

EFFINGHAM CO. BOARD OF COMMISSIONERS

EFFINGHAM COUNTY, GEORGIA



REGULAR SESSION MEETING MINUTES

September 05, 2023

The Board of Commissioners of Effingham County, Georgia, Mr. Forrest Floyd, Mr. Roger Burdette, Mr. Jamie Deloach Mr. Reginald Loper and Mr. Phil Kieffer met in regular session at 5:00 pm on Tuesday, September 05, 2023 in the Commissioners Meeting Chambers at the Effingham County Administrative Complex located at 804 South Laurel Street Springfield, Georgia 31329.

STAFF PARTICIPATION

Mr. Tim Callanan – County Administrator, Mr. Edward Newberry – County Attorney, Ms. Stephanie Johnson – County Clerk, Ms. Tasheena Shiggs – Deputy County Clerk, Mr. Clint Hodges – Fire Chief & EMA Director, Mr. Chris Reed – IT Director, Mr. Steve Candler – Director of Development Services, Ms. Chelsie Fernald - Planner, Ms. Katie Dunnigan – Zoning Manager, Mrs. Sarah Mausolf – HR Director, Ms. Angela Stanley – Engineering Project Manager, Ms. Marie Todd – Executive Assistant, and Mr. Mark Lastinger – Public Information Officer.

CITIZEN PARTICIPATION

Mr. Rex Inman, Ms. Melissa Reagan, Mr. Craig Johnson, Mr. Richard Sumner, Mr. Jimmy Blakey, Mrs. Kristen Achtziger, Mr. C.J. Chance, Mr. Noland Andrews, Mr. Barry Chenkin, Mr. Preston Andrews, Ms. Tracy Smith, Mr. Tom Mahany, Mr. Ron Roberts, Ms. Ashley Helmly, Ms. Tina Helmly, Ms. Susan Mahany, Ms. Mary Godlove, Ms. Ruth Bell, and Ms. Kelly Wicker.

I- CALL TO ORDER

Wesley Corbitt, Chairman - *Absent*

Forrest Floyd

Roger Burdette

Jamie Deloach

Reginald Loper

Phil Kieffer, Vice Chair

II- ROLL CALL

Vice Chair Kieffer called the meeting to order at 5:01 pm

III – INVOCATION

Commissioner Burdette provided the invocation.

IV- PLEDGE TO THE AMERICAN FLAG

The pledge was sounded in unison.

V – AGENDA APPROVAL

County Clerk Johnson stated there is an addition of New Business #7. Commissioner Deloach made a motion to approve a resolution to approve the agenda with the

noted changes. Commissioner Loper seconded the motion. The motion carried unanimously.

VI- MINUTES

Commissioner Deloach made a motion to approve the August 15, 2023 work session and regular meeting minutes, August 25-27, 2023 retreat minutes, and August 29, 2023 special called meeting minutes. Commissioner Loper seconded the motion. The motion carried unanimously.

VII- PUBLIC COMMENTS

Vice Chair Kieffer stated comments shall pertain to agenda items only. Should you wish to make remarks, clearly state your full name into the microphone before commencing to speak.

VIII - CORRESPONDENCE

Vice Chair Kieffer stated documents from this meeting are located in the Clerk's office and on the Board of Commissioner's website.

IX - CONSENT AGENDA

Commissioner Deloach made a motion to approve the following Consent Agenda items: **(1)** Consideration to ratify and affirm purchase of Enterprise vehicle orders for Parks and Landscaping Department **(2)** Consideration to approve to accept a Termination of the Probation Services Agreement between Effingham County and City of Guyton. **(3)** Consideration to ratify and affirm approval of an Agreement for the Stormwater Master Plan Y2. Commissioner Burdette seconded the motion. The motion carried unanimously.

X - NEW BUSINESS

CONSIDERATION TO APPROVE TO ACCEPT A DEED FOR LOGISTICS PARKWAY ROAD SEGMENTS AND RIGHT-OF-WAY, EASEMENTS, UTILITIES INFRASTRUCTURE, AND A LIFT STATION SYSTEM AT OLD AUGUSTA COMMERCE CENTER MAP # 477 PARCEL # 15B & MAP # 477B PARCEL # 1 (FIFTH DISTRICT)
(1):

Planner Fernald explained the road segments, easements, utilities, infrastructure and a lift station have been installed at the Old Augusta Commerce Center. A bond for ten (10) percent (%) of the total construction cost has been approved by EOM in the amount of 418,010.98.

