1. March 17, 2020 Meeting Agenda
   
   Documents:

   03172020 AGENDA.PDF

1.I. March 17, 2020 Workshop_Canceled
   
   Documents:

   03172020WORKSHOPAGENDA.PDF

2. March 17, 2020 Agenda Material
   
   Documents:

   03172020 AGENDA MATERIAL.PDF

3. March 17, 2020 Final Meeting Agenda
   
   Documents:

   03172020 AGENDA.DOCX_REVISED.DOCX_FINAL.PDF
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<td>12 Second Reading</td>
<td>Consideration to approve the Second Reading of an application by Randall &amp; Michelle Ledet for a Variance on the rear setback for a property located at 185 Cubbege Drive Map# 445C Parcel# 93 in the Fourth District</td>
</tr>
</tbody>
</table>

**XV Adjournment**
Staff Report

Subject: Consideration to allow the lease agreements with FP Mailing Solutions for the postage meters to renew.
Author: Alison Bruton, Purchasing Tech.
Department: Purchasing
Meeting Date: 03-17-20
Item Description: Postage Meter Machines - Lease Renewal

Summary Recommendation: Approval to renew

Executive Summary/Background:
- The postage meters are located at the Old Courthouse – Tax Assessor and Tax Commissioner; the Judicial Complex – Superior Court and Magistrate Court; the Elections Office and the Admin Building to automatically renew for a one year term from 22 April, 2020 to 21 April, 2021. The lease rate is $36.54 per month, per machine.
- County employees were spending a great deal of time manually stamping envelopes in addition to making numerous trips to the post office to purchase stamps, the County entered into lease agreements with Docuquest for postage meters in April 2015.
- The postage meters have proven to save time and money in that they greatly reduce the amount of time spent stamping envelopes and, as the postage can be purchased online and downloaded, they also reduce the number of trips made to the post office.
- The term of the lease agreements are 12 months after which time they can be automatically renewed for twelve month periods.
- The leases can be terminated after the initial term with 90 days written notice.
- The leases have been previously reviewed and approved to form by the County Attorney.

Alternatives for Commission to Consider
1. Board approval to allow the lease agreements with FP Mailing Solutions for postage meters to automatically renew for 12 months from April 22, 2020 to April 21, 2021.
2. Terminate the lease agreements for postage meters.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Purchasing

Funding Source: Funding is approved in the current general fund budget, and will be requested for FY21.

Attachments: Docuquest Customer Agreement
# Customer Agreement

**CUSTOMER INFORMATION**

<table>
<thead>
<tr>
<th>Billing Address</th>
<th>Shipping &amp; Installation Address (if different than Billing)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Customer: EFFINGHAM COUNTY</td>
<td>Customer:</td>
</tr>
<tr>
<td>Department:</td>
<td>Department:</td>
</tr>
<tr>
<td>Street: 601 N. LAUREL ST.</td>
<td>Street:</td>
</tr>
<tr>
<td>City: SPRINGFIELD</td>
<td>City:</td>
</tr>
<tr>
<td>State: GA</td>
<td>State:</td>
</tr>
<tr>
<td>Zip: 31320</td>
<td>Zip:</td>
</tr>
<tr>
<td>Tel: 912-754-2159</td>
<td>Tel:</td>
</tr>
<tr>
<td>Fax: 912-754-8413</td>
<td>Fax:</td>
</tr>
<tr>
<td>E-mail: <a href="mailto:LHOFFMAN@EFFINGHAMCOUNTY.ORG">LHOFFMAN@EFFINGHAMCOUNTY.ORG</a></td>
<td>E-mail:</td>
</tr>
<tr>
<td>Contact Name: LARA HOFFMAN</td>
<td>Contact Name:</td>
</tr>
</tbody>
</table>

**RENTAL INFORMATION**

<table>
<thead>
<tr>
<th>Quantity</th>
<th>Item #</th>
<th>Item Description</th>
<th>Monthly Rate</th>
<th>Rental Billing Delivery (select one)</th>
<th>Rental Billing Frequency (select one)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>P100C/PBASE</td>
<td>PostBase 30 Meter/Base</td>
<td>included</td>
<td>☑ Electronic Billing</td>
<td>Quarterly Billing</td>
</tr>
<tr>
<td>1</td>
<td>POSTBASE30A</td>
<td>PostBase 30 Attribute Package</td>
<td>included</td>
<td>☑ Paper Billing</td>
<td>Semi-Annual</td>
</tr>
<tr>
<td>1</td>
<td>PCOLORBBLK (BLACK)</td>
<td>PostBase Color</td>
<td>included</td>
<td>☑ Annual Billing</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>UNL</td>
<td>Unlimited Resets</td>
<td>included</td>
<td>☑</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>RGPOST</td>
<td>PostBase RateGuard</td>
<td>included</td>
<td>☑</td>
<td></td>
</tr>
</tbody>
</table>

**Term of Contract:** 12 months  
**Total Monthly Payment:** $36.54

Terms and Conditions: By signing below, I hereby acknowledge and agree that FP's standard shipping rates and the additional terms and conditions applicable to, and incorporated by reference into, this agreement. (If you do not have access to the internet, please contact FP directly at 800.341.6052 and we will provide you with a copy for your records.)

**CUSTOMER ACCEPTANCE (please complete all fields)**

<table>
<thead>
<tr>
<th>Customer Acceptance of Terms</th>
<th>Dealer Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Print Name of Authorized Representative: WENDALL KESSLER, CHAIRMAN</td>
<td>Dealer Name: DOCUQUEST, INC</td>
</tr>
<tr>
<td>Tel: 912-754-2111</td>
<td>Dealer #: 7810</td>
</tr>
<tr>
<td>Text ID: 58-6000821</td>
<td>Address: 110 PIPEMAKERS CIRCLE, SUITE 101 POOLER GA 31322</td>
</tr>
<tr>
<td>Authorized Signature: [Signature]</td>
<td>Tel: 912-525-3555</td>
</tr>
<tr>
<td>Date: 4/21/2015</td>
<td>Fax: 912-748-6692</td>
</tr>
<tr>
<td>Sales Representative: JOHN PRUSSIA</td>
<td>Date: 4/21/2015</td>
</tr>
</tbody>
</table>

**DEALER & INTERNAL USE ONLY**

- [ ] New Customer
- [ ] Existing Customer Name Change
- [ ] Renewal (no change of equipment)
- [ ] Change of Ownership
- [ ] Lease Company:
- [ ] Major Account: GA-SFOPGA
- [ ] GSA Contract No.:
- [ ] State Contract No.:
- [ ] Master Billing Acct. No.:
- [ ] Master Postage Acct. No.:
- [ ] Promo Code: GSA PRICE MATCH
- [ ] Package Code: P30A
- [ ] Price or Terms Exception Approval (attach copy)
- [ ] Revision No.:
- [ ] USPS® Location: (letter must be attached)
- [ ] Tax-Exempt Certificate Attached

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revised 04/02/2014  
03/12/2020  
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FP Mailing Solutions

Terms and Conditions

These terms and conditions (these "Terms") are applicable to, and incorporated by reference into, any order form for, or customer agreement concerning, the rental or sale of any products supplied by Francotyp-Postalia, Inc., d/b/a FP Mailing Solutions, Inc. ("FP") to any customer ("Customer") as described on such order form or customer agreement (the "Agreement") and any services of FP relating thereto. The complete agreement between FP and Customer (the "Agreement") consists of these Terms and the terms set forth on any order form or customer agreement that references and incorporates these Terms. In the event of any conflict between these Terms and a separate order form or customer agreement, these Terms will control. No other terms, including any set forth on any Customer generated forms, acknowledgments or acceptance documents will be applicable unless agreed upon in writing signed by both FP and Customer.

1. EXPLANATION OF PRODUCTS
   a. Meter – A device that manages the financial transactions of a mailing machine. This can be a standalone unit or a device, known as a Postal Security Device (PSD), which is inserted and housed in the mail handling equipment.
   b. Rental Equipment – Any equipment outside of the meter that is rented from FP. Examples include mailing machine bases, accessories, scales, etc. Such equipment may require service, which will be invoiced separately to the Customer.
   c. Rental Services – Non-tangible product services that are provided by FP. Examples include RateGuard, resets, etc.

2. FP WILL:
   a. Rent to Customer and facilitate installation of the specified Meter, rented Equipment, and/or services at Customer's installation address, in good working order and ready to use, at rates set forth on the order form or customer agreement or as otherwise agreed upon in writing by FP and Customer.
   b. Maintain the Meter in proper operating condition by repair or replacement of non-consumable parts at FP’s then-current applicable rates or such rates as otherwise agreed upon in writing by FP and Customer.

3. CUSTOMER WILL:
   a. Pay FP using one of our acceptable payment methods including: mailing to the lockbox address stated on the invoice or paying online at fp-usa.com. Failure to pay on-time can result in any of the following: locking of the meter device, being unable to perform resets, and FP recovery of the meter. Customer will be billed an NSF fee equal to lesser of $50 or maximum allowed by law if check or electronic payment is returned due to non-sufficient funds.
   b. Make all required payments net to FP, and pay all sales, use, property, or excise taxes; fees or charges imposed on the shipment, transportation, delivery, ownership, leasing, rent, sale, purchase, possession, or use of the Equipment (except Federal or State net income or franchise taxes imposed on FP). Customer shall reimburse FP upon demand for any taxes paid by or advanced by FP.
   c. Customer will be invoiced in advance of payment due dates and shall make all payments to the address indicated on FP invoice within thirty (30) days of the date of FP invoice. A late fee will be charged if the payment is not made within such period and an additional late fee will be charged for each subsequent thirty (30) days that the invoice remains unpaid. Customer agrees to pay FP the then-current fee charged by FP's financial institution for checks returned unpaid and for ACH direct debit transactions which are rejected.
   d. Use reasonable care in the handling and operation of Equipment and be responsible for any loss or damage to Equipment, including provision for proper insurance coverage. FP shall be named as an "additional insured" and an updated certificate of insurance must be delivered to FP to be kept on file at FP at all times. Use of non-FP consumables (ink, rate chips, etc.) could result in malfunction to Equipment. The Customer is responsible for repair due to damage done by non-FP products. In the event Equipment is damaged the Customer is responsible for the lesser of repair or replacement costs. These costs are available in the "my account" section of the FP website.

FM_NG_ELECRGR_00

revised 5/22/2013

03/12/2020 Page 3 of 7
e. Not use special attachments, printing plates, or other devices, including electronic scales or supplies, with the provided Equipment unless FP supplies them or agrees to their use in a signed writing.

f. Use postage meters only for postage imprinting and recording purposes. (Tampering with or misuse of the postage meter(s) is punishable under Postal Laws and Regulations.)

g. Make immediately available for examination and audit by FP or the United States Postal Service® (“USPS®”) any postage evidencing system or PSD in their possession.

h. Notify FP of any change in location of the Equipment, and reimburse FP for any reasonable cost incurred by FP as a result of the change. Reporting of the change of Meter location is required by the USPS®.

i. Upon the termination of the Agreement, unless directed otherwise by FP, return the rented Equipment to FP per the Return Instructions, at Customer’s expense, to a location designated by FP, in good condition; normal wear and tear accepted. Billing will continue until all rented Equipment is received into inventory by FP. Customer also agrees to reimburse FP for any cost FP incurs to return the rented Equipment to good condition. In addition, Customer also agrees to pay FP the then applicable return processing fee.

j. Be responsible for paying for rate updating software if RateGuard coverage is not selected.

k. Be responsible for the shipping and handling fees when an exchange is done not related to a contract change or warranty claim. See the “my account” section of the FP website for the current fees.

l. Make available the proper connectivity requirements necessary for resetting the postage meter. For models MyMail, T-1000, OptiMail, OptiMail 30, UltiMail, or CenterMail: Customer agrees to make available an analog telephone line (not digital) at installation site so that the analog telephone line can be connected to the meter and used for postage resets. For models MyMail MAX or PostBase Series: Customer agrees to make available a High-Speed Internet connection at installation site so that the high-speed Internet connection can be connected to the meter and used for postage resets.

4. ADDITIONAL TERMS FOR TELESET METER RENTALS:

a. A bank designated by the USPS® will act as a depository for Customer’s advance postage payments.

b. Before resetting its Teleset meter, Customer must have at least the amount of the reset increment in Customer’s account at the designated bank.

c. In the event Customer requires an emergency advance for postage, FP, at our sole discretion, may advance the Customer money to reset the Postage Meter. If FP provides temporary advance funds to Customer’s account to cover the resettings, Customer agrees to repay FP’s advance within five (5) business days and to pay FP’s then-current service fee and/or interest.

d. FP will Invoice Customer quarterly in advance for the then current reset fee (if applicable) on each completed reset transaction.

e. If Customer discontinues its Teleset Meter rental account, FP will use its commercially reasonable efforts to have the USPS® return the funds (must be over $25.00) in Customer’s account within 90 days after Customer’s written request, per USPS® CFR Volume 73, Number 210, pages 61255-61356 and Domestic Mail Manual 604.9.2.8 regulations (or any applicable successor regulations); but FP does not guarantee that those funds will be returned by any specific date.

f. Teleset downloads must be performed on compatible line as specified above.

5. RATEGUARD:

a. FP RateGuard is a service that provides automatic rate upgrades to FP Customers when USPS® rate changes occur. When signed up for RateGuard, the Customer pays a monthly charge to be billed on the same billing cycle as their FP postage meter or FP postage scale. The Customer will receive updated rates (rate chip, rate card, software download, or other necessary products) – free of charge from FP, per their RateGuard Program agreement.

b. FP will provide eligible Customers the opportunity to receive the necessary updated rates (rate chip, rate card, software download, or other necessary products). The Customer’s account must remain current and be in good standing at the time of each rate change to remain eligible for the benefits of the RateGuard program.

c. The RateGuard Program must remain in effect on the Customer’s account for a minimum of the Initial Term. Once the Initial Term is ended, RateGuard will remain in effect until the end of the Term.

d. RateGuard does not cover carrier rate changes occurring fewer than 60 days from the date that RateGuard is added to the Customer’s existing Agreement. This restriction does not apply to new Customers who have signed an Agreement fewer than 60 days before a carrier rate change.
6. GENERAL PROVISIONS:
   a. Customer acknowledges FP's exclusive ownership of the meter(s), products or other Equipment rented to Customer pursuant to the Agreement, and that Customer has no rights except for use for the term of the Agreement, and agrees to indemnify and defend FP from any claims, legal actions, and costs (including attorney's fees) resulting from Customer's use and operation of such meters, products or other Equipment, and will take reasonable action, to protect FP's ownership.
   b. UNDER NO CIRCUMSTANCES WILL FP'S LIABILITY TO CUSTOMER EXCEED THE AMOUNT OF FEES PAID BY CUSTOMER TO FP DURING THE PRIOR SIX MONTH PERIOD. IN NO EVENT SHALL FP BE LIABLE TO CUSTOMER FOR INCIDENTAL, INDIRECT, SPECIAL, CONSEQUENTIAL, OR PUNITIVE DAMAGES OF ANY KIND ARISING OUT OF, OR IN CONNECTION WITH, THIS AGREEMENT, WHETHER OR NOT SUCH PARTY WAS ADVISED OF THE POSSIBILITY OF SUCH DAMAGE.
   c. EXCEPT AS EXPRESSLY STATED HEREIN, FP MAKES NO REPRESENTATIONS OR WARRANTIES OF ANY KIND, EITHER EXPRESS OR IMPLIED, REGARDING ANY MATTER WHATSOEVER, INCLUDING BUT NOT LIMITED TO THE IMPLIED WARRANTIES OF SUITABILITY, MERCHANTABILITY, AND FITNESS FOR A PARTICULAR PURPOSE.
   d. THIS AGREEMENT IS THE ENTIRE AGREEMENT BETWEEN CUSTOMER AND FP, SUPERSEDES ANY PRIOR UNDERSTANDINGS OR WRITINGS, AND IS SUBJECT TO WRITTEN FINAL ACCEPTANCE BY FP'S MAIN OFFICE.
   e. Notices must be in writing and are given, when received by mail, to Customer's or FP’s main office or to another address of which Customer or FP later give notice.
   f. When distribution to Customer is selected, the Equipment must be set up with the Customer within 5 days as rental billing will begin at that time. Any billing issues, as a result of delayed installation, will be the responsibility of the Customer.
   g. FP reserves the right to replace Equipment with products with similar or enhanced features in the event Equipment is not replaceable or has been decertified by the USPS.
   h. Customer authorizes FP, from time to time, to access and download information from the Postage Meter to provide FP with information about Customer postage usage and FP may disclose that information TO THE USPS® or other governmental agency. FP will not share with any third parties (except USPS® or other governmental entity) individually identifiable information that we obtain about you in this manner unless required by a court of law. FP may share aggregate data about Customers' postage usage with third parties.
   i. In the event Customer fails to perform in accordance with the terms set forth in this Agreement, or any other Agreement with FP or any FP affiliate, then FP may, without notice: repossess any Equipment; disable Equipment; immediately terminate this Agreement; and pursue any remedies available to FP at law or in equity.

