1000-10-01

OWNER: 1000-10-01

DESIGNER: 1000-10-01

DATE: 1000-10-01

SCALE: 1000-10-01

PROJECT: 1000-10-01

ADDRESS: 1000-10-01

OWNER: 1000-10-01

DESIGNER: 1000-10-01

DATE: 1000-10-01

SCALE: 1000-10-01

**SPECIAL CONSTRUCTION NOTES:**

1. THE CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF NEW HAVEN, CONNECTICUT.
2. THE CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF NEW HAVEN, CONNECTICUT.
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PROJECT: 1000-10-01

ADDRESS: 1000-10-01

OWNER: 1000-10-01

DESIGNER: 1000-10-01

DATE: 1000-10-01

SCALE: 1000-10-01

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ADDRESS: 1000-10-01

OWNER: 1000-10-01

DESIGNER: 1000-10-01

DATE: 1000-10-01

SCALE: 1000-10-01

**File Attachments for Item:**

10. Travel Request: Out of state travel for two Campground staff to the National Association of RV Parks and Campgrounds Outdoor Hospitality Conference and Expo in Raleigh, NC November 8-12, 2021. Budgeted under line item 555-6180-52-3500. \$4,187



# **EMPLOYEE TRAVEL AUTHORIZATION FORM**

<b>EMPLOYEE NAME:</b>	<b>Jamey Rabun</b>	<b>EMPLOYEE ID</b>	<b>1751</b>
<b>DEPARTMENT</b>	<b>River's End Campground</b>	<b>DEPARTURE DATE</b>	<b>11/7/2021</b>
<b>POSITION TITLE</b>	<b>Campground Director</b>	<b>RETURN DATE</b>	<b>11/12/2021</b>
<b>DESTINATION (City, State/Country)</b>		<b>Raleigh, NC</b>	

**BUSINESS PURPOSE** (Check one):

Conference <input checked="" type="checkbox"/>	Legal-Law Enforcement <input type="checkbox"/>	Meeting <input type="checkbox"/>
Repair-Maintenance <input type="checkbox"/>	Training <input type="checkbox"/>	Economic Development <input type="checkbox"/>
General Expense/other <input type="checkbox"/>	Shopping <input type="checkbox"/>	Employee-exchange program <input type="checkbox"/>
		Committee related <input type="checkbox"/>

**EXPLANATION OF TRAVEL (attach additional information as necessary)**

Attend National Association of RV Parks and Campgrounds Annual Conference and Outdoor Hospitality Expo. This will provide the opportunity to attend educational sessions, panel/roundtable discussions with industry leaders, and network with other campground owner managers, as well as attend national vendor expo.

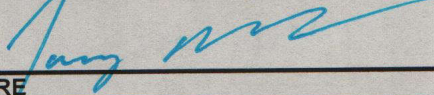
EXPENSES	Payment Method	Est. Cost
Airfare	<input type="checkbox"/> Employee Reimb. <input type="checkbox"/> Dept. Prepaid <input type="checkbox"/> Third-party	\$0
Mileage (personal vehicle)	<input type="checkbox"/> Employee Reimb. <input type="checkbox"/> Dept. Prepaid <input type="checkbox"/> Third-party	\$0
Rental Vehicle	<input type="checkbox"/> Employee Reimb. <input type="checkbox"/> Dept. Prepaid <input type="checkbox"/> Third-party	\$0
Other Transportation	<input type="checkbox"/> Employee Reimb. <input type="checkbox"/> Dept. Prepaid <input type="checkbox"/> Third-party	\$0

EXPENSES	Payment Method	Est. Cost
Lodging	<input type="checkbox"/> Employee Reimb. <input checked="" type="checkbox"/> Dept. Prepaid <input type="checkbox"/> Third-party	\$825
Meals	<input checked="" type="checkbox"/> Employee Reimb. <input type="checkbox"/> Dept. Prepaid <input type="checkbox"/> Third-party	\$295
Registration Fee	<input type="checkbox"/> Employee Reimb. <input checked="" type="checkbox"/> Dept. Prepaid <input type="checkbox"/> Third-party	\$744
Other Expense	<input checked="" type="checkbox"/> Employee Reimb. <input type="checkbox"/> Dept. Prepaid <input type="checkbox"/> Third-party	\$125
<b>TOTAL ESTIMATED COSTS</b>		<b>\$1,989</b>

Important: When applicable, complete "Authorization of Employee Expenses to be Paid by a Third-Party Organization"

**EMPLOYEE CERTIFICATION**

By signing below, I certify the requested travel is appropriate and necessary for conducting official City business, and agree to comply with the City of Tybee Island's Travel Policy.

SIGNATURE 

DATE 8/5/21

**DEPARTMENT HEAD (or Designee) AUTHORIZATION**

☐ APPROVED

☐ DISAPPROVED

PRINTED NAME & TITLE

SIGNATURE

DATE

**CITY MANAGER AUTHORIZATION for OUT-OF TOWN OR COUNTRY TRAVEL**

☒ APPROVED

☐ DISAPPROVED

SIGNATURE

DATE

8-6-21



# EMPLOYEE TRAVEL AUTHORIZATION FORM

<b>EMPLOYEE NAME:</b>	Kimberly Fickes	<b>EMPLOYEE ID</b>	1734
<b>DEPARTMENT</b>	River's End Campground	<b>DEPARTURE DATE</b>	11/8/2021
<b>POSITION TITLE</b>	Office Supervisor	<b>RETURN DATE</b>	11/12/2021
<b>DESTINATION (City, State/Country)</b>		Raleigh, NC	

**BUSINESS PURPOSE** (Check one):

Conference <input checked="" type="checkbox"/>	Legal-Law Enforcement <input type="checkbox"/>	Meeting <input type="checkbox"/>
Repair-Maintenance <input type="checkbox"/>	Training <input type="checkbox"/>	Economic Development <input type="checkbox"/>
General Expense/other <input type="checkbox"/>	Shopping <input type="checkbox"/>	Employee-exchange program <input type="checkbox"/>
		Committee related <input type="checkbox"/>

**EXPLANATION OF TRAVEL (attach additional information as necessary)**

Attend National Association of RV Parks and Campgrounds Annual Conference and Outdoor Hospitality Expo. This will provide the opportunity to attend educational sessions, panel/roundtable discussions with industry leaders, and network with other campground owner managers, as well as attend national vendor expo.

EXPENSES	Payment Method	Est. Cost
Airfare	<input type="checkbox"/> Employee Reimb. <input type="checkbox"/> Dept. Prepaid <input type="checkbox"/> Third-party	\$0
Mileage (personal vehicle)	<input checked="" type="checkbox"/> Employee Reimb. <input type="checkbox"/> Dept. Prepaid <input type="checkbox"/> Third-party	\$674
Rental Vehicle	<input type="checkbox"/> Employee Reimb. <input type="checkbox"/> Dept. Prepaid <input type="checkbox"/> Third-party	\$0
Other Transportation	<input type="checkbox"/> Employee Reimb. <input type="checkbox"/> Dept. Prepaid <input type="checkbox"/> Third-party	\$0

EXPENSES	Payment Method	Est. Cost
Lodging	<input type="checkbox"/> Employee Reimb. <input checked="" type="checkbox"/> Dept. Prepaid <input type="checkbox"/> Third-party	\$740
Meals	<input checked="" type="checkbox"/> Employee Reimb. <input type="checkbox"/> Dept. Prepaid <input type="checkbox"/> Third-party	\$239
Registration Fee	<input type="checkbox"/> Employee Reimb. <input checked="" type="checkbox"/> Dept. Prepaid <input type="checkbox"/> Third-party	\$445
Other Expense	<input checked="" type="checkbox"/> Employee Reimb. <input type="checkbox"/> Dept. Prepaid <input type="checkbox"/> Third-party	\$100
<b>TOTAL ESTIMATED COSTS</b>		\$2,198

**Important: When applicable, complete "Authorization of Employee Expenses to be Paid by a Third-Party Organization"**

**EMPLOYEE CERTIFICATION**

By signing below, I certify the requested travel is appropriate and necessary for conducting official City business, and agree to comply with the City of Tybee Island's Travel Policy.

*KA Fickes*

SIGNATURE

8-5-21

DATE

**DEPARTMENT HEAD (or Designee) AUTHORIZATION**

☒ **APPROVED**

☐ **DISAPPROVED**

PRINTED NAME & TITLE

SIGNATURE

JAMEY RABAN - Campground Director

*Jamey Raban*

DATE

5/5/21

**CITY MANAGER AUTHORIZATION for OUT-OF TOWN OR COUNTRY TRAVEL**

☒ **APPROVED**

☐ **DISAPPROVED**

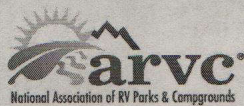
SIGNATURE

*Mauf*

DATE

8-6-21





## OHCE2021 SCHEDULE AT A GLANCE

### REGISTER NOW

#### Monday, November 8, 2021

- 7:00AM to 12:00PM Registration Open
- 1:00PM to 5:30PM Registration Open
- 8:00AM to 5:30PM Prospective Owners Workshop (POW!) (Additional cost)
- 8:00AM to 5:30PM Takeaway Tours (Additional cost)
- 5:30PM to 7:30PM Welcome Reception (Included in OHCE registration)

#### Tuesday, November 9, 2021

- 7:00AM to 12:00PM Registration Open
- 1:00PM to 5:30PM Registration Open
- 8:00AM to 9:00AM Opening General Session
- 9:30AM to 10:30AM Education Sessions A
- 10:45AM to 11:45AM Education Sessions B
- 12:00PM to 1:30PM Membership Lunch
- 1:45PM to 2:15PM Education Sessions C/Cracker Barrel A
- 2:30PM to 3:30PM Hosted Buyer Meetings
- 3:15PM to 3:45PM Education Sessions D/Cracker Barrel B
- 4:00PM to 4:30PM Hosted Buyer Meetings
- 4:00PM to 5:30PM YP Meeting
- 4:30PM to 5:00PM Hosted Buyer Meetings
- 5:00PM to 6:00PM Joint 20 Group Meeting/Other Ancillary Meetings
- 6:00PM to 7:30PM Outdoor Reception "food truck style"
- 8:00PM to 11:00PM YP Networking

#### Wednesday, November 10, 2021

- 7:00AM to 12:00PM Registration Open
- 1:00PM to 4:00PM Registration Open
- 6:00PM to 8:00PM Registration Open
- 8:00AM to 9:00AM Special Session
- 9:15AM to 10:15AM Education Sessions E
- 10:30AM to 11:15AM Education Sessions F
- 11:30AM to 12:00PM Lunch



[MEMBERSHIP ▾](#)[BENEFITS ▾](#)[EVENTS ▾](#)[ABOUT ▾](#)

- 3:15PM to 4:30PM Special Session
- 4:45PM to 5:45PM Townhall and voting area caucuses
- 5:45Pm to 6:00PM Expo Networking Reception
- 6:00PM to 9:00PM Expo Opens

**Thursday, November 11, 2021 (Veterans Day)**

- 7:00AM to 4:00PM Registration Open
- 7:30AM to 8:30AM Annual Membership Meeting / Tribute to Veterans
- 8:30AM to 4:00PM Expo Hall Open/Hosted Buyer Meetings
- 12:00PM to 1:30PM Expo Lunch
- 5:30PM to 6:00PM Networking Reception
- 6:00PM to 8:30PM Foundation Auction/Awards Dinner
- 8:30PM to 10:30PM After Party

[REGISTER NOW](#)**\*All Events Subject to Change**

## CONTACT

**The National Association of RV Parks and Campgrounds**

9085 E. Mineral Circle, Suite 200  
Centennial, CO 80112 USA

email: [info@arvc.org](mailto:info@arvc.org)  
phone: 303-681-0401  
fax: 303-681-0426

hours: M-F 8am-5pm MT

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**File Attachments for Item:**

11. Purchase of Gas Pumps for Safety Building. Budget Amendment forthcoming for \$31,185.88





# City of Tybee Island

## Memorandum

To: Shawn Gillen and City of Tybee Island City Council Members  
From: Pete Gulbranson, City Engineer/Director of Infrastructure  
Date: August 19, 2021  
Re: Purchase of Gas Pumps for Safety Building

---

### Background

The City owned gas pumps, which were installed in 2014, are located at the Public Safety Building have had reoccurring problem since they have been installed. The pumps have required maintenance after lighting strikes, power outages, and normal everyday wear and tear.

Since May of 2016 the City has spent approximately \$18,000 in repairs on twenty-three (23) separate occurrences. In addition to the maintenance costs the City spends between \$500 to \$800 a year on replacement keys for the pumps. These keys are required to access the fuel pumps and due to exposure to sand and salt air they have a high failure rate.

In February of 2021 the City decided not to replace the pumps and set up a contract with Chu's Convenience Stores to purchase our fuel. In May of 2021 I was directed to look into purchasing new gas pumps due to the high volume of traffic at Chu's and the difficulty of City vehicles fueling up.

### Overview

Since we have a proprietary software package for the reporting of fuel usage with Meco I received a quote for Meco, as a sole source provider for the purchase of new gas pumps. The quote for the new gas pumps, updated Fuel Master software, installation of software and pumps, existing data conversion, and all necessary materials and equipment was \$31,185.88

### Summary

Since this purchase of the gas pumps was not budgeted for in the approved Fiscal Year 2022 budget, a budget amendment will need to be performed to purchase the new gas pumps.

### Recommended Next Steps:

I would recommend the award of the purchase and installation of the new fuel pumps to Meco in the amount of \$31,185.88.



Your full line petroleum and industrial equipment supplier

Sales Quotation & Contract

Page 1 of 1

MECO of Savannah

MECO of Macon

MECO of Albany

MECO of Atlanta

311 Stokes Avenue  
Savannah, GA 31403  
Fax: (912) 234-4376  
[912] 234-4323

4300 Interstate Drive  
Macon, GA 31210  
Fax: (478) 787-9173  
[478] 787-9173

1922 Ledo Road  
Albany, GA 31707  
Fax: (229) 446-1818  
[229] 446-1818

4471 Armwiler Road NW  
Doraville, GA 30360-2810  
Fax: (770) 467-0721  
[770] 467-0721

Quotation To: TYBEE BD OF COMMISSIONERS

Date: 5/17/2021  
Terms: NET  
F.O.B: SITE  
Reference: FM SYSTEM

Quantity	Description	Price	Total
1	FMU-2500PLUSG PROKEE MASTER UNIT GRAY	6,995.00	6,995.00
1	227838A FUELMASTER PLUS WINDOW SOFTWARE ( BOTH SQL SERVER/ACCESS)	2,020.00	2,020.00
1	941H0219 DEIBERANT WIRELESS INSALL KIT DIRECTIONAL FMU AND BLDG	545.00	545.00
1	DATA CONVERSION DATA BUILD THROUGH FUELMASTER AND TYBEE	1,900.00	1,900.00
2	GASBOY SINGLE HOSE SINGLE PRODUCT PUMPING UNITS 9153k units with pulers and hose packages	5,988.00	11,976.00
	Equipment Total		23,436.00
	Appropriate Tax Rate		1,874.88
	Installation Labor & Materials Total		5,875.00
	Grand Total		31,185.88
	MECO TO INSTALL NEW SOFTWARE , FUELMASTER TO WORK WITH TYBEE ON DATA BASE CONVERSION MOUNT 1 ANTENNA ON FUELMASTER MOUNT 1 ANTENNA ON BLDG NEAR OFFICE CAT 5 CABLE FROM BLDG ANTENNA TO ROUTER IP ADDRESSES NEEDED FOR PEDESTAL AND WIRELESS ANTENNA	0.08	

Acceptance of Proposal:

The above prices, specifications, terms and conditions, as stated on the attached Terms & Conditions Page, are satisfactory, and hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined by Section F of the attached Terms and Conditions page. I have read the attached Terms and Conditions

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

MECO Authorization: \_\_\_\_\_

Date: \_\_\_\_\_

**File Attachments for Item:**

12. Reimbursement Resolution



# City of Tybee Island

## Memorandum

To: Mayor Sessions & Members of City Council  
From: Jen Amerell, Finance Director *JRA*  
Date: August 16, 2021  
Re: Reimbursement Resolution

---

### Overview

As part of the recent water / sewer study, it was determined the most practical way to finance the upcoming water and sewer system improvements and various utility related projects was to issue debt. The Water / Sewer Utility capital improvement plan includes a wide variety of projects and purchases including sewer line and water main replacements, improvements to facilities, equipment replacements and much needed system upgrades. Given the nature of these projects and purchases, management has determined that a revenue bond would be the best financing fit for the City. In one of the next upcoming Council meetings, approval of the actual debt issue will be on the agenda.

### Summary

To spend any bond proceeds prior to receipt of the funds, a reimbursement resolution must be on file. The City Engineer has indicated some projects, specifically sewer line improvements and clarifier replacement, are necessary as soon as possible. Approving the reimbursement resolution will allow staff to begin the projects prior to receiving the bond proceeds. The Utility will use cash on hand and will then pay itself back with the bond proceeds when received. Based on the most recent timeline, we expect the bonds proceeds sometime in October.

### Recommendation

Approve reimbursement resolution as presented.

MAYOR AND COUNCIL OF THE CITY OF TYBEE ISLAND, GEORGIA  
REIMBURSEMENT RESOLUTION

WHEREAS, the Mayor and Council of the City of Tybee Island, Georgia (the "Mayor and Council"), the governing body of the City of Tybee Island, Georgia (the "City"), has determined that the acquisition of equipment, building improvements, waste water treatment improvements and water system improvements (the "Project"), is necessary and desirable for the benefit of the City; and

WHEREAS, prior to the obtaining of a tax-exempt financing to pay all or a portion of the costs of the Project, the City reasonably expects to expend funds on the Project, which funds may be reimbursed from the proceeds of such tax-exempt financing for the Project; and

WHEREAS, the City, pursuant to this resolution wishes to declare its official intent to reimburse from tax-exempt proceeds capital expenditures for the Project in the maximum amount of \$750,000.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council as follows:

1. The City reasonably expects to reimburse planned expenditures for the Project with proceeds of a tax-exempt financing.

2. The City hereby expresses its declaration of official intent, pursuant to Treasury Regulations § 1.150-2(d), to reimburse original expenditures on the Project in the maximum principal amount of \$750,000 with proceeds from a tax-exempt financing (to the extent permitted by § 1.150-2 of the Treasury Regulations). The City will pay original expenditures on the Project from a construction or other account maintained by the City.

3. The City shall make its reimbursement allocations not later than 18 months after the later of (i) the date the original expenditure is paid or (ii) the date the Project is placed in service or abandoned, but in no event more than three years after the original expenditure is paid.

4. This resolution shall become effective on the date of its adoption.

APPROVED AND ADOPTED this 26<sup>th</sup> of August, 2021.

CITY OF TYBEE ISLAND, GEORGIA

By: \_\_\_\_\_  
Mayor

(S E A L)

Attest: \_\_\_\_\_  
City Clerk

## CITY CLERK'S CERTIFICATE

The undersigned City Clerk of the City of Tybee Island, Georgia (the "City"), keeper of the records and seal thereof, hereby certifies that the foregoing is a true and correct copy of a resolution approved and adopted by majority vote of the Mayor and Council of the City in meeting assembled on August 26, 2021, the original of which resolution has been entered in the official records of the City under my supervision and is in my official possession, custody, and control.

I further certify that said meeting was held in conformity with the requirements of Title 50, Chapter 14 of the Official Code of Georgia Annotated.

(S E A L)

---

Janet LeViner  
City Clerk, City of Tybee Island, Georgia

**File Attachments for Item:**

13. Resolution: 2021-06, STVR Moratorium

**MORATORIUM RESOLUTION LIMITING THE ISSUANCE OF OCCUPATIONAL  
TAX CERTIFICATES OR ISSUANCE OF PERMITS FOR SHORT TERM VACATION  
RENTALS  
FOR A PERIOD OF SIX MONTHS WITH OPTIONAL EXTENSIONS**

**WHEREAS**, the City of Tybee Island (the City) is a municipality duly organized and existing under the laws of the State of Georgia; and

**WHEREAS**, the municipal government of the City is the Mayor and Council thereof; and

**WHEREAS**, the Mayor and Council have previously adopted ordinances to address issues concerning short term vacation rentals; and

**WHEREAS**, in recent years the City has had a substantial increase of short term vacation rental operations such that those establishments are over or near 40% of housing units existing on Tybee Island imposing burdens on infrastructure including, but not limited to, water withdrawals; and

**WHEREAS**, the operation of short term vacation rentals is the subject of ongoing studies and analysis implicating zoning, regulatory and enforcement issues such that the Mayor and Council find that a moratorium is necessary in order for the City, through its staff and elected officials, to investigate and explore the impact of such operations and opportunities to improve the quality of life for all residents and visitors to the City of Tybee Island; and

**WHEREAS**, the City has previously adopted numerous ordinances and resolutions regarding identification procedures for short term vacation rentals, signage on properties for short term vacation rentals, monitoring and regulating noise, water/sewer usage and enhancing enforcement personnel activity. All these activities are intended to lessen the impact of the vacation-oriented behavior of visitors when occupying rentals on the island in an effort to maintain



a reasonable quality of life of permanent residents. In addition, as the City has purchased software to better monitor and police short term vacation rentals and supported the formation of citizen work groups to analyze and discuss short term vacation rentals; and

**WHEREAS**, the Mayor and Council find that the imposition of a moratorium for six months on the issuance of any further permits for short term vacation rental locations is appropriate in order for the City to investigate issues including water withdrawal impacts, zoning improvements, infrastructure demands and to explore further methods of controlling or regulating occupancy to a reasonable degree for such short-term rental operations; and

**NOW THEREFORE BE IT RESOLVED**, in open meeting, by the Mayor and Council that for a period of six months from the effective date hereof, the City shall not issue any further permits for the operation of or the identification of short term vacation rental properties or units as defined by the ordinance of the City or the laws of the State of Georgia while the City undertakes the investigation, data gathering and studies described above and as discussed in open meetings, including, but not limited to meetings of the Mayor and Council of August 26, 2021.

**BE IT FURTHER RESOLVED**, the City will undertake its investigation in an expedited manner but that if the investigation requires additional time for completion beyond the six month period Mayor and Council may extend the restrictions on issuance of permits for the operation of short term vacation rental properties for additional sixty-day periods upon adoption of an appropriate extension resolution.

**BE IT SO RESOLVED.**

This \_\_\_\_ day of \_\_\_\_\_, 2021.

CITY OF TYBEE ISLAND, GEORGIA

By: \_\_\_\_\_  
SHIRLEY SESSIONS, Mayor

Attest:

\_\_\_\_\_  
City Clerk

**File Attachments for Item:**

14. Resolution, 2021-07, Municipal Court/Probate Court Prosecutor, Andre Pretorious, Solicitor  
Tybee Island Municipal Court

**A RESOLUTION APPOINTING ANDRE PRETORIUS**  
**AS THE PROSECUTING ATTORNEY OF**  
**THE MUNICIPAL COURT OF THE CITY OF TYBEE ISLAND,**  
**GEORGIA PURSUANT TO O.C.G.A. §15-18-91 AND**  
**SECTION 3.12 OF THE CHARTER OF THE**  
**CITY OF TYBEE ISLAND**

BE IT RESOLVED by the Mayor and Council of the City of Tybee Island, in open meeting duly assembled on the \_\_\_\_ day of \_\_\_\_\_, as follows:

1. Andre Pretorius is hereby appointed as the prosecuting attorney of the Municipal Court for the City of Tybee Island, Georgia.
2. The appointment is effective for a term of twelve (12) months pursuant to the applicable provisions of the Tybee Code and state law.
3. The prosecuting attorney may call upon the City Attorney or his designee to assist with the prosecution of certain ordinance violations in the City and in the Municipal Court of the City.
4. Within thirty (30) days of the effective date of this Resolution, the Municipal Court Clerk or her designee and/or the Clerk of Council shall notify the Prosecuting Attorney's Council of the state of Georgia of this appointment as required under Georgia law.
5. This Resolution shall become effective upon its adoption.

SO RESOLVED, this the \_\_\_\_ day of \_\_\_\_\_, 2021.

**CITY OF TYBEE ISLAND, GEORGIA**

By: \_\_\_\_\_  
Shirley Sessions, Mayor

ATTEST:

By: \_\_\_\_\_  
Clerk of Council

**File Attachments for Item:**

15. Second Reading, 2021-17 Tree Removal, Art VII, Land Development Code

ORDINANCE NO. 2021-17

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF TYBEE ISLAND SO AS TO INCLUDE PROVISIONS REGARDING APPLICATIONS FOR TREE REMOVAL PERMITS, ~~INSPECTION OF TREE REMOVAL ACTIVITIES~~, PENALTIES FOR IMPROPER TREE REMOVAL AND TO REPEAL INCONSISTENT OR CONFLICTING ORDINANCES AND TO ESTABLISH AN EFFECTIVE DATE

WHEREAS, the duly elected governing authority for the City of Tybee Island, Georgia, is authorized under Article 9, Section 2, Paragraph 3 of the Constitution of the State of Georgia to adopt reasonable ordinance to protect and improve the public health, safety, and welfare of the citizens of Tybee Island, Georgia, and

WHEREAS, the duly elected governing authority for the City of Tybee Island, Georgia, is the Mayor and Council thereof; and

WHEREAS, the governing authority desires to adopt ordinances under its police and home rule powers; and

WHEREAS, it is desirable that ~~the~~ requirements be established for tree removal so as to ensure that sufficient trees and vegetation remain on any developed parcel of land and that those individuals performing tree removal do so in a professional and responsible manner and;

WHEREAS, it has become important to ensure that the permitting process and implementation of tree removal permits ~~;~~ be strengthened so that violations will be more preventable; and;

**NOW THEREFORE**, it is hereby ordained by the governing authority of the City of Tybee Island duly assembled as follows:

20210506/jrl

## SECTION I

Existing Tybee Code Sections identified as Article VII of Appendix A-Land Development Code “Tree Removal Regulations” Sec 7-090 is hereby amended with the addition of Subsections (D) and (E) which provides as follows:

(D) Any person who has been adjudged to have violated previous tree removal permits two or more times within three years shall be denied future tree removal permits pursuant to Section 7-040 or any other permit under the Land Development Code for three (3) years and may further be subject to additional restrictions or requirements for any future permit issued. Additional restrictions or requirements that may be imposed shall be determined by the permitting official taking into account the circumstances of the current or pending application, the nature and extent of removal requested at the location, as well as other relevant factors as determined by the permitting official and may include additional monitoring of the removal process and specific tree marking for clarity of intended process.