Commissioner Deloach made a motion to approve the dedication of the right-of-way, and accept the roads, infrastructure, and lift station identified in the warranty deeds. Commissioner Burdette seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN ASSEMBLAGE PERMIT FOR MELISSA REAGAN OF MADRAC FARMS TO HOLD A PUMPKIN PATCH, CORN MAZE, HAYRIDES, CORN PIT, SLIDE, PLAYGROUND, AND VENDORS EVENT ON FIVE WEEKENDS, FROM SEPTEMBER 30, 2023 THROUGH OCTOBER 29, 2023, FROM 10AM - 6PM,

AT 580 RALPH RAHN ROAD. MAP 411 PARCELS# 19B, 24 IN THE FOURTH DISTRICT (2):

Zoning Manager Dunnigan explained that this is an assemblage request in support of Madrac Farms' annual pumpkin patch. As last year, traffic attendants and Sheriff's deputies will be on site to direct traffic, and the Health Department will inspect and approve the port-a-pottys and food vendors.

Commissioner Loper made a motion to approve the request to an Assemblage Permit for a pumpkin patch event at 580 Ralph Rahn Road, with the following condition:

1. All parking shall be contained to Madrac Farms property, and as exhibited on the submitted site plan.

Commissioner Deloach seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE PO 23-REQ-039 FOR THE PURCHASE OF A SEWER BYPASS PUMP (3):

EOM Kristen Achtziger explained there was a request for bids for sewer bypass pumps for some of the larger lift stations. Four (4) bids were received, and during the bidding process, there was a question regarding the total dynamic head required. Based on reviews of the lift stations, it was determined that this would be 170 feet. The lowest bidder was at 94,678.00 but could only meet 140 feet, therefore Synergy was requested to be awarded the \$99,527.00 bid.

Commissioner Burdette made a motion to approve of PO 23-REQ-039 for the purchase of a Sewer Bypass Pump from Synergy Equipment for \$99,527.00. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE CHANGE ORDER #5 FOR TASK ORDER 22-006 WITH POND & COMPANY FOR THE STORMWATER MASTER PLAN (4):

County Manager Callanan explained the stormwater master plan was funded primarily through a coastal incentive grant. The scope of work had to be minimized since it was too late to make major changes. According to the consultant, the previous change order will be deducted by \$40,000 and the work they have done for that order will be provided free of charge, resulting in a net increase of \$35,000. Based on the two low bidders' interpretation, the project scope indicates that the majority of work will be performed on the southern end with some minor work on the northern end. It is anticipated that all stormwater projects in the northern part of the County will be completed by October.

Commissioner Burdette made a motion to approve of Change Order #5 for Task Order 22-006 with Pond & Company for the Stormwater Master Plan in the amount of \$35,000 bringing the total contract price to \$350,554.48. Commissioner Deloach seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE CHANGE ORDER #2 FOR STAGEFRONT FOR THE AV UPGRADES AT THE JUDICIAL COMPLEX (5):

County Manager Callanan explained the community room was converted into a smaller courtroom as a result of the amount of cases they are handling there. As with the other three (3) courtrooms in the state, the two (2) superiors also have the same system. The community room is located opposite to the main door to the grand jury room, and has been converted into a courtroom.

Commissioner Loper made a motion to approve of Change Order for StageFront for the AV upgrades at the Judicial Complex in the amount of \$17,810.28. Commissioner Deloach seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A FORM FOR A FIRE INSPECTION CHECKLIST TO COINCIDE WITH PART II - APPENDIX C, ARTICLE VII - ADMINISTRATION AND ENFORCEMENT, OF THE EFFINGHAM COUNTY CODE OF ORDINANCES (6):

Director of Development Services Candler explained the initial commercial and industrial fire inspection is free, but the re-inspection is a charge. The re-inspection fees were increased two months ago, so those fees will apply.

Commissioner Deloach made a motion to approve a form for the Fire Inspection Checklist to coincide with the Code of Ordinances – Zoning Ordinance, Article VIII – ADMINISTRATION AND ENFORCEMENT. Commissioner Floyd seconded the motion. The motion carried unanimously.

ADDITION TO THE AGENDA

CONSIDERATION TO APPROVE AN UPDATED TSPLOST 2023 LIST TO CORRECT A CLERICAL ERROR (7):

County Manager Callanan explained during the process of moving information from a spreadsheet to a document for approval, Conway Road resurfacing amount was entered incorrectly as Noel C. Conaway Road. This approval will correct that error.

Commissioner Floyd made a motion to approve an updated TSPLOST 2023 list to correct clerical error. Commissioner Burdette seconded the motion. The motion carried unanimously.