7. IF CLAIMS OR DISPUTES BETWEEN CUSTOMER AND FP SHOULD ARISE:
   a. If Customer fails to pay rent or other amounts due FP on the due date in accordance with this Agreement, or if any legal action commences which may result in another's taking of the equipment; FP can terminate this Agreement, without notice or legal action, and Customer will allow FP to enter the location of the Equipment and repossess it; and Customer will pay FP accrued rent up to the repossession date or the current term expiration date, whichever comes later, and a delinquency charge of 1.5% per month (but not in excess of the lawful maximum) on any unpaid amounts until paid. Customer further agrees that, should it become necessary to place the account with a collection agency or attorney, Customer will pay all collection costs and attorney fees incurred by FP in addition to other amounts due.
   b. This Agreement, its interpretation and any disputes hereunder will be governed by the laws of the State of Illinois, without giving effect to any conflicting provisions thereof. In the event of any litigation between Customer and FP, Customer and FP hereby agree that any and all disputes, claims, actions, or controversies arising between the parties of whatever nature (including, but not limited to, any and all contractual, statutory, equitable, or tort claims) shall be brought only in either the United States District Court for the Northern District of Illinois or in the Circuit Court of the 18th Judicial District, DuPage County, Illinois; and both Customer and FP hereby consent to both venue and personal jurisdiction in those courts to the exclusion of all others. Each party also waives any right to a trial by jury.
   c. In the event any provision of this Agreement shall be deemed to be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby. The parties agree to replace any invalid provision with a valid provision, which most closely approximates the intent and economic effect of the invalid provision.
8. ACKNOWLEDGMENT OF DEPOSIT REQUIREMENT:
   a. Customer hereby acknowledges that it must transfer funds to the USPS®, through a lockbox bank ("lockbox bank") for the purpose of prepayment of postage on Computerized Meter Resetting System (CMRS)-equipped meters ("Deposit").
   b. Customer may make Deposits in the lockbox bank account, identified as United States Postal Service-CMRS-FP. The USPS® may, at its discretion, designate itself or a successor as recipient of Deposits by Customer.
   c. Any Deposit made by Customer shall be credited by the USPS® only for the payment of postage through CMRS-equipped meters. Customer shall not receive or be entitled to any interest or other income earned on such Deposits.
   d. The USPS® will provide a refund in accordance with the rules and regulations governing deposit of funds for CMRS, published in the Domestic Mail Manual or its successor.
   e. FP may deposit funds on behalf of Customer. The USPS® will make no such advances. Any relationship concerning advances is between Customer and the Meter Manufacturer.
   f. Customer acknowledges that the terms of this Acknowledgment of Deposit may be changed, modified, or revoked by the USPS®, with appropriate notice.
   g. Postal regulations governing the deposit of funds for CMRS are published in the Domestic Mail Manual or its successor. Customer acknowledges that it shall be subject to all applicable rules, regulations, and orders of the USPS®.
   h. By signing the Agreement, you the customer represent that you have read the Acknowledgment of Deposit Requirement section above and are familiar with its terms. You agree that, upon execution of the Agreement with FP, you will also be bound by all terms and conditions of the Acknowledgment of Deposit Requirement, as it may be amended from time to time.

9. ASSIGNMENTS:
   a. No right or interest in this Agreement may be assigned by the Customer, without the prior written consent of FP.

10. TERM AND TERMINATION:
   a. This Agreement shall be NON-CANCELABLE during the Initial Term and any Renewal Term, as set forth in Section 10(b) below. The Initial Term and any Renewal Terms are collectively referred to as the "Term" of the Agreement.
   b. This Agreement shall be for the Initial Term set forth on the applicable order form or customer agreement or as otherwise agreed in writing by the parties, commencing on the ☐ of the date that Equipment is installed or five (5) days after shipment of Equipment by FP, and shall automatically, without any action by either party, renew for a period of one year (a "Renewal Term") at the end of such Initial Term. At the end of such Renewal Term, this Agreement, again, automatically renews for an additional Renewal Term, unless terminated in accordance with the terms of Section 10. FP will not notify the Customer that the Initial Term or any Renewal Term is ending.
   c. FP can change the monthly rate and fees after the Initial Term upon notice to Customer.
   d. Either party to this Agreement may provide notice to the other party of its intent not to renew this Agreement pursuant to paragraph (b) above. Such notice must be in writing and must be delivered to the other party no later than ninety (90) days prior to the end of the Initial Term or then-current Renewal Term.

11. USPS® ACKNOWLEDGMENT:
   a. To the extent that the USPS® is obliged to perform particular functions with respect to the Equipment, those functions will be governed by the Domestic Mail Manual, as may be amended from time to time, or its successor, in effect at the time of the obligation. Specifically, to the extent that the USPS® provides refunds to Customers using postage evidencing devices, the policy and procedure governing the payment of refunds will be conducted in accordance with the Domestic Mail Manual, as amended, in effect at that time.
   b. If the Equipment is used in any fraudulent or unlawful scheme or enterprise, or is not used for any consecutive 12 month period, or if the Customer takes the Equipment or allows the Equipment to be taken outside the United States without proper written permission of the USPS®, Washington, DC 20260-6807, or if the Customer otherwise fails to abide by applicable postal regulations and this Agreement regarding care and use of Equipment, then this Agreement and any related Equipment rental may be revoked. Customer further acknowledges that any use of Equipment that fraudulently deprives the USPS® of revenue can cause Customer to be subject to civil and criminal penalties applicable to fraud and/or false claims against the United States. The submission of a false,
fictitious or fraudulent statement can result in imprisonment of up to five (5) years and fines of up to $10,000 (18 U.S.C. 1001). In addition, a civil penalty of up to $5,000 and an additional assessment of twice the amount falsely claimed may be imposed (3 U.S.C. 3802). A false statement in this application or the mailing of matter bearing a fraudulent postage meter imprint are examples of violations of these statutes.

The Customer is responsible for immediately reporting (within twenty-four hours) the theft or loss of Equipment that is the subject of this Agreement to FP. Failure to comply with this notification provision in a timely manner may result in the denial or refund of any funds remaining on the Equipment at the time of loss or theft.

c. The Customer understands that the rules and regulations regarding the use of the Equipment as documented in the Domestic Mail Manual may be updated from time to time by the USPS®, and it is Customer’s obligation to comply with any current and future rules and regulations regarding its use.

e. By signing this Lease, Rental or Use agreement with your Provider, the undersigned acknowledges they are also entering into an Agreement with the United States Postal Service (USPS) in accordance with the Domestic Mail Manual (DMM) 604.4, Postage Payment Methods, Postage Meters and PC Postage Products (Postage-Evidencing Systems) and accepts responsibility for control and use of the PES contained therein.

The undersigned also acknowledges they have read the Domestic Mail Manual 604.4, Postage Payment Methods, Postage Meters and PC Postage Products (Postage-Evidencing Systems) and agrees to abide by all rules and regulations governing its use. Failure to comply with the rules and regulations contained in the DMM or use of the PES in any fraudulent or unlawful scheme or enterprise may result in the revocation of this Lease, Rental or Use Agreement.

The undersigned further acknowledge that any use of this PES that fraudulently deprives the USPS of revenue can cause me to be subject to civil and criminal penalties applicable to fraud and/or false claims against the United States. The submission of a false, fictitious or fraudulent statement can result in imprisonment of up to five (5) years and fines of up to $10,000 (18 U.S.C. 1001). In addition, a civil penalty of up to $5,000 and an additional assessment of twice the amount falsely claimed may be imposed (3 U.S.C. 3802).

The undersigned further understands that the rules and regulations regarding the use of this PES as documented in the DMM may be updated from time to time by the USPS and it is the undersigned obligation to comply with any current and future rules and regulations regarding its use.

THESE TERMS AND CONDITIONS APPLY ONLY TO THE EQUIPMENT AND/OR SERVICES SPECIFIED BY THIS AGREEMENT AND DO NOT APPLY TO ANY OTHER FP EQUIPMENT. Any person accepting the Agreement on behalf of an organization further represents and warrants that such individual is a duly authorized representative, having the power and authority to bind such entity to the Agreement.
Memo

To: Tim Callanan, County Administrator
From: Tasheena Shiggs
Date: March 17, 2020
Re: Sanitation Releases

These properties meet the requirements for release. These properties will be checked periodically in the future to ensure that they still meet the release requirements. If at any time they fail to meet the release requirements, the Sanitation Special Tax will be added back to the property tax bill.

<table>
<thead>
<tr>
<th>Name</th>
<th>Property Address</th>
<th>Parcel #</th>
<th>Reason for Request</th>
<th>Release Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wanda Hood</td>
<td>106 Paddock Dr</td>
<td>0377B-054</td>
<td>deteriorating condition and not fit</td>
<td>$415.00</td>
</tr>
<tr>
<td>Dillard E. Helmly</td>
<td>992 Lexington Ave Ext.</td>
<td>04610-058</td>
<td>structure is not permanent residence</td>
<td>$615.00</td>
</tr>
<tr>
<td>Cathey Burkett</td>
<td>143 Third St.</td>
<td>0296A-129</td>
<td>Removal of second carts</td>
<td>$400.00</td>
</tr>
<tr>
<td>Eva Goldwire</td>
<td>652 Lower Ferry Rd</td>
<td>04240-060</td>
<td>structure is not a permanent residence</td>
<td>$215.00</td>
</tr>
<tr>
<td>Mary Sineath &amp; William Griffin</td>
<td>2040 Old Louisville Rd</td>
<td>02520-038</td>
<td>Removal of second carts</td>
<td>$615.00</td>
</tr>
<tr>
<td>James Gregory Burns</td>
<td>3120 Old Dixie Hwy</td>
<td>0339O-001</td>
<td>deteriorating condition and not fit</td>
<td>$215.00</td>
</tr>
</tbody>
</table>

Total: $2,475.00
Terms and Conditions for Release of the Special Tax Assessment for Solid Waste Management Services  
Applications for Release from the Special Tax Assessment  

Map and Parcel #: 0371B and 054  
Property Owner’s Name: Wanda A. Hood  
Property Address Being Released: 106 Paddock Dr, Bloomdale, GA 31302  
Mailing Address: Same  

Name of Contact Person: Arlene Taylor  
Phone Number: 912-704-0142  
Additional Number:  
Check One:  
☐ Structure is in deteriorating condition and not fit for habitation  
☐ Structure is not a permanent residence  
☐ Removal of second trash can  

Briefly describe the reason for requesting reimbursement for all or part of the special tax assessment: One house -- Old home was removed & taken to Ambrose. New home replaced it.  

Release and/or Refund Amount Requested:  
Year: 2019 Tax Bill #: 12580 Amount Requested $ 215.00  
Year: 2018 Tax Bill #: 12448 Amount Requested $ 215.00 REFUND = $ 200.00  

An incomplete application(s) without relevant documentation, including the property tax bill for said property and proof of alternative solid waste collection service to this application will not be accepted for processing. The County has one year from the date the claim is filed to approve or deny the release.  

I have read and understand all the provisions of this application and all my statements are true and correct. I further understand that any untrue or incorrect statement constitutes a violation of law. I further agree to notify the Effingham County Sanitation Department and apply for solid waste service within 30 days should my property no longer qualify for the special tax assessment release.  

W. Arlene Taylor  
Person Requesting Release (please print)  

W. Arlene Taylor  
Signature of Person requesting Release  

Fire & Rescue Director: ☐ Approve ☐ Disapprove By: Date: 1/7/20  
Tax Assessor: ☐ Approve ☐ Disapprove By: Date: 1/27/20  
Tax Commissioner: ☐ Approve ☐ Disapprove By: Date: 1/27/20  
Board of Commissioners: ☐ Approve ☐ Disapprove Amount: $  
Commissioner Chairman Signature:  

RECEIVED BY: J. Shiga  
DATE: 10/30/19  

Total refund $415.00  

**2019 Property Tax Statement**

Linda McDaniel  
Effingham County Tax Commissioner  
PO BOX 787  
SPRINGFIELD, GA 31329

MAKE CHECK OR MONEY ORDER PAYABLE TO:  
Effingham County Tax Commissioner

HOOD WANDA  
106 PADDOCK DR  
BLOOMINGDALE, GA 31302

RETURN THIS PORTION WITH PAYMENT  
(Interest will be added per month if not paid by due date)

Linda McDaniel  
Effingham County Tax Commissioner  
PO BOX 787  
SPRINGFIELD, GA 31329

Phone: (912) 754-2121  
Fax: (912) 754-8411

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This gradual reduction and elimination of the state property tax millage rate is the result of property tax relief passed by the Governor and the House of Representatives and the Georgia State Senate.

Effingham County provides flood information and insurance requirements upon request for properties in the Unincorporated County at no cost. Such information includes Special Flood Hazard Areas, copies of elevation certificates, and additional flood insurance data such as FIRM zones and base flood elevations. Contact Development Services at 904 N. Pine Street or call (912) 754-8063. More information is available at [http://www.effinghamcounty.org/295/Water-Resources](http://www.effinghamcounty.org/295/Water-Resources).

ASSSESSORS APPROVED 1 SANITATION REMOVAL  
PER WANDA HOOD - SHOULD ONLY BE CHARGED FOR 1 SANITATION

REFUND DUE = $215.00  
Jan/27/20

| Current Due | 1,967.39 |
| Penalty     | 0.00     |
| Interest    | 0.00     |
| Other Fees  | 0.00     |
| Previous Payments | 1,967.35 |
| Back taxes  | 0.00     |
| **TOTAL DUE** | 0.00 |
2018 Property Tax Statement

Linda McDaniel
Effingham County Tax Commissioner
PO BOX 787
SPRINGFIELD, GA 31329

MAKE CHECK OR MONEY ORDER PAYABLE TO:
Effingham County Tax Commissioner

HOOD WANDA
106 PADDOCK DR
BLOOMINGDALE, GA 31302

RETURN THIS PORTION WITH PAYMENT
(Interest will be added per month if not paid by due date)

Linda McDaniel
Effingham County Tax Commissioner
PO BOX 787
SPRINGFIELD, GA 31329

Phone: (912) 754-2121 Fax: (912) 754-8411

Tax Payer: HOOD WANDA
Map Code: 0377B-054-000
REAL
Description: LOT 54
Location: 106 PADDOCK DR
Bill No: 2018-12418
District: 001 EFFINGHAM COUNTY

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ASSESSOR'S APPROVED 1 SANITATION REMOVAL
PER WANDA HOOD - SHOULD ONLY BE CHARGED FOR 1 SANITATION

REFUND DUE = $200.00 09/27/20

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### Effingham County Property Tax Statement

<table>
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<tr>
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Terms and Conditions for Release of the Special Tax Assessment for Solid Waste Management Services
Applications for Release from the Special Tax Assessment

Map and Parcel #: 04610 and 058
Property Owner’s Name: Dillard E. Helms
Property Address Being Released: 992 Lexington Ave. Ext.
Rincon Ga. 31326

Mailing Address: Same as above

Name of Contact Person: Dillard E. Helms
Phone Number: (912) 826-5829 Additional Number: 

Check One:
☐ Structure is in deteriorating condition and not fit for habitation
☒ Structure is not a permanent residence
☐ Removal of second trash can

Briefly describe the reason for requesting reimbursement for all or part of the special tax assessment: Have been charged for 2 instead of 1多元化

Release and/or Refund Amount Requested:
Year: 2019 Tax Bill #: 11369 Amount Requested $515.00
Year: 2018 Tax Bill #: 11711 Amount Requested $200.00
Year: 2017 Tax Bill #: 11477 Amount Requested $200.00

An incomplete application(s) without relevant documentation, including the property tax bill for said property and proof of alternative solid waste collection service to this application will not be accepted for processing. The County has one year from the date the claim is filed to approve or deny the release.

I have read and understand all the provisions of this application and all my statements are true and correct. I further understand that any untrue or incorrect statement constitutes a violation of law. I further agree to notify the Effingham County Sanitation Department and apply for solid waste service within 30 days should my property no longer qualify for the special tax assessment release.

Dillard E. Helms

Person Requesting Release (please print) Signature of Person requesting Release

Fire & Rescue Director: ☒ Approve ☐ Disapprove By: Date: 1-7-20
Tax Assessor: ☒ Approve ☐ Disapprove By: Date: 2-2-20120
Tax Commissioner: ☒ Approve ☐ Disapprove By: [handwritten] Date: 2-27-20
Board of Commissioners: ☐ Approve ☐ Disapprove Amount: $ 
Commissioner Chairman Signature: 
Date: 

RECEIVED BY: DATE: NOV. 1, 2019

Total refund due: $458.00
Effingham County provides flood information and insurance requirements upon request for properties in the Unincorporated County at no cost. Such information includes Special Flood Hazard Areas, copies of elevation certificates, and additional flood insurance data such as FIRM zones and base flood elevations. Contact Development Services at 904 N. Pine Street or call (912) 754-8063. More information is available at http://www.effinghamcounty.org/295/Water-Resources.