(E) Any person who has violated the ordinance by removing trees without a permit for removal, either directly or indirectly, including an owner or contractor, and in addition to all other penalties, fines or sentences imposed, shall not be eligible for a building or other permit for a period of two (2) years from the date of an adverse adjudication against the applicant for an unpermitted removal.

Sec. 7-090 – Penalties for unlawful tree removal.

(Ord. No. 12-2012, 4-26-2012)

## SECTION ~~II~~III

All ordinance and parts of ordinances in conflict herewith are expressly repealed.

20210506/jrl

Formatted: Justified

SECTION ~~III~~<sup>IV</sup>

It is the intention of the governing body, and it is hereby ordained, that the provisions of this ordinance shall become effective and be made a part of the Code of Ordinance, City of Tybee Island, Georgia, and the sections of this ordinance may be renumbered to accomplished such intention,

This Ordinance shall become effective on \_\_\_\_ day of \_\_\_\_\_, 2021.

ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2021.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL

FIRST READING: \_\_\_\_\_

SECOND READING: \_\_\_\_\_

ENACTED: \_\_\_\_\_

20210506/jrl



20210506/jrl

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2021\08.16.2021 Tree Redline .docx

**File Attachments for Item:**

16. Second Reading, 2021-18, Chapter 42-67, Marijuana

ORDINANCE NO.: 2021-\_\_\_\_\_

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES RELATING TO OFFENSES AND ADMINISTRATIVE PENALTIES IN ORDER TO ESTABLISH A CIVIL ADMINISTRATIVE VIOLATION FOR THE POSSESSION OF LESS THAN AN OUNCE OF MARIJUANA AND TO PROVIDE PENALTIES FOR POSSESSION OF MARIJUANA; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH, TO ESTABLISH AN EFFECTIVE DATE AND FOR OTHER PURPOSES

WHEREAS, the duly elected governing authority for the City of Tybee Island, Georgia, is authorized under Article 9, Section 2, Paragraph 3 of the Constitution of the State of Georgia to adopt reasonable ordinances to protect and improve the public health, safety, and welfare of the citizens of Tybee Island, Georgia, and

WHEREAS, the duly elected governing authority for the City of Tybee Island, Georgia, is the Mayor and Council thereof; and

WHEREAS, the governing authority desires to adopt ordinances under its police and home rule powers; and

WHEREAS, the City of Tybee Island has established a process for disposing of ordinance violations that are civil in nature and/or administrative penalties; and

WHEREAS, enacting this ordinance concerning the offense of possession of marijuana in an amount less than one ounce is intended to enhance public safety and eliminate cost by reducing the amount of time police officers and others spend in connection with the arrest, processing and transportation of the accused in a possession of marijuana offense; and

WHEREAS, the enactment of this ordinance concerning the offense of possessing of small amounts of marijuana is intended to prevent young people from entering the criminal justice system and avoiding the enduring stigma associated therewith; and

WHEREAS, the City intends for this change to diminish the impact of both future and prior marijuana convictions by reducing possession of small amounts of marijuana to city ordinance convictions, allowing such charges and convictions to be restricted by the Tybee Island Police Department and the Georgia Crime Information Center and sealed by the Tybee Island Municipal Court so that such charges will not be part of the public record; and

WHEREAS, is hereby created any code section to amend the code of ordinances of the City of Tybee Island to create a Section 42-67 which shall hereafter provide as follows:

NOW, THEREFORE, it is hereby ordained by the governing authority of the City of Tybee Island as follows:

### **SECTION I**

That Chapter 42 relating to offenses and miscellaneous provisions is hereby amended so as to establish a Section 42-67 as follows:

#### **42-67 Marijuana**

It shall be unlawful for any person to possess one ounce or less of marijuana within the corporate limits of the City of Tybee Island. Any person determined to be in violation of this prohibition shall be subject to a civil penalty not to exceed \$150.00 for a first offense. No person adjudicated in connection with an offense under this ordinance shall be arrested or subject to any form of imprisonment or confinement. Community service in lieu of a fine is applicable to any violation hereof under appropriate circumstances, including but not limited to financial means of the offender.

### **SECTION II**

Should a municipal court case result under this provision, the court shall consider dismissal upon payment of the appropriate fine or completion of community service.

### **SECTION III**

Within six months of the effective date of this ordinance, the City Manager will review with staff, including the Clerk of the Tybee Island Municipal Court, and shall report to Council

with a recommendation regarding potential procedures and timeline for record restriction and sealing of prior misdemeanor convictions for possession of marijuana.

#### **SECTION IV**

All ordinances and parts of ordinances in conflict herewith are expressly repealed.

#### **SECTION V**

It is the intention of the governing body, and it is hereby ordained, that the provisions of this ordinance shall become effective and be made a part of the Code of Ordinances, City of Tybee Island, Georgia, and the sections of this ordinance may be renumbered to accomplish such intention.

#### **SECTION VI**

This ordinance shall be effective upon its adoption by the Mayor and Council pursuant to The Code of the City of Tybee Island, Georgia.

This Ordinance shall become effective on \_\_\_\_\_ day of \_\_\_\_\_, 2021.

ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2021.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL

FIRST READING: \_\_\_\_\_

SECOND READING: \_\_\_\_\_

ENACTED: \_\_\_\_\_

**File Attachments for Item:**

17. First Reading, 26-2021, Regulatory Fees for Alcohol Licenses

ORDINANCE NO.: ~~26-2021~~, 2021

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF TYBEE ISLAND CONTAINED IN SECTION 58 ADDRESSING REGULATORY FEES FOR ALCOHOL LICENSES AND FOR OTHER PURPOSES INCLUDING THE ESTABLISHMENT OF AN EFFECTIVE DATE

WHEREAS, the duly elected governing authority for the City of Tybee Island, Georgia, is authorized under Article 9, Section 2, Paragraph 3 of the Constitution of the State of Georgia to adopt reasonable ordinances to protect and improve the public health, safety, and welfare of the citizens of Tybee Island, Georgia, and

WHEREAS, the duly elected governing authority for the City of Tybee Island, Georgia, is the Mayor and Council thereof; and

WHEREAS, the governing authority desires to adopt ordinances under its police and home rule powers; and

SECTION I

Section 58-179 is hereby revised as follows:

Any business of the type listed below operating within the city shall pay a regulatory fee, even if such business has paid a business tax in Savannah, Tybee Island or another jurisdiction, and regulatory fees as defined in section 58-154(b) are established for those businesses operating within the corporate limits of the city, according to the following schedules:

Alcoholic Beverages

SIC	License Classification	Fee
5813	Retail beer/wine - sale by package only; consumption on premises prohibited	<del>\$2,250.00</del> 350.00
5839	Retail beer/wine - sale by drink for consumption on premises only	<del>\$1,500.00</del> 575.00
5815	Retail liquor - sale by package only; consumption on premises prohibited	<del>\$2,250.00</del> 850.00
5816	Retail liquor - sale by drink for consumption on premises only	<del>\$3,000.00</del> 1,250.00
5818	Retail liquor - sale by package and drink both in one building under one ownership	\$2,000.00
5881	Wholesale beer	\$765.00
5183	Wholesale liquor	\$1,500.00
5182	Wholesale wine	\$150.00
2080	Distiller, brewer, or manufacturer of alcoholic beverages	\$300.00

	Special event - beer, wine, liquor; special event - beer, wine, liquor (establishments not holding current license)	\$50.00 per day; \$100.00, 3-day
	Special event - beer, wine, liquor (establishments holding current license)	\$10.00 per event
	Sunday sales for package only, in addition to all other regulatory fees and taxes	\$50.00
	<u>Sunday sales – sale by drink for consumption on premises, in addition to all other regulatory fees and taxes</u>	<u>\$150.00</u>

## SECTION II

All ordinances and parts of ordinances in conflict herewith are expressly repealed.

## SECTION III

It is the intention of the governing body, and it is hereby ordained, that the provisions of this ordinance shall become effective and be made a part of the Code of Ordinances, City of Tybee Island, Georgia, and the sections of this ordinance may be renumbered to accomplish such intention.

## SECTION IV

This ordinance shall be effective upon its adoption by the Mayor and Council pursuant to The Code of the City of Tybee Island, Georgia.

This Ordinance shall become effective on \_\_\_\_\_ day of \_\_\_\_\_, 2021.

ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2021.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL

FIRST READING: \_\_\_\_\_

SECOND READING: \_\_\_\_\_

ENACTED: \_\_\_\_\_





**File Attachments for Item:**

18. First Reading, 2021-23, STVR Occupancy Rate

ORDINANCE NO.: 23, 2021

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF TYBEE ISLAND -CONTAINED IN SECTION 34 ADDRESSING SHORT TERM RENTAL PROPERTIES TO ESTABLISH ~~OCCUPANCY STANDARDS FOR THE APPLICATION OF IDENTIFICATION~~, FEES OR CHARGES BASED ON OCCUPANCY AND FOR OTHER PURPOSES INCLUDING THE ESTABLISHMENT OF AN EFFECTIVE DATE

WHEREAS, the duly elected governing authority for the City of Tybee Island, Georgia, is authorized under Article 9, Section 2, Paragraph 3 of the Constitution of the State of Georgia to adopt reasonable ordinances to protect and improve the public health, safety, and welfare of the citizens of Tybee Island, Georgia, and

WHEREAS, the duly elected governing authority for the City of Tybee Island, Georgia, is the Mayor and Council thereof; and

WHEREAS, the governing authority desires to adopt ordinances under its police and home rule powers; and

SECTION I

Section 34-262 is hereby amended to delete a provision in subsection (a) and to add in addition to the existing provisions subsection "(f)" as set forth below:

- (a) The short-term vacation rental application shall be accompanied by an initial regulatory fee and be subject to an annual fee every January 1 thereafter, as established by the mayor and city council.

~~The regulatory fee shall be \$100.00 per rental unit.~~ An application, initial or renewal, is valid when completed and filed along with payment of the application regulatory fee set forth below. The fee shall be due January 1 of each year for short-term rental purposes and, if not paid within 90 days thereof, shall be subject to the delinquency and penalty provisions of section 58-163, as applicable, to occupation tax/business license provisions as well as the revocation of any right to use the unit for short-term rental purposes until payment of the penalties and fee. In addition to the regulatory fee license as specified herein, the applicant shall also pay the required occupation tax each year.

- (b) Each property or unit shall be issued a unique property identification number.
- (c) Failure to apply and/or identify as prescribed by this law will result in a fine of \$500.00 for each month that the unit continues to operate without compliance.
- (d) The annual identification of a unit and the regulatory fee are not transferrable. In the event ownership of a unit changes, and even if there is no change in the management company managing the unit, the fee upon ownership change shall be \$100.00, if the change occurs prior to July 1 of the year \$50.00 if after July 1 of the year.

(e) In the event a management company changes, the unit is to be re-identified by notice to the city and the regulatory fee will be \$50.00, if the management company change is after July 1; otherwise, the fee is \$100.00.

(f) Each applicant will pay a regulatory fee that is determined based upon the occupancy of the property to which the short-term rental application applies. Every applicant will pay a \$200.00 base fee. In addition to the base fee, each applicant will be responsible for an additional occupancy fee based upon the rental unit's occupancy. As part of the application, the applicant shall disclose the total occupancy for the rental unit. A fee will be charged for each person under the tiers below:

Total Occupancy of 1 – 5 persons - \$10.00 per person

Total Occupancy of 6 – 10 persons - \$15.00 per person

Total Occupancy of 10 or more - \$20.00 per person

## SECTION II

All ordinances and parts of ordinances in conflict herewith are expressly repealed.

## SECTION III

It is the intention of the governing body, and it is hereby ordained, that the provisions of this ordinance shall become effective and be made a part of the Code of Ordinances, City of Tybee Island, Georgia, and the sections of this ordinance may be renumbered to accomplish such intention.

## SECTION IV

This ordinance shall be effective upon its adoption by the Mayor and Council pursuant to The Code of the City of Tybee Island, Georgia.

This Ordinance shall become effective on \_\_\_\_\_ day of \_\_\_\_\_, 2021.

ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2021.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL

FIRST READING: \_\_\_\_\_

SECOND READING: \_\_\_\_\_

ENACTED: \_\_\_\_\_

08.02.21 Amended STVR ordinance

**File Attachments for Item:**

19. First Reading, 2021-24, Motorized Carts

ORDINANCE NO. 2021~~\_\_\_\_\_~~24

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF TYBEE ISLAND SO AS TO AMEND SECTIONS 66-8(b)(1) and 66-8(b)(7) REGARDING MOTORIZED CART USAGE, INSPECTIONS AND REGULATIONS SO AS TO REVISE THE TERMS THEREOF AND TO REQUIRE THE REGISTRATION OF MOTORIZED CARTS WITHIN 24 HOURS OF THE DATE OF PURCHASE, ACQUISITION OR ENTRY INTO THE CITY AND TO PROVIDE FOR RELATED CHANGES TO PARKING OF SUCH CARTS

WHEREAS, the duly elected governing authority for the City of Tybee Island, Georgia, is authorized under Article 9, Section 2, Paragraph 3 of the Constitution of the State of Georgia to adopt reasonable ordinances to protect and improve the public health, safety, and welfare of the citizens of Tybee Island, Georgia, and

WHEREAS, the duly elected governing authority for the City of Tybee Island, Georgia, is the Mayor and Council thereof; and

WHEREAS, the governing authority desires to adopt ordinances under its police and home rule powers; and

NOW, THEREFORE, it is hereby ordained by the governing authority of the City of Tybee Island that Section 66-8(b)(1) be amended so that hereafter it will read as follows:

**SECTION 1**

66.8(b)(1) Registration. It shall be the duty of every owner of a motorized cart that is operated over the streets and those areas accessible by the public to

register the cart with the city within ~~ten business days~~<sup>4824</sup> hours of the ~~date of~~  
~~purchase~~ cart's arrival into the city whether by purchase, ~~or~~ acquisition or transport.  
The registration shall be effective for twelve months from the date of issuance of the  
decal. Thereafter, an owner is required to renew the registration of the motorized  
cart every twelve months.

When registering the motorized cart initially and for any subsequent annual  
renewal, the owner shall present the motorized cart to the police department for an  
inspection. Only those motorized carts which pass inspection will be issued a  
registration decal.

As part of the initial registration process and subsequent annual renewals, the  
owner must provide proof of liability insurance covering the motorized cart in an  
amount equal to the minimum liability limits set by the state for automobiles. An  
owner must maintain liability insurance on the motorized cart at all times. If a  
motorized cart is operated on the streets and public areas of the city without the  
appropriate insurance, the owner is subject to citation.

Numerical decals shall be issued upon registration; and a record of each  
motorized cart number, along with the name and address of the owner, shall be  
maintained by the police department. The registration fee for motorized carts used  
in the city shall be \$15.00. Owners are responsible to renew their registration every

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year including having the motorized cart inspected, payment of the \$15.00 fee and providing proof of insurance.

Any person who is found operating an unregistered motorized cart on the city streets and public areas will be subject to citation.

Numerical decals shall be issued upon registration; and a record of each motorized cart number, along with the name and address of the owner, shall be maintained by the police department. The registration fee for motorized carts used in the city shall be \$15.00 and the registration shall be effective until such time as the cart is sold or otherwise disposed of.

## **SECTION 2**

66-8(b)(7) is amended so as to hereafter read as follows:

Motorized carts must observe the parking regulations and ordinances applicable to motorized vehicles and all parking therefor shall be by payment of the appropriate charge for parking in authorized parking places and/or the display of a valid decal for parking. All unregistered carts are subject to citation for the failure to pay and/or register timely for parking in authorized places and no unregistered cart shall have a legitimate parking decal until the cart is registered as required by this ordinance.

## **SECTION 3**

All ordinances and parts of ordinances in conflict herewith are expressly repealed.

## **SECTION 4**

07.30.21 (REDLINE) Golf Cart Ordinance

It is the intention of the governing body, and it is hereby ordained, that the provisions of this ordinance shall become effective and be made a part of the Code of Ordinances, City of Tybee Island, Georgia, and the sections of this ordinance may be renumbered to accomplish such intention.

**SECTION 5**

This ordinance shall be effective upon its adoption by the Mayor and Council pursuant to The Code of the City of Tybee Island, Georgia.

This Ordinance shall become effective on \_\_\_\_\_ day of \_\_\_\_\_, 2021.

ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2021.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL

FIRST READING: \_\_\_\_\_

SECOND READING: \_\_\_\_\_

ENACTED: \_\_\_\_\_

**File Attachments for Item:**

20. First Reading, 2021-25, STVR Parking

ORDINANCE NO.: \_\_\_\_\_, 2021

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF TYBEE ISLAND CONTAINED IN SECTION 34 ADDRESSING SHORT TERM RENTAL PROPERTIES TO REQUIRE PARKING PLANS BE SUBMITTED AS PART OF THE APPLICATION AND FOR OTHER PURPOSES INCLUDING THE ESTABLISHMENT OF AN EFFECTIVE DATE

WHEREAS, the duly elected governing authority for the City of Tybee Island, Georgia, is authorized under Article 9, Section 2, Paragraph 3 of the Constitution of the State of Georgia to adopt reasonable ordinances to protect and improve the public health, safety, and welfare of the citizens of Tybee Island, Georgia, and

WHEREAS, the duly elected governing authority for the City of Tybee Island, Georgia, is the Mayor and Council thereof; and

WHEREAS, the governing authority desires to adopt ordinances under its police and home rule powers; and

SECTION I

Section 34-261(c) is hereby amended so as to establish an additional subparagraph to be designated as subparagraph "8" which will hereafter provide as follows:

(8) Applicant shall submit a parking plan which shall provide for not less than 1 parking place per bedroom on the property as established from the property card of the tax assessor's record. Further, the applicant's parking plan shall include parking for not less than 1 parking space per \_\_\_\_\_ ~~square feet of an area adaptable as sleeping spaces~~ occupant. Each parking spot designated shall be established by the use of a current professional survey with an off-street parking plan sufficient for and consistent with the provisions of LDC Section 3-080 OFF-STREET PARKING REQUIREMENTS. Any residence or property sought to be used as a short term vacation rental may not be permitted in the absence of a determination by city staff that the parking plan is in conformity with the requirements hereof and applicable to the standards of a residential use of property including access. The survey submitted must be current; must show the corners of the property with off-street parking spots or locations designated and depicted on the plan. Staff may reject any application or may approve an application with conditions designed to protect neighboring properties and households including, but not limited to, restricting the number of vehicles allowed to be parked onsite, the location of vehicle parking, the type of vehicles permitted for the location and, if appropriate, security measures, buffers, noise control methods and other conditions or requirements designed to lessen the impact of activity upon other property or citizens.

## SECTION II

All ordinances and parts of ordinances in conflict herewith are expressly repealed.

## SECTION III

It is the intention of the governing body, and it is hereby ordained, that the provisions of this ordinance shall become effective and be made a part of the Code of Ordinances, City of Tybee Island, Georgia, and the sections of this ordinance may be renumbered to accomplish such intention.

## SECTION IV

This ordinance shall be effective upon its adoption by the Mayor and Council pursuant to The Code of the City of Tybee Island, Georgia.

This Ordinance shall become effective on \_\_\_\_\_ day of \_\_\_\_\_, 2021.

ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2021.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL

FIRST READING: \_\_\_\_\_

SECOND READING: \_\_\_\_\_

ENACTED: \_\_\_\_\_

**File Attachments for Item:**

21. First Reading, 2021-27, Motorized Vehicle Access Back River Boat Ramp

ORDINANCE NO.: \_\_\_\_\_, 2021

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF TYBEE ISLAND CONTAINED IN SECTION 12 ADDRESSING USE OF MOTORIZED VEHICLES ON THE BACK RIVER BOAT RAMP AND FOR OTHER PURPOSES INCLUDING THE ESTABLISHMENT OF AN EFFECTIVE DATE

WHEREAS, the duly elected governing authority for the City of Tybee Island, Georgia, is authorized under Article 9, Section 2, Paragraph 3 of the Constitution of the State of Georgia to adopt reasonable ordinances to protect and improve the public health, safety, and welfare of the citizens of Tybee Island, Georgia, and

WHEREAS, the duly elected governing authority for the City of Tybee Island, Georgia, is the Mayor and Council thereof; and

WHEREAS, the governing authority desires to adopt ordinances under its police and home rule powers; and

WHEREAS, it is important for public safety and efficient use of the public boat ramp to have established times for certain types of access; and

NOW, THEREFORE, it is hereby ordained by the governing authority of the City of Tybee Island as follows:

SECTION I

Section 12-1(a)(5) is hereby revised so as to provide as follows:

- (5) *Motorized vehicles.* It shall be unlawful for any person to take any motorized vehicle on to the beaches or structures erected thereon. This includes automobiles, trucks, motorcycles, all-terrain-vehicles and similar motor driven vehicles and craft. This does not include properly marked emergency vehicles while in the course of an emergency operation, or maintenance/utility vehicles in the employ of the city or similar governmental entity and engaged in a legitimate operation.

Motorized vehicles may be used on the Back River Boat Ramp and surrounding beach area for the sole purpose of ingress and egress of watercraft in and out of the water. Any motorized vehicle must be removed promptly after the watercraft is launched into or retrieved from the water. However, no motorized vehicles may be used for any purpose on the Back River Boat Ramp and surrounding beach area on weekends which is defined as \_\_\_\_\_ Friday through \_\_\_\_\_ Sunday beginning Memorial Day weekend through Labor Day weekend.

## SECTION II

All ordinances and parts of ordinances in conflict herewith are expressly repealed.

## SECTION III

It is the intention of the governing body, and it is hereby ordained, that the provisions of this ordinance shall become effective and be made a part of the Code of Ordinances, City of Tybee Island, Georgia, and the sections of this ordinance may be renumbered to accomplish such intention.

## SECTION IV

This ordinance shall be effective upon its adoption by the Mayor and Council pursuant to The Code of the City of Tybee Island, Georgia.

This Ordinance shall become effective on \_\_\_\_\_ day of \_\_\_\_\_, 2021.

ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2021.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL

FIRST READING: \_\_\_\_\_

SECOND READING: \_\_\_\_\_

ENACTED: \_\_\_\_\_



**File Attachments for Item:**

27. Peter Gulbranson/Shawn Gillen: Construction of Polk Street south of Highway 80 FOR DISCUSSION ONLY



27 April 2021

Georgia Department of Natural Resources  
Coastal Marshlands Protection Committee  
Attn: Commissioner Mark Williams - Chair  
[mark.williams@dnr.ga.gov](mailto:mark.williams@dnr.ga.gov)

**Subject: Committee Request for Additional Information  
Polk Street Maintenance  
Chatham County, Georgia**

**RLC# 08-028**

Dear Commissioner Williams:

During the 11 December 2020 Coastal Marshlands Protection Committee (CMPC) Meeting, a request was made by the committee to provide seven additional items to facilitate review of the proposed Polk Street Maintenance Project. The following provides a brief outline of each item requested by the committee and a description of the information provided by the applicants.

1. *A current topographic survey of the project corridor:* For review, we have attached the 2010 topographic survey completed by Bert Barrett (retired) and the 2021 topographic survey completed by Atlas Surveying. A brief comparison of the two surveys documents minimal change in site conditions since 2012.
2. *Soil volume calculation need for the driveway:* Using the 2021 survey the volume of fill material required for the project totals 917 cubic yards.
3. *Hydrologic survey updated:* See attached 2021 hydrological and ecological assessment completed by Nutter & Associates, Inc. (NAI). As documented in the report NAI concludes:
  - Road erosion will be mediated by limiting inundation to the marsh area only,
  - Sedimentation within the marshes will decrease due to road repair and stabilization,
  - Marsh hydrology on the west and east sides of the road will be largely unaffected as the primary water sources are independent and not obstructed by the roadway,
  - Marsh ecology will not be adversely affected as the areas west and east of the road are already mostly independent systems and the installation of culverts will provide connectivity between the two areas,
  - Essential Fish Habitat will not be impacted as the footprint of the road is not expanding and,
  - Safe and reliable transportation will be provided to the residents of Tybee Island.
4. *Include 172 feet of western portion of driveway in project impact.* The attached revised permit drawings incorporate the 172 feet of roadway into the overall project.
5. *Identify persons responsible for maintenance:* As documented during the December CMPC meeting, the City of Tybee will be responsible for maintaining their property and Mr. Leonard will be responsible for maintaining his property.
6. *Provide a description of what maintenance will include:* The maintenance plan for the roadway will include maintaining a crown on the gravel drive surface in the center of the road with a surface slope to encourage good surface drainage, maintaining the surface to minimize ruts, potholes and gravel ridges at roadsides that can trap water and maintaining potholes have occurred by excavating and filling the hole with layers of gravel, compacting each layer of gravel as it is added. During any maintenance inspections, side slopes will be reviewed to confirm stability and any areas (outside of CMPA jurisdiction) experiencing erosion will

be stabilized. Lastly, an inspection of the road will occur following major hurricane events. Note any maintenance activities which require disturbance within CMPA jurisdiction will be coordinated with CRD and appropriate authorization will be obtained prior to performing the necessary maintenance activity.

7. *Provide analysis of wooden bridge for all or portions of the project:* Thomas & Hutton was retained to complete a cost assessment for maintenance design alternatives including road fill, concrete bridge and wooden bridge. As documented in the attached exhibits the estimated project costs are as follows:

Maintenance Design	Estimated Unit Cost	Estimated Cost
Road Fill (460 lf)	\$3.40/sf	\$32,769.00
Concrete Bridge (460 lf)	\$250/sf	\$1,725,000.00
Timber Bridge (460 lf)	\$215/sf	\$1,483,500.00
Concrete Bridge (three sections/319 lf)	\$325/sf	\$1,555,125.00
Timber Bridge (three sections/319 lf)	\$275/sf	\$1,315,875.00

If you have any questions or require additional information to publish the public notice, please do not hesitate to contact us at (912) 443-5896.