XI – REPORTS FROM COMMISSIONERS & ADMINISTRATIVE STAFF

Mr. Tim Callanan

TSPLOST

- TSPLOST Explorer in GIS is being updated

Commissioners Retreat

- Action items update

Commissioner Floyd

Ocmulgee Avenue

- Citizen requested the County abandon the road

Commissioner Burdette**Planning & Zoning Board Agendas**

- How quickly can they be forwarded to the Board

Commissioner Deloach

- Thanked everyone for the coordination during Tropical Storm Idalia

XII – EXECUTIVE SESSION

There was no discussion of personnel, property and pending litigation.

XIII – EXECUTIVE SESSION MINUTES

No executive session was held, no minutes to be approved.

XIV – PLANNING BOARD – 6:00pm

MRD PARTNERS, LLC / NOLAN ANDREWS as Agent for **RONALD V. ROBERTS & BARRY CHENKIN – PUBLIC HEARING (01)**: The Planning Board recommends approving an application by MRD Partners, LLC / Nolan Andrews as Agent for Ronald V. Roberts & Barry Chenkin to rezone 18.5 acres located at 4828, 4838 & 4884 McCall Road from R-2 & AR-1 to I-1 to allow for warehouse development Map# 450D Parcel# 4A, 4B & 5 in the Second District.

Zoning Manager Dunnigan explained in order to develop a small flexible building, approximately 156,000 square feet, the applicant proposes to rezone to I-1. The site is already bordered by Gateway Industrial Park, a zoned industrial area. There is also Sweigoffer Creek on the southeast boundary, which has served as a natural boundary for industrial zones. The project has been supported by a number of adjacent residents across McCall, who intend to rezone their property to industrial in the near future.

Speaker CJ Chance explained Savannah Gateway has completed approximately half a mile of Gateway Parkway and has received approval to cross Norfolk Southern. The road will connect Norfolk Southern with Effingham Parkway. There are approximately 1,000 feet between our building and any residential structures. There are 17 acres of track on the property, of which approximately 10 or 11 acres will be developed. It is supported verbally by Savannah Gateway, Industrial Hub, and Effingham County development authority, and this support is based on the fact that Savannah Gateway does not anticipate meeting that market demand.

Speaking for: Noel Andrews, Barry Chenkin, and Ron Roberts expressed support of rezoning for building.

Speaking in objection: Mary Godlove, Jimmy Blakely, Susan Mahany, and Richard Sumner expressed concerns with drainage, noise, traffic, animal life.

Speaker CJ Chance responded to each residents' concern.

Commissioner Burdette made a motion to postpone the item to 10/03/2023. Commissioner Floyd seconded the motion. The motion carried unanimously.

MRD PARTNERS, LLC / NOLAN ANDREWS as Agent for **RONALD V. ROBERTS & BARRY CHENKIN – SECOND READING (02)**: Consideration to approve the Second Reading of an application by MRD Partners, LLC / Nolan Andrews as Agent for Ronald V. Roberts & Barry Chenkin to rezone 18.5 acres located at 4828, 4838 & 4884 McCall Road from R-2 & AR-1 to I-1 to allow for warehouse development Map# 450D Parcel# 4A, 4B & 5 in the Second District.

Automatically postponed to 10/03/2023 due to previous action.

GREENLAND DEVELOPERS – SKETCH PLAN (03): The Planning Board recommends approving an application by Morgan Corp., for a Sketch Plan located on Old River Road for "Morgan Corp Office" zoned B-2 Map# 329 Parcels# 41B, in the First District.

Planner Fernald explained a 10,000 square foot office and 20,000 square foot storage facility will be built along Old River Road and will have a 10-foot vegetative buffer along Old River Road.

Commissioner Floyd made a motion to approve the sketch plan for "Morgan Corp Office". Commissioner Burdette seconded the motion. The motion carried unanimously.

BRANDON PESZYNSKI – PUBLIC HEARING (04): The Planning Board recommends denying an application by Brandon Peszynski for a variance from Section 74.8, located at 124 Maple Drive, to allow for class 8 parking at a residence, zoned AR-1. Map# 450D Parcel# 34A in the Second District.

Zoning Manager Dunnigan explained for the purpose of parking, the applicant wishes to bring his tractor trailer onto his private residence. As this location is approximately one and a half miles from the nearest truck route, it does not meet the definition of variance since it demonstrates more than a private hardship. The County's ordinances and addresses cover all County roads, truck routes, and other areas as well.

Applicant Brandon Peszynski explained for the purpose of parking his tractor and trailer at his home instead of using the County roads to cross through, he would like to use the Effingham Parkway.