ASSESSOR'S APPROVED 1 SANITATION REMOVAL

REFUND DUE = $200.00

03/12/2020
### Consent Agenda 02

**March 17, 2020**

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---

**2017 Property Tax Statement**

Linda McDaniel  
Effingham County Tax Commissioner  
PO BOX 787  
SPRINGFIELD, GA 31329

---

**RETURN THIS PORTION WITH PAYMENT**

(Interest will be added per month if not paid by due date)

Linda McDaniel  
Effingham County Tax Commissioner  
PO BOX 787  
SPRINGFIELD, GA 31329

---

**Effingham County Tax Commissioner**

**Bill No.: 2017-11677**

**Due Date:** March 17, 2020

**TOTAL DUE:** .00

**Map Code:** 04610-058-000

**Last payment made on:** 10/31/2017

**Location:** 992 LEXINGTON AVE EXT

**Description:** 87.84 AC

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**Entity** | **Adjusted FMV** | **Net Assessment** | **Exemptions** | **Taxable Value** | **Millage Rate** | **Gross Tax** | **Credit** | **Net Tax** |
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<td>69,258.00</td>
<td>57,667.00</td>
<td>2.3100</td>
<td>133.21</td>
<td></td>
<td>133.21</td>
</tr>
<tr>
<td>FIRE</td>
<td>317,312</td>
<td>126,925</td>
<td>69,258.00</td>
<td>57,667.00</td>
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<td>69,258.00</td>
<td>57,667.00</td>
<td>.0000</td>
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</table>

**TOTALS**

|                | 317,312 | 126,925 | 69,258.00 | 57,667.00 | 30,118.00 | 2,360.59 | -183.78 | 2,176.81 |

**This gradual reduction and elimination of the state property tax millage rate is the result of property tax relief passed by the Governor and the House of Representatives and the Georgia State Senate.**

---

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---

**Assessor's Approved 1 Sanitation Removal**

REFUND DUE = $200.00

03/12/2020

---

**Current Due:** 2,176.81

**Penalty:** 0.00

**Interest:** 0.00

**Other Fees:** 0.00

**Previous Payments:** 2,176.81

**Back taxes:** 0.00

**TOTAL DUE:** .00

03/12/2020
Confirm with Neal that 1 of the structures 
& is not lived in
<table>
<thead>
<tr>
<th>Improvement</th>
<th>Key: 8809</th>
<th>960 SF Wood Siding</th>
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<table>
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<tr>
<td>Strat</td>
<td>Improvement</td>
<td>Roofing</td>
<td>Wood Siding</td>
<td></td>
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<tr>
<td>Occupancy</td>
<td>One Family</td>
<td>Roof Shape</td>
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<tr>
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<th>Grade / Age</th>
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<th>1990</th>
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<td>Neighborhood</td>
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| Grade / Age | Grade | 100 | Year Built | 1977 | Eff Year Built | 1990 |
| Ovbr Cond | Average | 1.00 | Neighborhood | 1.00 |

| Grade / Age | Grade | 100 | Year Built | 1977 | Eff Year Built | 1990 |
| Ovbr Cond | Average | 1.00 | Neighborhood | 1.00 |

<table>
<thead>
<tr>
<th>Basment / Attic Option</th>
<th>Saer Foot</th>
<th>Heated Area</th>
<th>960</th>
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<td>Basement Area</td>
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<tr>
<td>Basement Finsh</td>
<td></td>
<td>Basement % Fin</td>
<td>0.00</td>
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<tr>
<td>Attic Desc</td>
<td></td>
<td>Attic Area</td>
<td>0.00</td>
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<tr>
<td>Attic Finsh</td>
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<td>Attic % Fin</td>
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<td>Ovr Date</td>
<td>09/29/2010</td>
<td>Ovr Rsn</td>
<td>CONVERSION</td>
</tr>
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</table>
Mr. Dillard lives at this house.
## 2019 Property Tax Statement

Linda McDaniel  
Effingham County Tax Commissioner  
PO BOX 787  
Springfield, Georgia 31329

HELMLY DILLARD F AND HARRIET Z  
992 LEXINGTON AVE EXT  
RINCON, GA 31326  
RETURN THIS FORM WITH PAYMENT

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Due Date</th>
<th>CURRENT YEAR DUE</th>
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<tbody>
<tr>
<td>11859</td>
<td>11/25/2019</td>
<td>$630.00</td>
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Payment Good Through: 11/6/2019

Map: 04610-058-000  
Last payment made on:  
Location: 992 LEXINGTON AVE EXT

### Property Description

- **Tax Payer:** HELMLY DILLARD F AND HARRIET Z  
- **Map Code:** 04610-058-000  
- **Description:** 87.84 AC 2017 CUVA  
- **Location:** 992 LEXINGTON AVE EXT  
- **Bill Number:** 11859

### Property Details

<table>
<thead>
<tr>
<th>Building Value</th>
<th>Land Value</th>
<th>Acres</th>
<th>Fair Market Value</th>
<th>Due Date</th>
<th>Billing Date</th>
<th>Payment Good Through</th>
<th>Exemptions</th>
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</thead>
<tbody>
<tr>
<td>$0.00</td>
<td>$0.00</td>
<td>87.84</td>
<td>0</td>
<td>11/25/2019</td>
<td>8/28/2019</td>
<td>11/6/2019</td>
<td>SC, SV, LF SC</td>
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</table>

**TAXING ENTITY** | **Adjusted FMV** | **Net Assessment** | **Exemptions** | **Taxable Value** | **Millage Rate** | **Growth Tax** | **Credit** | **Net Tax** |
--- | --- | --- | --- | --- | --- | --- | --- | --- |
FIRE | 0 | 0 | 0 | 0 | 0 | 200.00 | 0.00 | 200.00 |
SANITATION DEPARTMENT | 0 | 0 | 0 | 0 | 0 | 450.00 | 0.00 | 450.00 |

**TOTALS** | **630.00** | **630.00** |

Current Due: $630.00  
Penalty: $0.00  
Interest: $0.00  
Other Fees: $0.00  
Back Taxes: $0.00  
Amount Paid: $0.00

**TOTAL DUE:** $630.00

03/12/2020  
https://www.effinghamtax.com/taxes.html  
11/6/2019
2017 Property Tax Statement

Linda McDaniel
Effingham County Tax Commissioner
PO BOX 787
SPRINGFIELD, GA 31329

MAKE CHECK OR MONEY ORDER PAYABLE TO:
Effingham County Tax Commissioner

HELMLY DILLARD F & HARRIET Z
992 LEXINGTON AVE EXT
RINCON, GA 31326

RETURN THIS PORTION WITH PAYMENT
(Interest will be added per month if not paid by due date)

Linda McDaniel
Effingham County Tax Commissioner
PO BOX 787
SPRINGFIELD, GA 31329

Phone: (912) 754-2121 Fax: (912) 754-8411

Building Value | Land Value | Acres | Fair Market Value | Due Date | Billing Date | Payment | Credit | Exemptions | Taxable Value | Millage Rate | Gross Tax | Net Tax |
---|---|---|---|---|---|---|---|---|---|---|---|---|
137,400 | 179,912 | 87.8400 | 317,312 | | |

Entity | Adjusted FMV | Net Assessment | Exemptions | Taxable Value | Millage Rate | Gross Tax | Credit | Net Tax |
---|---|---|---|---|---|---|---|---|
COUNTY M&O | 317,312 | 126,925 | 91,738.00 | 35,187 | .0000 | 516.96 | 379.18 |
SALES TAX ROLLBACK | 317,312 | 126,925 | 69,258.00 | 57,667 | 9.7450 | 516.96 | 379.18 |
SCHOOL M&O | 317,312 | 126,925 | 77,250.00 | 49,667 | 17.5000 | 869.17 | 655.17 |
ROADS AND RECREATION | 317,312 | 126,925 | 69,258.00 | 57,667 | 17.5000 | 100.92 | 100.92 |
INDUSTRIAL DEV. AUTHORITY | 317,312 | 126,925 | 69,258.00 | 57,667 | 2.0000 | 115.33 | 115.33 |
HOSPITAL | 317,312 | 126,925 | 69,258.00 | 57,667 | 2.3100 | 133.21 | 133.21 |
FIRE | 317,312 | | | | | | |
SANITATION DEPARTMENT | 317,312 | | | | | | |
TOTALS | 317,312 | | | | | | |

This gradual reduction and elimination of the state property tax millage rate is the result of property tax relief passed by the Governor and the House of Representatives and the Georgia State Senate.

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2018 Property Tax Statement
Linda McDaniel
Effingham County Tax Commissioner
PO BOX 787
SPRINGFIELD, GA 31329

MAKE CHECK OR MONEY ORDER PAYABLE TO:
Effingham County Tax Commissioner

HELMLY DILLARD F & HARRIET Z
992 LEXINGTON AVE EXT
RINGON, GA 31326

RETURN THIS PORTION WITH PAYMENT
(Interest will be added per month if not paid by due date)

Linda McDaniel
Effingham County Tax Commissioner
PO BOX 787
SPRINGFIELD, GA 31329

Phone: (912) 754-2121 Fax: (912) 754-8411

<table>
<thead>
<tr>
<th>Building Value</th>
<th>Land Value</th>
<th>Acres</th>
<th>Fair Market Value</th>
<th>Due Date</th>
<th>Bill Date</th>
<th>Payment</th>
<th>Good Through</th>
<th>Exemptions</th>
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</thead>
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<tr>
<td>137,400</td>
<td>179,512</td>
<td>87.8400</td>
<td>317,312</td>
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<td></td>
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Entity:
- COUNTY M&O: 317,312, 126,923, 68,361.00, 58,564, 58,564, 607.78, 384.07
- SALES TAX ROLLBACK: 317,312, 126,923, 68,361.00, 58,564, -223.71
- SCHOOL M&O: 317,312, 126,923, 68,361.00, 58,564, 863.48
- ROADS AND RECREATION: 317,312, 126,923, 68,361.00, 58,564, 102.49
- INDUSTRIAL DEV. AUTHORITY: 317,312, 126,923, 68,361.00, 58,564, 117.13
- HOSPITAL: 317,312, 126,923, 68,361.00, 58,564, 136.00
- FIRE: 317,312, 126,923, 68,361.00, 58,564, 200.00
- SANITATION DEPARTMENT: 317,312, 126,923, 68,361.00, 58,564, 400.00

T O T A L S: 29,956, 2,426.16, -223.71, 2,202.45

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Bill No. 2018-11711 Due Date March 17, 2020
CONSOLIDATED TOTAL DUE

Map: 04610-058-000
Last payment made on: 10/30/2018
Location: 992 LEXINGTON AVE EXT

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Tax Payer: HELMLY DILLARD F & HARRIET Z
Map Code: 04610-058-000
Description: 87.84 AC 2017 CAVA
Location: 992 LEXINGTON AVE EXT
Bill No: 2018-11711
District: 001 EFFINGHAM COUNTY

This gradual reduction and elimination of the state property tax millage rate is the result of property tax relief passed by the Governor and the House of Representatives and the Georgia State Senate.
Terms and Conditions for Release of the Special Tax Assessment for Solid Waste Management Services
Applications for Release from the Special Tax Assessment

Map and Parcel #: 0290A-129
Property Owner’s Name: Jerome Burkett
Property Address Being Released: 143 Third St., Coryton, GA 31312

Mailing Address: III Rivers Mill Rd

Name of Contact Person: Jerome Burkett
Phone Number: 912-392-3310 Additional Number: 

Check One:

☐ Structure is in deteriorating condition and not fit for habitation
☐ Structure is not a permanent residence
☐ Removal of second trash can
☐ (charged $150 per cart)

Briefly describe the reason for requesting reimbursement for all or part of the special tax assessment:

Release and/or Refund Amount Requested:

Year: 2019 Tax Bill #: 3410 Amount Requested $215.60

Year: 2018 Tax Bill #: 33104 Amount Requested $200.00

Year: 2019 Tax Bill #: 34180 Amount Requested $200.00

An incomplete application(s) without relevant documentation, including the property tax bill for said property and proof of alternative solid waste collection service to this application will not be accepted for processing. The County has one year from the date the claim is filed to approve or deny the release. We will simply remove 1 Sanitation & for 2017 & 2018 the # will be applied to current due. OSG 2/20

I have read and understand all the provisions of this application and all my statements are true and correct. I further understand that any untrue or incorrect statement constitutes a violation of law. I further agree to notify the Effingham County Sanitation Department and apply for solid waste service within 30 days should my property no longer qualify for the special tax assessment release.

Signature of Person requesting Release

Date: 1-7-20

Date: 2-28-20

Date: 11/15/19
## 2019 Property Tax Statement

Linda McDaniel  
Effingham County Tax Commissioner  
PO BOX 787  
SPRINGFIELD, GA 31932

MAKE CHECK OR MONEY ORDER PAYABLE TO:  
Effingham County Tax Commissioner

BURECKT CATHEY L  
111 BOWENS MILL RD  
DOUGLAS, GA 31533

RETURN THIS PORTION WITH PAYMENT  
(Interest will be added per month if not paid by due date)

Linda McDaniel  
Effingham County Tax Commissioner  
PO BOX 787  
SPRINGFIELD, GA 31932

Phone: (912) 754-2121  Fax: (912) 754-8411

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### Bill No. & Due Date

<table>
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Map: 0296A-129-000  
Last payment made on: 01/08/2020  
Location: 143 THIRD ST  
Bill No: 2019-3410  
District: 001 EFFINGHAM COUNTY

### Taxpayer: BURECKT CATHEY L  
Map Code: 0296A-129-000  
REAL Description: 2.36 AC PARCEL A (PLT D125-B1)  
Location: 143 THIRD ST  
Payment good through: 02/28/2020

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<td>-</td>
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<td>200.00</td>
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<td>200.00</td>
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<tr>
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<td>30,795</td>
<td>0.00</td>
<td>430.00</td>
<td>-</td>
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</table>

**TOTAL**

| 76,980 | 1,629.41 | 103.80 | 1,525.61 |

This grant revision and elimination of the state property tax millage rate is the result of property tax relief passed by the Governor and the House of Representatives and the Georgia State Senate.

**20193410**

Property was subdivided into 2 properties in 2013. The refence being null.

- $1,295.61 current total due
- 215.00 Remove 1 sanitation from 2019-3410
- 200.00 Apply 1 sanitation from 2018-3314
- 200.00 Apply 1 sanitation from 2017-24288
- $710.61 New current due as of 02/28/20 02/28/2020
2019 Property Tax Statement

Linda McDaniel
Effingham County Tax Commissioner
PO BOX 787
SPRINGFIELD, GA 31329

RETURN SERVICE REQUESTED

MAKE CHECK OR MONEY ORDER PAYABLE TO:
Effingham County Tax Commissioner

RETURN THIS PORTION WITH PAYMENT
(Interest will be added monthly if not paid by due date)

Linda McDaniel
Effingham County Tax Commissioner
PO BOX 787
SPRINGFIELD, GA 31329

Phone: (912) 754-2121 Fax: (912) 754-8411

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2018 Property Tax Statement
Linda McDaniel
Effingham County Tax Commissioner
PO BOX 787
SPRINGFIELD, GA 31329

MAKE CHECK OR MONEY ORDER PAYABLE TO:
Effingham County Tax Commissioner

BURKETT CATHEY L
111 BOWENS MILL RD
DOUGLAS, GA 31533

RETURN THIS PORTION WITH PAYMENT
(Interest will be added per month if not paid by due date)

3-<
Linda McDaniel
Effingham County Tax Commissioner
PO BOX 787
SPRINGFIELD, GA 31329

Phone: (912) 754-2121 Fax: (912) 754-8411

Tax Payer: BURKETT CATHEY L
Map Code: 0296A-129-000 REAL
Description: 2.38 AC PARCELA (PLT D125-B1)
Location: 143 THIRD ST
Bill No: 2018-3354
District: 001 EFFINGHAM COUNTY

<table>
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<th>Billing Date</th>
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<th>Adjusted FMV</th>
<th>Net Assessment</th>
<th>Exemptions</th>
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<th>Millage Rate</th>
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<td>319.29</td>
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<td>30,765</td>
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<tr>
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Effingham County provides flood information and insurance requirements upon request for properties in the Unincorporated County at no cost. Such information includes Special Flood Hazard Areas, copies of elevation certificates, and additional flood insurance data such as FIRM zones and base flood elevations. Contact Development Services at 904 N. Pine Street or call (912) 754-8063. More information is available at http://www.effinghamcountyga.com/295/Water-Resources.
Linda McDaniel
Effingham County Tax Commissioner
PO BOX 787
SPRINGFIELD, GA 31329

Phone: (912) 754-2121 Fax: (912) 754-8411

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### Taxpayer Details

- **Tax Payer:** SPELL ARVIN D
- **Map Code:** 0296A-129-000
- **Real Estate Description:** 2.38 AC PARCEL A PLAT D125-B1
- **Location:** 143 THIRD ST
- **Bill No:** 2017-24288
- **District:** 001 EFFINGHAM COUNTY

### Property Information

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This gradual reduction and elimination of the state property tax millage rate is the result of property tax relief passed by the Governor and the House of Representatives and the Georgia State Senate.
Terms and Conditions for Release of the Special Tax Assessment for Solid Waste Management Services
Applications for Release from the Special Tax Assessment

Map and Parcel #: 04240 060
Property Owner's Name: EVA M. GOLDWIRE
Property Address Being Released: 622 Lower Farm Rd.
Mailing Address: 254 Lower Farm Rd.