Sincerely,



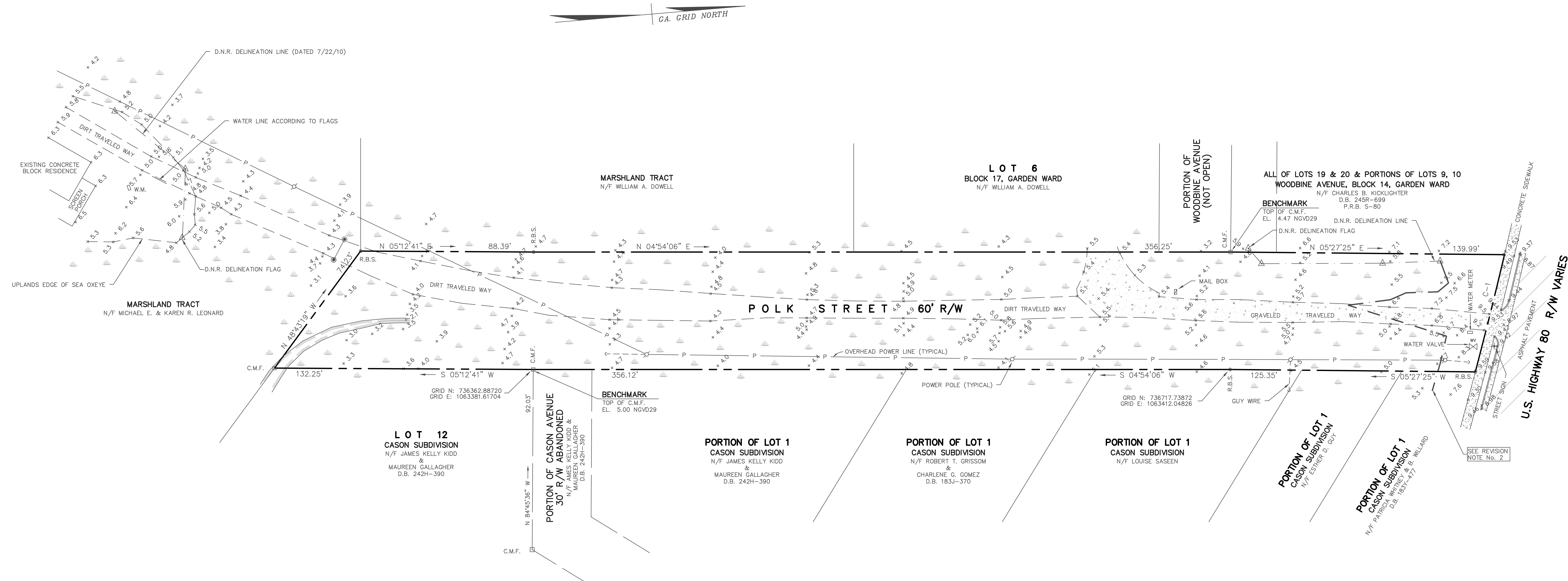
Alton Brown, Jr.  
Principal  
Resource & Land Consultants

cc: Mr. Zachary Harris  
Mr. Chad Barrow  
Mr. Brad Brookshire  
Mr. Davis Poole  
Ms. Deb Barriero  
Mr. Shawn Gillen - City of Tybee  
Mr. Bubba Hughes – City of Tybee  
Mr. Bill Glass – Weiner Shearouse  
Mr. Mike Leonard  
Mr. Mike Smith  
Mr. Cody Hale – Nutter & Associates  
Mr. Downer Davis  
Mr. John Giordano – Thomas & Hutton

# ATTACHMENT A

2012 Barrett Survey & 2021 Atlas Survey

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C-1	2496.48'	61.69'	30.85'	61.69'	N 71°06'04" W	01°24'57"



REVISIONS			
NO.	DATE	DESCRIPTION	BY
1	11/23/10	SHOW ADDITIONAL ELEVATIONS AND DNR DELINEATION LINE ON LEONARD PROPERTY	BBBJR
2	3/27/12	SECTION OF D.N.R. LINE ADDED AS DIRECTED BY JOHN WYNN OF THE D.N.R.	BBBJR
3	1/27/15	REVISED D.N.R. LINE AS DIRECTED BY DEB BARREIRO OF THE D.N.R.	BBBJR

- REFERENCES:
- PLAT OF A RESURVEY OF PORTIONS OF BLOCKS 14, 15 & 16, GARDEN WARD BY WRIGHT C. POWERS R.L.S. 933 DATED 7/31/63.
  - PLAT OF REMAINING PORTION OF LOT 1 & ALL OF LOT 2, CASON SUBDIVISION, BY H.M. GARMANY DATED 6/24/64 AND RECORDED IN P.R.B. 7-130.
  - PLAT OF CASON SUBDIVISION BY S.P. KEHOE, JR. C.E. 914 DATED 4/12/48 AND RECORDED IN P.R.B. H-132.
  - PLAT OF PORTION OF LOT 8 AND ALL OF LOTS 9-12, CASON SUBDIVISION BY BERT B. BARRETT, SR. R.L.S. 1239 DATED 6/29/92.
  - PLAT OF LOTS 4, 5 & 6, CASON SUBDIVISION BY BERT B. BARRETT, SR. R.L.S. 1239 DATED 5/9/88.
  - PLAT OF LOT 7 & PORTION OF LOT 8, CASON SUBDIVISION BY VINCENT HELMLY R.L.S. 1882 DATED 2/25/62.

THE COORDINATES SHOWN ON THIS PLAT ARE BASED ON GEORGIA GRID COORDINATES EAST ZONE (NAD 83) 1994 ADJUSTMENT.

SPECIAL NOTE: THE SURVEYOR HAS MADE NO ATTEMPT TO LOCATE ANY TREES OR UNDERGROUND UTILITIES ON OR ACROSS THIS SITE. THE UTILITIES THAT ARE SHOWN WERE ABOVE GROUND AND WERE IN PLAIN SITE.

E.O.C. FIELD	1/ 65,902
< ERROR/POINT	
ADJ. METHOD	NONE
E.O.C. PLAT	1/ 96,995
TOTAL STATION	GEODIMETER 610
L1 GPS UNITS	PROMARK 2's



STATE OF GEORGIA  
CHATHAM COUNTY

BOUNDARY & TOPOGRAPHICAL SURVEY OF A PORTION OF  
POLK STREET SOUTH OF U.S. HIGHWAY 80, LOCATED IN  
GARDEN WARD, TYBEE ISLAND, GEORGIA.

FOR: CITY OF TYBEE ISLAND

DATE OF SURVEY: MAY 31, 2006

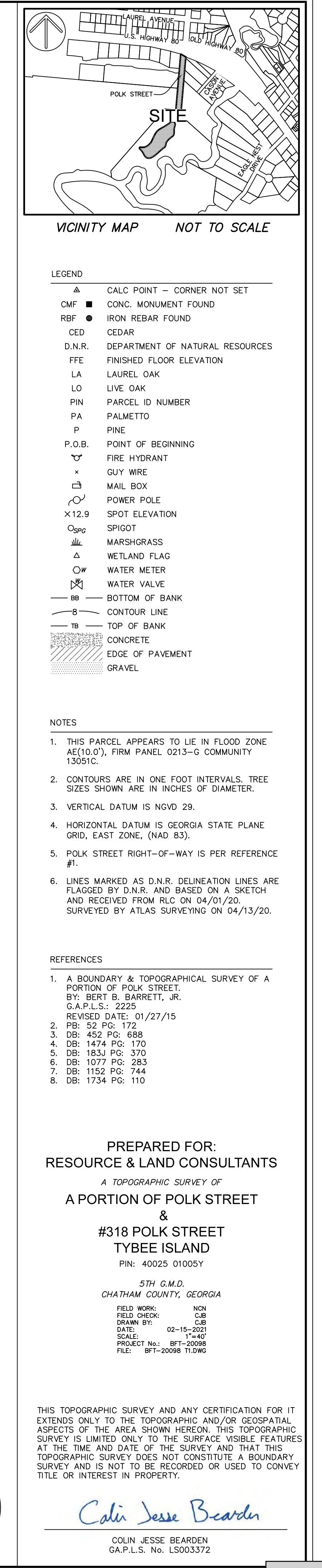
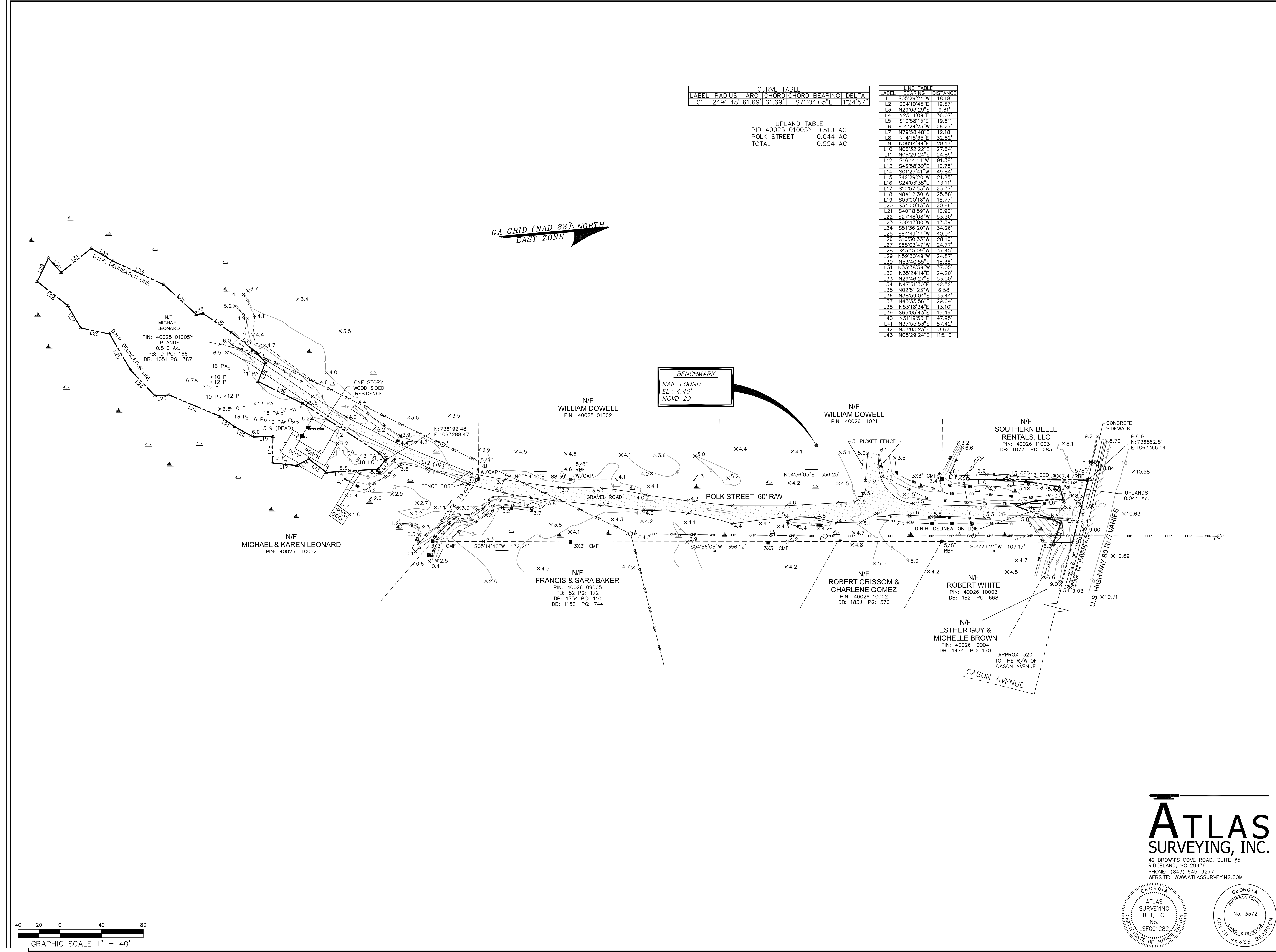
DATE OF PLAT: MAY 31, 2006 (LAST REVISED JANUARY 27, 2015)

SCALE: 1" = 25'



BERT BARRETT, JR. LAND SURVEYING, P.C.  
145 RUNNER ROAD  
SAVANNAH, GA. 31410  
(912) 897-0661





# **ATTACHMENT B**

Nutter & Associates Hydrology Assessment

## TECHNICAL MEMORANDUM NO. 21-002

---

**PREPARED FOR:** Alton Brown  
Resource and Land Consultants

**PREPARED BY:** V. Cody Hale, Ph.D., PH  
Lauren Monda, M.S.

**DATE:** April 5, 2021

**SUBJECT:** Update to 2014 hydrological and ecological assessment of proposed Polk Street maintenance project, City of Tybee Island, Georgia.

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1.0 INTRODUCTION .....	1
2.0 CURRENT SITE CONDITIONS.....	1
3.0 METHODS.....	2
4.0 PROJECT ASSESSMENT .....	2
4.1 Hydrological Considerations .....	3
4.2 Ecological Considerations .....	4
4.3 Other Considerations .....	5
5.0 CONCLUSIONS .....	5

Appendix A. Hydrological and ecological assessment of proposed Polk Street maintenance project, City of Tybee Island, Georgia.



## LIST OF FIGURES

- Figure 1. Vicinity map of Polk Street project, Tybee Island, Georgia.
- Figure 2. Stilling well locations and RTK base station within the vicinity of the Polk Street study area.
- Figure 3. Minimum and maximum HH tides measured at the NOAA Fort Pulaski, Georgia tide gage (Station ID 8670870) during the 2021 data collection period relative to daily HH tide elevations measured in the 14-month period (January 2020 to February 2021) prior to data collection.
- Figure 4. Daily tidal elevations relative to Mean Lower Low Water (MLLW) at the NOAA Fort Pulaski, Georgia tide gage (Station ID 8670870) from September 1<sup>st</sup>, 2020 to February 28<sup>th</sup>, 2021.
- Figure 5. Water surface elevations recorded at Well 1E, 1W, 2E, 2W, and Creek from January 28<sup>th</sup>, 2021 to February 2<sup>nd</sup>, 2021.
- Figure 6. Water surface elevations recorded during the rising limb and peak of the maximum HH tide event recorded during the (A) 2021 and (B) 2014 data collection period at all wells.
- Figure 7. Primary water flowpaths into study area under current conditions.
- Figure 8. High tide observed and recorded at Well 1E, 1W, 2E, 2W, and Creek during data collection on January 29<sup>th</sup>, 2021.
- Figure 9. Mean monthly sea level without the regular seasonal fluctuations reported by NOAA at the Fort Pulaski, Georgia tide gage (Station ID 8670870).

## 1.0 INTRODUCTION

Nutter and Associates, Inc (NAI) was contracted by Resource and Land Consultants (RLC) on behalf of the City of Tybee Island, Georgia in response to the Georgia Department of Natural Resources (DNR) Coastal Marshlands and Shore Protection Committee's motion issued on December 11<sup>th</sup>, 2020. The motion requested an update to the City's Coastal Marshlands Protection Act Application to perform maintenance and improvement to Polk Street, a roadway jointly owned by the City of Tybee Island and Mr. Michael E. Leonard. The roadway connects Highway 80 to Mr. Leonard's private property which consists of two structures, one serving as Mr. Leonard's primary residence.

A previous study was conducted in 2014 by NAI as documented in Technical Memorandum 13-079.01 with subject "Hydrological and ecological assessment of proposed Polk Street maintenance project, City of Tybee Island, Georgia." The December 2021 motion requested the previous study be updated to ensure the analysis reflects current site conditions following recent hurricane activity and adequately evaluates the project's potential to affect the surrounding salt marsh and aquatic ecosystem.

## 2.0 CURRENT SITE CONDITIONS

Polk Street lies on the northern side of Tybee Island, in Chatham County, Georgia. The roadway extends south from Highway 80, ending where it meets the private driveway that provides access to a hammock occupied by Mr. Leonard's property (Figure 1; Polk Street and the private driveway, together, are referred to as "road" or "roadway" hereafter). Directly south, east, and west of the hammock, Chimney Creek feeds a dendritic network of small tidal creeks that convey water onto and off of the marsh surrounding the Leonard property (Figure 1). The roadway is elevated above the surrounding marsh for approximately 200 feet south of Highway 80. From approximately 200 feet to 700 feet south of Highway 80, the roadway has eroded to elevations at or below the surrounding marsh, allowing near-average high tides to inundate the road up to twice a day (Figure 1). Road erosion has continued since the 2014 study was conducted, exacerbated by several tropical storms and deepening multiple depressions along the road corridor.

Typical salt marsh vegetation consisting primarily of needlegrass rush (*Juncus roemerianus*), smooth cordgrass (*Spartina alterniflora*) and saltwort (*Salicornia sp.*) lies on either side of the roadway with the roadway itself absent of vegetation. Various species of fish and shellfish were observed in the marsh. Other wildlife that depend on salt marshes and estuaries for habitat include birds such as the great blue heron (*Ardea herodias*), bald eagles (*Haliaeetus*

*leucocephalus*), clapper rails (*Rallus longirostris*), sparrows, and various ducks (Georgiawildlife.com). For more information on general site characteristics, see Section 2 of the 2014 report (Appendix A).

### 3.0 METHODS

On January 28<sup>th</sup>, 2021, five stilling wells were installed and instrumented with HOBO® water level sensors to continuously monitor tidal elevations at key locations on the project site (Figure 2). Two stilling wells were deployed east of Polk Street (1E and 2E) while two others were deployed west of the road (1W and 2W). The fifth stilling well (Creek) was installed on the bank of Chimney Creek at the southern end of the Leonard property (Figure 2). Water depths were logged over a five-day period, capturing approximately ten tidal cycles.

A Nikon Total Station® was used to survey elevations for each stilling well, the salt marsh ground surface and the roadway surface. A survey-grade real-time kinematic (RTK) GPS was used to survey a fixed point within the project area to convert relative water levels to a vertical datum (NGVD29) to allow comparison of water surface elevations. Visual observations of site conditions, hydrological dynamics and ecological characteristics were documented within and around the project area during high and low tide.

### 4.0 PROJECT ASSESSMENT

NAI repeated the hydrological and ecological assessment from 2014, evaluating the potential effect of road maintenance and improvement on the surrounding salt marsh. Polk Street has served as a city road and primary driveway for two Tybee Island residents for over 60 years. The roadway has been subject to significant erosion over the years, resulting in a roadway that becomes inundated during average or greater high tide events.

Higher high (HH) tidal elevations during the 2021 data collection period ranged from a minimum of 4.04 feet to a maximum HH of 5.05 feet relative to MSL (Figure 3). Even though HH tidal elevations for the 2021 data collection period were slightly lower than HH tides recorded during the 2014 data collection period, NOAA gage data at Fort Pulaski, Georgia (Station ID 8670870) indicates the 2021 study captured above average tides (Figure 4). This allowed the study observations to occur during connectivity between the marsh on the west and east side of the roadway.

## 4.1 Hydrological Considerations

Water level data for ten high tides and nine low tides were recorded over a five-day period between January 28<sup>th</sup>, 2021 at 17:00 and February 2<sup>nd</sup>, 2021 at 16:00 (Figure 5). All five wells were subject to tidal fluctuations with Well 1W reflecting persistent inundation throughout the data collection period due to its location within an excavated canal.

Several of the recorded flood tides did not reach an elevation high enough to inundate the marshes adjacent to the roadway (Figure 5). Using corresponding tidal elevations recorded by NOAA at Fort Pulaski (Station ID 8670870), it is estimated that the marsh areas immediately adjacent to the roadway are inundated by approximately 24% to 38% of high tides (as inferred from data collected between January 2020 and February 2021) while the roadway is inundated far more often as a significant portion of the road lies below marsh elevations (as demonstrated in Figure 5).

When peak tidal elevation was high enough to inundate the roadway and marshes, the timing of flood tide arrival was similar for all wells (taking into account the different elevations) with the exception of Well 1W, which showed a consistent one-hour delay behind the initial water surface elevation increases in the creek. This behavior is attributed to the longer flow path and additional water volume required to inundate the canal at Well 1W. Water surface elevations at all other wells showed similar inundation patterns as observed in the 2014 data, where all wells reached peak high tide elevation simultaneously (Figure 6).

Currently, several tidal channels convey water from Chimney Creek onto the marsh, east and west of the road (Figure 7). A western tidal channel feeds a network of smaller channels that distribute tidal water to the marsh west of the road while the marsh east of the road is fed by a single, substantial tidal channel lying northeast of the Leonard property. Tidal water sources feeding the marsh on either side of the roadway act as independent connections to Chimney Creek.

Direct visual observations of tidal dynamics were made at low tide on January 28<sup>th</sup> and high tide the morning of January 29<sup>th</sup>, 2021. During low tide, the marshes and roadway were dry with the exception of the excavated canal surrounding Well 1W and a few pools of residual tidal water isolated in depressions along the roadway. In contrast, during high tide, the marsh on either side of the road was inundated with several inches of water and water depths in the roadway ranged up to approximately 24 inches.

The marsh on the west and east side of the road were inundated by tidal waters moving from Chimney Creek. The marsh on the west side of the road was serviced by water moving eastward out of the network of tidal channels to the west. The marsh on the east side of the road received water that was moving north via an arm of Chimney Creek. As the tide reached peak elevation, a minimal amount of flow was observed moving east across the road between approximately 8:45am and 9:00am (Figure 8). For context, the amount of flow observed moving across the road was so minimal that it was difficult to discriminate whether it was due to wind or if it was a result of head gradients. During the ebb tide, the road served as the breakpoint for flow directed south and west. Tidal water from the marsh on the east side of the road receded south via the roadway while the marsh of the west side of the road receded west, further confirming water sources not only inundate the marsh independently, but also drain the marsh independently.

Road improvement and maintenance plans include the installation of three 18-inch culverts under the repaired roadway. Although the marshes have independent tidal sources, the culverts will provide an opportunity for hydrological and ecological connectivity during high tide (Figure 7).

Given the data collected in the field, we do not expect the Polk Street road maintenance and improvement to have a significant impact on the hydrology of the surrounding marsh ecosystem. Simultaneous peak tide arrival indicates the marsh areas are inundated independently as is expected with the different tributary creek networks that service the east and west marsh areas from Chimney Creek. Tide waters do not flow across the roadway except for a short duration during peak high tide (approximately 15 minutes but will vary depending on tide magnitude and wind conditions). Culvert installation will provide opportunities for hydrological connection between the marsh areas east and west side of the road. Further, according to the 2014 NAI study, road improvement is expected to displace less than 0.5% of the total volume of water present within the marsh west and east of the road at high tide.

## 4.2 Ecological Considerations

Native flora and fauna species characteristic of salt marsh habitat rely on and have adapted to the natural hydrological and water quality variability caused by the semidiurnal tides along the Georgia coast. Tidal marshes provide important ecological functions, such as providing nursery and feeding habitats for terrestrial and aquatic fauna, providing water quality functions, such as carbon export and nutrient and contaminant sequestration, and providing attenuation of high-water events.

The National Oceanic and Atmospheric Administration (NOAA) Essential Fish Habitat Mapper ([habitat.NOAA.gov](http://habitat.NOAA.gov)) suggests Essential Fish Habitat (EFH) exists near Chimney Creek and the marshes immediately adjacent to the creek. EFH is defined as habitat necessary for fish and other aquatic species to survive and reproduce, primarily protecting wetlands, coral reefs, seagrasses and rivers. EFH does not exist near the roadway and will not be affected by the road maintenance project.

Another notable consideration is that the current condition of the eroded roadway surface is adversely affecting aquatic life. As the tide recedes, small fish and other organisms become trapped once depressions in the roadway form isolated pools of water. These organisms are then subject to easy predation or death or injury by vehicular traffic or lack of water as it eventually infiltrates and/or evaporates.

Ecological connection between the marshes near the study area and Chimney Creek will be maintained through existing primary flow paths, ensuring habitat isolation will not occur following roadway improvement. As such, fish usage of the marsh areas near the roadway are also not anticipated to change. Further, aquatic life will be protected from increased predation and isolation once the road improvement plan is implemented.

### 4.3 Other Considerations

Sea level rise could affect the structural integrity of the improved roadway over time. The NOAA Fort Pulaski tide gage has been monitoring sea level since the 1930s and has concluded sea level near this station increases on average 3.39 millimeters per year or 0.13 inches per year. This suggests, over the next century, sea levels near the study area could increase up to 1.1 feet (Figure 9). As we understand, sea level rise has been accounted for in the road maintenance and improvement plan and should not adversely affect the design lifespan or stability of the roadway following plan implementation.

## 5.0 CONCLUSIONS

Following the completion of the road maintenance plan:

- Road erosion will be mediated by limiting inundation to the marsh area only;
- Sedimentation within the marshes will decrease due to road repair and stabilization;
- Marsh hydrology on the west and east sides of the road will be largely unaffected as the primary water sources are independent and not obstructed by the roadway;

- Marsh ecology will not be adversely affected as the areas west and east of the road are already mostly independent systems and the installation of culverts will provide connectivity between the two areas;
- Essential Fish Habitat will not be impacted as the footprint of the road is not expanding; and,
- Safe and reliable transportation will be provided to the residents of Tybee Island.

# FIGURES



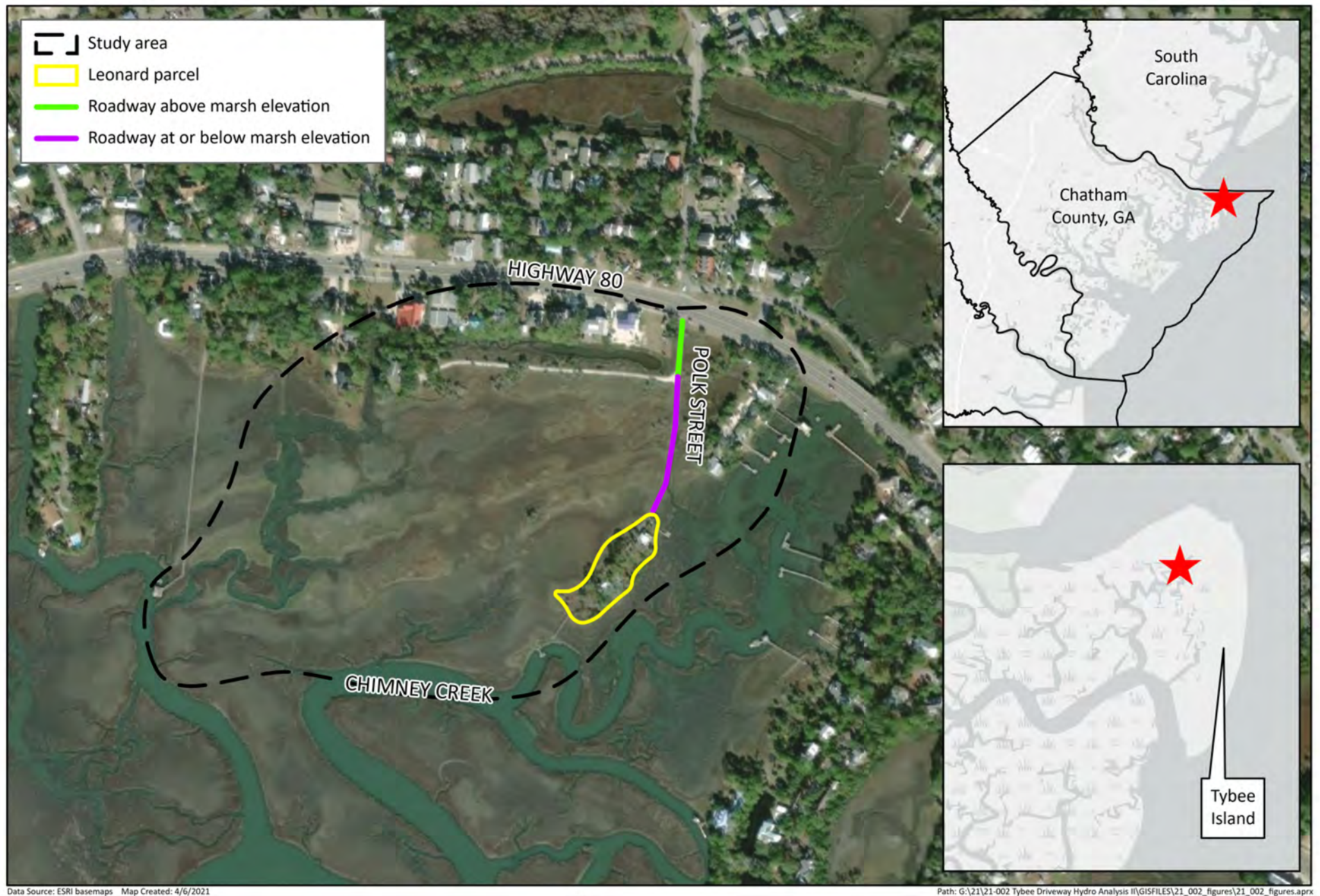
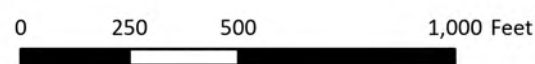


Figure 1. Vicinity map of Polk Street project, Tybee Island, Georgia.