Speaking in objection: Susan & Tom Mahany, Jimmy Blakey, Richard Sumner expressed concerns with loaded tractor trailers traveling down their road and possible road damages.

The Board engaged in a discussion regarding trailer ordinances.

Commissioner Burdette made a motion to deny the request. Commissioner Deloach seconded the motion. The motion carried unanimously.

BRANDON PESZYNSKI – SECOND READING (05): Consideration to approve the Second Reading of an application by Brandon Peszynski for a variance from Section 74.8, located at 124 Maple Drive, to allow for class 8 parking at a residence, zoned AR-1. Map# 450D Parcel# 34A in the Second District.

This item was automatically denied due to previous action.

BETTY J. NEW – PUBLIC HEARING (06): The Planning Board recommends approving an application by Betty J. New requests a variance from Article III, Section 3.3.1(c), located at 202 Greene Drive, to allow for the placement of an accessory structure, zoned AR-1. Map# 465H Parcel# 42B, in the Second District.

Zoning Manger Dunnigan explained the applicant wishes to erect a pole barn in their backyard to shelter a boat, but the setback requirements cannot be met. Currently, accessory structures are required to be 10 feet from a residence. The applicant is requesting that this be reduced to approximately 7 feet in order to accommodate all of the other required setbacks.

There were no public comments.

Commissioner Burdette made a motion to approve the request for a variance. Commissioner Deloach seconded the motion. The motion carried unanimously.

BETTY J. NEW – SECOND READING (07): Consideration to approve the Second Reading of an application by Betty J. New requests a variance from Article III, Section 3.3.1(c), located at 202 Greene Drive, to allow for the placement of an accessory structure, zoned AR-1. Map# 465H Parcel# 42B, in the Second District.

Commissioner Burdette made a motion to approve the 2nd Reading. Commissioner Deloach seconded the motion. The motion carried unanimously.

GEORGE L. OGLESBY – PUBLIC READING (08): The Planning Board recommends approving an application by George L. Oglesby to rezone 3 of 10.85 acres locates at 8869 Highway 21 North from AR-1 to AR-2 to allow for the creation of a home site Map# 229 Parcel# 1A, in the Third District.

Zoning Manager Dunnigan explained the application seeks to create a three-acre home site for a family member. The planning board has recommended approval with the condition that no further subdivisions be made on the 10.85 acres.

There were no public comments.

Commissioner Deloach made a motion to approve the request to rezone 3 of 10.85 acres from AR-1 to AR-2, with the following conditions:

1. Minor subdivision plat shall be approved by Development Services, and be recorded, before the rezoning can take effect.

Commissioner Burdette seconded the motion. The motion carried unanimously.

GEORGE L. OGLESBY – SECOND READING (09): Consideration to approve the Second Reading of an application by George L. Oglesby to rezone 3 of 10.85 acres locates at 8869 Highway 21 North from AR-1 to AR-2 to allow for the creation of a home site Map# 229 Parcel# 1A, in the Third District.

Commissioner Deloach made a motion to approve the 2nd Reading. Commissioner Loper seconded the motion. The motion carried unanimously.

MICHAEL & MEREDITH CLARK – PUBLIC HEARING (10): The Planning Board recommends approving an application by Michael & Meredith Clark for a variance from Section 3.21.1, located at 892 Brogdon Road to allow for occupation of a camper/RV during construction of a dwelling, zoned AR-1. Map# 319 Parcel# 1D, in the Third District.

Zoning Manager Dunnigan explained the applicants have an active building permit. They have completed their inspection, and wish to live in an RV on site during construction for the next 12 months.

There were no public comments.

Commissioner Deloach made a motion to approve the request for a variance from Section 3.21.1, with the following conditions:

1. The duration of the occupation shall not be longer than twelve months from date of approval.
2. The RV/Camper must have connection to permitted well and septic services.

Commissioner Loper seconded the motion. The motion carried unanimously.

MICHAEL & MEREDITH CLARK – SECOND READING (11): Consideration to approve the Second Reading of an application by Michael & Meredith Clark for a variance from Section 3.21.1, located at 892 Brogdon Road to allow for occupation of a camper/RV during construction of a dwelling, zoned AR-1. Map# 319 Parcel# 1D, in the Third District.

Commissioner Deloach made a motion to approve the 2nd Reading. Commissioner Burdette seconded the motion. The motion carried unanimously.

XVI – ADJOURNMENT

At 7:26pm, there being no further business, Commissioner Deloach made a motion to adjourn the meeting. Commissioner Burdette seconded the motion. The motion carried unanimously.



Phil Kieffer, Vice Chairman



Stephanie D. Johnson, County Clerk