Name of Contact Person: EVA M. GOLDWIRE
Phone Number: 734-9124  Additional Number:

Check One:
☐ Structure is in deteriorating condition and not fit for habitation
☐ Structure is not a permanent residence
☐ Removal of second trash can

Briefly describe the reason for requesting reimbursement for all or part of the special tax assessment: NEVER HAD TRASH CAN W/ENT RENT FA.

Release and/or Refund Amount Requested:
Year: 2018  Tax Bill #: 9406  Amount Requested $ 315.00
Year: 2019  Tax Bill #: 9403  Amount Requested $ 213.00
Year: _______  Tax Bill #: _______  Amount Requested _______

An incomplete application(s) without relevant documentation, including the property tax bill for said property and proof of alternative solid waste collection service to this application will not be accepted for processing. The County has one year from the date the claim is filed to approve or deny the release.

I have read and understand all the provisions of this application and all my statements are true and correct. I further understand that any untrue or incorrect statement constitutes a violation of law. I further agree to notify the Effingham County Sanitation Department and apply for solid waste service within 30 days should my property no longer qualify for the special tax assessment release.

EVA GOLDWIRE

Person Requesting Release (please print)  Signature of Person requesting Release

Fire & Rescue Director: ☐ Approve ☐ Disapprove By: D. W.  Date: 1-7-20
Tax Assessor: ☐ Approve ☐ Disapprove By:  Date: 2/27/2020
Tax Commissioner: ☐ Approve ☐ Disapprove By:  Date: 2/12/20  2019 only
Board of Commissioners: ☐ Approve ☐ Disapprove Amount: $
Commissioner Chairman Signature:  Date:

RECEIVED BY: ___________  DATE: 10/25/19

03/12/2020  Total refund $2,15.00

March 17, 2020
2019 Property Tax Statement

Linda McDaniel
Effingham County Tax Commissioner
PO BOX 787
SPRINGFIELD, GA 31329

MAKE CHECK OR MONEY ORDER PAYABLE TO:
Effingham County Tax Commissioner

GOLDWIRE EVA MAE
254 LOWER FERRY RD
CLYO, GA 31303

RETURN THIS PORTION WITH PAYMENT
(Interest will be added per month if not paid by due date)

Linda McDaniel
Effingham County Tax Commissioner
PO BOX 787
SPRINGFIELD, GA 31329

Phone: (912) 754-2121 Fax: (912) 754-8411

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# 2019 Property Tax Statement

Linda McDaniel  
Effingham County Tax Commissioner  
PO BOX 787  
SPRINGFIELD, GA 31329

**RETURN SERVICE REQUESTED**

MAKE CHECK OR MONEY ORDER PAYABLE TO:  
Effingham County Tax Commissioner

---

The Effingham County Tax Commissioner's office is located at the rear entrance of the Historic Effingham County Courthouse at 901 N. Pine Street in downtown Springfield.

Please note, your tax commissioner does not set values or millage rates. The role of the tax commissioner is to only collect taxes.

Pay your taxes online at effinghamtax.com or by telephone at 1-888-548-3962. Please be aware there is a convenience fee charged by the provider.

---

### Building Value

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Terms and Conditions for Release of the Special Tax Assessment for Solid Waste Management Services
Applications for Release from the Special Tax Assessment

Map and Parcel #: 02520 and 038
Property Owner's Name: MARY SINEATH & WILLIAM GRIFFIN
Property Address Being Released: 2040 OLD LOUISVILLE RD
GUYNON, GA 31312

Mailing Address: SAME AS ABOVE

Name of Contact Person: MARY SINEATH
Phone Number: 912 937 6859 Additional Number: 912 695 6891

Check One:
☐ Structure is in deteriorating condition and not fit for habitation
☐ Structure is not a permanent residence
☐ Removal of second trash can

Briefly describe the reason for requesting reimbursement for all or part of the special tax assessment: BEING CHARGED FOR ADDITIONAL CARTS WHICH WE DO NOT HAVE, WE ONLY HAVE 1 TRASH CART AND ONE RECYCLE CART AND ONE

Release and/or Refund Amount Requested:
- Year: 2019 Tax Bill #: 23999 Amount Requested $215.00
- Year: 2018 Tax Bill #: 23738 Amount Requested $200.00
- Year: 2017 Tax Bill #: 23526 Amount Requested $200.00

An incomplete application(s) without relevant documentation, including the property tax bill for said property and proof of alternative solid waste collection service to this application will not be accepted for processing. The County has one year from the date the claim is filed to approve or deny the release.

I have read and understand all the provisions of this application and all my statements are true and correct. I further understand that any untrue or incorrect statement constitutes a violation of law. I further agree to notify the Effingham County Sanitation Department and apply for solid waste service within 30 days should my property no longer qualify for the special tax assessment release.

MARY SINEATH

Person Requesting Release (please print) Signature of Person requesting Release

Fire & Rescue Director: ☐ Approve ☐ Disapprove By: Date: 3/7/20
Tax Assessor: ☐ Approve ☐ Disapprove By: Date: 3/13/20
Tax Commissioner: ☐ Approve ☐ Disapprove By: [Signature for Linda McDaniel] Date: 3/13/20
Board of Commissioners: ☐ Approve ☐ Disapprove Amount: $0
Commissioner Chairman Signature: Date:

RECEIVED BY: DATE: 11/6/19

Total refund $615.00

03/12/2020
2019 Property Tax Statement

Linda McDaniel
Effingham County Tax Commissioner
PO BOX 787
SPRINGFIELD, GA 31329

MAKE CHECK OR MONEY ORDER PAYABLE TO:
Effingham County Tax Commissioner

SINEATH MARY &
GRiffin William B JR
P O BOX 2 HWY 80
EDEN, GA 31307

RETURN THIS PORTION WITH PAYMENT
(Interest will be added per month if not paid by due date)

Phone: (912) 754-2121 Fax: (912) 754-8411

Linda McDaniel
Effingham County Tax Commissioner
PO BOX 787
SPRINGFIELD, GA 31329

Tax Payer: SINEATH MARY &
Map Code: 02520-038-000
Description: 10.00 AC
Location: 2040 OLD LOUISVILLE RD
Bill No: 2019-23999
District: 001 EFFINGHAM COUNTY

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This gradual reduction and elimination of the state property tax millage rate is the result of property tax relief passed by the Governor and the House of Representatives and the Georgia State Senate.

ASSESSOR'S APPROVED SANITATION REMOVAL

REFUND DUE = $215.00

Effingham County provides flood information and insurance requirements upon request for properties in the Unincorporated County at no cost. Such information includes Special Flood Hazard Areas, copies of elevation certificates, and additional flood insurance data such as FIRM zones and base flood elevations. Contact Development Services at 904 N. Pine Street or call (912) 754-8063. More information is available at http://www.effinghamcounty.org/295/Water-Resources.
2018 Property Tax Statement

Linda McDaniel
Effingham County Tax Commissioner
PO BOX 787
SPRINGFIELD, GA 31329

MAKE CHECK OR MONEY ORDER PAYABLE TO:
Effingham County Tax Commissioner

SINEATH MARY &
GRIFFIN WILLIAM B JR
P O BOX 2 HWY 80
EDEN, GA 31037

RETURN THIS PORTION WITH PAYMENT
(Interest will be added per month if not paid by due date)

Linda McDaniel
Effingham County Tax Commissioner
PO BOX 787
SPRINGFIELD, GA 31329

Phone: (912) 754-2121 Fax: (912) 754-8411

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This gradual reduction and elimination of the state property tax millage rate is the result of property tax relief passed by the Governor and the House of Representatives and the Georgia State Senate.

Assessor's Approved 1 Sanitation Removal

Refund Due = $200.00

Effingham County provides flood information and insurance requirements upon request for properties in the Unincorporated County at no cost. Such information includes Special Flood Hazard Areas, copies of elevation certificates, and additional flood insurance data such as FIRM zones and base flood elevations. Contact Development Services at 904 N. Pine Street or call (912) 754-8063. More information is available at http://www.effinghamcounty.org/295/Water-Resources.
2017 Property Tax Statement

Linda McDaniel
Effingham County Tax Commissioner
PO BOX 787
SPRINGFIELD, GA 31329

MAKE CHECK OR MONEY ORDER PAYABLE TO:
Effingham County Tax Commissioner

SINEATH MARY &
GRiffin William B JR
P O Box 2 Hwy 80
Eden, Ga 31307

RETURN THIS PORTION WITH PAYMENT
(Interest will be added per month if not paid by due date)

Linda McDaniel
Effingham County Tax Commissioner
PO BOX 787
SPRINGFIELD, GA 31329

Phone: (912) 754-2121 Fax: (912) 754-8411

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### Consent Agenda 02
March 17, 2020

#### Effingham County Tax Commissioner

**Address:** PO BOX 787
**City:** SPRINGFIELD, GA 31329
**Phone:** (912) 754-2121, Fax: (912) 754-8411

#### Tax Payer Information
- **Name:** SINEATH MARY &
- **Map Code:** 02520-038-000
- **Description:** REAL
- **Location:** 2040 OLD LOUISVILLE RD
- **Bill No:** 2019-23999
- **District:** 001 EFFINGHAM COUNTY

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#### Property Information

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**TOTALS:**
- **29,088**
- **3,867.75**
- **3,521.12**

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**Bill No:** 2019-23999

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Effingham County provides flood information and insurance requirements upon request for properties in the Unincorporated County at no cost. Such information includes Special Flood Hazard Areas, copies of elevation certificates, and additional flood insurance data such as FIRM zones and base flood elevations. To request one of these items call (912)-754-8063 or visit the office in the Administrative Complex at 601 N. Laurel Street. Upon request, a free site visit can be scheduled. More information is available at http://www.effinghamcounty.org/295/Water-Resources.
Consent Agenda 02
March 17, 2020

Linda McDaniel
Effingham County Tax Commissioner
PO BOX 787
SPRINGFIELD, GA 31329
Phone: (912) 754-2121 Fax: (912) 754-8411

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Effingham County provides flood information and insurance requirements upon request for properties in the Unincorporated County at no cost. Such information includes Special Flood Hazard Areas, copies of elevation certificates and additional flood insurance data such as FIRM zones and base flood elevations. To request one of these items, call (912) 754-8063 or visit the Historic Courthouse at 901 N Pine Street. Upon request, free site visits can be scheduled.

Current Due: 3,137.10
Penalty: 0.00
Interest: 0.00
Other Fees: 0.00
Previous Payment: 0.00
Back Taxes: 0.00
TOTAL DUE: 3,137.10
Terms and Conditions for Release of the Special Tax Assessment for Solid Waste Management Services
Applications for Release from the Special Tax Assessment

Map and Parcel #: 0339-001-000 and ______________________
Property Owner's Name: James Gregory Burns
Property Address Being Released: 3120 Old Dixie Highway
Springfield Ga. 31329

Mailing Address: 284 Clyo Shreve Rd. Springfield Ga. 31329

Name of Contact Person: James Gregory Burns
Phone Number: 478-299-2028 Additional Number: ______________________

Check One:

☑ Structure is in deteriorating condition and not fit for habitation
☐ Structure is not a permanent residence
☐ Removal of second trash can

Briefly describe the reason for requesting reimbursement for all or part of the special tax assessment: Not occupied / Not using sanitation

Release and/or Refund Amount Requested:

Year: 2019 Tax Bill #: 2019-3178 Amount Requested $215.25
Year: 2018 Tax Bill #: 2018-3122 Amount Requested $200.30
Year: 2017 Tax Bill #: 2017-3450 Amount Requested $200.00

An incomplete application(s) without relevant documentation, including the property tax bill for said property and proof of alternative solid waste collection service to this application will not be accepted for processing. The County has one year from the date the claim is filed to approve or deny the release.

I have read and understand all the provisions of this application and all my statements are true and correct. I further understand that any untrue or incorrect statement constitutes a violation of law. I further agree to notify the Effingham County Sanitation Department and apply for solid waste service within 30 days should my property no longer qualify for the special tax assessment release.

James Gregory Burns

Fire & Rescue Director: ☐ Approve ☐ Disapprove By: ____________ Date: ____________
Tax Assessor: ☐ Approve ☐ Disapprove By: ____________ Date: ____________
Tax Commissioner: ☐ Approve ☐ Disapprove By: ____________ Date: ____________
Board of Commissioners: ☐ Approve ☐ Disapprove Amount: $__________ Date: ____________
Commissioner Chairman Signature: ______________________

RECEIVED BY: ______________ DATE: 11/20/19

Total refund $215.25
Effingham County provides flood information and insurance requirements upon request for properties in the Unincorporated County at no cost. Such information includes Special Flood Hazard Areas, copies of elevation certificates, and additional flood insurance data such as FIRM zones and base flood elevations. Contact Development Services at 904 N. Pine Street or call (912) 754-8663. More information is available at http://www.effinghamcounty.org/295/Water-Resources.

Confirmed with Neal that 2019 is to be refunded on structures on property.

03/12/2020
2018 remove MH
### 2018 Property Tax Statement

Linda McDaniel  
Effingham County Tax Commissioner  
PO BOX 787  
SPRINGFIELD, GA 31329

**MAKE CHECK OR MONEY ORDER PAYABLE TO:**  
Effingham County Tax Commissioner

---

**RETURN THIS PORTION WITH PAYMENT**  
(Interest will be added per month if not paid by due date)

---

Linda McDaniel  
Effingham County Tax Commissioner  
PO BOX 787  
SPRINGFIELD, GA 31329

**Building Value| Land Value| Acres| Fair Market Value| Due Date| Billing Date| Payment Good Through| Exemptions| Net Tax**
---|---|---|---|---|---|---|---|---
STATE TAX | 109,126 | 43,651 | 21,772.00 | 21,879 | .0000 | 227.08 | 143.46 | .00
COUNTY M&O | 109,126 | 43,651 | 21,772.00 | 21,879 | 10.3760 | 43.76 | 38.29 | .00
SALES TAX ROLLBACK | 109,126 | 43,651 | 21,772.00 | 21,879 | 3.6200 | 373.63 | -83.58 | .00
SCHOOL M&O | 109,126 | 43,651 | 21,772.00 | 21,879 | 17.0770 | 373.63 | 38.29 | .00
ROADS AND RECREATION | 109,126 | 43,651 | 21,772.00 | 21,879 | 1.7500 | 43.76 | 43.76 | .00
INDUSTRIAL DEV. AUTHORITY | 109,126 | 43,651 | 21,772.00 | 21,879 | 2.0000 | 50.54 | 50.54 | .00
HOSPITAL | 109,126 | 43,651 | 21,772.00 | 21,879 | 2.3100 | 200.00 | 200.00 | .00
FIRE | 109,126 | 43,651 | 21,772.00 | 21,879 | 0.0000 | 200.00 | 200.00 | .00
SANITATION DEPARTMENT | 109,126 | 43,651 | 21,772.00 | 21,879 | .0000 | 200.00 | 200.00 | .00
**TOTALS** | 29,6850 | 1,133.25 | 1,049.70

---

Effingham County provides flood information and insurance requirements upon request for properties in the Unincorporated County at no cost. Such information includes Special Flood Hazard Areas, copies of elevation certificates, and additional flood insurance data such as FIRM zones and base flood elevations. Contact Development Services at 904 N. Pine Street or call (912) 754-8063. More information is available at http://www.effinghamcounty.org/293/Water-Resources.

---

**Printed: 02/28/2020**

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**Map: 03390-001-000**  
**Location: 3120 OLD DIXIE HWY**  
**Description: 11.70 AC 2009 CUVA**  
**Printed: 02/28/2020**  
**TOTAL DUE: 1,049.70**

---

**Current Due** | 1,049.70
---|---
**Penalty** | 0.00
**Interest** | 0.00
**Other Fees** | 0.00
**Previous Payments** | 1,049.70
**Back taxes** | 0.00
**TOTAL DUE** | 1,049.70

---

**Printed: 02/28/2020**
Effingham County provides flood information and insurance requirements upon request for properties in the Unincorporated County at no cost. Such information includes Special Flood Hazard Areas, copies of elevation certificates, and additional flood insurance data such as FIRM zones and base flood elevations. Contact Development Services at 904 N. Pine Street or call (912) 754-8063. More information is available at http://www.effinghamcounty.org/295/Water-Resources.
2019 Property Tax Statement

Linda McDaniel  
Effingham County Tax Commissioner  
PO BOX 787  
SPRINGFIELD, GA 31329

MAKE CHECK OR MONEY ORDER PAYABLE TO:  
Effingham County Tax Commissioner

BURNS JAMES GREGORY  
784 CLOYE SHAWNEE ROAD  
SPRINGFIELD, GA 31329

RETURN THIS PORTION WITH PAYMENT  
(Interest will be added per month if not paid by due date)

Linda McDaniel  
Effingham County Tax Commissioner  
PO BOX 787  
SPRINGFIELD, GA 31329

Building Value | Land Value | Acres | Fair Market Value | Due Date | Billing Date | Payment Good Through | Exemptions
|-------------|-----------|------|------------------|----------|-------------|---------------------|--------
| 44,896      | 68,658    | 11.700 | 113,554          | 01/19/2020 |             |                     |        

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APPEALED-TEMPORARY BILL

Effingham County provides flood information and insurance requirements upon request for properties in the Unincorporated County at no cost. Such information includes Special Flood Hazard Areas, copies of elevation certificates, and additional flood insurance data such as FIRM zones and base flood elevations. Contact Development Services at 904 N. Pine Street or call (912) 754-8063. More information is available at http://www.effinghamcounty.org/295/Water-Resources.