Data Source: ESRI World Imagery Map Created: 4/6/2021

Path: G:\21\21-002 Tybee Driveway Hydro Analysis II\GISFILES\21\_002\_figures\21\_002\_figures.aprx

Figure 2. Stilling well locations and RTK base station within the vicinity of the Polk Street study area.

0 100 200 400 Feet



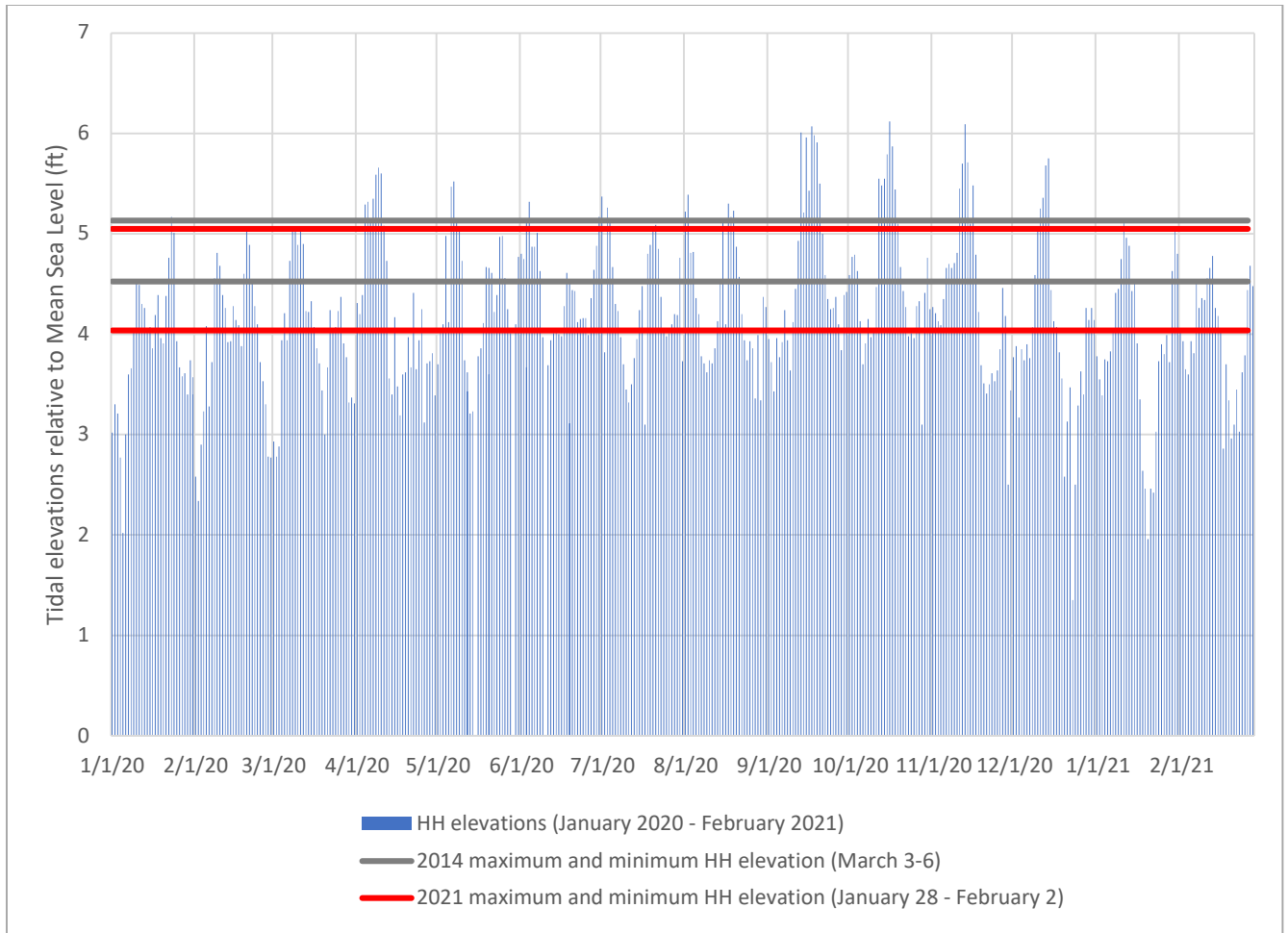


Figure 3. Minimum and maximum HH tides measured at the NOAA Fort Pulaski, Georgia tide gage (Station ID 8670870) during the 2021 data collection period relative to daily HH tide elevations measured in the 14-month period (January 2020 to February 2021) prior to data collection. Minimum and maximum HH tides from the 2014 study are shown in gray for reference.

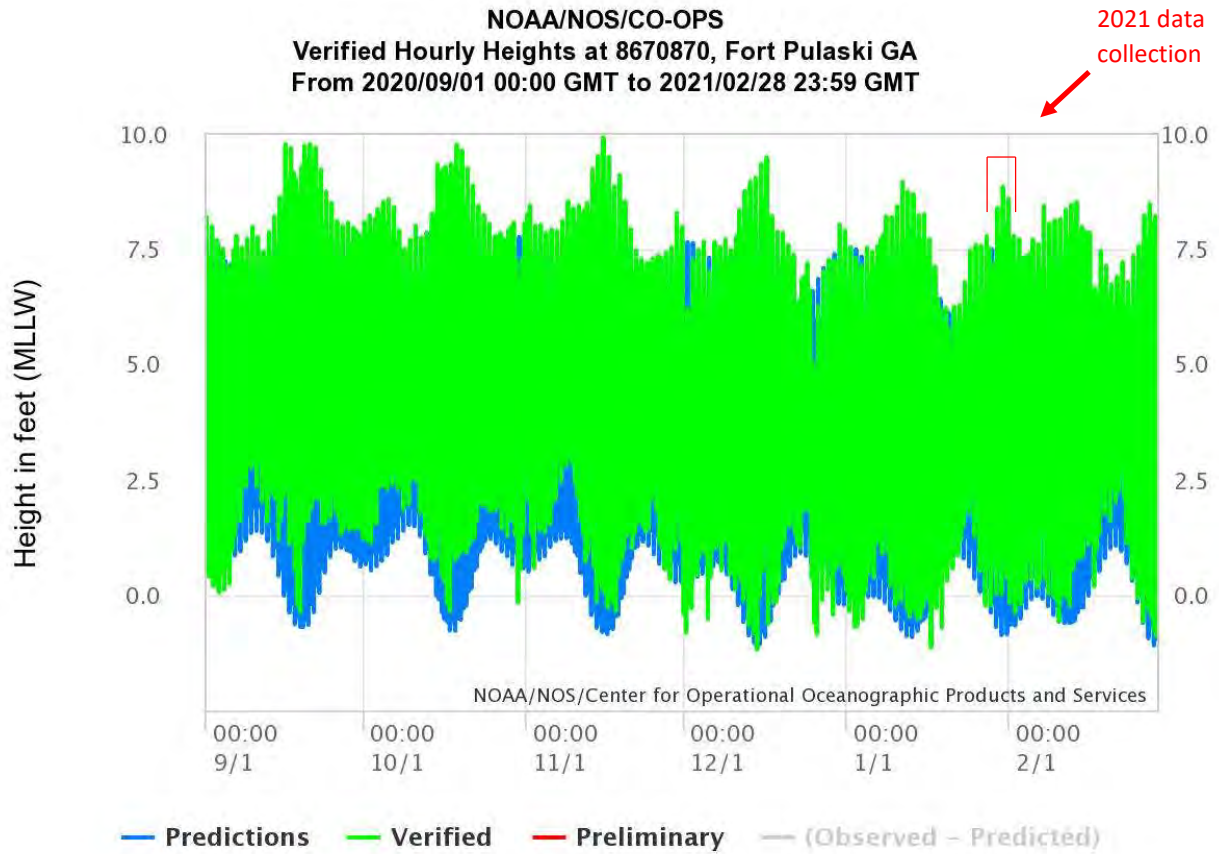


Figure 4. Daily tidal elevations relative to Mean Lower Low Water (MLLW) at the NOAA Fort Pulaski, Georgia tide gage (Station ID 8670870) from September 1<sup>st</sup>, 2020 to February 28<sup>th</sup>, 2021.

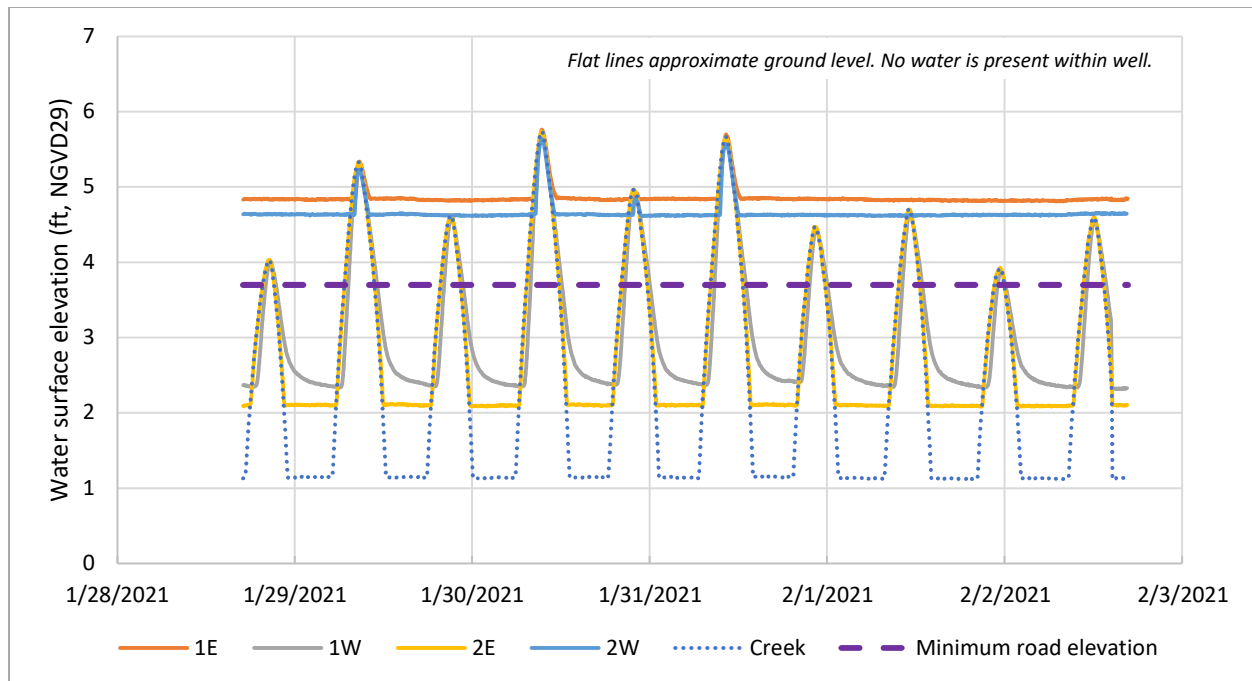


Figure 5. Water surface elevations recorded at Well 1E, 1W, 2E, 2W, and Creek from January 28<sup>th</sup>, 2021 to February 2<sup>nd</sup>, 2021.

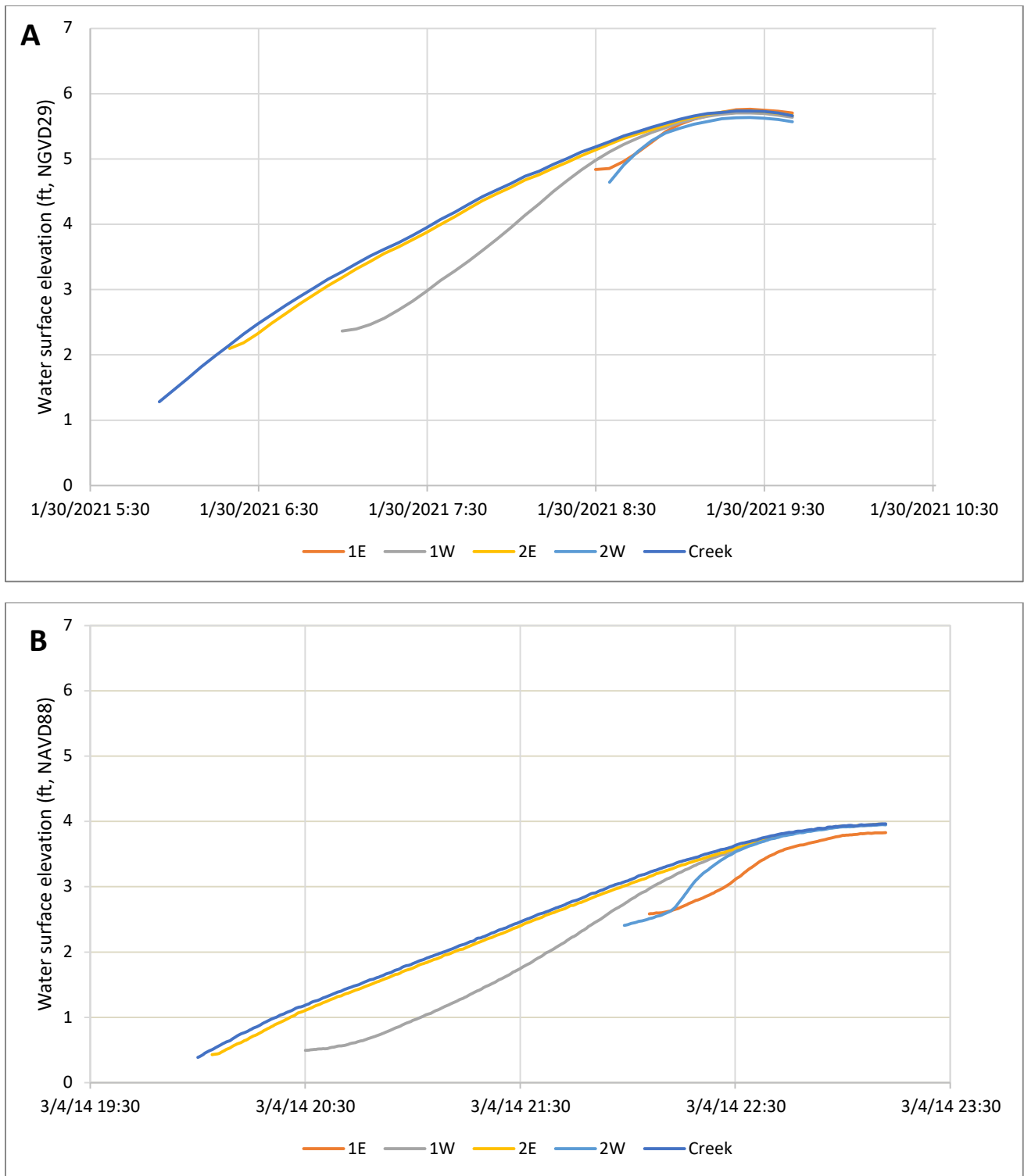


Figure 6. Water surface elevations recorded during the rising limb and peak of the maximum HH tide event recorded during the (A) 2021 and (B) 2014 data collection period at all wells. (Note that the vertical datums are different for 2021 (A) and 2014 (B). This analysis is intended to show timing of the flood tide and is therefore not affected by the different datums.)





Figure 7. Primary water flowpaths into study area under current conditions. Orange arrows indicate areas where connectivity is limited to a small duration of time during high tide. Reference Figure 8 for more detail.

0 125 250 500 Feet



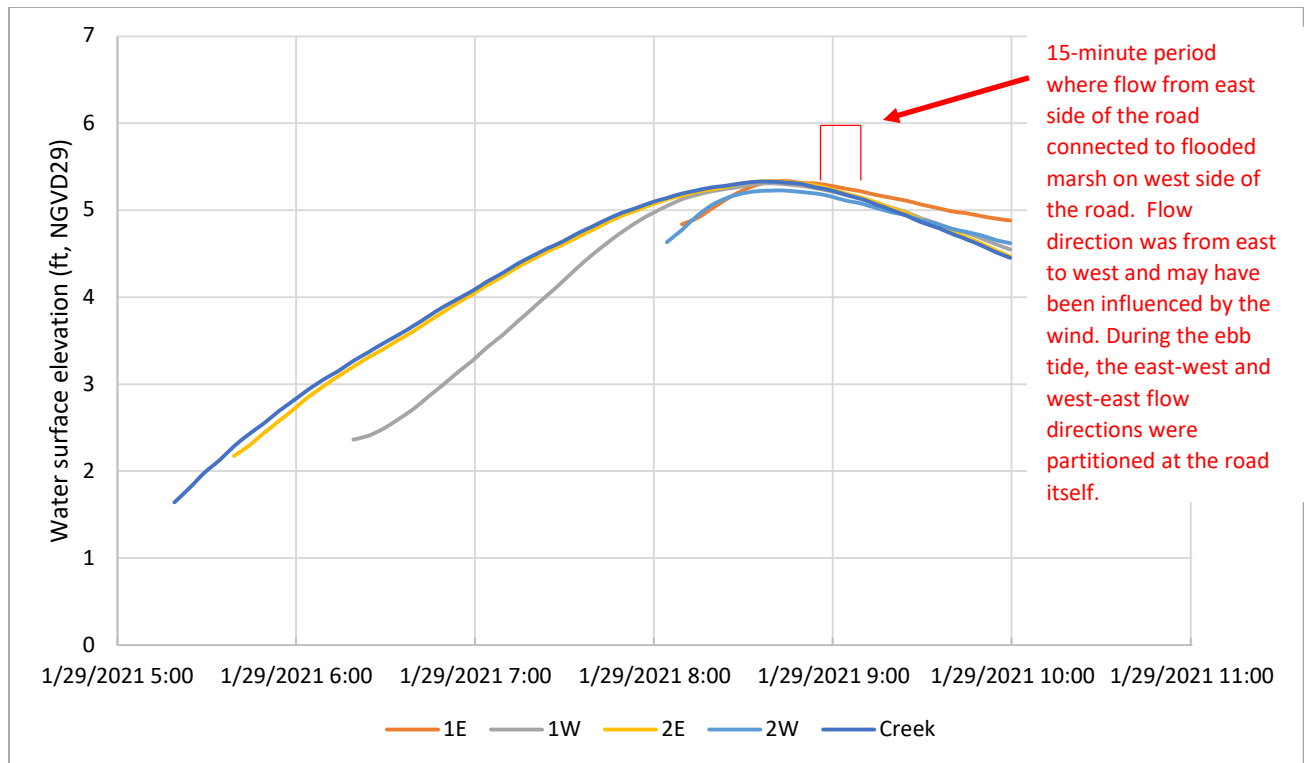


Figure 8. High tide observed and recorded at Well 1E, 1W, 2E, 2W and Creek during data collection on January 29<sup>th</sup>, 2021. Hydrological connectivity across the road was observed between approximately 8:45am and 9:00am.



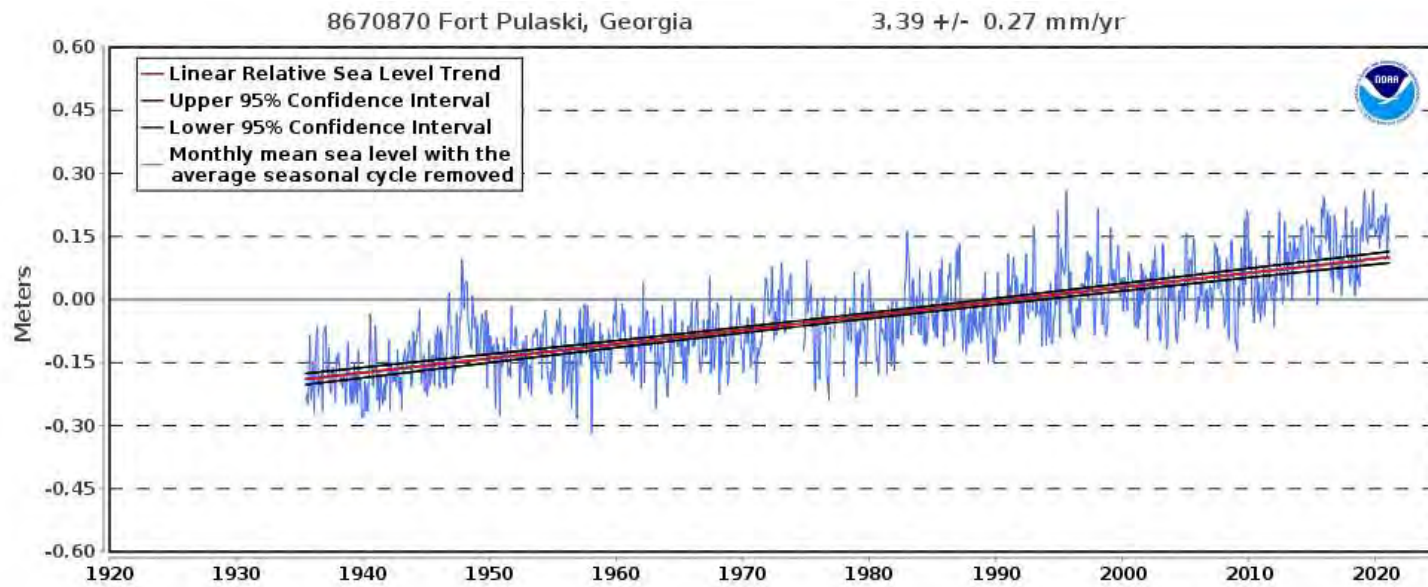


Figure 9. Mean monthly sea level without the regular seasonal fluctuations reported by NOAA at the Fort Pulaski, Georgia tide gage (Station ID 8670870). Average yearly sea level rise is 3.39 mm/year or 0.13 in/year.

# APPENDIX A

## ***TECHNICAL MEMORANDUM NO. 13-079.01***

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**PREPARED FOR:** Alton Brown  
Resource & Land Consultants

**PREPARED BY:** Cody Hale, Ph.D., PH  
Principal, Project Scientist

C. Todd Headley  
Staff Scientist

**DATE:** June 9, 2014

**SUBJECT:** Hydrological and ecological assessment of proposed Polk Street  
maintenance project, City of Tybee Island, Georgia.

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## **1.0 INTRODUCTION**

On behalf of the City of Tybee Island, Georgia, Nutter & Associates (NAI) staff conducted a hydrologic analysis to satisfy Item C within the request for additional information (RAI) (SAS-2012-00089) issued by the US Army Corps Engineers on June 25, 2013. The RAI was in reference to the proposed driveway maintenance project located at the southern end of Polk Street on Tybee Island, Georgia (Figure 1). The unpaved southern end of Polk Street south of Highway 80, also referred to as the driveway in this report, leads to a private hammock with two residences owned by Michael E. Leonard. The unpaved southern end of Polk Street south of Highway 80 serves as the primary driveway for both residences (Figure 1). The elevation of the driveway has decreased over time, allowing tidal waters to overtop it during high tides. The City of Tybee Island and Mr. Leonard have proposed a maintenance project to repair the driveway such that safe vehicular access is possible during most tide conditions.

The primary goal of this hydrologic analysis was to evaluate the project's potential to adversely impact salt marsh, Essential Fish Habitat, and the estuary in the vicinity of the driveway by changing or restricting water flow.

## **2.0 SITE DESCRIPTION**

Chimney Creek forms a dendritic network of tidal channels that surround the periphery of the private hammock to the west, south, and east (Figure 1). The general assessment area for this analysis is defined as the marsh, upland, and developed area contained in the polygon bounded by US 80 on the north, Chimney Creek to the east and south, and the tidal creek that feeds the canal paralleling US 80 immediately north of the Leonard property to the west (Figure 1). The marsh area on the east side of the driveway is referred to as the Eastern Salt Marsh (ESM; Figure 2); likewise, the area to the west of the driveway is referred to as the Western Salt Marsh (WSM). A small, developed peninsula forms a divide between the eastern extent of the ESM and Chimney Creek except for a small area of connection to the south (Figure 2).

The marsh surrounding the proposed driveway maintenance project is a persistent emergent wetland habitat comprised of a mosaic of low and high salt marsh. Cowardin (1979) defines a persistent emergent wetland as a wetland "dominated by species that normally remain standing at least until the beginning of the next growing season." Mitsch and Gosselink (2000) define a low salt marsh as an "intertidal or lower marsh in salt marsh that is located in the intertidal zone and is flooded daily." A high marsh is defined as an "upper zone of a salt marsh that is flooded irregularly and generally is located between mean high water and extreme high water" (Mitsch and Gosselink, 2000). Low marsh habitat is predominant across the assessment area. However, a few higher elevation areas exist within the low marsh that are flooded irregularly and are considered high marsh. The ESM and WSM are mapped by the National Wetland Inventory (NWI) as areas of E2EM1P and E2EM1N habitat [Estuarine (E), Intertidal (2), Emergent (EM), Persistent (1), Irregularly Flooded (P), Regularly flooded (N)] (Figure 3). Chimney Creek is mapped as E1UBL habitat [Estuarine (E), Persistent (1), Unconsolidated Bottom (UB), Subtidal (L)] (Figure 3). Vegetation within the assessment area includes needlegrass rush (*Juncus roemerianus*), smooth cordgrass (*Spartina alterniflora*), and saltwort (*Salicornia* sp.).