03/12/2020
RETURN THIS PORTION WITH PAYMENT
(Interest will be added per month if not paid by due date)

Linda McDaniel
Effingham County Tax Commissioner
PO BOX 787
SPRINGFIELD, GA 31329

BURNS JAMES GREGORY
784 CLYO SHAWNEE ROAD
SPRINGFIELD, GA 31329

Tax Payer: BURNS JAMES GREGORY
Map Code: 03390-001-000
Description: 11.70 AC 2009 CUVA
Location: 3120 OLD DIXIE HWY
Bill No: 2018-3433
District: 001 EFFINGHAM COUNTY

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TOTALS                   |              |                |            |               |             |          |        |

This gradual reduction and elimination of the state property tax millage rate is the result of property tax relief passed by the Governor and the House of Representatives and the Georgia State Senate.

Effingham County provides flood information and insurance requirements upon request for properties in the Unincorporated County at no cost. Such information includes Special Flood Hazard Areas, copies of elevation certificates, and additional flood insurance data such as FIRM zones and base flood elevations. Contact Development Services at 904 N. Pine Street or call (912) 754-8063. More information is available at http://www.effinghamcounty.org/295/Water-Resources.
## 2017 Property Tax Statement

### Consent Agenda 02
March 17, 2020

**Effingham County Tax Commissioner**
784 CLOY SHAWNEE ROAD
SPRINGFIELD, GA 31329

**MAKE CHECK OR MONEY ORDER PAYABLE TO:**
Effingham County Tax Commissioner

**BURNS JAMES GREGORY**
784 CLOY SHAWNEE ROAD
SPRINGFIELD, GA 31329

RETURN THIS PORTION WITH PAYMENT
(Interest will be added per month if not paid by due date)

---

**Linda McDaniel**
Effingham County Tax Commissioner
PO BOX 787
SPRINGFIELD, GA 31329

**Phone:** (912) 754-2121  **Fax:** (912) 754-8411

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**Bill No.: 2017-3450**

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---

**Current Due:** 1,037.00

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**Printed: 11/20/2019**
Staff Report

Subject: Variance (First District)
Author: Diane Proudfoot, Zoning Administrator
Department: Development Services – Planning & Zoning
Meeting Date: March 17, 2020
Item Description: South Georgia Custom Homes requests a variance to waive the requirement to install reuse water lines in Phase II of Emerald Plantation. Map #350 Parcel #16

Summary Recommendation
Denial, providing adequate infrastructure to dispose of reuse water will be critical to manage the growth Effingham County is experiencing. This item was tabled at the February 18, 2020 meeting.

Executive Summary
Pursuant to Chapter 75 Utilities, Article II. Water and Sewer User Charges, Section 75-55 Reuse Water Lines: All new developments (defined as major subdivisions, commercial or industrial projects) proposed to be served by public or private sewage services shall install purple pipe reuse lines within the development. Emerald Plantation Phase II will be served by county water and individual septic systems. Chapter 75 Utilities, Article I. In General, Section 75-1, Required Connection to Water, Sewer and Water Reuse Lines: Major subdivisions, as defined in the subdivision regulations, commercial or industrial developments shall be required to connect to county water, sewer, and reuse water lines if such lines are located within 1,000 feet of the property line. Currently there is no plan or CIP that includes a project to extend the reuse lines to the proposed subdivision; however, this could change in the future. During site development plan review process, county engineers (EOM) directed applicant to include reuse water line infrastructure per the ordinance. There is currently no reuse water line infrastructure on Bluejay Road within 1,000’ of Emerald Plantation.

Background
At the Planning Board meeting, Juanita Golden made a motion to deny the variance to waive the requirement to install reuse water lines in Phase II of Emerald Plantation. The motion failed due to no second. Peter Higgins made a motion to approve the variance request. Alan Zipperer seconded the motion. The motion carried with affirmative votes from Burns, Higgins, Smith and Zipperer. Golden opposed the motion.

Alternatives
Recommended Alternative: Denial, providing adequate infrastructure to dispose of reuse water will be critical to manage the growth Effingham County is experiencing.

Other Alternatives
Approve the variance to waive the requirement to install reuse water lines in Phase II of Emerald Plantation.

Department Review
Petition reviewed by Teresa Concannon, Planner; Diane Proudfoot, Zoning Administrator and County Health Department
FUNDING: N/A
Attachments:
1. Variance application
2. Ownership certificate
3. Deed
4. Aerial photo
EFFINGHAM COUNTY
APPLICATION FOR A VARIANCE OR CONDITIONAL USE

APPLICANT NAME  South Georgia Custom Homes, LLC - Keith Blaschke

MAILING ADDRESS
233 Davis Road, Suite G, Augusta, GA 30907

PROPERTY OWNER  Same as above

LOCATION  Blue Jay Road

MAP #  350  PARCEL #  16

ZONING  R1  ACREAGE  17.87

PHONE #  770-377-4839

NAME OF DEVELOPMENT  Emerald Plantation - Phase 2

SECTION NUMBER(S) OF THE ORDINANCE FROM WHICH A VARIANCE/CONDITIONAL USE IS REQUESTED
Chapter 75 Article II Sec. 75-55

DESCRIBE THE REQUESTED VARIANCE OR CONDITIONAL USE
Provide no reuse (purple pipe).

EXPLAIN WHY THE VARIANCE IS REQUESTED
Existing Phase 1 does not include reuse, there are no large reuse users in the immediate future that would make reuse extension practical. Reuse is available approx. 2.6 miles away.
THE FOLLOWING ITEMS MUST BE SUBMITTED AT TIME OF APPLICATION:

✔ A COPY OF THE SITE PLAN THAT CLEARLY ILLUSTRATES THE REQUESTED VARIANCE OR CONDITIONAL USE IN RELATION TO THE AFFECTED SITE AND TO SURROUNDING PARCELS AND USES. A REPRODUCABLE COPY OF THIS PLAN, NO LARGER THAN 11" x 17", MUST BE SUBMITTED.

✔ OWNERSHIP CERTIFICATE

✔ FILING FEE - $200.00

☐ IF DESIRED, ADDITIONAL NARRATIVE THAT EXPLAINS HOW AND WHY THE REQUESTED VARIANCE OR CONDITIONAL USE MEETS THE CRITERIA OF SECTION 7.1.8 & 7.1.6 OF THE EFFINGHAM COUNTY ZONING ORDINANCE.

SIGN ___________________________ DATE ___________________________

***Please include a copy of the plat identifying existing structures and imply future structures***

******************************************************************************
OFFICIAL USE ONLY

DATE RECEIVED __________ TIME __________
ACCEPTED BY __________ TRACKING NUMBER ________
DATE APPROVED BY COUNTY COMMISSIONERS ________
ATTACHMENT B

EFFINGHAM COUNTY OWNERSHIP CERTIFICATION

I, (we) the undersigned, do hereby certify that I (we) the property affected by the proposed Amendment to the Effingham County Zoning Ordinance by virtue of a deed dated 6/7/2019, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2529 page 662.

Owner's signature

Owner's signature

Owner's signature
Staff Report

Subject: Variance (First District)

2nd Reading Zoning Map Amendment

Author: Diane Proudfoot, Zoning Administrator

Department: Development Services – Planning & Zoning

Meeting Date: March 17, 2020

Item Description: South Georgia Custom Homes requests a variance to waive the requirement to install reuse water lines in Phase II of Emerald Plantation.

Map #350 Parcel #16

Summary Recommendation
Denial, providing adequate infrastructure to dispose of reuse water will be critical to manage the growth Effingham County is experiencing. This item was tabled at the February 18, 2020 meeting.

Executive Summary
Pursuant to Chapter 75 Utilities, Article II. Water and Sewer User Charges, Section 75-55 Reuse Water Lines: All new developments (defined as major subdivisions, commercial or industrial projects) proposed to be served by public or private sewage services shall install purple pipe reuse lines within the development. Emerald Plantation Phase II will be served by county water and individual septic systems. Chapter 75 Utilities, Article I. In General, Section 75-1, Required Connection to Water, Sewer and Water Reuse Lines: Major subdivisions, as defined in the subdivision regulations, commercial or industrial developments shall be required to connect to county water, sewer, and reuse water lines if such lines are located within 1,000 feet of the property line. Currently there is no plan or CIP that includes a project to extend the reuse lines to the proposed subdivision; however, this could change in the future. During site development plan review process, county engineers (EOM) directed applicant to include reuse water line infrastructure per the ordinance. There is currently no reuse water line infrastructure on Bluejay Road within 1,000’ of Emerald Plantation.

Background
At the Planning Board meeting, Juanita Golden made a motion to deny the variance to waive the requirement to install reuse water lines in Phase II of Emerald Plantation. The motion failed due to no second. Peter Higgins made a motion to approve the variance request. Alan Zipperer seconded the motion. The motion carried with affirmative votes from Burns, Higgins, Smith and Zipperer. Golden opposed the motion.

Alternatives
Recommended Alternative: Denial, providing adequate infrastructure to dispose of reuse water will be critical to manage the growth Effingham County is experiencing.

Other Alternatives
Approve the variance to waive the requirement to install reuse water lines in Phase II of Emerald Plantation.

Department Review
Petition reviewed by Teresa Concannon, Planner; Diane Proudfoot, Zoning Administrator and County Health Department

FUNDING: N/A

ATTACHMENT: Amendment
AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 350-16
AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 350-16
AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Effingham County Board of Commissioners in regular meeting assembled and pursuant to lawful authority thereof:

WHEREAS, SOUTH GEORGIA CUSTOM HOMES, has filed an application for a variance to waive the requirement to install reuse water lines in Phase II of Emerald Plantation; map and parcel number 350-16, located in the 1st commissioner district; and

WHEREAS, a public hearing was held on February 18, 2020 and notice of said hearing having been published in the Effingham County Herald on 1/29/2020; and

WHEREAS, a public hearing was held before the Effingham County Planning Board, notice of said hearing having been published in the Effingham County Herald on 1/27/2020; and

IT IS HEREBY ORDAINED THAT a variance to waive the requirement to install reuse water lines in Phase II of Emerald Plantation; Map and Parcel number 350-16, located in the 1st commissioner district is approved.

All ordinances or part of ordinances in conflict herewith are hereby repealed.

This _____ day of _____________, 20___

BOARD OF COMMISSIONERS
EFFINGHAM COUNTY, GEORGIA

BY: ____________________________
WESLEY CORBITT, CHAIRMAN

ATTEST: ____________________________
FIRST/SECOND READING: _____________

_________________________
STEPHANIE JOHNSON
COUNTY CLERK
STATE OF GEORGIA  
EFFINGHAM COUNTY

AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 350-16
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This _____ day of _______________, 20___

BOARD OF COMMISSIONERS
EFFINGHAM COUNTY, GEORGIA

BY: _______________________________
WESLEY CORBITT, CHAIRMAN

ATTEST: FIRST/SECOND READING: ____________

___________________________
STEPHANIE JOHNSON
COUNTY CLERK
Staff Report

Subject: Variance (First District)
Author: Diane Proudfoot, Zoning Administrator
Department: Development Services – Planning & Zoning
Meeting Date: March 17, 2020
Item Description: South Georgia Custom Homes requests a variance to waive the requirement to install reuse water lines in Phase III of Emerald Plantation. Map #350 Parcel #16

Summary Recommendation
Denial, providing adequate infrastructure to dispose of reuse water will be critical to manage the growth Effingham County is experiencing. This item was tabled at the February 17, 2020 meeting.

Executive Summary
Pursuant to Chapter 75 Utilities, Article II. Water and Sewer User Charges, Section 75-55 Reuse Water Lines: All new developments (defined as major subdivisions, commercial or industrial projects) proposed to be served by public or private sewage services shall install purple pipe reuse lines within the development. Emerald Plantation Phase II will be served by county water and individual septic systems. Chapter 75 Utilities, Article I. In General, Section 75-1, Required Connection to Water, Sewer and Water Reuse Lines: Major subdivisions, as defined in the subdivision regulations, commercial or industrial developments shall be required to connect to county water, sewer, and reuse water lines if such lines are located within 1,000 feet of the property line. Currently there is no plan or CIP that includes a project to extend the reuse lines to the proposed subdivision; however, this could change in the future. During site development plan review process, county engineers (EOM) directed applicant to include reuse water line infrastructure per the ordinance. There is currently no reuse water line infrastructure on Bluejay Road within 1,000’ of Emerald Plantation.

Background
At the Planning Board meeting, Juanita Golden made a motion to deny the variance to waive the requirement to install reuse water lines in Phase III of Emerald Plantation. The motion failed due to no second. Peter Higgins made a motion to approve the variance request. Alan Zipperer seconded the motion. The motion carried with affirmative votes from Burns, Higgins, Smith and Zipperer. Golden opposed the motion.

Alternatives
Recommended Alternative: Denial, providing adequate infrastructure to dispose of reuse water will be critical to manage the growth Effingham County is experiencing.

Other Alternatives
Approve the variance to waive the requirement to install reuse water lines in Phase III of Emerald Plantation.

Department Review
Petition reviewed by Teresa Concannon, Planner; Diane Proudfoot, Zoning Administrator and County Health Department
FUNDING: N/A
Attachments:
1. Variance application
2. Ownership certificate
3. Deed
4. Aerial photo
EFFINGHAM COUNTY
APPLICATION FOR A VARIANCE OR CONDITIONAL USE

APPLICANT NAME  South Georgia Custom Homes, LLC - Keith Blaschke

MAILING ADDRESS
233 Davis Road, Suite G, Augusta, GA 30907

PROPERTY OWNER  Same as above

LOCATION  Blue Jay Road

MAP #  350  PARCEL #  16

ZONING  R1  ACREAGE  15.53

PHONE #  770-377-4839

NAME OF DEVELOPMENT  Emerald Plantation - Phase 3

SECTION NUMBER(S) OF THE ORDINANCE FROM WHICH A VARIANCE/CONDITIONAL USE IS REQUESTED
Chapter 75 Article II Sec. 75-55

DESCRIBE THE REQUESTED VARIANCE OR CONDITIONAL USE
Provide no reuse (purple pipes).

EXPLAIN WHY THE VARIANCE IS REQUESTED
Existing Phase 1 does not include reuse, there are no large projected reuse users in the immediate future that would make reuse extension practical. Reuse is available approx. 2.6 miles away.
THE FOLLOWING ITEMS MUST BE SUBMITTED AT TIME OF APPLICATION:

✔ A COPY OF THE SITE PLAN THAT CLEARLY ILLUSTRATES THE REQUESTED VARIANCE OR CONDITIONAL USE IN RELATION TO THE AFFECTED SITE AND TO SURROUNDING PARCELS AND USES. A REPRODUCABLE COPY OF THIS PLAN, NO LARGER THAN 11" x 17", MUST BE SUBMITTED.

✔ OWNERSHIP CERTIFICATE

✔ FILING FEE - $200.00

☐ IF DESIRED, ADDITIONAL NARRATIVE THAT EXPLAINS HOW AND WHY THE REQUESTED VARIANCE OR CONDITIONAL USE MEETS THE CRITERIA OF SECTION 7.1.8 & 7.1.6 OF THE EFFINGHAM COUNTY ZONING ORDINANCE.

SIGN ___________________ DATE ___________________

***Please include a copy of the plat identifying existing structures and imply future structures***

******************************************************************************
OFFICIAL USE ONLY
DATE RECEIVED _______ TIME ________________
ACCEPTED BY _______ TRACKING NUMBER ______
DATE APPROVED BY COUNTY COMMISSIONERS ________

03/12/2020
ATTACHMENT B

EFFINGHAM COUNTY OWNERSHIP CERTIFICATION

I, (we) the undersigned, do hereby certify that I (we) the property affected by the proposed Amendment to the Effingham County Zoning Ordinance by virtue of a deed date 6/7/2019, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2529 page 662.

Owner's signature

Owner's signature

Owner's signature
Staff Report

Subject: Variance (First District)

2nd Reading Zoning Map Amendment

Author: Diane Proudfoot, Zoning Administrator

Department: Development Services – Planning & Zoning

Meeting Date: March 17, 2020

Item Description: South Georgia Custom Homes requests a variance to waive the requirement to install reuse water lines in Phase III of Emerald Plantation.

Map #350 Parcel #16

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Alternatives
Recommended Alternative: Denial, providing adequate infrastructure to dispose of reuse water will be critical to manage the growth Effingham County is experiencing.

Other Alternatives
Approve the variance to waive the requirement to install reuse water lines in Phase III of Emerald Plantation.

Department Review
Petition reviewed by Teresa Concannon, Planner; Diane Proudfoot, Zoning Administrator and County Health Department

FUNDING: N/A

ATTACHMENT: Amendment
STATE OF GEORGIA
EFFINGHAM COUNTY

AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 350-16
AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 350-16
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All ordinances or part of ordinances in conflict herewith are hereby repealed.

This _____ day of ______________, 20____

BOARD OF COMMISSIONERS
EFFINGHAM COUNTY, GEORGIA

BY: ______________________________
WESLEY CORBITT, CHAIRMAN

ATTEST: ______________________________
FIRST/SECOND READING: ______________

___________________________
STEPHANIE JOHNSON
COUNTY CLERK
Staff Report

Subject:  Industrial Development Authority Board Appointment
Author:  Stephanie D. Johnson
Department:  County Administration (Clerk’s office)
Meeting Date:  March 17, 2020

Item Description:  Consideration to approve to appoint Eric Johnson to the Industrial Development Authority (IDA) Board for the 10th Georgia Militia District (GMD)

Summary Recommendation:  It is the policy of the Board of Commissioners to appoint qualified people to various boards and committees of the county. Staff proposes consideration of the board to appoint/reappoint the individuals currently serving in this capacity. Staff received a letter of resignation from Mr. Dick Knowlton.

Executive Summary/Background:  The Effingham County Industrial Development Authority Board consists of an eight (8) member board. A member appointed from each GMD districts (1559, 9th, 10th, 11th, and 12th) and the three (3) municipalities. Each member serves a four (4) year term. The seat for the 10th GMD is set to expire December 2022. If appointed, Mr. Johnson will fulfill the term of office for said seat.

Alternatives for Commission to Consider:

1. To approve to appoint Eric Johnson to fulfill the term of office for the 10th GMD seat on the Effingham County Industrial Development Authority Board.
2. To not approve to appoint Eric Johnson to fulfill the term of office for the 10th GMD seat on the Effingham County Industrial Development Authority Board.

Recommended Alternative:  Alternative 1

Other Alternatives:  To consider other individuals to serve on the IDA Board.

Department Review:  County Administration and IDA Director Brad Herndon

Funding Source:  N/A

Attachments:

1. Member Profile Application
2. Letter of Resignation_ Knowlton
AUTHORITIES/BOARDS/COMMITTEES
PROSPECTIVE MEMBER PROFILE

AUTHORITY/BOARD/COMMITTEE: Effingham Industrial Development Authority

NOMINEE: Eric B. Johnson

ADDRESS: 806 Honey Ridge Road
Guyton, GA 31312

HOME PHONE: 912-414-3051 (Mobile)  BUSINESS PHONE: 912-354-4626

COUNTY VOTING DISTRICT/MUNICIPALITY: County Dist 3 (Unincorporated)

EMPLOYMENT/BUSINESS HISTORY

COMPANY NAME: Hussey Gay Bell

POSITION: Principal

ADDRESS: 329 Commercial Drive
Savannah, GA 31406

RESPONSIBILITIES:
President and Principal of Architectural Company and Principal in Engineering Company.
Oversee business development and project management.
Licensed Architect

COMPANY NAME:

POSITION:

ADDRESS:

RESPONSIBILITIES:
CIVIC/VOLUNTEER INVOLVEMENTS:

ORGANIZATION: World Trade Center Savannah
POSITION OF LEADERSHIP: Founding Chairman, Board of Directors
YEARS OF ASSOCIATION: 8

ORGANIZATION: Georgia Department of Economic Development
POSITION OF LEADERSHIP: Board of Directors
YEARS OF ASSOCIATION: 7

ORGANIZATION:
POSITION OF LEADERSHIP:
YEARS OF ASSOCIATION:

EDUCATION HISTORY:

HIGH SCHOOL: C. E. Byrd High School Shreveport, LA

TRADE/VOCATIONAL:

COLLEGE: Tulane University New Orleans, LA

GRADUATE/POST-GRADUATE: Master of Architecture 1976

PROFESSIONAL AFFILIATIONS/CERTIFICATIONS: American Institute of Architects
Troy Smith
Chairman
Effingham County Industrial Development Authority
520 West 3rd Street
Springfield, Georgia 31329

January 28, 2020

Troy,

Please accept this letter as my formal request to forgo my final year of membership on the Effingham County Industrial Development Authority Board of Directors. Since becoming a board member in January of 2011 many positive actions have occurred which have made our county one of the top 2 or 3 places in Georgia for business to locate or expand.

Our partnership with OmniTRAX, a part of the Broe Real Estate Group, at Savannah Gateway Industrial Hub, has proven successful. Developed property sites of all sizes now exist. Our top ranked school system and state training facilities can handle labor questions. All of the site location unknowns have been addressed.

I feel certain we can control the growth that will now occur in a way which will benefit everyone who lives in Effingham County.

Thank you all for letting me be a part of it.

Sincerely,

[Signature]

Richard Knowlton
202 White Branch Road
Guyton, Georgia 31312

Cc: ECIDA Board of Directors
Brandt Herndon, CEO ECIDA
Wesley Corbitt, Chairman, Effingham County Board of Commissioners
Staff Report

Subject: Consideration to Approve a Resolution of Surplus
Author: Alison Bruton, Purchasing Tech
Department: Finance
Meeting Date: March 17, 2020
Item Description: Surplus

Summary Recommendation: Staff recommends approval of the Resolution

Executive Summary/Background:
- From time to time the County has broken, unused, damaged or extra inventory. In order for the county to properly dispose of these items they must be declared surplus in accordance with O.C.G. A § 36-9-2 which states that the county “…may, by order entered onto its minutes, direct the disposal of any real property which may be lawfully disposed of and make and execute good and sufficient title thereof on behalf of the County.”
- This resolution consists of a various items which have either been replaced or are no longer in use.

Alternatives for Commission to Consider:
1. Board’s approval of the Resolution of Surplus.
2. Do not approve the Resolution of Surplus

Recommended Alternative: 1

Other Alternatives: 2

Department Review: All Departments were asked to supply a list of surplus items.

Funding Source: NA

Attachments: Resolution of Surplus
Notice is hereby given that the Board of Commissioners of Effingham County Georgia, in regular session assembled on March 17, 2020 by this resolution declare the following described property surplus and authorize the public sale, or disposal thereof:

<table>
<thead>
<tr>
<th>Description</th>
<th>Department</th>
<th>Year</th>
<th>Make</th>
<th>Model</th>
<th>Serial Number / Identifying Number</th>
<th>Amount</th>
<th>UOM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ambulance</td>
<td>EMS</td>
<td>2010</td>
<td>Chevrolet</td>
<td>Express Cutaway</td>
<td>1GB9G5B66A1113453</td>
<td>1</td>
<td>Ea.</td>
</tr>
<tr>
<td>Vehicle</td>
<td>Development Services</td>
<td>2005</td>
<td>Chevrolet</td>
<td>Ex Cab</td>
<td>1GCEK19Z5Z315094</td>
<td>1</td>
<td>Ea.</td>
</tr>
</tbody>
</table>

Pursuant to said resolution the above described surplus property will be demolished, offered for sale by auction or by sealed bid; will be traded for newer or alternate equipment or will be donated to non-profit.

This _______________ day of March 2020

__________________________________________________
Effingham County Board of Commissioners

ATTEST:

__________________________________________________
Stephanie Johnson, County Clerk
Staff Report

Subject: Assignment of Contract Letter
Author: Alison Bruton, Purchasing Tech
Department: Administration
Meeting Date: March 3, 2020

Item Description: Consideration to approve a Consent to Assignment of Contract letter from Moreland Altobelli, LLC

Summary Recommendation: Staff recommends approving the Consent to Assignment of contracts with Moreland Altobelli, LLC

Executive Summary/Background:

- On January 1, 2020, the Moreland Altobelli Associates, LLC ("Moreland") name changed to Atlas Technical Consultants LLC ("Atlas"), as a result of a transaction under which Moreland merged with Atlas.
- Atlas has remained as the surviving entity and has retired the Moreland brand, but are otherwise keeping the underlying operations of Moreland intact.
- Atlas is a premier provider of infrastructure-based engineering, program management, materials testing, inspection, certification, and compliance services.
- As the County has various agreements in place with Moreland for work on the Effingham Parkway, it is necessary for the County to assign the work remaining on said agreements to Atlas.
- The County attorney has reviewed and approved the Consent to Assignment of Contracts Letter.

Alternatives for Commission to Consider
1. Board approval and execution of the Consent to Assignment of Contract letter.
2. Do not approve Consent to Assignment of Contract letter.

Recommended Alternative: 1.

Other Alternatives: 2.

Department Review: Purchasing, Administration

Funding Source: Current Budget

Attachments:
Consent to Assignment of Contract Letter
DATE: February 19, 2020

601 N Laurel Street
Springfield, GA 31329

Re: Effingham Parkway Right of Way Acquisition, Effingham Parkway

Dear Effingham County Board of Commissioners:

Please be advised that as of January 1, 2020 MORELAND ALTOBELLI ASSOCIATES, LLC, entered into an Agreement and plan of Merger with ATLAS TECHNICAL CONSULTANTS LLC, whereby MORELAND ALTOBELLI ASSOCIATES, LLC merged with and into ATLAS TECHNICAL CONSULTANTS LLC With ATLAS TECHNICAL CONSULTANTS LLC as the surviving entity. The closing of the transaction occurred on or about January 1, 2020, upon the satisfaction of customary closing conditions (the “Closing”). In connection with the proposed transaction, ATLAS TECHNICAL CONSULTANTS LLC has agreed to assume all of MORELAND ALTOBELLI ASSOCIATES, LLC, obligations under the Agreement to the extent such obligations arise or relate to periods as of or after the Closing and are not required to be performed, or relate to any breach or default occurring, prior to the Closing. Accordingly, we hereby provide you notice of the proposed transaction, and we request that you sign this letter in the space below indicating that you consent to the assignment of the Agreement by MORELAND ALTOBELLI ASSOCIATES, LLC, to ATLAS TECHNICAL CONSULTANTS LLC and waive any default, event of default or right of termination that might otherwise arise under the Agreement as a result of the proposed transaction.

Once signed by both parties hereto, this consent will be effective as of the Closing and shall inure to the benefit of, and may be relied upon by, MORELAND ALTOBELLI ASSOCIATES, LLC, and ATLAS TECHNICAL CONSULTANTS LLC and their respective successors and assigns, and shall be binding upon the undersigned and its successors and assigns. If the Closing does not occur, then the Agreement will not be assigned to ATLAS TECHNICAL CONSULTANTS LLC, MORELAND ALTOBELLI ASSOCIATES, LLC, will continue as the counterparty to the Agreement and this consent will be of no force or effect.

In summary, ATLAS TECHNICAL CONSULTANTS LLC, acquired all assets and liabilities of MORELAND ALTOBELLI ASSOCIATES, LLC, and this letter serves as your consent to the transfer of your agreement(s) with us to ATLAS TECHNICAL CONSULTANTS LLC, on January 1, 2020 as more particularly described above.

Sincerely,

[Signature]

ATLAS TECHNICAL CONSULTANTS LLC,

Consent to Assignment and Assumption

Effingham County Board of Commissioners

By: ____________________________
   (printed name)

Title: ____________________________

Date: 03/12/2020
Staff Report

Subject: Renewal of Brokerage/Consulting Agreement with USI Insurance Agency
Author: Vicki Dunn, Human Resources Director
Department: Human Resources
Meeting Date: March 17, 2020
Item Description: Renewal of Brokerage/Consulting Agreement with USI Insurance Agency

Summary Recommendation
Staff recommends approval of renewing the Brokerage/Consulting Agreement with USI Insurance Agency for two one year periods at the end of the current agreement 12/31/2020.

Executive Summary
In March 2017 the County sent out an RFP for an agency to become the County’s Agent of Record. The duties included providing information that would allow the County to make informed choices of benefits for our employees. USI Insurance Agency quoted a cost of $45,000 per year beating the next agency up for consideration by $60,000 and unknown commissions. The agreement has been reviewed and approved as true to form by the County Attorney.

Background
• USI Insurance Agency was selected based on services that would be provided, past experience with USI.
• The agency that served as our Broker of Record in 2017 provided an RFP with a base cost of $60,000 and commissions on ancillary products.
• The level of service that USI has provided to the County is outstanding. All requests are acted on immediately and USI truly serves as an advocate for the County in all benefits making sure we get the most for our money.

Alternatives
1. Recommend approval of the renewal of the Brokerage/Consulting Agreement with USI Insurance Agency for two one year periods to begin effective January 1, 2021 and ending December 31, 2022.
   Our cost would remain the same, $45,000 per year.

Other Alternatives:
Issue RFP for Broker/Consulting Agency

Department Review: Finance, County Manager

Funding Source: Funding would be continued in the next two fiscal years at the current cost of $45,000.

Attachments: Brokerage/Consulting Agreement with USI Insurance Agency
January 26, 2018

Effingham County Board of Commissioners
Vicki B. Dunn, Director of Human Resources
601 N. Laurel Street
Springfield, GA 31329

Re: Brokerage/Consulting Letter Agreement

Dear Vicki:

USI Insurance Services, LLC ("USI") is pleased to provide Effingham County Board of Commissioners (ECBOC) this Letter Agreement for employee benefits consulting services. By executing this Letter Agreement, ECBOC hereby retains USI to perform employee benefits brokerage services for it, effective January 1, 2018.

1. SERVICES

Our clients reflect a variety of industries and corporate cultures; therefore, we strive to assist each client by customizing our services to meet each company’s specialized needs.

A. Services to be provided

An outline of the services we shall provide to you are contained in ADDENDUM 1, which is attached hereto and made a part of this Letter Agreement.

B. Existing insurance policies

The services to be provided by USI hereunder are provided for the exclusive benefit of ECBOC. The services, recommendations, proposals and information provided by USI are not to be distributed to, used by or relied upon by other parties. Furthermore, if the services to be provided by USI hereunder shall be deemed by ECBOC to apply to any insurance policy/policies that was in effect prior to the effective date of this Letter Agreement, then USI’s services shall not be assumed by ECBOC to remedy or resolve any deficiencies in such policy/policies. USI will neither assume nor accept liability for any deficiencies, errors or oversights inherent in such policy/policies until such time as USI has had adequate opportunity to review such policy/policies and to provide recommendations to ECBOC concerning same.
C. Additional services

The services described in ADDENDUM 1 are the only services to be provided by USI to ECBOC under this Letter Agreement. Any additional services requested by ECBOC, and the corresponding compensation therefore, shall be separately negotiated by USI and ECBOC and described in an amendment either to this Letter Agreement or to ADDENDUM 1.

2. BASIS OF COMPENSATION

In consideration of the services provided by USI, ECBOC will pay USI an annual fee of $45,000 to be paid in monthly installments.

In the event of mergers, acquisitions, or other substantial changes in ECBOC’s business which result in a material increase in the services required of USI under this Letter Agreement, the fee set forth above shall be subject to good faith re-negotiation. However, no renegotiation shall be valid until ECBOC signs a written memorandum specifying any additional compensation. In the event that ECBOC requests USI to place new lines of insurance, USI will be entitled to accept commissions on such placements, unless USI and ECBOC modify the compensation payable to USI under this Letter Agreement to take into account the additional services which will be provided to ECBOC.

3. TERM OF CONTRACT

This Agreement shall be for a term of twelve (12) months, commencing on 1st day of January, 2018 and ending on December 31, 2018. This Agreement will be renewed annually for two (2) additional one-year periods at the end of each term unless otherwise cancelled by either party as set forth below in section 4.

4. TERMINATION OF THIS LETTER AGREEMENT

This Agreement may be cancelled by either party with at least ninety (90) days prior written notice. USI shall be entitled to receive the fair market value of services rendered hereunder prior to the date of such notice of termination. All work product provided by USI to ECBOC pursuant to this Letter Agreement shall be the property of ECBOC. USI will cooperate with ECBOC’s designated producer in order to facilitate an orderly transition of ECBOC’s insurance matters.

5. REPORTING CHANGES IN EXPOSURE

ECBOC shall promptly notify USI with respect to all material changes in exposures and all changes in loss-related information. USI shall promptly notify the affected insurance companies of such changes.
6. **INSURER SOLVENCY**

USI shall seek to obtain coverage(s) for ECBOC from qualified, solvent insurers. To do so, USI will review information about the financial condition of insurers that is publicly available. However, USI does not guarantee the solvency of any insurer with which it places ECBOC’s risks.

7. **NON-DISCRIMINATION**

USI will not discriminate against any employee or applicant for employment because of race, religion, color, sex, or national origin, except where religion, sex, or national origin is a bona fide occupational qualification reasonably necessary to the normal operation of USI.

8. **SEVERABILITY**

If any part, term, or provision of this Letter Agreement shall be found by a court to be legally invalid or unenforceable, then such provision or portion thereof shall be performed in accordance with applicable laws. The invalidity or unenforceability of any provision or portion of any contract document shall not affect the validity of any other provisions or portion of this Letter Agreement.

9. **LITIGATION**

In any claim or dispute between the parties to this Letter Agreement, arising out of or relating to this Letter Agreement or breach thereof, the parties consent to the jurisdiction and venue of Effingham County, Georgia. USI shall not cause a delay of work because of the pending litigation proceedings, except with the express, written consent of ECBOC, or pursuant to written instruction from the court.