Salt marshes serve as a primary nursery ground for many fish and shellfish species. Other wildlife that depend on salt marshes and estuary for habitat include birds such as the great blue heron (*Ardea herodias*), bald eagles (*Haliaeetus leucocephalus*), clapper rails (*Rallus longirostris*), sparrows, and various ducks (Georgiawildlife.com).

### **3.0 METHODS**

Five stilling wells were installed and instrumented with HOB0® water level sensors to continuously monitor tidal elevations at key locations on the project site (Figure 2). Two stilling wells (1E and 2E) were deployed within the ESM. A third stilling well (1W) was installed within a canal on the northwestern edge of the WSM. A fourth stilling well (2W) was installed within the WSM. The fifth stilling well (Creek) was installed on Chimney Creek at the southern end of the hammock (Figure 2). Water depths for five high tide and four low tide cycles were logged over a three day period.

A topographic survey of stilling well, salt marsh ground surface, water surface, and driveway elevations was completed using a Topcon Total Station®. The surveyed points were corrected to LiDAR-derived elevations to transform recorded water levels to true water surface elevations. Visual observations of water dynamics over the driveway and in the adjacent salt marsh areas were observed during periods of high and low tide. Daily tidal data from the Fort Pulaski tidal gauge (Gauge 8670870) was downloaded from the National Oceanic and Atmospheric Administration website (NOAA; [www.noaa.gov](http://www.noaa.gov)) to characterize the range of tidal amplitudes that occurred before, during, and following hydrologic data collection on the project site.

### **4.0 HYDROLOGY**

Water level data for five high tide and four low tide cycles were recorded over a three day period beginning on March 3, 2014 at 15:00 and ending at 05:00 on March 6, 2014. This measurement period occurred between two spring high tides, which occurred on March 1 and 17, 2014, respectively (Figure 4). The Higher High (HH) tidal elevation ranged from 1.932 feet to 5.721 feet from January 1, 2013 to March 31, 2014 (Figure 5). During the period that water level data was collected on the project site (March 3-6, 2014), the HH ranged between 4.527 feet and 5.134 feet, indicating that above average high tide elevations were present (Figure 5).

The hydrology of the ESM prior to the construction of the driveway appears to have been fed by overland flooding produced from the marsh flats to the west of the driveway and from a tidal channel located in the southern extent of the ESM (but east of the private hammock and the driveway). This tidal channel has a direct connection to Chimney Creek and, as it flows north from well 2E to 1E, branches into numerous small, flow paths that distribute tidal waters to the upper extent of the ESM (Figure 6). Under current conditions, and for the past 60 years, the primary source of hydrology for the ESM is from the tidal channel that enters at the southern extent of the area (see hydrologic signature in Figure 6).

The WSM is inundated from the south and west via Chimney Creek and associated tributaries during high tides (Figure 6). A dredged and hydrologically connected tidal channel is located north of, and directly adjacent to, a private driveway that intersects the southern end of Polk Street (Mr. Leonard's driveway) from the west (Figure 6).

#### **4.1 Monitoring Results**

Hydrographs of tidal data from stilling wells 1W, 1E, 2W, 2E, and Creek show that tidal waters inundate the WSM and ESM on either side of the proposed driveway maintenance project nearly simultaneously via the various Chimney Creek tributaries during high tide (Figure 7). Field observations of the rising limb and peak of a high tide cycle on March 7, 2014 revealed that tidal waters inundate the ESM and WSM independently of one another, eventually overtopping the south end of Polk Street from the southeast. The water flooding the driveway flowed northward in a tidal channel paralleling the driveway on the east until the driveway was completely inundated. No significant flow was observed crossing the driveway from west to east, or visa versa, during rising and receding tides; however, water did drain to the south, west and east during the receding tide (Figure 6 – current driveway flow conditions). On average, tidal waters inundate the southern end of Polk Street for approximately five to seven hours per day (i.e., cumulatively over both tide cycles).

Stilling well 1E exhibited a slight temporal lag (17 minutes) in reaching the hydrologic peak of high tide on March 5, 2014 relative to stilling wells 1W, 2W, 2E, and Creek (Figure 8). The maximum temporal lag in reaching the hydrologic peak at 1E coincided with the lowest high tide elevation of the data collection period (Figure 8); however, all stilling wells reached the tidal peak simultaneously and there was no temporal lag at 1E during the highest tide event (Figures 9 and 10). An analysis of lag at 1E as a function of tide height confirmed that as the high tide elevation increased, the temporal lag at 1E decreased (Figure 10). This trend is strongly indicative of hydraulic roughness decreasing with increases in water depth.

Stilling well 1E had the second highest ground elevation (2.132 ft) of all stilling wells based on LiDAR corrected survey data (2W was the highest at 2.302 ft). Additionally, the ESM area in the vicinity of 1E had the densest vegetation based on general site observations (no vegetation measurements were made), resulting in a higher roughness factor. Roughness decreases the inundation and recession rates of rising and receding tidal waters. As previously mentioned, the hydrology supplied to the northern portion of the ESM flows through a diffuse network of small flow paths. When the flow paths are overtopped by the rising tide, the ESM surrounding 1E fills with water relatively quickly. The slightly higher elevation at 1E combined with increased roughness from dense vegetation results in the temporal lag during lower elevation high tides.

#### **4.2 Hydrologic Effects of Proposed Driveway Project**

Based on the hydrologic data, interpretation of aerial photography and LiDAR maps, and field observations, repairing the existing driveway to accommodate vehicular travel would not have an appreciable effect on the hydrologic regime of the adjacent ESM and WSM. The volume of water that the driveway would displace following repair, assuming a 520 foot driveway that is 11 feet wide, would be 9,098 cubic feet during a higher than average high tide event as was observed during the data collection period. The percentage of water that the driveway would

displace during high tide relative to the combined volume of water in the ESM and WSM at high tide is 0.42 percent. Though high tide waters currently overtop the driveway, the volume of water moving from the WSM to the ESM during the peak of high tide is minimal and rather insignificant relative to the volume of tidal waters inundating the marshes from the west, south and east via Chimney Creek. If the driveway is built up as proposed, tidal waters will continue to inundate the WSM and ESM with no significant changes in the duration, frequency, height, and volume of tidal waters reaching the ESM and WSM.

## **5.0 ECOLOGICAL CONSIDERATIONS**

### **5.1 General Ecological Community**

Native flora and fauna species characteristic of the marsh habitats located in the vicinity of the project rely on, and are adapted to, the natural hydrologic and water quality variability caused by the semidiurnal tides observed along the Georgia coast. Tidal marshes provide important ecological functions, such as providing nursery and feeding habitats for terrestrial and aquatic fauna, providing water quality functions, such as carbon export and nutrient and contaminant sequestration, and providing attenuation of high water events. Based upon the results of the hydrologic analysis, which indicate that the ESM and WSM flood independently and that the driveway maintenance will not block or divert tidal flows, it is anticipated that the existing hydrologic conditions of the entire marsh will be maintained and thus the driveway improvement will not affect the ecological function of the ESM or WSM.

### **5.2 Essential Fish Habitat and Passage**

The southern extent of the ESM and WSM, and portions of Chimney Creek are mapped as Essential Fish Habitat by the National Oceanic and Atmospheric Administration (NOAA) Essential Fish Habitat Mapper ([habitat.NOAA.gov](http://habitat.NOAA.gov)). Though Essential Fish Habitat is mapped within close proximity to the project area, fish usage in the ESM and WSM immediately adjacent to the driveway is likely minimal due to elevation and typical water depths under normal tidal conditions. However, if fish are present, access to possible spawning habitat and nursery grounds within the ESM and WSM adjacent to the driveway should not be adversely impacted. Ecological connection between the ESM and Chimney Creek will be maintained through the existing flow path that parallels the eastern side of the driveway, and habitat isolation will not occur if the proposed driveway maintenance is completed.

## **6.0 NECESSITY OF CULVERTS**

Culverts are closed conduits used to convey water from one area to another, typically from one side of a road to the other side (CPYWMA, 2000). Bottomless culverts, which have a natural surface bottom, are beneficial in situations where fish and wildlife passage may be negatively impacted by a road crossing (CPYWMA, 2000). Installation of a series of 18-inch culverts, or a single bottomless culvert within the driveway has been considered so that tidal waters, fish, and other wildlife will be able to move freely from the WSM to the ESM, and visa versa, during high tides.



Culverts can certainly be beneficial in linear habitats such as stream settings where habitat isolation and fragmentation from road construction is likely. However, installing a bottomless culvert or a series of 18-inch culverts to maintain hydrological and ecological connections between the ESM and WSM would provide very little, if any benefit since both marsh areas are inundated independently of one another during high tides via Chimney Creek's tributaries. If the driveway is filled to an elevation that would not be inundated during high tides, tidal waters will continue to reach the ESM and WSM with no significant change in the volume of water, quality of water, or timing of tidal inundation.

Maintenance issues associated with culverts must also be considered. Possible maintenance issues include obstruction of the culvert(s) with debris and scouring at the entry and exit points of the culvert(s) due to higher water velocities moving through the culverts during rising and receding tides. Additionally, installation of culverts, if falling under the requirements of the Georgia Department of Transportation (GDOT) guidelines, may require building up the driveway to a significantly higher elevation than would be necessary if no culverts were installed. The GDOT requires that roads not designated as state routes must have a minimum of 2 feet of freeboard (vertical clearance between the ceiling of the culvert and flood stage elevation) above the mean spring high tide elevation (GDOT, 2008). Correspondingly, as the elevation of the driveway is increased, the width of the driveway must be increased as well, resulting in the addition of unnecessary fill to the adjacent salt marshes.

## **7.0 CONCLUSIONS**

Based on the findings of the study:

- Hydrological and ecological connectivity between the ESM and WSM will not be adversely impacted since tidal waters inundate the ESM and WSM independently of each other during high tides via Chimney Creek's numerous surrounding tributaries.
- The duration, frequency, height, and volume of tidal water reaching the ESM and WSM during high tide will remain the same if the driveway is filled as proposed.
- Essential Fish Habitat will not be impacted as a result of filling the driveway since fish or other aquatic species will continue to have access to nursery habitat and feeding grounds in the ESM and WSM during high tides as they have in the past.
- Culverts are not necessary for the conveyance of tidal waters to the ESM or WSM and may also result in maintenance issues.
- Installation of culverts would also require raising the elevation of the driveway, which in turn would require that the driveway be widened, resulting in unnecessary fill within the eastern and western salt marshes.

## **8.0 REFERENCES**

- Choctawhatchee, Pea, and Yellow Rivers Watershed Management Authority (CPYWMA). (2000). Chapter 3. Culverts. Recommended Practices Manual. A Guideline for Maintenance and Service of Unpaved Roads
- Cowardin, L. M., & Golet, F. C. (1995). US Fish and Wildlife Service 1979 Wetland Classification: A review. *Vegetation*, 118(1-2), 139-152.
- Georgia Department of Transportation (2008). Chapter 14. Bridge Hydraulic Design Criteria. Manual On Drainage Design For Highways
- Mitsch, W. J., & Gosselink, J. G. (2000). Chapter 9. Tidal Salt Marshes. *Wetlands* (3rd ed., ). : John Wiley & Sons, Inc.

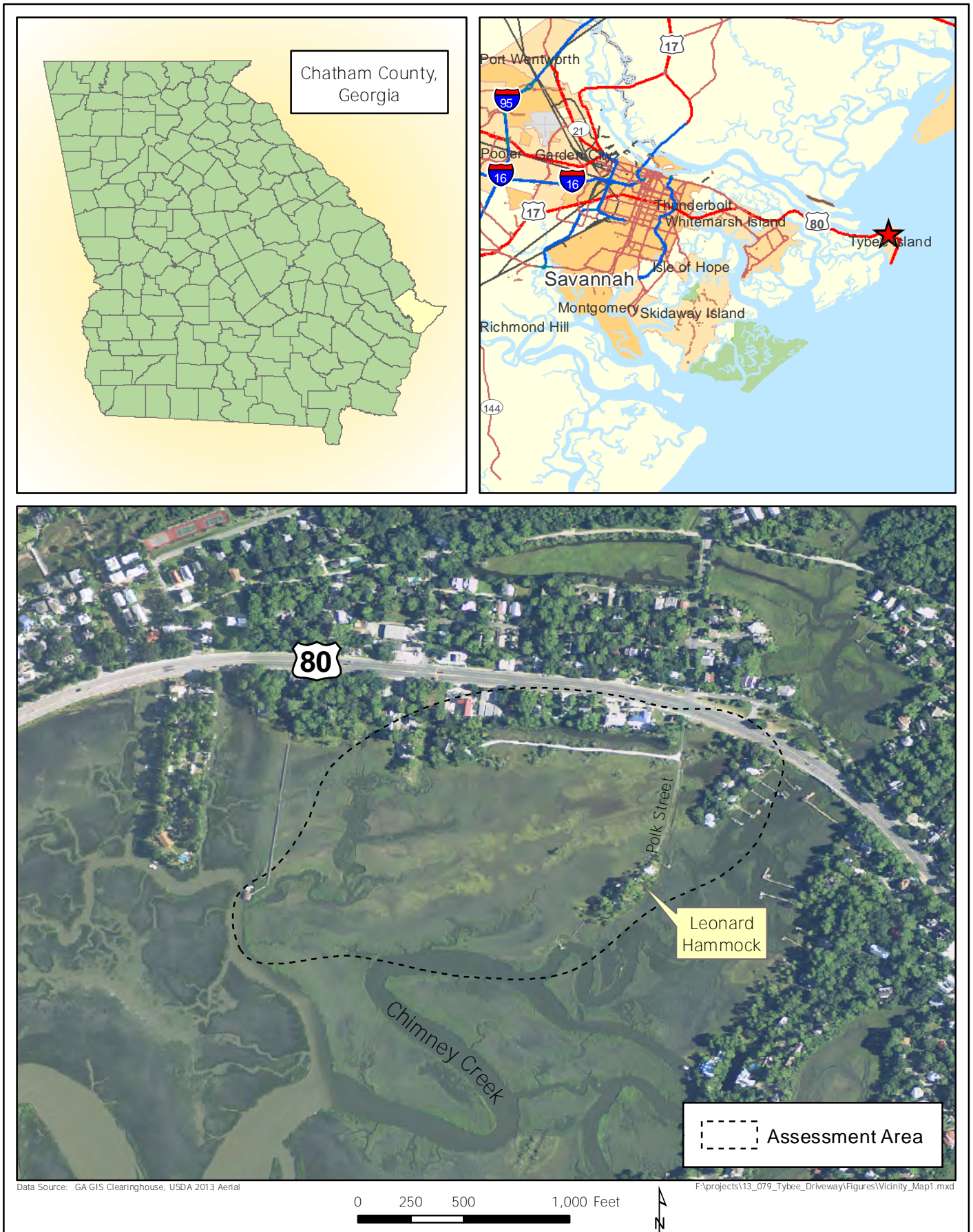


Figure 1. Vicinity map of proposed driveway maintenance project, Tybee Island, GA.





Figure 2. Stilling well locations and Eastern and Western Salt Marsh boundaries within the vicinity of the proposed driveway maintenance project.



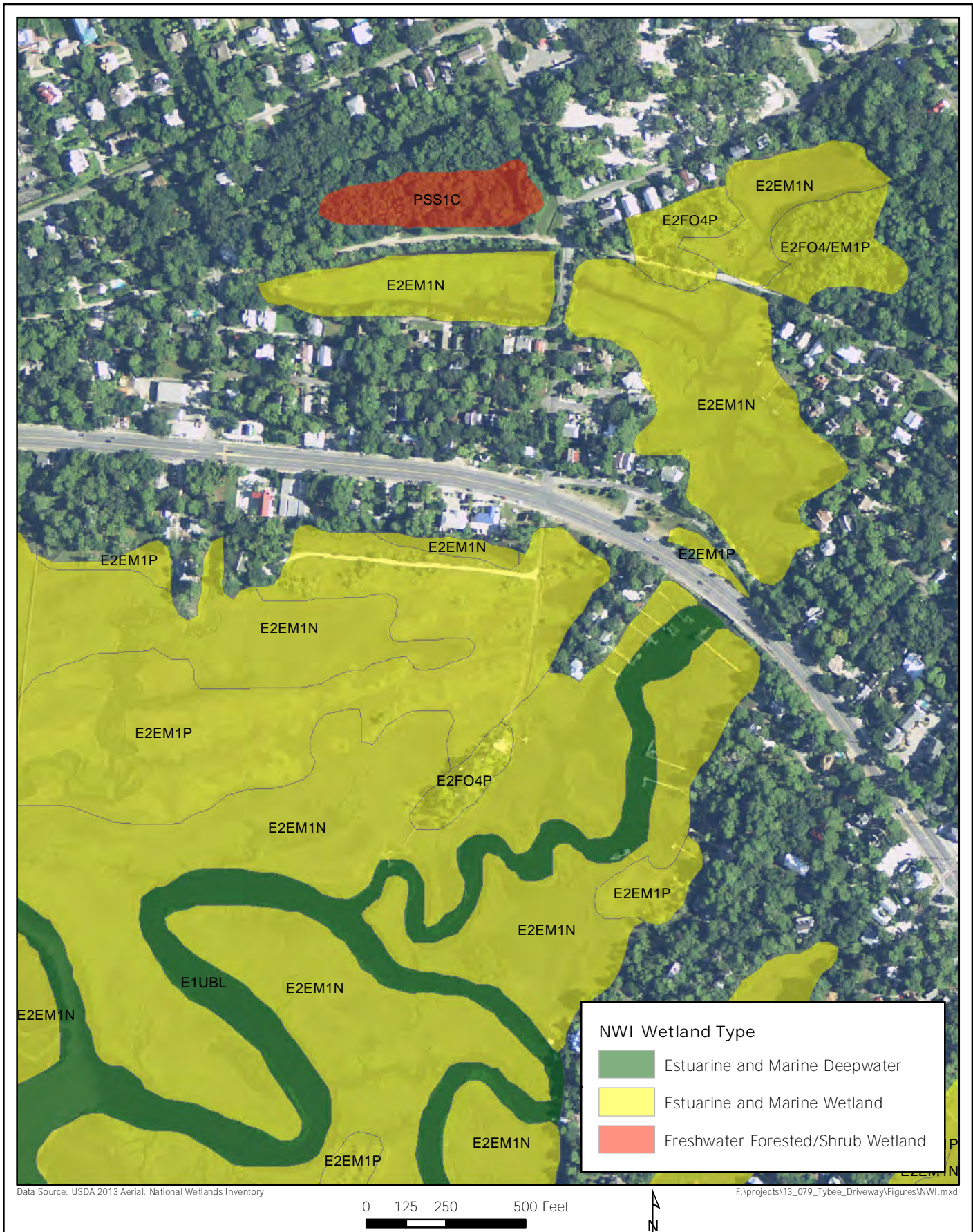


Figure 3. Coastal habitats mapped by the National Wetland Inventory within the vicinity of the proposed driveway maintenance project, Tybee Island, Georgia.

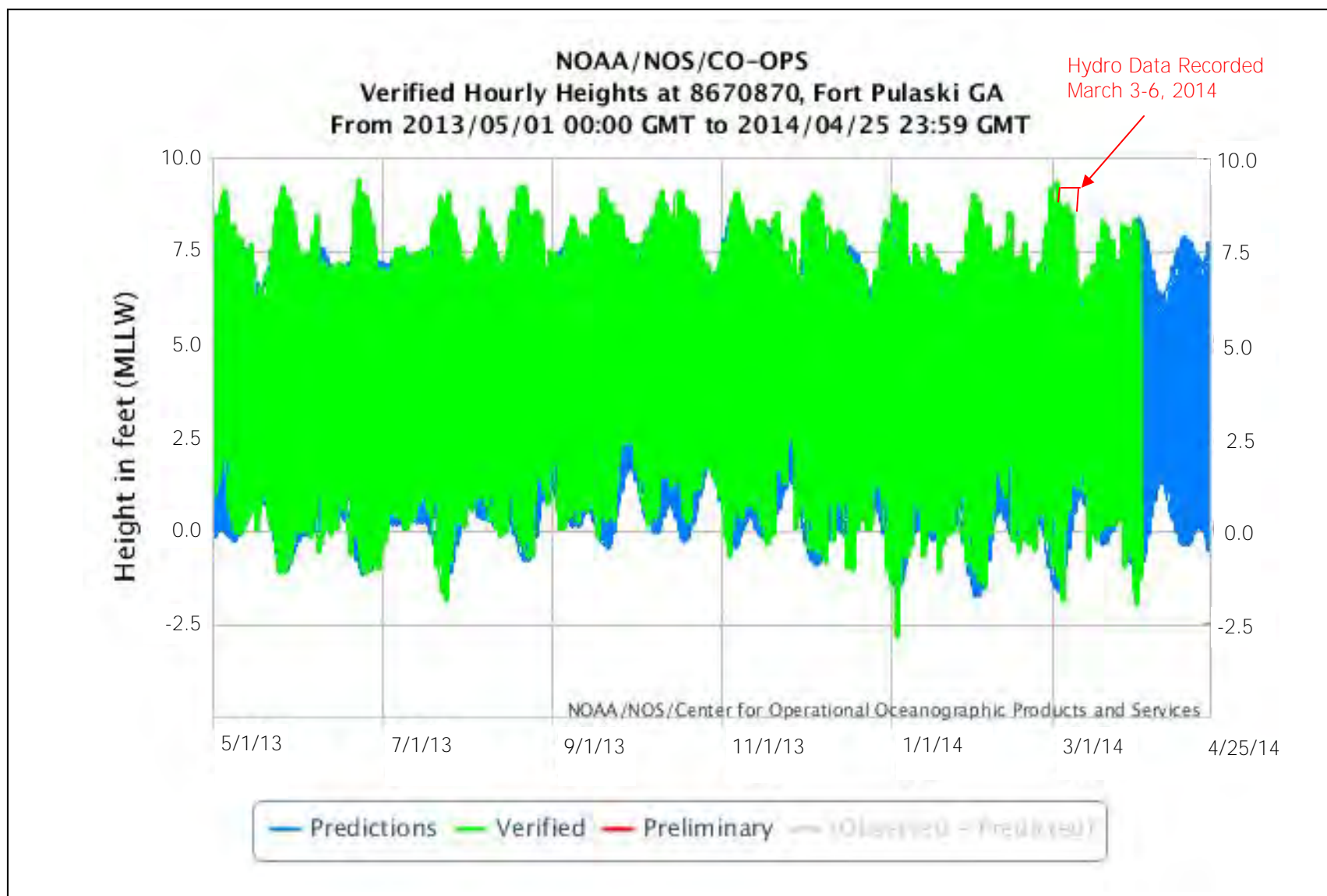


Figure 4. Daily tidal data measured at Fort Pulaski, GA (gage 8670870) from May 1, 2013 to April 25, 2014.



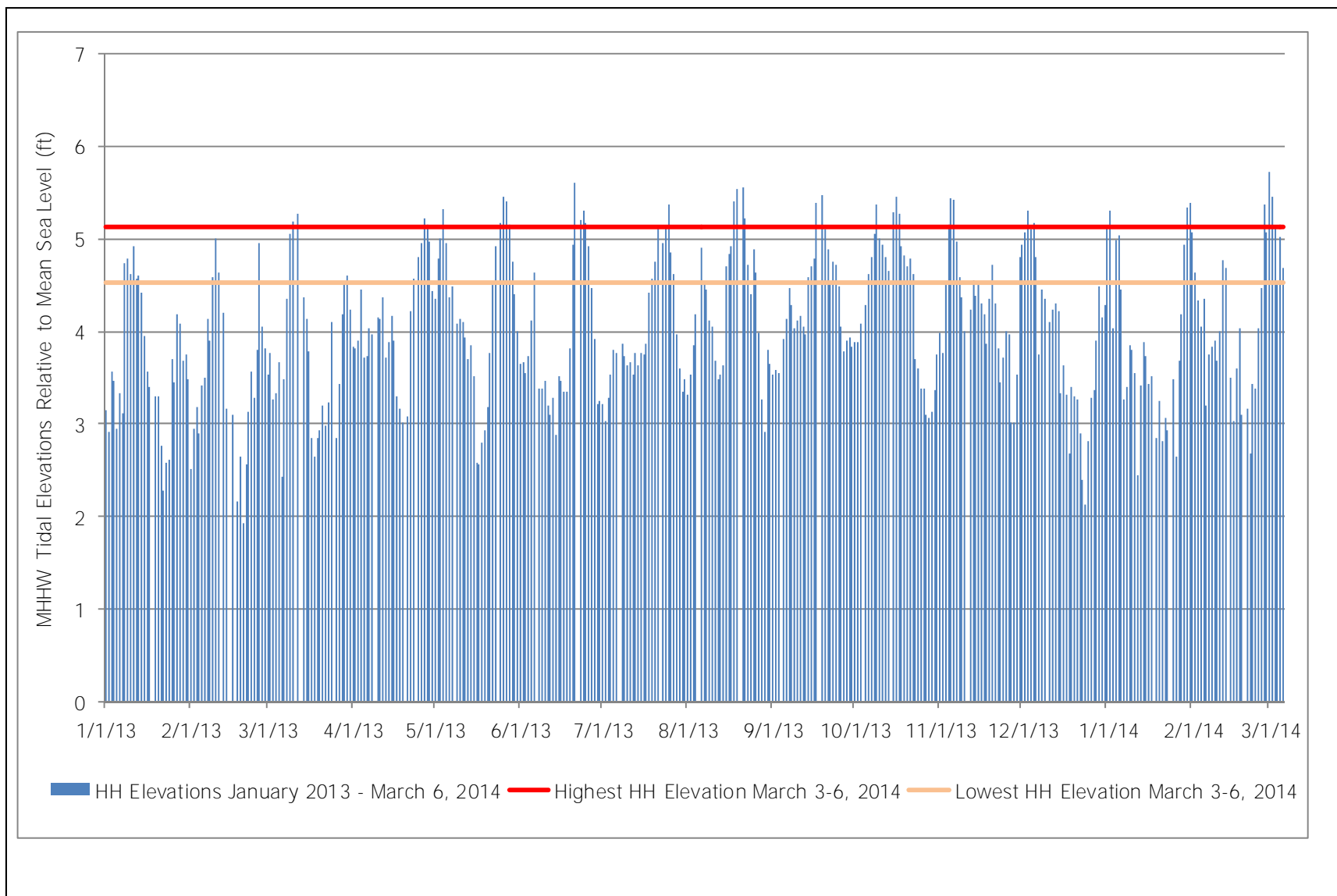
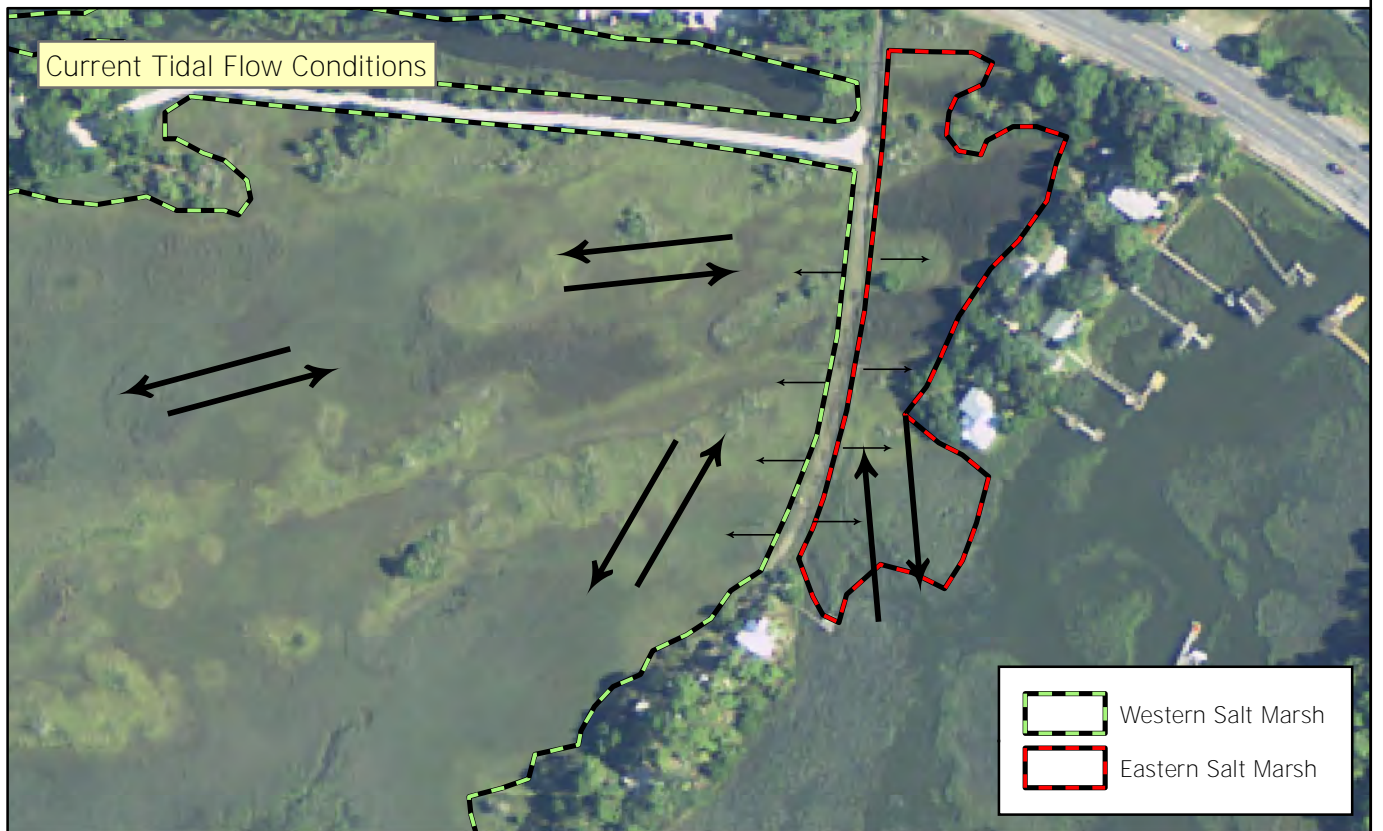
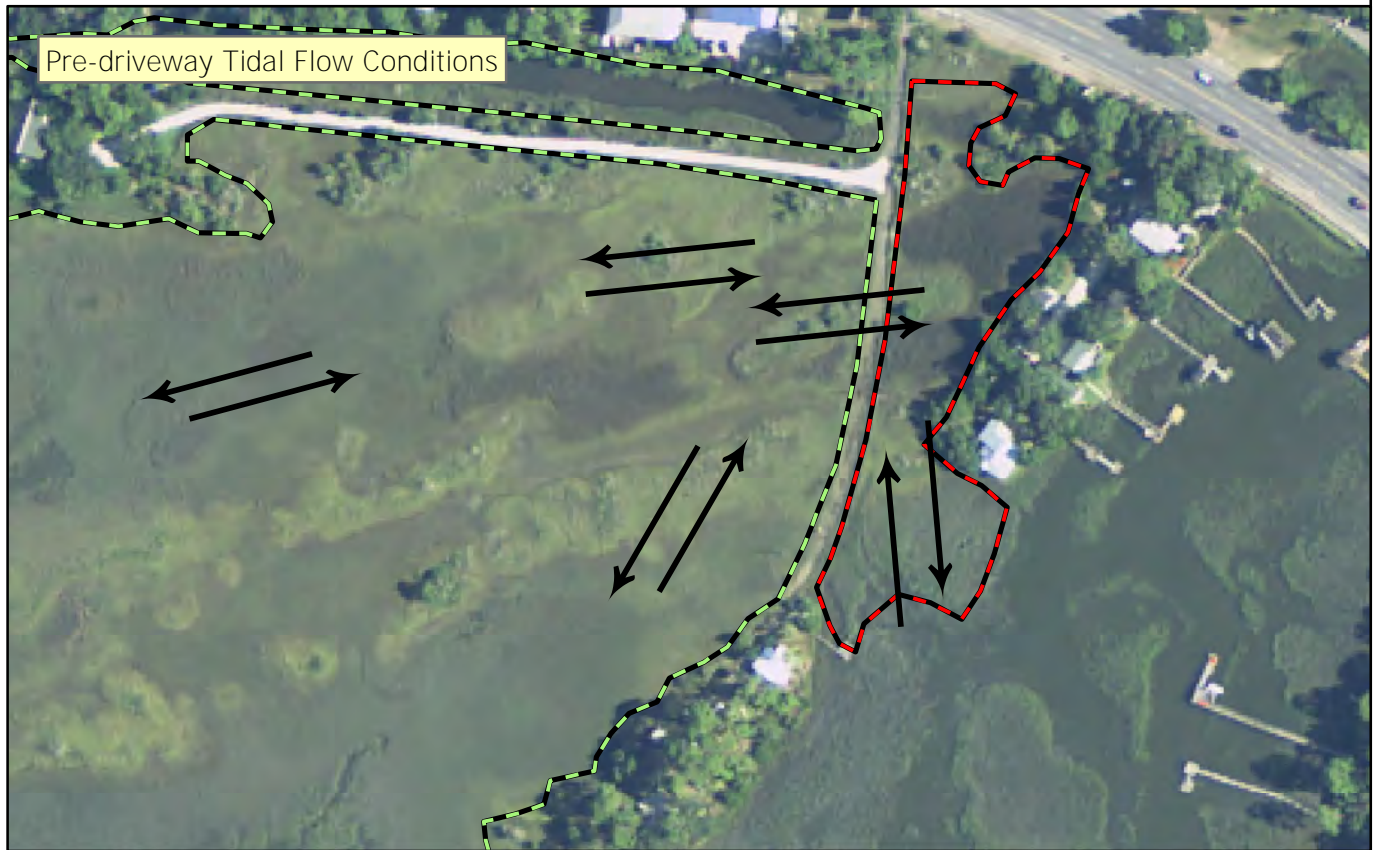


Figure 5. Upper and lower bounds of higher high (HH) tides measured at Fort Pulaski, GA (gage 8670870) during data collection period (March 3-6, 2014) relative to daily higher high tide elevations measured over the 14-month period from January 1, 2013 to March 6, 2014.



Data Source: USDA 2013 Aerial

0 100 200 400 Feet

\\HAL\Public\GIS\projects\13\_079\_Tybee\_Driveway\Figures\PrevPost2.mxd

Figure 6. Pre- and post- driveway tidal flow conditions.



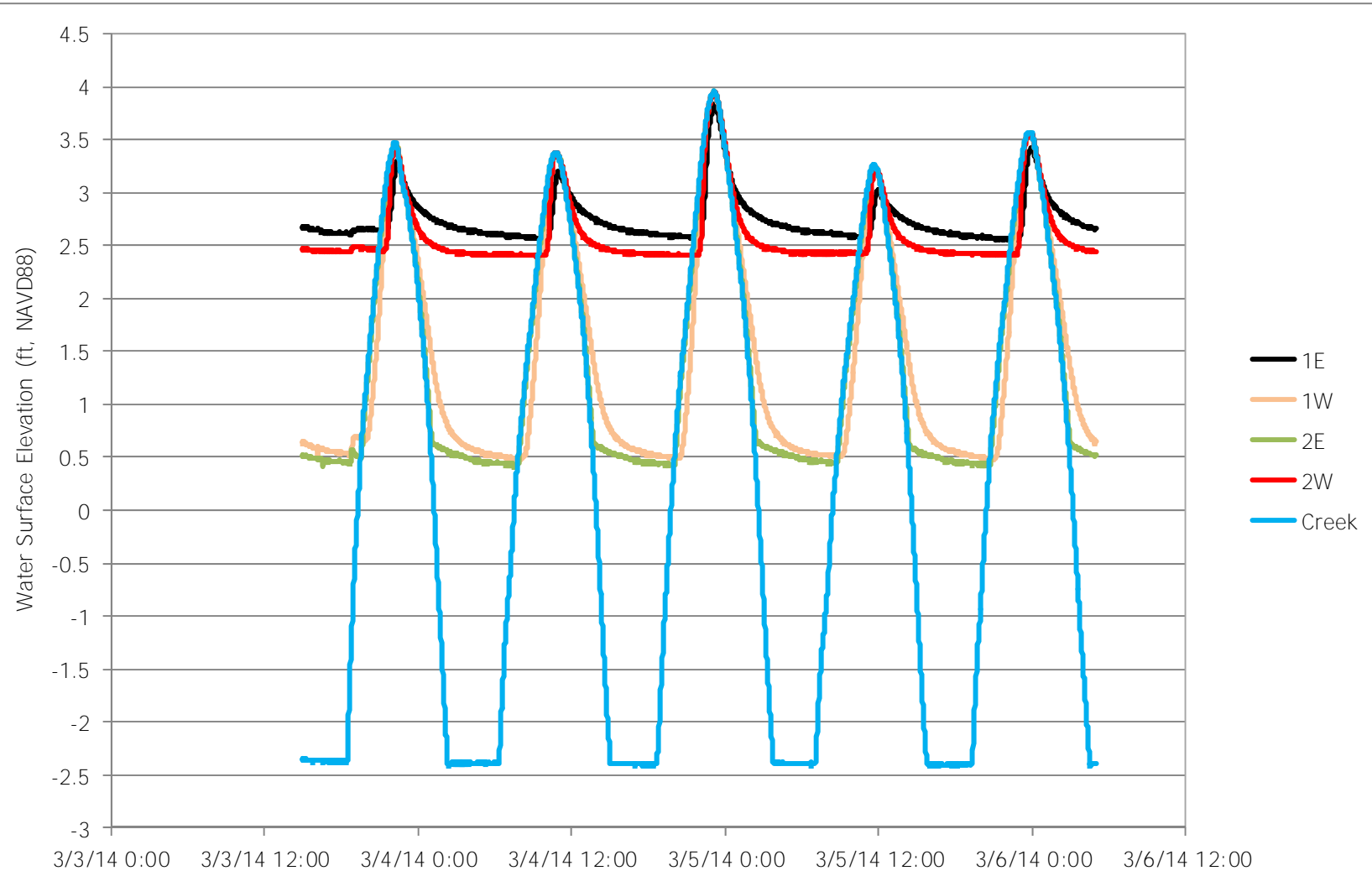


Figure 7. Water surface elevations recorded at stage recorders 1E, 1W, 2E, 2W, and Creek from March 3-6, 2014.

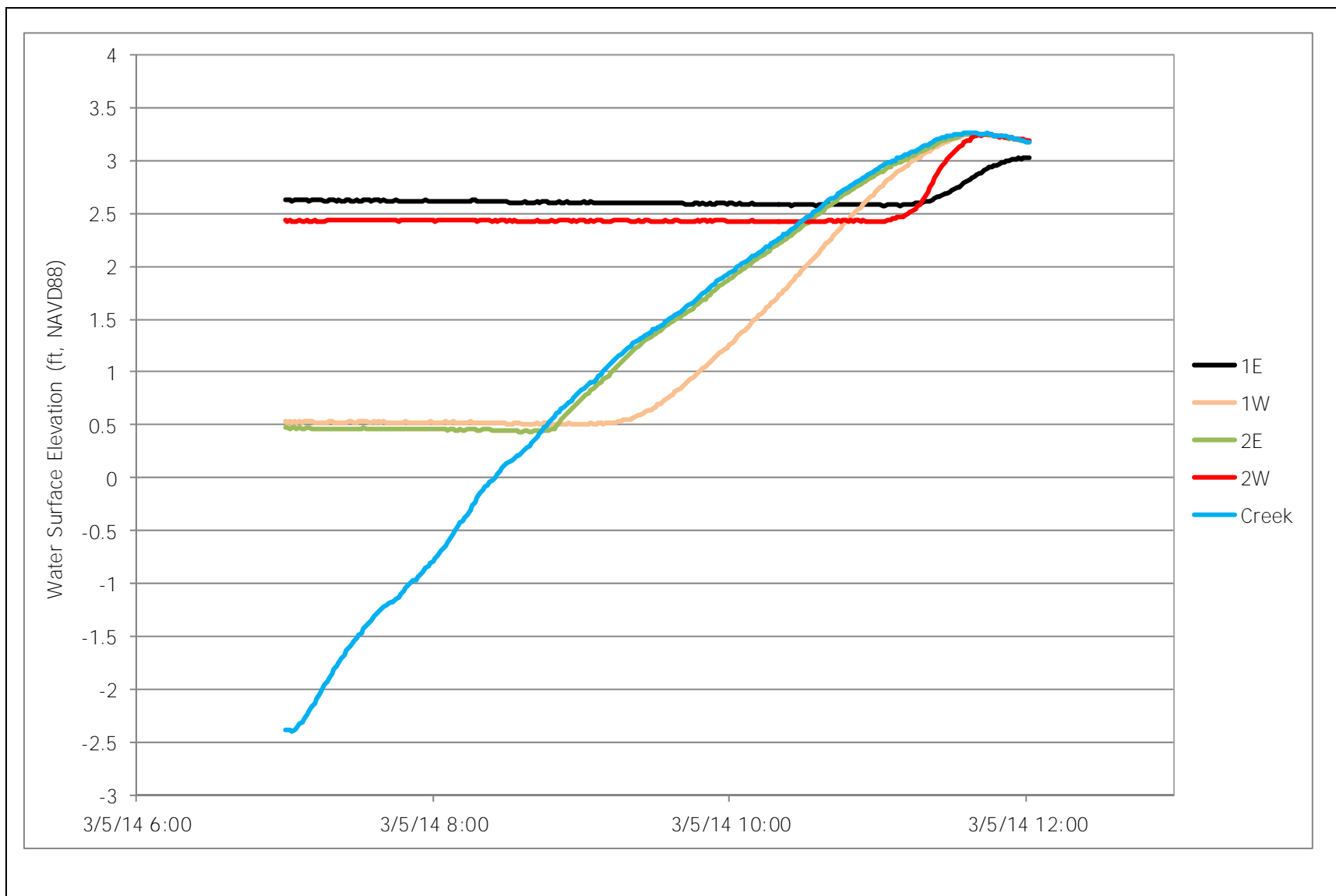


Figure 8. Water surface elevations recorded during the rising limb and peak of the lowest high tide event at stage recorders 1E, 1W, 2E, 2W, and Creek.

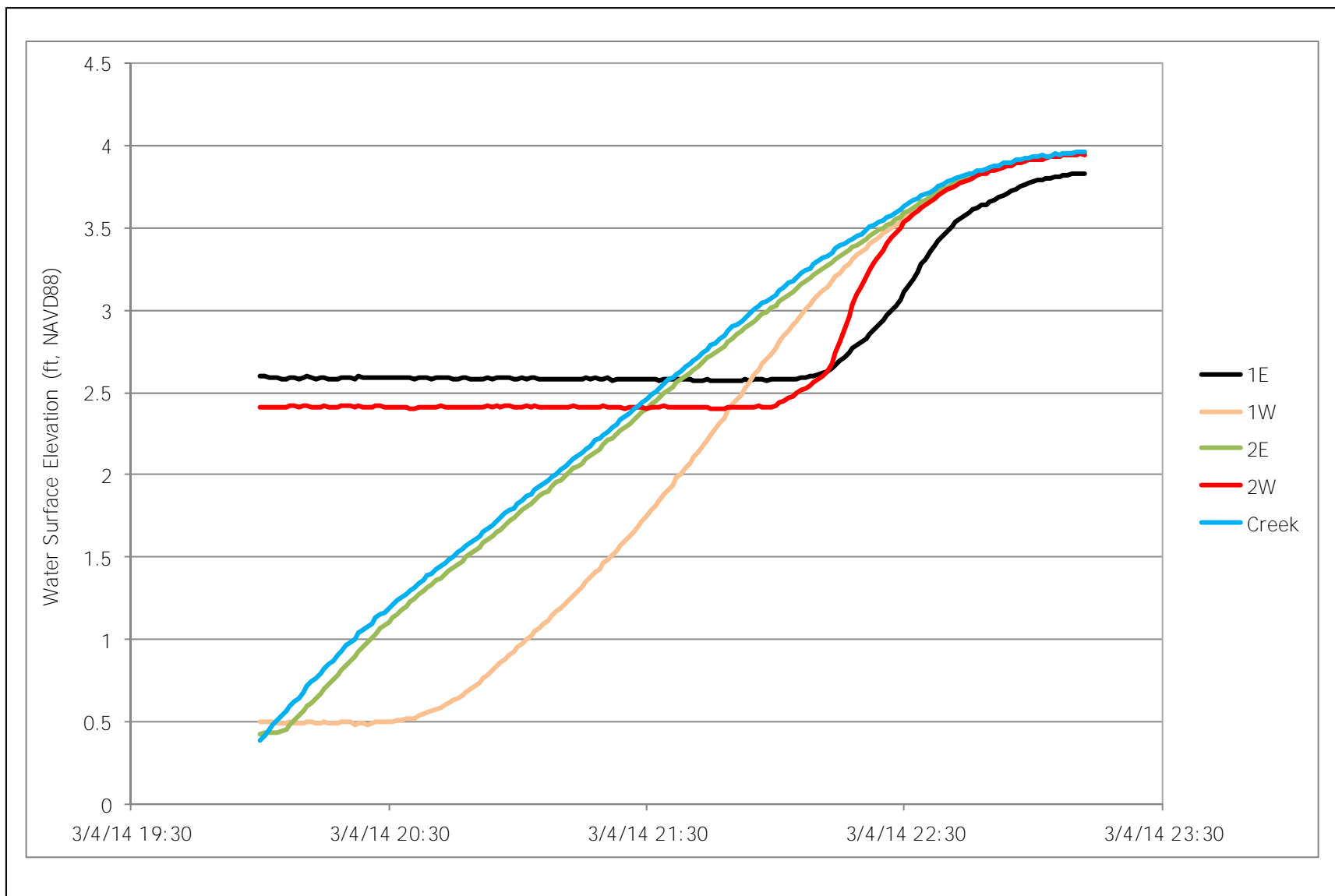


Figure 9. Water surface elevations recorded during the rising limb to peak of the highest tide at stage recorders 1E, 1W, 2E, 2W.

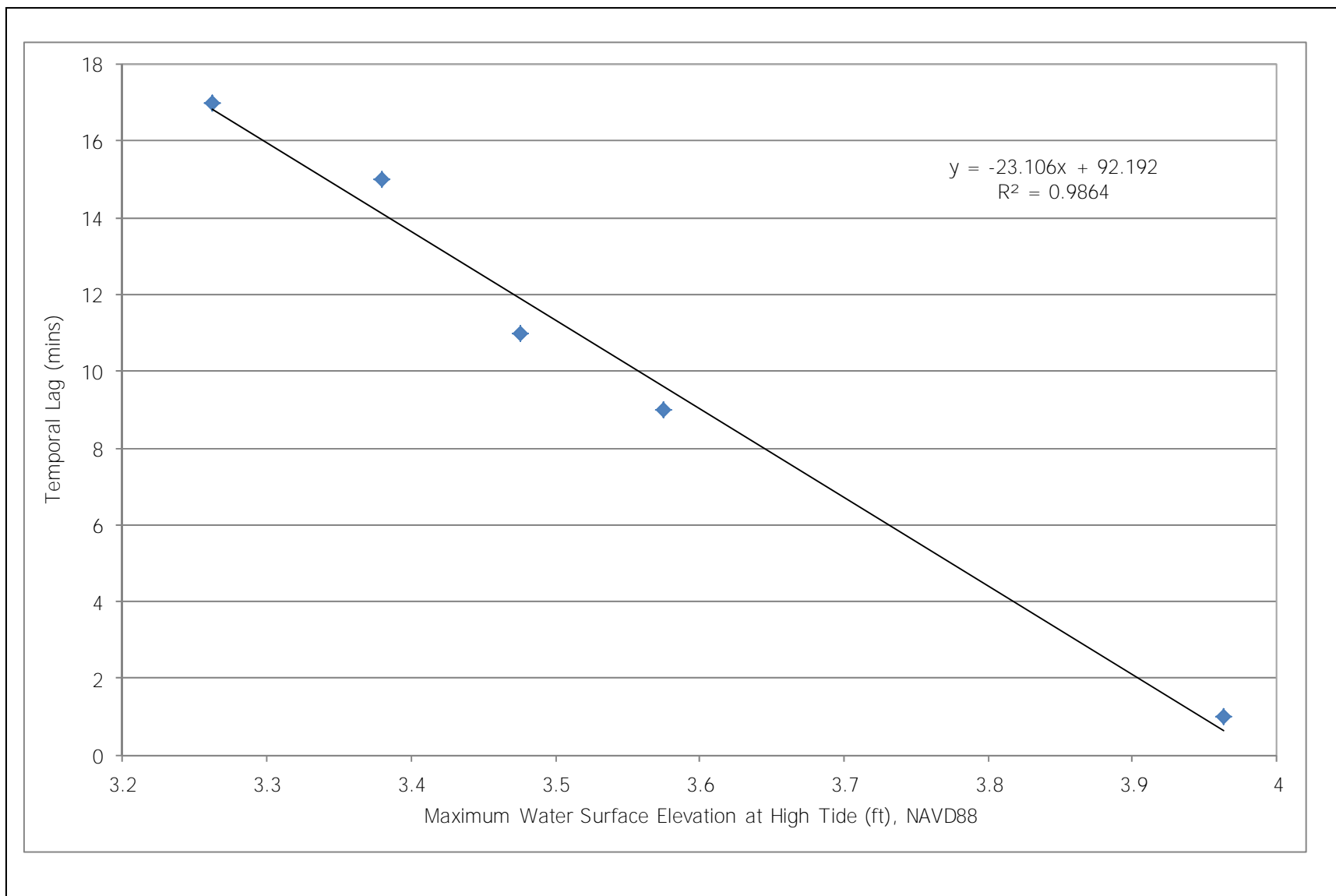
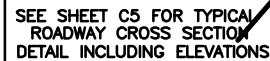


Figure 10. Temporal lag of high tide at 1E relative to Creek as a function of maximum tide elevation.

# ATTACHMENT C

Revised Permit Drawings

GA GRID (NAD 83) NORTH  
EAST ZONE



NO WORK SHALL BE DONE IN THE POLK STREET SOUTH  
R.O.W. WITHOUT ALL REQUIRED APPROVALS AND  
PERMITS OF ALL GOVERNING AGENCIES, AUTHORITIES,  
BODIES, ETC... INCLUDING BUT NOT LIMITED TO  
CITY OF TYBEE, CHATHAM COUNTY, ETC...

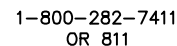
UTILITY WARNING

ANY UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION OF VISIBLE ABOVE GROUND FEATURES. NEITHER THE SURVEYOR NOR THE ENGINEER GUARANTEE (WARRANT, CERTIFY ETC....) THAT ALL UNDERGROUND UTILITIES AND OTHER SUBSURFACE INSTALLATIONS ARE ACCURATE, EITHER IN SERVICE OR LOCATION. SUCH AS: NOR DO THEY WARRANT THAT THE UNDERGROUND UTILITIES AND OTHER SUBSURFACE IMPROVEMENTS SHOWN ARE IN THE EXACT LOCATION INDICATED. THE SURVEYOR HAS MADE NO ATTEMPT TO LOCATE OR SHOW ELECTRIC, GAS, TELEPHONE, CABLE OR OTHER UTILITIES OTHER THAN WATER, DRAINAGE AND SEWER.