10. **LETTER AGREEMENT CONSTRUED UNDER STATE LAWS**

This Letter Agreement is to be executed and performed in the State of Georgia, and shall be construed in accordance with the laws of such state.

11. **USI’S POLICY REGARDING CONTINGENT COMMISSIONS**

ECBOC agrees to pay compensation to USI for the placement of insurance pursuant to this written Letter Agreement. USI may also receive from insurers and insurance intermediaries additional compensation (monetary or non-monetary), which is contingent on volume, profitability or other factors pursuant to agreements USI may have with them relating to all or part of the business USI places with those insurers or through those intermediaries. Such agreements may be in effect with one or more of the insurers with whom ECBOC’s insurance is placed, or with an insurance
intermediary USI uses to place ECBOC's insurance. Such agreements do not affect or modify in any way USI's responsibilities to ECBOC. USI will be pleased to discuss further details of any contingent compensation agreements pertinent to ECBOC's insurance placements upon ECBOC's request.

The amount of additional compensation expected to be received by USI from insurer(s) is $__________. If no amount is indicated in the preceding sentence, it is because the amount of compensation is of a contingent nature, is unknown at this time, and will be calculated by an insurance company in the future. Generally speaking, USI will annually receive from the various insurers with which it places risks about 1% of its total annual premium placements as contingent compensation.

Historically, such compensation has been computed based upon a variety of factors and variables, including but not limited to the loss history of ECBOC's coverages, the volume of total coverages placed by USI with the insurer, the period of time over which the coverages were placed with the insurer, and other considerations. In any event, the ECBOC is invited to obtain as much detail as it wishes from USI on the computation of the particular contingent compensation applicable to its placement.

12. **CHANGES TO BE IN WRITING**

This Letter Agreement may be amended only by a written agreement executed by both USI and ECBOC.

13. **WAIVERS**

The failure of USI or ECBOC to insist on strict compliance with this Letter Agreement, or to exercise any right(s) hereunder shall not be construed as a waiver of any of the rights or privileges contained herein.

14. **ENTIRE LETTER AGREEMENT**

This Letter Agreement contains the entire understanding of the parties with respect to its subject matter. This Letter Agreement supersedes all prior agreements, arrangements and understandings between the parties, whether oral or written, with respect to its subject matter.

15. **RECORD RETENTION**

USI will retain its records of all matters relating to this Letter Agreement in accordance with USI's record retention policy, (a copy of which will be made available to ECBOC upon request), and all
applicable laws and regulations.

16. OWNERSHIP OF WORK PRODUCT, TRADE SECRETS AND TRADEMARKS

USI and ECBOC shall each retain individual ownership of all materials, ideas, concepts, inventions, discoveries, plans, product names, proprietary information, patents, copyrights, documents, data, programs, training materials, slogans, artwork, research data and results and marketing designs that each provides to this consulting effort (the "Existing Materials"). All Existing Materials shall be subject to the terms and conditions of the confidentiality provisions contained herein. Any and all ideas, concepts, inventions, discoveries, plans, product names, proprietary information, patents, copyrights, documents, data, programs, training materials, slogans, artwork, research data and results and marketing designs (the "Work Product") conceived or developed by or between USI or ECBOC hereunder, to the extent that such Work Product is distinct from the individually - owned Existing Materials, shall become the sole and exclusive property of ECBOC. ECBOC agrees to hereby grant USI an unlimited non-exclusive license to use the Work Product, which license shall include use among USI's affiliates.

17. CONFIDENTIAL INFORMATION

Subject to Georgia Open Records laws and any applicable federal laws, "Confidential Information" shall mean non-public information revealed by or through a party to this Letter Agreement (a "Disclosing Party") to the other party (a "Receiving Party") including (a) information expressly or implicitly identified as originating with or belonging to third parties, or marked or disclosed as confidential, (b) information traditionally recognized as proprietary trade secrets, and (c) all forms and types of financial, business (including customer information), scientific, technical, economic, or engineering information, including patterns, plans, compilations, program devices, formulas, designs, prototypes, methods, techniques, processes, procedures, programs or codes, whether tangible or intangible, and whether or how stored, compiled, or memorialized physically, electronically, graphically, photographically, or in writing, which is identified with the legend "CONFIDENTIAL"

A. As to any Confidential Information disclosed by the Disclosing Party to the Receiving Party, the Receiving Party will take reasonable precautions in accordance with procedures it follows with respect to its own important confidential information to prevent disclosure, directly or indirectly, of all or any portion of the Confidential Information.

B. Except as may be required by law or legal process, the Receiving Party agrees not to otherwise use the Confidential Information obtained hereunder in the absence of a written Letter Agreement with Disclosing Party. The Receiving Party further agrees to return to Disclosing Party all confidential information received hereunder upon written request therefore.
C. The obligations hereunder remain in full force and effect until and unless: (a) the Receiving Party can show that such Confidential Information was in the Receiving Party’s possession prior to the date of the disclosure by Disclosing Party; or (b) such Confidential Information was obtained by the Receiving Party after the date of this Letter Agreement from a party other than Disclosing Party, and the receiving party has no knowledge that said party is under an obligation of confidentiality to the Disclosing Party with respect to such information; or (c) such Confidential Information becomes generally available to the trade, or to the public, through sources other than Receiving Party; or (d) such Confidential Information is developed at any time by the Receiving Party independent of information or materials disclosed by Disclosing Party to the Receiving Party.

D. In the event that the Receiving Party is requested or required (by oral questions, interrogatories, requests for information or documents, subpoena, civil investigative demand or similar process) to disclose any confidential information furnished by the Disclosing Party, it is agreed that the Receiving Party will cooperate with the Disclosing Party and provide the Disclosing Party with prompt notice of such request(s) or requirement(s) so that the Disclosing Party may seek an appropriate protective order or waive compliance by the Receiving Party with the provisions of this Letter Agreement. If, in the absence of a protective order or the receipt of a waiver hereunder, the Receiving Party is nonetheless, in the opinion of the Receiving Party, legally required to disclose the Confidential Information forwarded by the Disclosing Party, the Receiving Party may disclose such information without liability hereunder, provided, however, that the Receiving Party shall disclose only that portion of such Confidential Information which it considers that it is legally required to disclose.

E. Upon termination of this Letter Agreement, or upon Disclosing Party’s earlier request, Receiving Party shall promptly deliver to Disclosing Party all confidential information and any other material which Disclosing Party furnishes to Receiving Party in connection with this Letter Agreement.

Please acknowledge your acceptance of the above terms of this Letter Agreement by signing both the original of this document, and the copy thereof, at your earliest possible convenience, and returning the signed copy to USI.

Sincerely,

[Signature]

USI Insurance Services
Name: Brian McNulty
Title: EB Practice Leader
Effective Date: January 1, 2018

Accepted by:
Effingham County Board of County Commissioners

[Signature]
Name: Reginald S. Loper
Title: Vice Chairman
Scope of Work

This scope of work ("SOW") is entered into this Tuesday, May 30, 2017 ("Effective Date") by and between USI Insurance Services, LLC ("USI") and Effingham County Board of Commissioners ("ECBOC") and is governed by the terms and conditions of the Brokerage and Consulting Services Agreement between the parties dated June 15, 2017.

I. Ongoing routine assistance

USI will assign an account manager/consultant to who will be responsible for managing ECBOC's benefits program. This individual will coordinate the activities of the entire USI "team" to ensure that all aspects of ECBOC's benefit program are handled both efficiently and effectively.

The USI account manager/consultant is also available to provide advice on an as-needed basis. Often, such assistance involves answering questions related to plan design, claims administration, COBRA administration, coverage issues, and other matters that inevitably arise in the day-to-day administration of a benefit program.

The USI account manager/consultant can also provide access to other USI divisions that may be able to provide supplemental services for your needs, e.g. wealth management, retirement plan and 401K administration, and property/casualty insurance.

II. Objective setting and review of benefit program

USI will help ECBOC develop organizational goals and objectives which need to be achieved through ECBOC’s benefit programs. In addition, USI will continuously review ECBOC's current plan design and recommend alternatives which will help manage costs while at the same time maintain a competitive comprehensive benefit program.

III. Provide expert advice on legislative and regulatory issues affecting benefit plans

Full access to USI's on staff local and national team of ERISA attorneys. These attorneys provide the latest guidance issues on healthcare reform and compliance requirements. USI will provide summaries to ECBOC of developments affecting the administration, design and funding of employee benefit programs - whether those developments are legislative, regulatory, competitive, or demographic. ECBOC will receive a variety of special publications to keep ECBOC up-to-date on benefits issues.

Further, USI will completely compile and develop documents for Form 5500s and associated Schedule A’s on your behalf. This includes USI engaging services from Wrangle, LLC in regards to 5500 preparation. At USI’s direction, Wrangle will obtain Schedule A information and prepare a signature-ready 5500 document for ECBOC’s approval. Wrangle will also prepare the summary annual report (SAR) and can e-file the 5500
upon receipt of ECBOC’s authorization. There will be no additional cost for USI performing this service for you.

IV. Prepare loss experience reports

USI will provide ECBOC with high risk claim reports on a quarterly basis. Reports will provide a profile of each claimant including age and gender with no name or location along with a verbal and financial historical summary of the individual’s claim or claims. Other claim reports will be supplied on a quarterly basis and will be reviewed during the quarterly claim reviews. Claim projections and forecasting will also be a part of the claim review meetings. This will enable ECBOC to prepare for future budgeting requirements.

V. Negotiate insurance carrier renewals

This activity covers “pre-renewal” meetings and forecasting, rate renewals and analysis of financial accounting for your various coverages. USI will perform an annual detailed analysis of factors such as:

A. Administration components;
B. Reconciling premium and claims;
C. Calculating incurred but not reported claim liabilities (IBNR);
D. Determining the adequacy of specific stop loss levels;
E. Projecting future premium rates and claims.

VI. Analyze claim utilization data

Typically, insurance carriers provide claim utilization data on an annual basis. If available, USI will analyze this data in order to identify trends specific to your group. The analysis usually includes a discussion of the following; however, the actual report will depend on the data provided by the carrier:

A. Inpatient vs. outpatient usage;
B. Benefits paid by provider;
C. Benefits paid by diagnostic code;
D. Demographic trends;
E. Prescription drug utilization;
F. Network utilization.

Conclusions and recommendations of USI will be presented to assist ECBOC in planning for the future.

VII. Competitive marketing & analysis

USI will work with ECBOC to survey the marketplace in order to:
A. Develop strategic goals and objectives;
B. Lead discussions to review risk-funding alternatives;
C. Facilitate decisions on selected plan design for marketing;
D. Establish action plan work steps and associated timeline;
E. Prepare specifications and supporting underwriting data;
F. Price various plan design changes;
G. Obtain the cost of new products and services, e.g. managed care, utilization review services, EAPs, long term care etc.;
H. Ensure that you are accessing the most competitive program which is consistent with your employee benefit philosophy and financial objectives;
I. Recommend qualified insurance carriers and vendors;
J. Analyze and, in partnership with you, negotiate proposals and bids;
K. Negotiate final terms and conditions;
L. Propose benefit changes and final carrier selections;
M. Analyze provider disruption reports;
N. Perform side by side benefit comparisons;
O. Research possible performance guarantees;
P. Ensure plans are ACA compliant.

The marketing may include reviewing various funding options, the cost differentials for available benefit enhancements, and the viability of fully pooled contracts. A complete competitive analysis will be presented to ABC COMPANY, which would include a cost and benefit comparison.

VIII. Implementation of new products and services

In the event of implementation of plan design changes or new benefit program, the USI account manager/consultant is available to assist with the following:

A. Create implementation timeline and calendar
B. Prepare customized employee communications for ECBOC’s use in announcing changes;
C. USI will be present at employee meetings upon request - at cost for travel expenses, if applicable;
D. USI will act as a facilitator in meetings between the insurance carriers and you to develop a plan of action regarding target dates and implementation of a new plan. Issues discussed usually include:
   1. Binding coverage with selected insurers;
   2. Account structure;
   3. Systems installation;
   4. Enrollment kits;
   5. Contract & booklet development;
   6. Facilitating, preparing, and transmitting plan documents and summary plan descriptions;
   7. Administrative supplies;
8. Employee identification cards;
9. Establishing online benefit site.

IX. Open enrollment, ongoing employee communication, wellness strategies, and HR support

A. USI will provide ongoing employee communication tools and resources to ECBOC throughout the year. These will be in the form, but not limited to, of:

1. Customized intranet website;
2. Customized Brainshark benefits presentations;
3. Customized benefits at a glance booklets – at cost for printing & shipping expenses, if applicable;
4. Payroll stuffers/flyers announcing important deadlines;
5. In-depth wellness consultation, including strategy, design, vendor recommendations, implementation, program announcements, reminders, and deadlines;
6. ECBOC employees that are covered under the ECBOC health & welfare programs receive unlimited telephonic and email access to USI’s Benefit Resource Center (BRC). The BRC is comprised of USI employees at three different U.S. based locations that work directly with employees on claim resolution, ongoing benefits questions, and issues surrounding the ECBOC health and welfare programs for which USI is the authorized broker of record;
7. Personalized employee meetings where necessary - at cost for travel expenses;
8. Any other communication tools agreed upon;
9. Unlimited access to ThinkHR.

In the event of a conflict between this SOW and the Agreement, the Agreement shall control.

IN WITNESS WHEREOF, the parties have read this SOW and agree to be bound by it as of the effective date.

X. Acknowledgement:

<table>
<thead>
<tr>
<th>Effingham County Board of Commissioners</th>
<th>USI Insurance Services, LLC</th>
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<td>Signature</td>
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Page 12 of 13
<table>
<thead>
<tr>
<th>Printed Name</th>
<th>Reginald S. Loper</th>
<th>Printed Name</th>
<th>Brian McLaury</th>
</tr>
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<tbody>
<tr>
<td>Title</td>
<td>Vice Chairman, E.C.B.O.C.</td>
<td>Title</td>
<td>EB Practice Leader</td>
</tr>
<tr>
<td>Date</td>
<td>02/07/2018</td>
<td>Date</td>
<td>03/13/2018</td>
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</tbody>
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Staff Report

Subject: Engineering Design Standard Details for Pavement Sections in Subdivisions
Author: Eric W Larson, PE, EOM
Department: Engineering
Meeting Date: March 17, 2020
Item Description: Consideration to approve revised Engineering Design Standard Details for Pavement Sections in Subdivisions.

Summary Recommendation: Revised Engineering Design Standard Details for pavement sections have been developed for Standard Paving and for Heavy Duty Paving. Ordinance language has been revised to reference standard drawing details.

Executive Summary/Background: The Engineering Design Standard Details for Streets in Subdivisions in Effingham County are out of date. Specifically, the details related to the required pavement thicknesses need to be updated. Lack of these details have resulted in an inconsistent design among private development projects, and have contributed to premature pavement failures. EOM has developed new Engineering Design Standard Details for Streets in Subdivisions in Effingham County, specifically for Standard Paving and for Heavy Duty Paving.

Alternatives for Commission to Consider: Without these revisions, issues related to pavement design and construction will continue.

Recommended Alternative: Board approve the First Reading to amend Article VII, Section 7.1.13 – Street Right-of-Way Widths of the Effingham County Code of Ordinances

Other Alternatives: Take no action. Continue using existing code and design standards.

Department Review: Engineering

Funding Source: No funds are necessary.

Attachments:
1. Engineering Design Standard Details for Standard Paving for Streets in Subdivisions in Effingham County. (P1B)
2. Engineering Design Standard Details for Heavy Duty Paving for Streets in Subdivisions in Effingham County. (P1A)
3. County Code of Ordinance Appendix B, Article VII, Section 7.1 revision.
STATE OF GEORGIA EFFINGHAM COUNTY

AMENDMENT TO PART II, APPENDIX B, ARTICLE VII OF THE EFFINGHAM COUNTY CODE OF ORDINANCE

AN ORDINANCE TO AMEND APPENDIX B, ARTICLE VII OF THE CODE OF ORDINANCE AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH

BE IT ORDAINED by the Effingham County Board of Commissioners in regular meeting assembled and pursuant to lawful authority thereof:

Section 7.1.13 Street right-of-way widths, is amended, as follows:

The title of the sections shall be amended to read,
Section 7.1.13 Street right-of-way widths, roadway widths, and pavement thickness

A new note shall be added to read,
Notes:
(4) Pavement thickness design and construction shall be defined as outlined in Standard Construction Details P-1A and P-1B.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

This_______day of______________, 2020.

BOARD OF COMMISSIONERS OF EFFINGHAM COUNTY, GEORGIA

BY: ________________________________ __________________________

WESLEY M. CORBITT, CHAIRMAN 1st Reading

ATTEST: ______________________________

STEPHANIE D. JOHNSON, CLERK 2nd Reading
SLOPE VARIOUS

STANDARD CONSTRUCTION DETAIL
CURB & GUTTER (SEE COUNTY DETAIL)

100% STANDARD PROCTOR COMPACTED 24" SUB-BASE (ASTM D698)
FIRST 3 FT. MIN. GRASS (SOD) FOR DISTURBED AREAS. HYDRO-SEEDING MAY BE USED ON THE OTHER DISTURBED AREAS. (SEE GDOT STANDARDS).