474 PG: 170

**ATTENTION: SENT  
TO THE R/O OF  
CUSTOM SERVICE**

**CASON AVENUE**



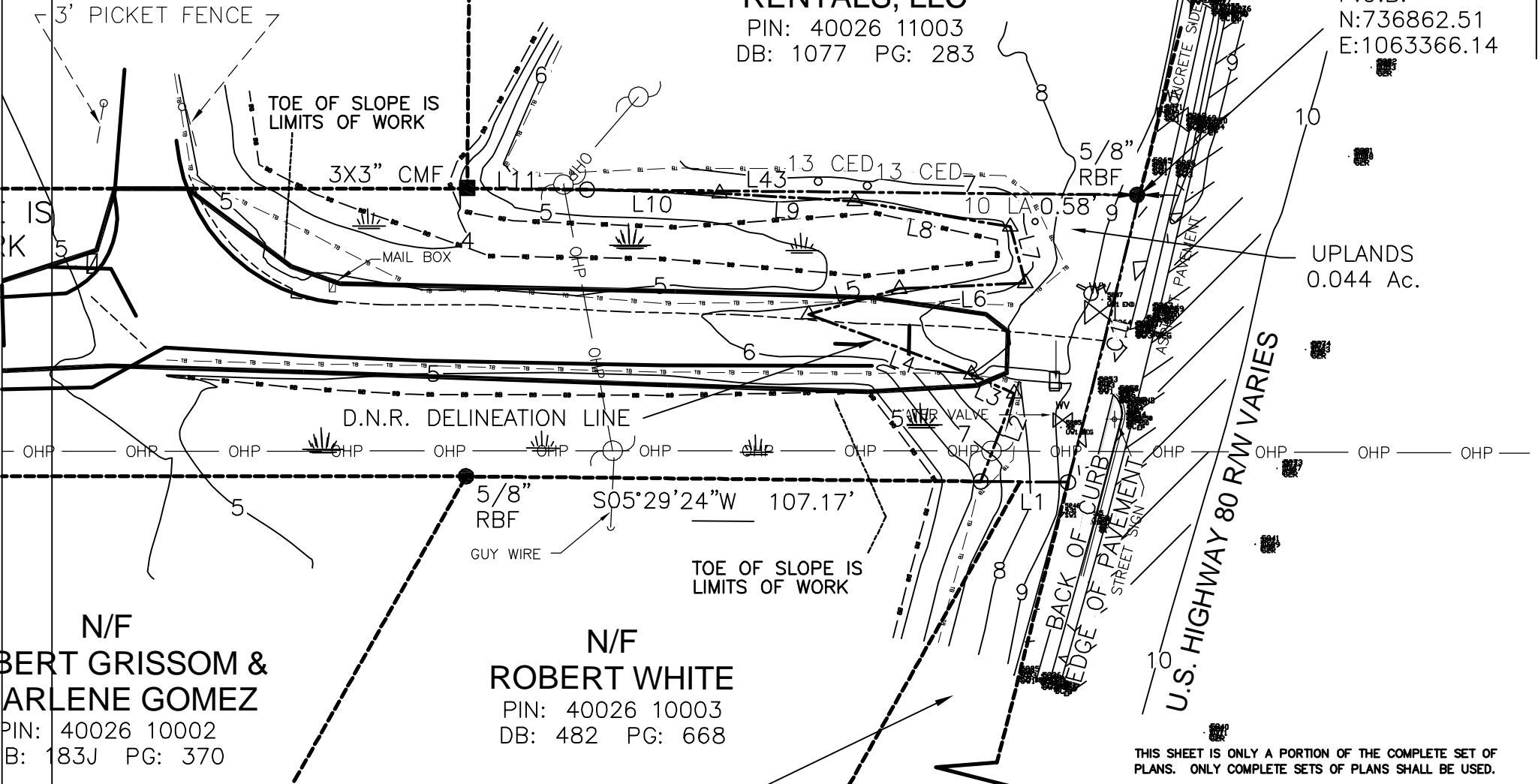
DRAWN: D.S.&B.B.    DESIGN: D.D.    JOB NO. 00000000000000000000  
DATE: 07-06-12    REV 4-22-21

Page 146

40026 11021

N/F  
**SOUTHERN BELLE  
RENTALS, LLC**  
PIN: 40026 11003  
DB: 1077 PG: 283

P.O.B.  
N:736862.51  
E:1063366.14

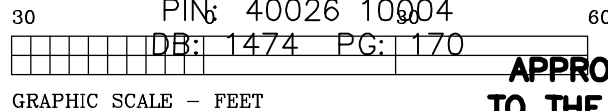


N/F  
**BERT GRISSOM &  
HARLENE GOMEZ**  
PIN: 40026 10002  
B: 183J PG: 370

N/F  
**ROBERT WHITE**  
PIN: 40026 10003  
DB: 482 PG: 668

N/F  
**ESTHER GUY &  
MICHELLE BROWN**

PIN: 40026 10004  
DB: 1474 PG: 170



**APPROX. 32  
TO THE R/W OF  
CASON AVENUE**



THIS SHEET IS ONLY A PORTION OF THE COMPLETE SET OF  
PLANS. ONLY COMPLETE SETS OF PLANS SHALL BE USED.

**POLK STREET SOUTH MAINTENANCE**

A PORTION OF POLK STREET SOUTH OF U.S. HIGHWAY 80,  
LOCATED IN GARDEN WARD, TYBEE ISLAND, GEORGIA.

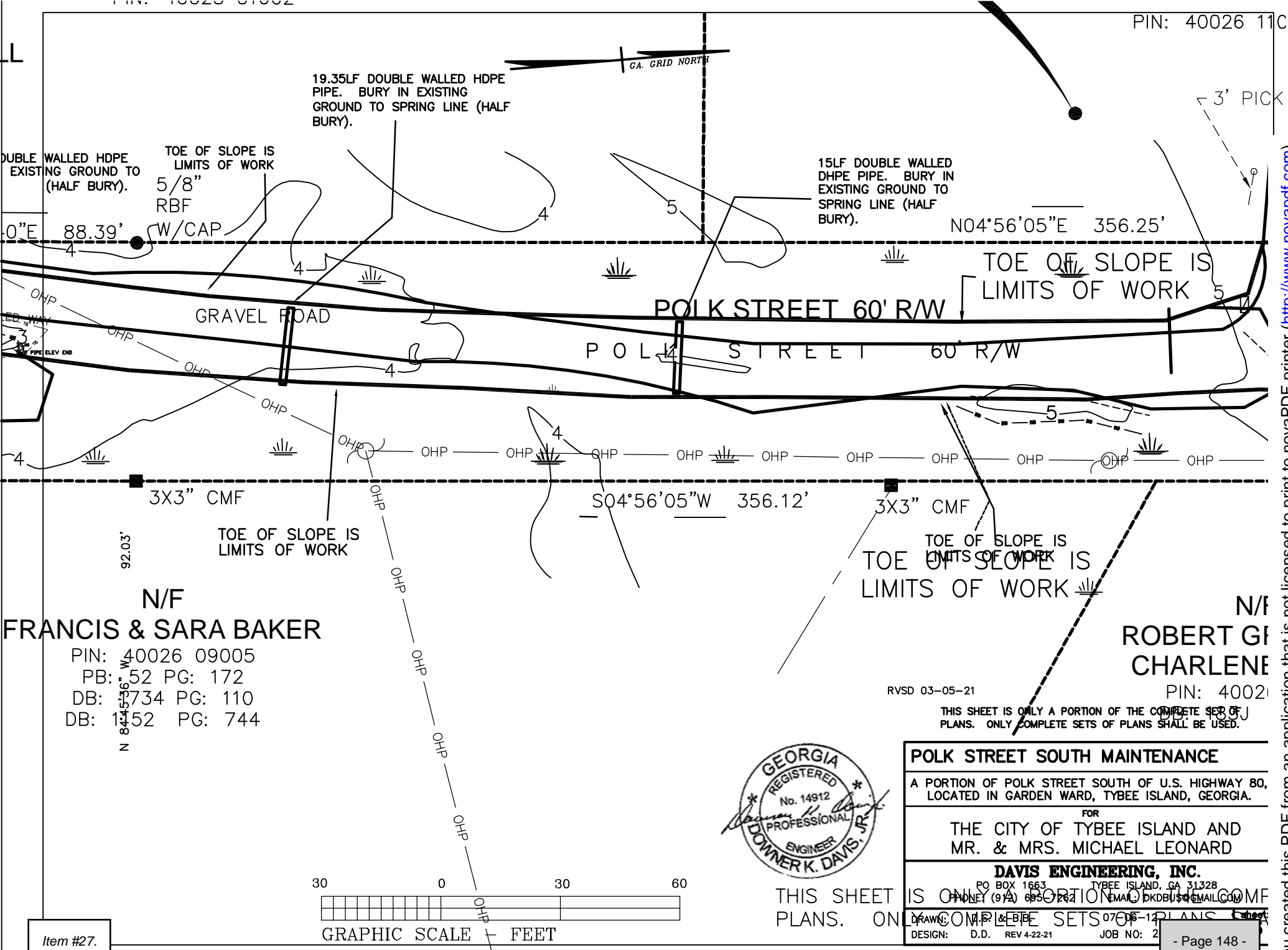
FOR

**THE CITY OF TYBEE ISLAND AND  
MR. & MRS. MICHAEL LEONARD**

**DAVIS ENGINEERING, INC.**

PO BOX 1663 TYBEE ISLAND, GA 31328  
PHONE: 912-695-7262 EMAIL: DKDBUS@GMAIL.COM

DRAWN: D.S.&B.B. DESIGN: D.D. JOB NO: 20607000  
07-06-12 RVSD 07-28-20 RVSD 03-03



N/F  
FRANCIS & SARA BAKER

PIN: 40026 09005  
PB: 52 PG: 172  
DB: 7734 PG: 110  
DB: 1152 PG: 744

N/F  
ROBERT G. CHARLENE

PIN: 40026 11C

RVSD 03-05-21

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### POLK STREET SOUTH MAINTENANCE

A PORTION OF POLK STREET SOUTH OF U.S. HIGHWAY 80, LOCATED IN GARDEN WARD, TYBEE ISLAND, GEORGIA.

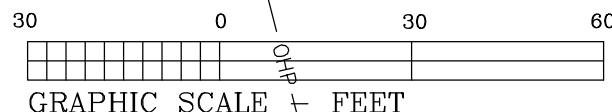
FOR  
THE CITY OF TYBEE ISLAND AND  
MR. & MRS. MICHAEL LEONARD

**DAVIS ENGINEERING, INC.**

PO BOX 1663 TYBEE ISLAND, GA 31328  
PHONE (912) 885-1762 EMAIL DKDBUS@GMAIL.COM

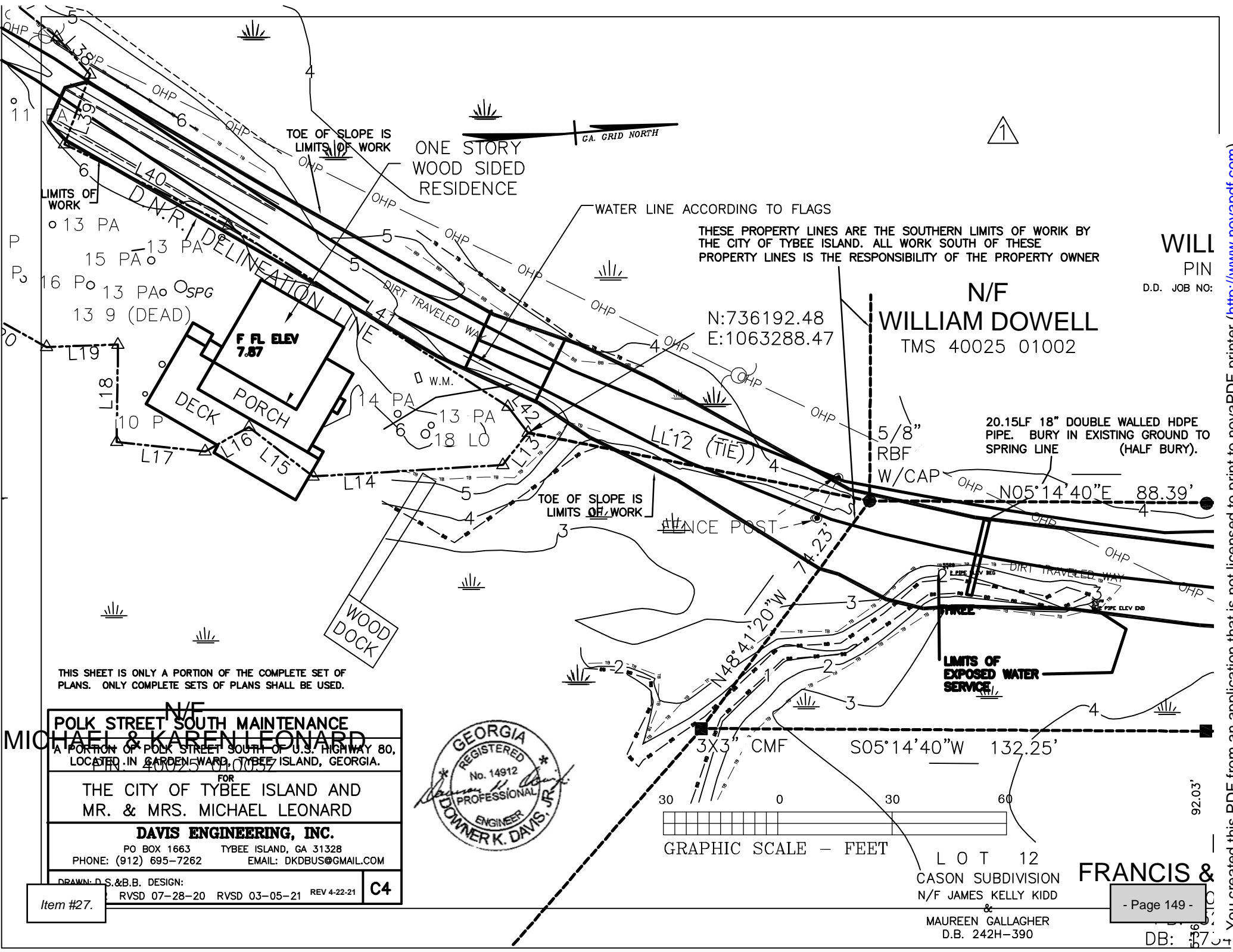
DRAWN: M.P. & B.B. 07-06-12 PLANS 1 sheet  
DESIGN: D.D. REV 4-22-21 JOB NO: 2

Item #27.



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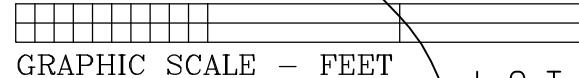
**POLK STREET SOUTH MAINTENANCE**  
A PORTION OF POLK STREET SOUTH OF U.S. HIGHWAY 80,  
LOCATED IN GARDEN WARD, TYBEE ISLAND, GEORGIA.  
PIN 40025 01002

FOR  
**THE CITY OF TYBEE ISLAND AND  
MR. & MRS. MICHAEL LEONARD**

**DAVIS ENGINEERING, INC.**  
PO BOX 1663 TYBEE ISLAND, GA 31328  
PHONE: (912) 695-7262 EMAIL: DKDBUS@GMAIL.COM

DRAWN: D.S.&B.B. DESIGN:  
RVSD 07-28-20 RVSD 03-05-21 REV 4-22-21 **C4**

Item #27.



GRAPHIC SCALE - FEET

LOT 12  
CASON SUBDIVISION  
N/F JAMES KELLY KIDD

MAUREEN GALLAGHER  
D.B. 242H-390

**FRANCIS &**

- Page 149 -

DB: 17

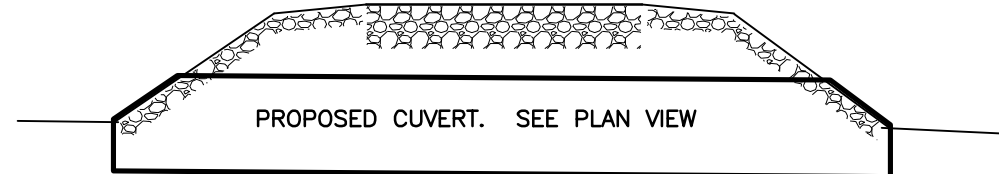
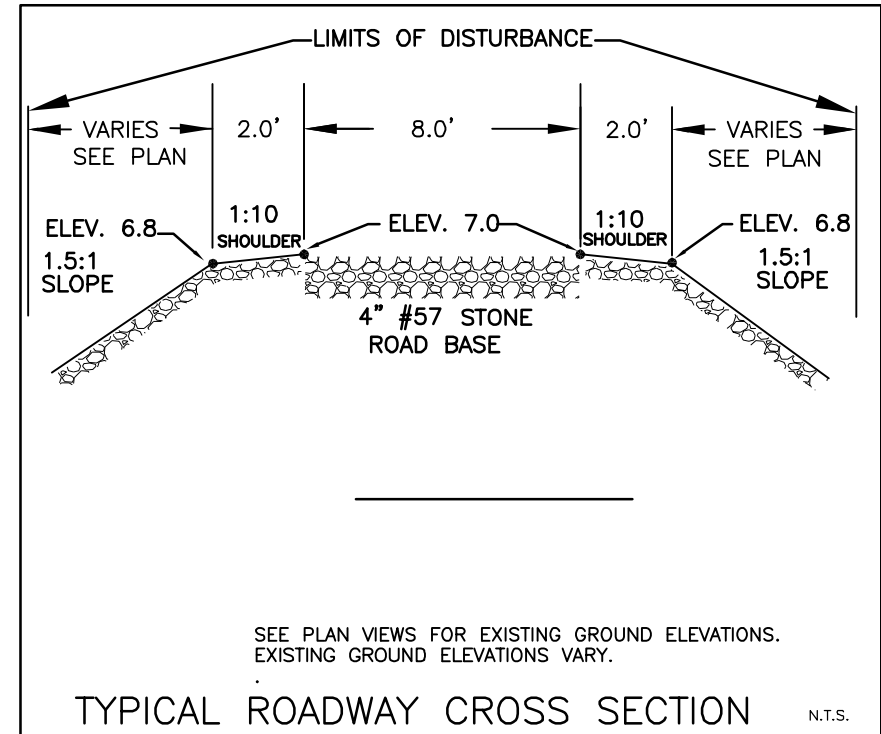
Existing & Proposed Roadway Length			
Property Owner	CMPA Jurisdiction (lf)	Upland (lf)	Total (lf)
Leonard	231	5	236
City of Tybee	22	542	664
		<b>Total</b>	<b>900</b>

Existing Roadway Area			
Property Owner	CMPA Jurisdiction (ac)	Upland (ac)	Total (ac)
Leonard	0.047	0.001	0.048
City of Tybee	0.171	0.005	0.176
		<b>Total</b>	<b>0.224</b>

Proposed Roadway Area			
Property Owner	CMPA Jurisdiction (ac)	Upland (ac)	Total (ac)
Leonard	0.095	0.002	0.097
City of Tybee	0.26	0.011	0.271
		<b>Total</b>	<b>0.368</b>

Proposed Roadway Fill			
Property Owner	CMPA Jurisdiction (cy)	Upland (cy)	Total (cy)
Leonard	120	1	121
City of Tybee	6	790	796
		<b>Total</b>	<b>917</b>

Proposed CMPA Impacts	
Property Owner	CMPA Jurisdiction (ac)
Leonard	0.095
City of Tybee	0.26
<b>Total</b>	<b>0.355</b>



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DETAILS	
A PORTION OF POLK STREET SOUTH OF U.S. HIGHWAY 80, LOCATED IN GARDEN WARD, TYBEE ISLAND, GEORGIA.	
FOR THE CITY OF TYBEE ISLAND AND MR. & MRS. MICHAEL LEONARD	
<b>DAVIS ENGINEERING, INC.</b> PO BOX 1663 TYBEE ISLAND, GA 31328 PHONE: (912) 695-7262 EMAIL: DKDBUS@GMAIL.COM	
DRAWN: D.S. & B.B.	07-06-12 REV 4-22-21
DESIGN: D.D.	JOB NO: 20607

## GENERAL NOTES

1. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS OF ALL GOVERNING REGULATORY AGENCIES AND CODES. ALL WORK SHALL CONFORM TO THE TECHNICAL SPECIFICATIONS, DETAILS, AND STANDARDS OF THE CITY OF TYBEE ISLAND AND ALL OTHER GOVERNING AGENCIES. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN THESE. LATEST REVISIONS OF ALL CODES, SPECIFICATIONS, ETC... SHALL BE USED.
2. ALL ELEVATIONS ARE BASED ON M.S.L. DATUM
3. NO CONSTRUCTION WORK SHALL BEGIN UNTIL THE COMPLETENESS AND ACCURACY OF THE HORIZONTAL CONTROL HAS BEEN VERIFIED BY THE CONTRACTOR AND ANY DISCREPANCIES FOUND ARE RESOLVED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING AND REFERENCING THESE POINTS FOR USE DURING CONSTRUCTION AND ANY RE-ESTABLISHMENT OF CONTROL SHALL BE AT THE CONTRACTOR'S EXPENSE.
4. THE CONTRACTOR SHALL RUN A CLOSED LEVEL LOOP TO VERIFY THE COMPLETENESS AND ACCURACY OF THE BENCHMARKS. NO CONSTRUCTION WORK SHALL BEGIN UNTIL THE VERTICAL CONTROL HAS BEEN VERIFIED BY THE CONTRACTOR AND ANY DISCREPANCIES FOUND ARE RESOLVED.
5. LOCATION, ELEVATION, SIZE, ETC... OF THE EXISTING DRAINAGE, UTILITIES, ETC... SHOWN SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO COMMENCEMENT OF WORK. ADDITIONAL FEATURES MAY EXIST WHICH ARE NOT SHOWN ON THE PLANS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL EXISTING UTILITIES, DRAINAGE, ETC... PRIOR TO COMMENCEMENT OF WORK. THE CONTRACTOR SHALL USE COORDINATION WITH UTILITY COMPANIES, ELECTRONIC/MAGNETIC METHODS, HAND EXCAVATION AND ANY OTHER METHODS NECESSARY TO ACCOMPLISH THIS. ANY DISCOVERIES, DISCREPANCIES, CONFLICTS, ETC... SHALL BE REPORTED TO THE ENGINEER TO ALLOW FOR CONFLICTS TO BE RESOLVED PRIOR TO COMMENCEMENT OF WORK.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ADJUSTMENT, RELOCATION, ETC... OF ANY UTILITIES (SUBSURFACE, POLE MOUNTED OR OTHERWISE) TO ACCOMPLISH THIS WORK. UNLESS STATED OTHERWISE. RELOCATION OF POWER POLES AND GUY WIRES IS THE RESPONSIBILITY OF THE OWNER. (TYP). ALL UTILITY GUY WIRES, POLES, ETC... REQUIRED TO BE RELOCATED SHALL BE COORDINATED BY THE CONTRACTOR
7. ALL AREAS DISTURBED BY THE CONTRACTOR SHALL BE RESTORED TO THEIR ORIGINAL CONDITION UNLESS OTHERWISE NOTED ON THE PLANS. ALL UNPAVED AREAS SHALL BE GRASSED UNLESS OTHERWISE SHOWN ON THE PLANS. ALL AREAS DISTURBED OUTSIDE OF PROJECT LIMITS WILL BE RESTORED UNDER THE DIRECTION & TO THE SATISFACTION OF ALL GOVERNING AUTHORITIES. (CITY OF TYBEE ISLAND, ETC...).
8. THE CONTRACTOR SHALL EXERCISE UTMOST CARE AND PRECAUTION TO PROTECT TREES AND PREVENT DAMAGE TO TREES, ROOTS, ECT. DURING CONSTRUCTION.
9. REFER TO BUILDING PLANS BY OTHERS FOR ALL BUILDING DIMENSIONS AND ALL OTHER BUILDING INFORMATION. ALL BUILDING DESIGN AND SUBMITTALS TO BE BY OTHERS.
10. THE CONTRACTOR SHALL OBTAIN A RIGHT-OF-WAY PERMIT FROM THE CITY OF TYBEE AND PERMITS, PERMISSION, ETC... FROM ALL OTHER ENTITIES, GOVERNING AUTHORITIES, ETC... OWNING ADJACENT EASEMENTS OR R.O.W'S PRIOR TO BEGINNING ANY CONSTRUCTION IN THE ADJACENT EASEMENTS OR RIGHT-OF-WAYS.

11. ALL EXISTING SERVICES, BUILDINGS, STRUCTURES, UTILITIES, CONVENIENCES, ETC... INCLUDING BUT NOT LIMITED TO, DRAINAGE, ACCESS, WATER, SEWER, FIRE PROTECTION, POWER, GAS, AND CABLE, SHALL BE UNINTERRUPTED BY THIS PROJECT. IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO ASSURE THIS. THE CONTRACTOR SHALL SCHEDULE CONSTRUCTION AND UTILIZE BRACING, SHORING, WELL POINTS, ETC... AND ANY OTHER PROCEDURES REQUIRED TO ACHIEVE THIS. SHOULD USER'S ACCESS, USE, ETC... OF THE AFOREMENTIONED BE ALTERED TO ALLOW THE COMPLETION OF THIS WORK, THE CONTRACTOR SHALL PROVIDE WRITTEN NOTICE TO ALL PROPERTY OWNERS AT LEAST TEN WORKING DAYS PRIOR TO ANY ALTERATION, INCONVENIENCE, ETC. TO THEIR USE, ACCESS, ETC...
12. WHERE NECESSARY FOR THE COMPLETION OF THE WORK, THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVAL AND REPLACEMENT OF LANDSCAPING, SIGNS, MAILBOXES, FENCES, ETC...
13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING FOREIGN BORROW AND FOR THE OFF-SITE DISPOSAL OF MATERIAL AS NECESSARY TO THE COMPLETE THIS WORK. THIS COST SHALL BE INCLUDED IN THE GRADING PRICE.
14. THE CONTRACTOR (OR PROSPECTIVE CONTRACTOR) SHALL VISIT THE SITE AND OBSERVE SITE CONDITIONS. IF THE CONTRACTOR THEN HAS REASON TO SUSPECT UNUSUAL OR OTHER UNDOCUMENTED CONDITIONS, REQUIRING CORRECTION OR ADDITIONAL COST, SUCH AS UNSTABLE SUBSURFACE CONDITIONS, WRITTEN NOTIFICATION SHALL BE MADE TO THE ENGINEER AND OTHER OWNER'S REPRESENTATIVE(S).
15. EXISTING UNDERGROUND UTILITY LOCATIONS MAY CONFLICT WITH THE PROPOSED IMPROVEMENTS AND REQUIRE ADJUSTMENTS OF THOSE UTILITIES OR THE IMPROVEMENTS. ALL TIE-INS AND CONNECTIONS OFF-SITE AND AROUND THE PERIMETER OF THE PROJECT SHALL BE INSTALLED PRIOR TO THE INTERIOR INSTALLATIONS. ALL GRAVITY LINES SHALL BE INSTALLED UPGRADE (FROM THE LOWEST END TOWARDS THE END AT A HIGHER ELEVATION).
16. ANY AND ALL DEVIATIONS FROM OR MODIFICATIONS TO THESE PLANS SHALL REQUIRE THE APPROVAL OF THE ENGINEER AND ALL OTHER GOVERNING AUTHORITIES, AGENCIES, GOVERNMENTS, ETC...
17. ALL DIMENSIONS ARE TO FACE OF CURB, EDGE OF PAVEMENT OR OUTSIDE OF THE BUILDING UNLESS OTHERWISE NOTED. REFER TO BUILDING PLANS BY OTHERS FOR ALL DIMENSIONS AND OTHER BUILDING RELATED INFORMATION.
18. THE CONTRACTOR SHALL PROVIDE ACCESS, DURING AND AT THE COMPLETION OF THE PROJECT, TO ALL IMPROVEMENTS AND CHANGES TO BE FIELD VERIFIED, OBSERVED, INSPECTED, ETC... BY THE OWNER'S ENGINEER OR SURVEYOR AND ALL GOVERNING AGENCIES.
19. ALL TRAFFIC SIGNAGE & STRIPING TO BE IN ACCORDANCE WITH THE LATEST EDITION OF THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" & ALL OTHER GOVERNING REGULATIONS, STANDARDS & CODES. ALL SIGN ORDERS SHALL BE REVIEWED AND APPROVED BY THE CITY OF TYBEE ISLAND & THE OWNER'S ENGINEER PRIOR TO THE OWNER PLACING THE ORDER.
20. EXCESS SUITABLE MATERIAL FROM GRADING IS TO BE USED FIRST AS BACKFILL FOR MUCKING. ADDITIONAL EXCESS SUITABLE MATERIAL AND MUCK ARE TO BE PLACED IN FILL AREAS SHOWN ON THE PLANS AND IN OTHER AREAS ON THE SITE AS DIRECTED BY THE ENGINEER. WHERE ROADWAY CONSTRUCTION AND LOT FILLING LEAVES AREAS ON A LOT NOT DRAINING, THE CONTRACTOR SHALL INSTALL DRAINAGE SWALES AT THAT LOT TO THE SATISFACTION OF THE ENGINEER. THE WORK SPECIFIED ABOVE SHALL BE CONSIDERED PART OF THE GRADING. THE FILL AREA WILL VARY AND IN PLACES REQUIRE FILL BEYOND THE RIGHT-OF-WAY LINE. THE FILL (ON SITE MATERIAL OR FOREIGN BORROW) BEYOND THE RIGHT-OF-WAY LINE AND GRADING IN THIS AREA SHALL BE INCLUDED IN THE LUMP SUM PRICE FOR GRADING.
21. ALL STREETS, RIGHTS-OF-WAY, EASEMENTS AND ANY SITES FOR PUBLIC USE AS NOTED ON THIS PLAN ARE TO BE DEDICATED FOR THE USE INTENDED.

## STANDARD EROSION CONTROL NOTES:

1. THE ESCAPE OF SEDIMENT FROM THE SITE SHALL BE PREVENTED BY THE INSTALLATION OF EROSION AND SEDIMENT CONTROL MEASURES AND PRACTICES PRIOR TO, OR CONCURRENT WITH, LAND DISTURBING ACTIVITIES.
2. EROSION CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. IF FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PROVIDE FOR EFFECTIVE EROSION CONTROL, ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE.
3. ANY DISTURBED AREA LEFT EXPOSED FOR A PERIOD GREATER THAN 14 DAYS SHALL BE STABILIZED WITH MULCH OR TEMPORARY SEEDING.
4. THE PLAN DESIGNER HAS VISITED THE SITE PRIOR TO THE DESIGN OF THE EROSION AND SEDIMENT CONTROL PLANS.
5. SOIL EROSION AND SEDIMENT CONTROL PROCEDURES SHALL COMPLY WITH THE EROSION AND SEDIMENT ACT OF 1975. FOR EXPLANATION CONCERNING DETAILS AS SHOWN ON THESE PLANS, REFER TO "MANUAL STATE SOIL AND WATER CONSERVATION COMMITTEE OF GEORGIA. ALL ITEMS UNDER THE CATEGORY OF SOIL EROSION & SEDIMENT CONTROL SHALL BE PAID FOR IN THE LUMP SUM PRICE FOR GRADING.
6. ONLY DISTURB AREAS AS THEY ARE TO BE WORKED ON TO MINIMIZE AREAS OF UNSTABILIZED (DISTURBED) SURFACE. STABILIZE ALL DISTURBED AREAS UPON COMPLETION OF CONSTRUCTION IN THOSE AREAS OR WHEN NO WORK IS IMMEDIATELY PLANNED. SLOPES ARE EXPECTED TO BE STABILIZED IMMEDIATELY UPON DISTURBANCE DUE TO THE HIGH EROSION POTENTIAL. THIS SHALL BE ACCOMPLISHED BY BOTH TEMPORARY GRASSING DURING CONSTRUCTION AND PERMANENT GRASSING AT COMPLETION.
7. ANY SEDIMENTATION BASINS SHALL BE CONSTRUCTED IN CONJUNCTION WITH AND PRIOR TO ANY OTHER SITE WORK.
8. ALL GRADED AREAS SHALL BE GRASSED, LANDSCAPED OR OTHERWISE STABILIZED TO ENSURE PERMANENT STABILIZATION OF SOIL SURFACE.
9. ANY DEWATERING FOR EXCAVATION SHALL BE DISCHARGED INTO SUMPS TO ALLOW SEDIMENTATION TO OCCUR PRIOR TO RUNOFF LEAVING THE SITE.
10. THE CONTRACTOR WILL BE RESPONSIBLE FOR REMOVAL OF ALL TREES & VEGETATION REQUIRED FOR THE PROPOSED IMPROVEMENTS.
11. SOIL EROSION CONTROL DEVICES AND TREE PROTECTION FOR PRESERVED TREES MUST BE IN PLACE PRIOR TO CONSTRUCTION.
12. SILT FENCE TO REMAIN UNTIL PERMANENT GRASSING AND FINAL STABILIZATION HAS BEEN ESTABLISHED.
13. ANY DISTURBED AREA LEFT IDLE ABOVE THE SLOPES FOR A PERIOD GREATER THAN 7 DAYS SHALL BE STABILIZED WITH TEMPORARY SEEDING; DISTURBED AREAS IDLE 30 DAYS SHALL BE STABILIZED WITH PERMANENT VEGETATION.
14. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSPECTED AT LEAST WEEKLY, AFTER EACH RAIN, AND REPAIRED AS NECESSARY.
15. ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED IF DETERMINED NECESSARY BY ON-SITE INSPECTION.

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Item #27.



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## NOTES

A PORTION OF POLK STREET SOUTH OF U.S. HIGHWAY 80, LOCATED IN GARDEN WARD, TYBEE ISLAND, GEORGIA.

FOR

THE CITY OF TYBEE ISLAND AND  
MR. & MRS. MICHAEL LEONARD

**DAVIS ENGINEERING, INC.**

TEL: 912-355-7262 FAX: 912-352-7787  
E-MAIL: DAVISENGINEERING@GMAIL.COM

DRAWN: D.S.  
DESIGN: D.D.

JOB NO: 20607000  
4-22-21

sheet

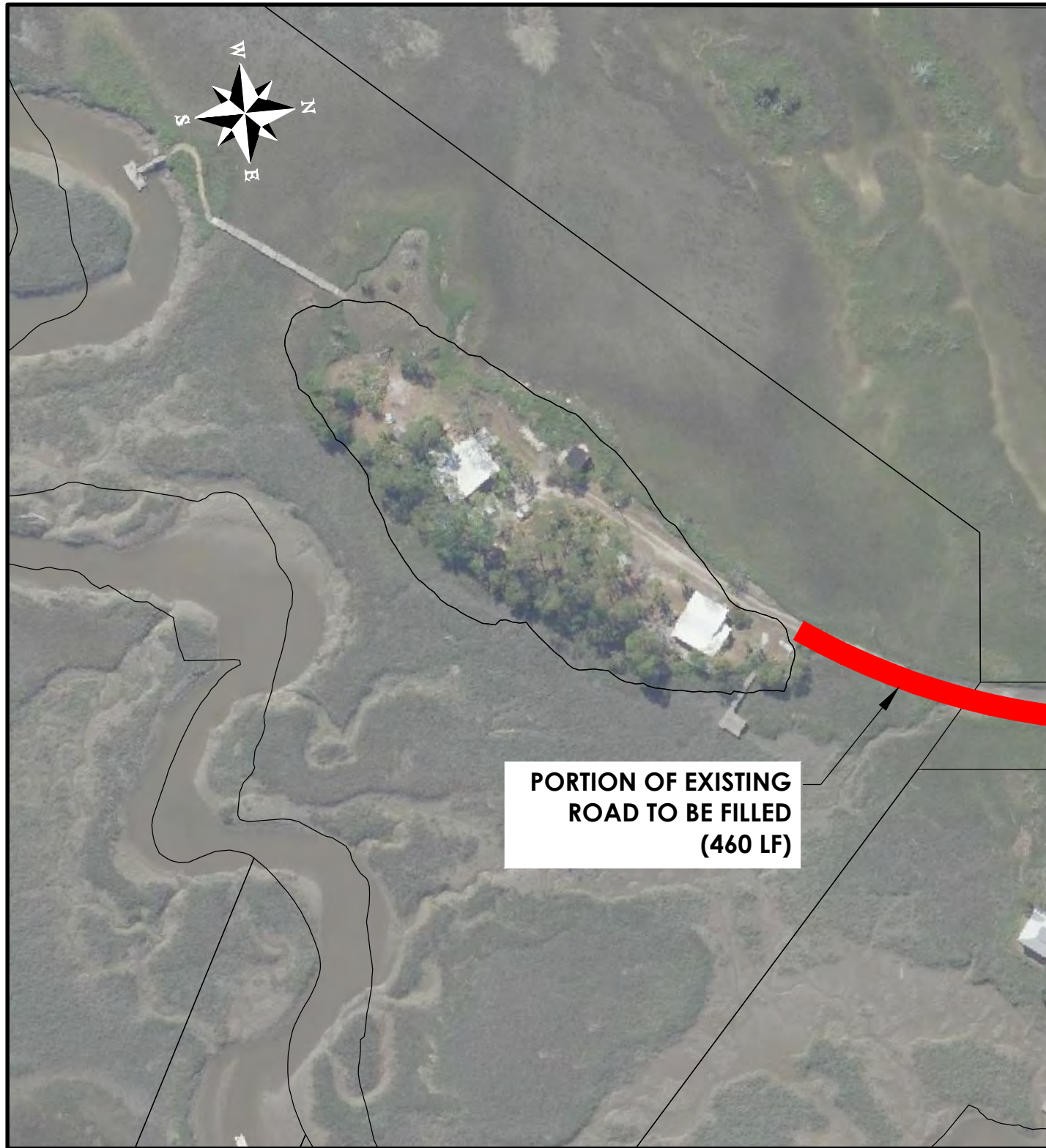
- Page 151 -

# ATTACHMENT D

Thomas & Hutton Bridge Cost Estimates



Z:\29077\29077.000\Engineering\Drawings\Exhibits\29077.0000 - Polk St Maintenance Permit - Fill Section.dwg - Feb 19, 2021 - 10:04:23 AM



TOTAL FILL VOLUME = 460 LF x 45.36 SF = 20,866 CF = 773 CY  
FILL COST ESTIMATE = 773 CY x \$18/CY = \$13,914.00

6" THICK STONE WEARING SURFACE = 460 LF x 12 FT x 0.5 FT = 2,760 CF x 150 LB/CF  
= 414,000 LB = 207 TONS

6" THK STONE WEARING SURFACE COST ESTIMATE = 207 TN x \$65/TN = \$13,455.00

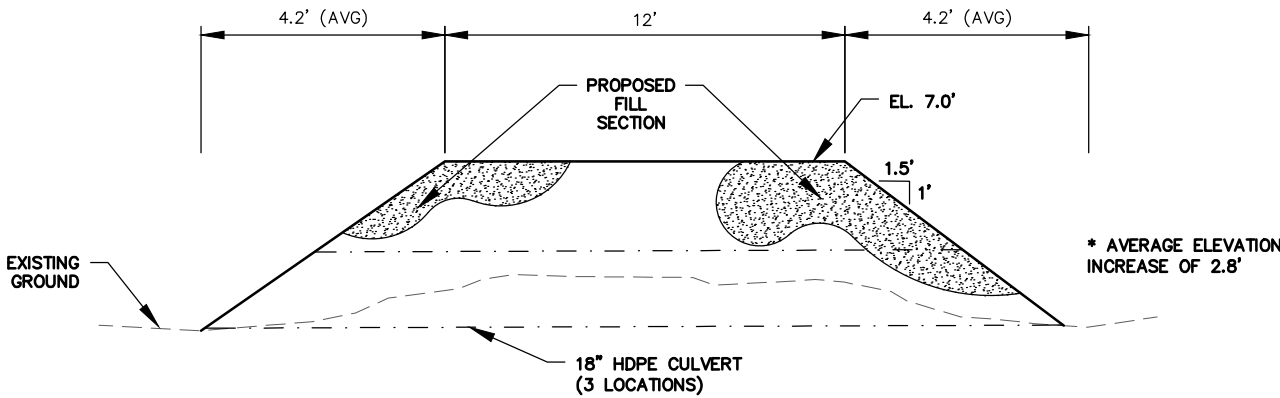
18" HDPE CULVERTS = 3 EA @ 20 LF/EA = 60 LF

18" HDPE CULVERTS COST ESTIMATE = 60 LF x \$90/LF = \$5,400.00

EST. CONSTRUCTION COST TO FILL ROAD = \$13,914 + \$13,455 + \$5400  
= **\$32,769.00**

PORTION OF EXISTING  
ROAD TO BE FILLED  
(460 LF)

AVERAGE CROSS SECTIONAL AREA  
(12' x 2.8') + 2 x (0.5 x 4.2 x 2.8) = 45.36 sf



# POLK ST. MAINTENANCE PERMIT

SHEET NAME:  
FILL SECTION  
CLIENT:  
RESOURCE + LAND CONSULTANTS

LOCATION: TYBEE ISLAND, GA  
DATE: 02/19/2021  
JOB NUMBER: J-29077  
DRAWN BY: KHT  
REVIEWED BY: JVG  
SHEET: EX1  
SCALE: 1" = 100'

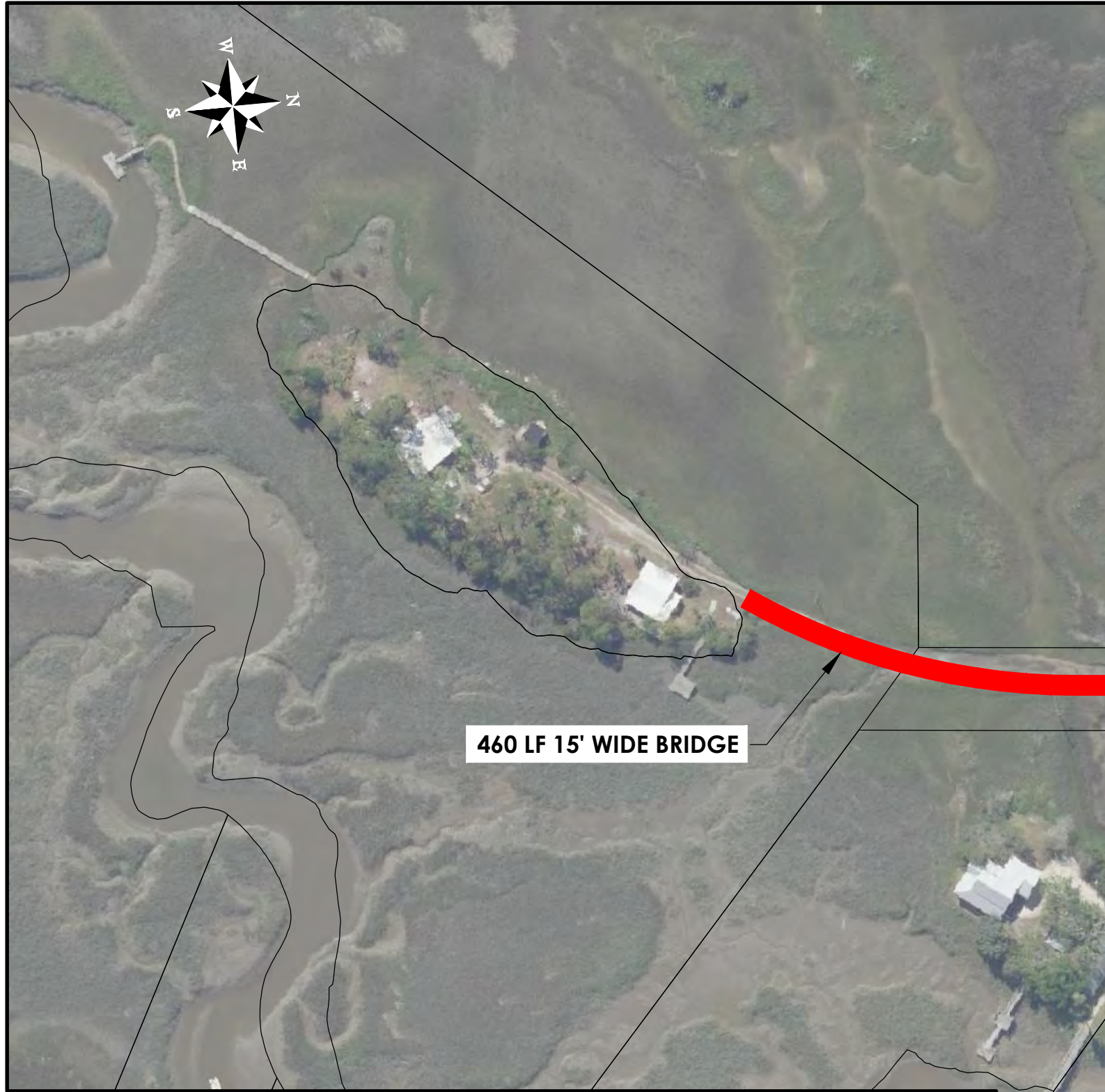


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### CONCRETE BRIDGE OPTION 1

UNIT COST = \$250 / SF

AREA OF BRIDGE = 460 LF X 15 FT = 6,900 SF

EST. BRIDGE COST = \$250/SF X 6,900 SF  
= \$1,725,000.00



### TIMBER BRIDGE OPTION 1

UNIT COST = \$215 / SF

AREA OF BRIDGE = 460 LF X 15 FT = 6,900 SF

EST. BRIDGE COST = \$215/SF X 6,900 SF  
= \$1,483,500.00



## POLK ST. MAINTENANCE PERMIT

SHEET NAME:

BRIDGE OPTION #1

CLIENT:

RESOURCE + LAND CONSULTANTS

LOCATION: TYBEE ISLAND, GA

DATE: 02/19/2021

JOB NUMBER: J-29077

DRAWN BY: KHT

REVIEWED BY: JVG

SHEET: EX2

SCALE: 1" = 100'



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**CONCRETE BRIDGE OPTION 2**

UNIT COST = \$325 / SF

AREA OF BRIDGE = (111' + 106' + 102') X 15 FT = 4,785 SF

EST. BRIDGE COST = \$325/SF X 4,785 SF  
= \$1,555,125.00



**TIMBER BRIDGE OPTION 2**

UNIT COST = \$275 / SF

AREA OF BRIDGE = (111' + 106' + 102') X 15 FT = 4,785 SF

EST. BRIDGE COST = \$275/SF X 4,785 SF  
= \$1,315,875.00



**POLK ST. MAINTENANCE PERMIT**

SHEET NAME:

BRIDGE OPTION #2

CLIENT:

RESOURCE + LAND CONSULTANTS

LOCATION: TYBEE ISLAND, GA

DATE: 02/19/2021

JOB NUMBER: J-29077

DRAWN BY: KHT

REVIEWED BY: JVG

SHEET: EX3

SCALE: 1" = 100'



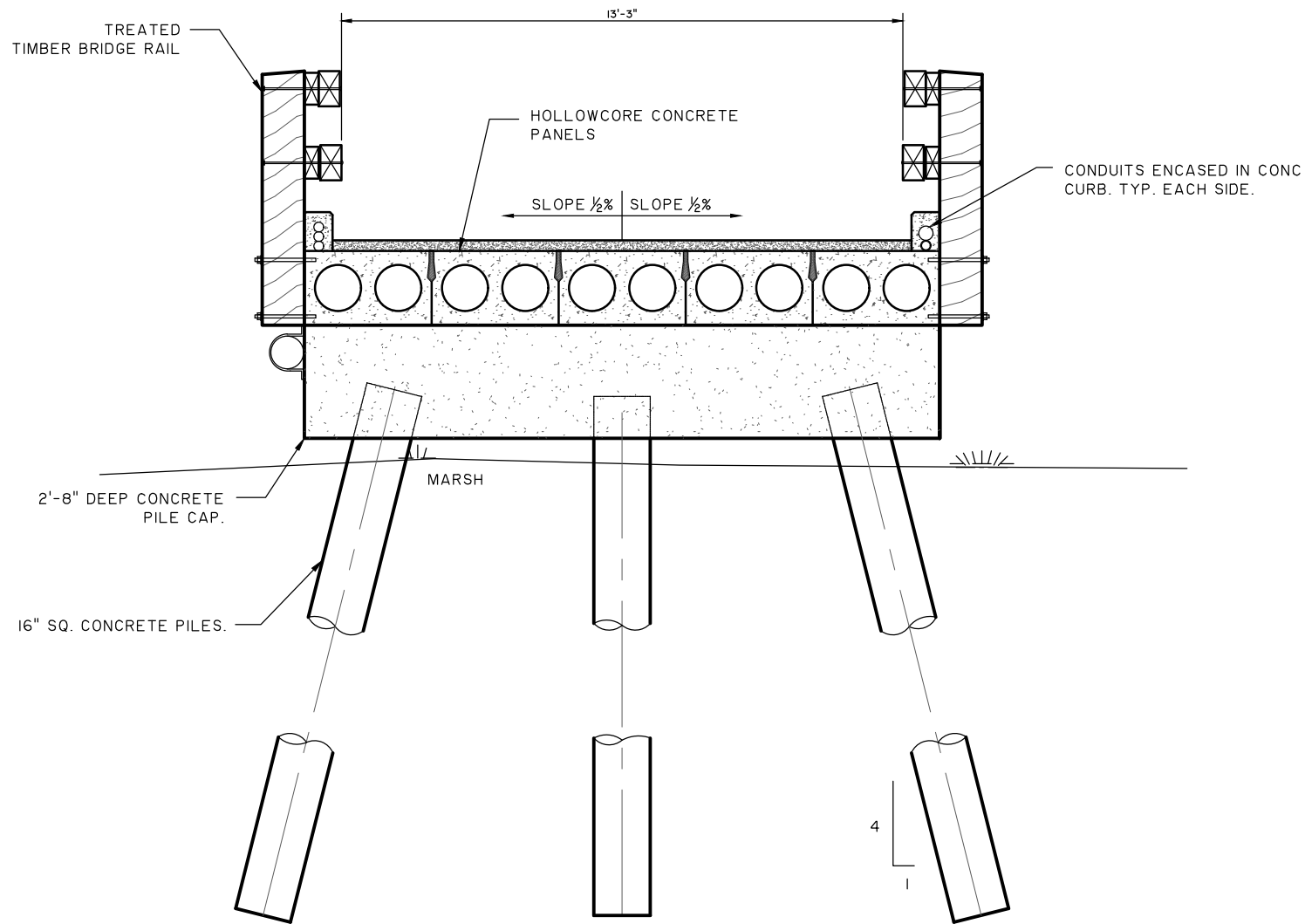
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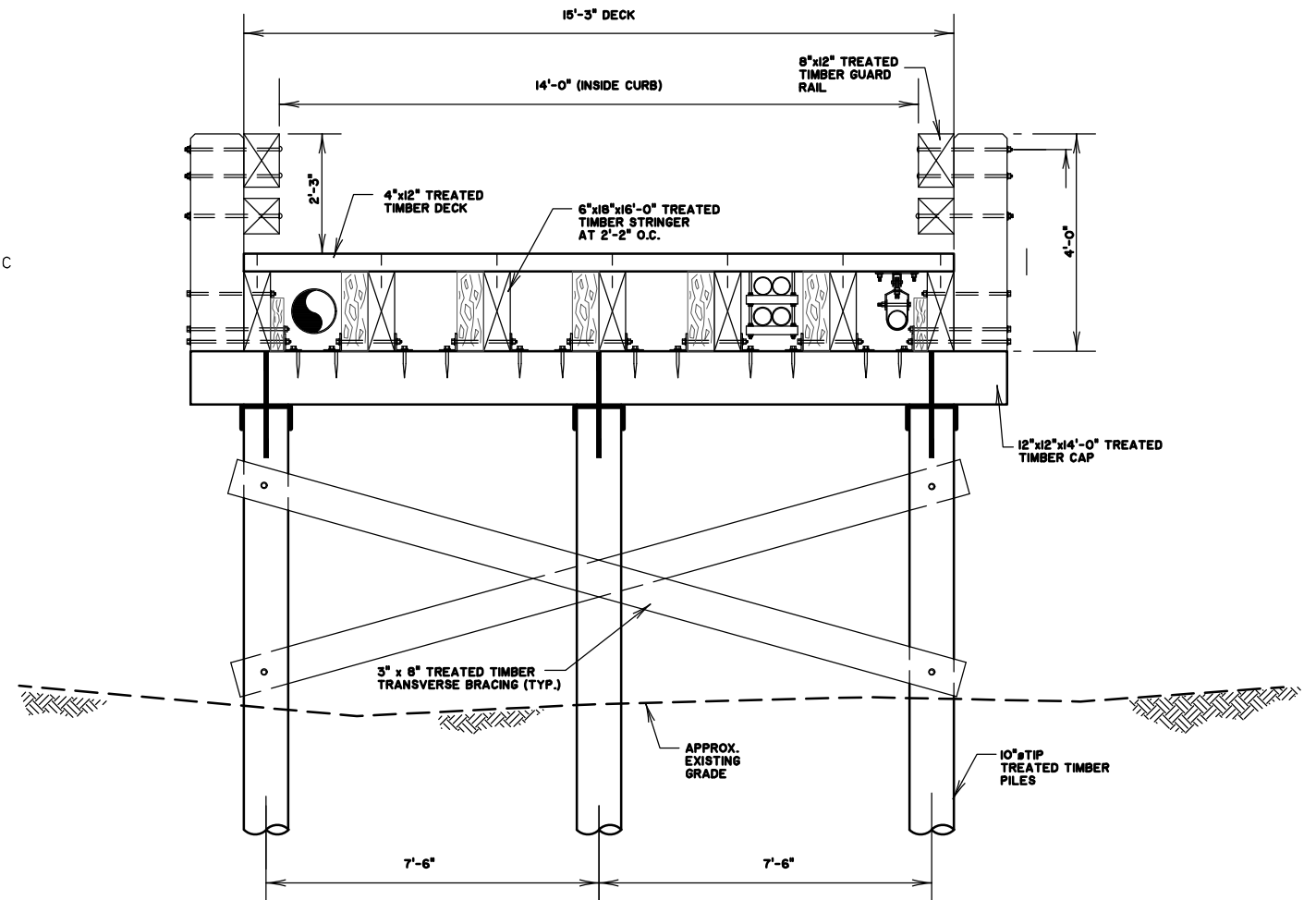
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1  
EX4

## CONCRETE BRIDGE SECTION

SCALE: NOT TO SCALE



2  
EX4

## TIMBER BRIDGE SECTION

SCALE: NOT TO SCALE

### POLK ST. MAINTENANCE PERMIT

SHEET NAME:

BRIDGE TYPICAL SECTIONS

CLIENT:

RESOURCE + LAND CONSULTANTS

LOCATION: TYBEE ISLAND, GA

DATE: 02/19/2021

JOB NUMBER: J-29077

DRAWN BY: KHT

REVIEWED BY: JVG

SHEET: EX4

SCALE: NTS



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