8" GRADED GRANITE AGGREGATE BASE TO BE 100% COMPACTED (ASTM D698)
2" FLEXIBLE ASPHALTIC CONCRETE BINDER OF 19mm SUPERPAVE
1.5" FLEXIBLE ASPHALTIC CONCRETE SURFACE OF 9.5 mm GDOT OR 12.50 mm SUPERPAVE. SEE GDOT SECTION 400-HOT MIX ASPHALTIC CONCRETE CONSTRUCTION

27'-0" MIN. WIDTH
RIGHT-OF-WAY WIDTH VARIES

NOTES:
2. SOIL TESTING IS REQUIRED TO DETERMINE IF THIS SECTION MEETS THE MINIMUM REQUIREMENTS FOR THE SITE'S SOIL CONDITIONS. THIS MUST BE CERTIFIED BY GEOTECHNICAL ENGINEER.
3. CONSTRUCTION SHALL CONFORM TO ALL THE APPLICABLE EFFINGHAM COUNTY STANDARD SPECIFICATIONS INCLUDING, BUT NOT LIMITED TO, DIVISION 2 AND 3.
4. ALL HOT MIX ASPHALTIC CONCRETE MUST COMPLY WITH GDOT STANDARDS SECTION 400 AND ALL RELATED SECTIONS 106, 109, 413, 424, 802, AND 828. TEST PER EACH 250 TONS OF CONCRETE ASPHALT PER GDOT SPECIFICATIONS:
A. ONE MARSHALL STABILITY TEST (NOT LESS THAN 1,500 LBS. FOR SURFACE COURSE).
B. ONE ASPHALT EXTRACTION AND AGGREGATES.
C. ALL CORE HOLES SHOULD BE FILLED WITH HOT ASPHALT. HOLES MUST BE CLEANED, DRIED, AND TACKED WITH AC-20 OR AC-30.
D. ONE MARSHALL STABILITY TEST (NOT LESS THAN 1,500 LBS. FOR SURFACE COURSE)
E. ONE ASPHALT EXTRACTION AND AGGREGATES.

5. FOR AGGREGATES, USE THE ASTM C1077 STANDARD PRACTICES FOR TESTING.
6. THE COUNTY RESERVES THE RIGHT TO REQUIRE UNDER DRAINAGE AND/OR FILTER FABRIC ON THE BASIS OF FIELD TESTING.

7. THE BOTTOM OF ROAD BASE MUST BE LOCATED AT 2 FEET (MIN.) ABOVE THE GROUND WATER TABLE (AT ITS LOWEST POINT).

8. SOIL BORINGS TO BE DONE AT A MINIMUM OF 1 PER EVERY 500' OF PROPOSED ROADWAY. SEE ASTM D-1452 AND D-1587.

9. SUITABLE SUB-BASE MATERIALS ARE THOSE COMPLYING WITH ASTM D2487 SOIL CLASSIFICATION GROUPS: GP, SP, GP.

10. BITUMINOUS PRIME AND TACK COATS WILL BE APPLIED AT A RATE OF 0.5 GALLONS PER SQUARE YARD TO THE SURFACE OF THE SUB-BASE.
B. TRAC COAT AC-20 OR AC-30 SHALL BE APPLIED AT A RATE OF 0.1 GALLONS PER SQUARE YARD TO THE SURFACE OF THE GRANITE BASE.
NOTES:


2. SOIL TESTING IS REQUIRED TO DETERMINE IF THIS SECTION MEETS THE MINIMUM REQUIREMENTS FOR THE SITE'S SOIL CONDITIONS. THIS MUST BE CERTIFIED BY A GEOTECHNICAL ENGINEER.

3. CONSTRUCTION SHALL CONFORM TO ALL THE APPLICABLE EFFINGHAM COUNTY STANDARD SPECIFICATIONS INCLUDING, BUT NOT LIMITED TO, DIVISION 2 AND 3.

4. ALL HOT MIX ASPHALTIC CONCRETE MUST COMPLY WITH GDOT STANDARDS SECTION 400 AND ALL RELATED SECTIONS 106, 109, 413, 424, 802, AND 828. TEST PER EACH 250 TONS OF CONCRETE ASPHALT PER GDOT SPECIFICATIONS:
   A. ONE ASPHALT EXTRACTION AND AGGREGATES.
   B. ONE MARSHALL STABILITY TEST (NOT LESS THAN 1,500 LBS. FOR SURFACE COURSE).
   C. ALL CORE HOLES SHOULD BE FILLED WITH HOT ASPHALT. HOLES MUST BE CLEANED, DRIED, AND TACK WITH AC-20 OR AC-30.

5. FOR AGGREGATES, USE THE ASTM C1077 STANDARD PRACTICES FOR TESTING.

6. THE COUNTY RESERVES THE RIGHT TO REQUIRE UNDER DRAINAGE AND/OR FILTER FABRIC ON THE BASIS OF FIELD TESTING.

7. THE BOTTOM OF ROAD BASE MUST BE LOCATED AT 2 FEET (MIN.) ABOVE THE GROUND WATER TABLE (AT ITS LOWEST POINT) UNLESS A GEOTECHNICAL ENGINEER CERTIFIES THAT THE PROPOSED ROADWAY DESIGN WILL NOT BE AFFECTED BY THE GROUND WATER TABLE AT THE SITE.

8. SOIL BORINGS TO BE DONE AT A MINIMUM OF 1 PER EVERY 500' OF PROPOSED ROADWAY. SEE ASTM D-1452 AND D-1587.

9. SUITABLE SUB-BASE MATERIALS ARE THOSE COMPLYING WITH ASTM D-2487 SOIL CLASSIFICATION GROUPS: GW, GP, SP AND SW SOILS AS CLASSIFIED UNDER THE UNIFIED SYSTEM.

10. BITUMINOUS PRIME AND TACK COATS WILL BE APPLIED AS LISTED BELOW:
   A. PRIME COAT SHALL BE APPLIED AT A RATE OF 0.25 GALLONS PER SQUARE YARD TO THE SURFACE OF THE GRANITE BASE COURSES.
   B. TACK COAT AC20 OR AC30 SHALL BE APPLIED AT A RATE OF 0.10 GALLONS PER SQUARE YARD TO THE SURFACE OF THE BINDER COURSE BEFORE PLACEMENT OF SURFACE COURSE.

STANDARD CONSTRUCTION DETAIL
TYPICAL RESIDENTIAL STREET PAVEMENT SECTION
FOR RESIDENTIAL STREET THAT MAY SERVIE LESS THAN 20 RESIDENCES OR IS LESS THAN ½ MILE IN LENGTH
Staff Report

Subject: McCall-Blue Jay Intersection Easements
Author: Eric W. Larson, PE, EOM
Department: Engineering
Meeting Date: March 17, 2020

Item Description: Consideration to approve payment for one (1) right-of-way parcel and two (2) temporary driveway easements for the McCall-Blue Jay Intersection.

Summary Recommendation: Staff recommends that the Board approve payment for one (1) right-of-way parcel and two (2) temporary driveway easements for the McCall-Blue Jay Intersection.

Executive Summary/Background: With the pending construction of the Effingham Parkway, it was desirous to construct a better transition from Blue Jay Road to McCall Road. Right-of-way was obtained and it is necessary to acquire additional right-of-way and construction easements adjacent to the project.

The properties and prices are as follows:
- Temporary driveway easement Karen Brindley/Tina Kenner: $500.00
- Temporary driveway easement Hoyt Brindley/Karen Brindley: $500.00
- Right-of-way parcel Craig Ambrose/Dana Ambrose: $2,000.00

The County Attorney has reviewed and approved the documents and has them for execution.

Alternatives for Commission to Consider: Without acquisition of this parcel and these two (2) easements, the intersection project will require re-design to avoid these acquisitions, delaying the construction project.

Recommended Alternative: Board approve payment for one (1) right-of-way parcel and two (2) temporary driveway easements for the McCall-Blue Jay Intersection.

Other Alternatives: Take no action; direct the design engineer to redesign the intersection to avoid these acquisitions.

Department Review: Engineering, Legal

Funding Source: SPLOST Roads

Attachments: N/A
Staff Report

Subject: Termination of Water and Sewer Agreement (Clover Pointe Develop. LLC)
Author: Tim Callanan, County Manager
Department: Administration
Meeting Date: March 17, 2020

Item Description: Termination Water and sewer agreement with Cover Pointe Development, LLC

Summary Recommendation:
1. This termination eliminates remaining obligations of the county and developer.
2. New agreement will allow for the construction of new lift station to tie into county force main. County will pay one half the cost and the developer will pay one half the cost.
3. The county will pay for its half of construction and design cost within 30 days of receiving fees for 30 building permits for the site totaling $159,000 ($5,300 he home)

Executive Summary/Background: This is 1 of 2 termination agreements related to the water and sewer agreement associated with development known as Belmont Glen. The agreement will be replaced with a new agreement on tonight’s agenda.

Alternatives for Commission to Consider
1. Approve a Mutual Termination Agreement for water and sewer with Clover Pointe Development, LLC.
2. Deny the termination agreement with Clover Pointe Development, LLC

Recommended Alternative:
1. Approve the Mutual Termination Agreement with Clover Pointe Development, LLC.

Other Alternatives:
1. Provide Staff with Direction.

Department Review: Administration

Funding Source: Permit Fees

Attachments: Water and Sewer Agreement
MUTUAL TERMINATION AGREEMENT

This Mutual Termination Agreement (hereinafter referred to as “Agreement”) is dated [Effective Date], 2020 (the “Effective Date” hereof) by and among Clover Pointe Development, LLC, a Georgia limited liability company (hereinafter referred to as “Clover”) and the Board of Commissioners of Effingham County, Georgia (hereinafter referred to as the “Board of Commissioners”).

WHEREAS, Clover and the Board of Commissioners entered into a Water, Sewer, and Re-Use Water Service Agreement dated November 9, 2010 related to a subdivision known as Clover Pointe at Belmont Glen (hereinafter referred to as the “Water and Sewer Agreement”) that is attached hereto and incorporated herein; and

WHEREAS, Clover and the Board of Commissioners have mutually agreed to terminate the Water and Sewer Agreement; and

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and agreements herein contained, and intending to be legally bound hereby, Clover and the Board of Commissioners hereby agree as follows:

1. The parties hereby agree to terminate the Water and Sewer Agreement. Effective as of the date hereof, the Water and Sewer Agreement shall terminate and be of no further force and effect. Notwithstanding any provision in the Water and Sewer Agreement, neither party shall have any further obligations thereunder or with respect thereto.

2. Whenever possible, each provision of this Agreement will be interpreted in such manner as to be effective and valid under applicable law, but if any provision of this Agreement is held to be invalid, illegal, or unenforceable in any respect under any applicable law or rule in any jurisdiction, such invalidity, illegality, or unenforceability will not affect any other provision or any other jurisdiction, but this Agreement will be reformed, construed, and enforced in such jurisdiction as if such invalid, illegal, or unenforceable provisions had never been contained herein.

3. No provision of this Agreement shall be construed against or interpreted to the disadvantage of any party by any court or other governmental or judicial authority by reason of such party having or being deemed to have structured or dictated such provision.

4. This Agreement may be executed in any number of counterparts, each of which shall be deemed to be the original and all of which together shall compromise but a single instrument.
5.

This Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective, successors and assigns. No amendment, change, or modification of this Agreement shall be valid unless in writing and signed by both Parties.

IN WITNESS WHEREOF, the undersigned parties have executed, or caused this Agreement to be executed by their duly authorized representatives, under the seal as of the day and year above written.

Clover Pointe Development, LLC

By: ________________________________

Its: ________________________________

Signed, sealed and delivered this ___ day of __________________, 2020, in the presence of:

______________________________
WITNESS

______________________________
NOTARY PUBLIC
IN WITNESS WHEREOF, the undersigned parties have executed, or caused this Agreement to be executed by their duly authorized representatives, under the seal as of the day and year above written.

BOARD OF COMMISSIONERS OF
EFFINGHAM COUNTY, GEORGIA

By: ________________________________
   Wesley Corbitt
Its:   Chairman

Attest: ________________________________
   Stephanie Johnson
Its:   County Clerk

Signed, sealed and delivered this ____ day of ______________________, 2020, in the presence of:

____________________________________
WITNESS

____________________________________
NOTARY PUBLIC
Staff Report

Subject: Termination of Water and Sewer Agreement
Author: Tim Callanan, County Manager
Department: Administration
Meeting Date: March 17, 2020

Item Description: Termination Water and sewer agreement with Konter Development Inc.

Summary Recommendation:
1. This termination eliminates remaining obligations of the county and developer.
2. New agreement will allow for the construction of new lift station to tie into county force main. County will pay one half the cost and the developer will pay one half the cost.
3. The county will pay for its half of construction and design cost within 30 days of receiving fees for 30 building permits for the site totaling $159,000 ($5,300 he home)

Executive Summary/Background: This is 2 of 2 termination agreements related to the water and sewer agreement associated with development known as Belmont Glen. The agreement will be replaced with a new agreement on tonight’s agenda.

Alternatives for Commission to Consider
1. Approve the Mutual Termination Agreement for water and sewer with Konter Development Inc.
2. Deny the termination of water and sewer agreement with Konter Development Inc.

Recommended Alternative:
1. Approve the Mutual Termination Agreement for water and sewer with Konter Development Inc.

Other Alternatives:
1. Provide Staff with Direction.

Department Review: Administration

Funding Source: Permit Fees

Attachments: Water and Sewer Agreement
MUTUAL TERMINATION AGREEMENT

This Mutual Termination Agreement (hereinafter referred to as “Agreement”) is dated ___________________________, 2020 (the “Effective Date” hereof) by and among Konter Development, Inc., a Georgia corporation (hereinafter referred to as “Konter”) and the Board of Commissioners of Effingham County, Georgia (hereinafter referred to as the “Board of Commissioners”).

WHEREAS, Konter and the Board of Commissioners entered into a Water, Sewer, and Re-Use Water Service Agreement dated April 1, 2008 related to a subdivision known as Saddlecub at Belmont Glen (hereinafter referred to as the “Water and Sewer Agreement”) that is attached hereto and incorporated herein; and

WHEREAS, Konter and the Board of Commissioners have mutually agreed to terminate the Water and Sewer Agreement; and

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and agreements herein contained, and intending to be legally bound hereby, Konter and the Board of Commissioners hereby agree as follows:

1. The parties hereby agree to terminate the Water and Sewer Agreement. Effective as of the date hereof, the Water and Sewer Agreement shall terminate and be of no further force and effect. Notwithstanding any provision in the Water and Sewer Agreement, neither party shall have any further obligations thereunder or with respect thereto.

2. Whenever possible, each provision of this Agreement will be interpreted in such manner as to be effective and valid under applicable law, but if any provision of this Agreement is held to be invalid, illegal, or unenforceable in any respect under any applicable law or rule in any jurisdiction, such invalidity, illegality, or unenforceability will not affect any other provision or any other jurisdiction, but this Agreement will be reformed, construed, and enforced in such jurisdiction as if such invalid, illegal, or unenforceable provisions had never been contained herein.

3. No provision of this Agreement shall be construed against or interpreted to the disadvantage of any party by any court or other governmental or judicial authority by reason of such party having or being deemed to have structured or dictated such provision.

4. This Agreement may be executed in any number of counterparts, each of which shall be deemed to be the original and all of which together shall compromise but a single instrument.

5. This Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective, successors and assigns. No amendment, change, or modification of this Agreement shall be valid unless in writing and signed by both Parties.
IN WITNESS WHEREOF, the undersigned parties have executed, or caused this Agreement to be executed by their duly authorized representatives, under the seal as of the day and year above written.

Konter Development, Inc.

By: 

Its: 

By: 

Its: 

Signed, sealed and delivered this _____ day of ________________, 2020, in the presence of:

________________________
WITNESS

________________________
NOTARY PUBLIC
IN WITNESS WHEREOF, the undersigned parties have executed, or caused this Agreement to be executed by their duly authorized representatives, under the seal as of the day and year above written.

BOARD OF COMMISSIONERS OF EFFINGHAM COUNTY, GEORGIA

By: ____________________________
Wesley Corbitt
Its: Chairman

Attest: __________________________
Stephanie Johnson
Its: County Clerk

Signed, sealed and delivered this ___ day of ______________, 2020, in the presence of:

______________________________
WITNESS

______________________________
NOTARY PUBLIC

Page 3 of 3
State of Georgia  
Effingham County  

WATER, SEWER, AND RE-USE WATER SERVICE AGREEMENT  
(Impact Fees)  

This Agreement is made and entered into this 1st day of April, 200_, by and between  
Konter Development, Inc. and the Effingham County Board of Commissioners, the lawfully elected  
governing authority of Effingham County, a political subdivision of the State of Georgia.  

RECITALS:  

Whereas, Konter Development, Inc. hereinafter referred to as the Developer, is the developer  
of Saddleclub at Belmont Glen, hereinafter referred to as the Project, a proposed subdivision  
consisting of 299 equivalent residential units as shown on the attached drawing entitled Saddleclub  
at Belmont Glen, attached hereto as Exhibit A; and  

Whereas, the Developer desires certain commitments from the Effingham County Board of  
Commissioners, herein referred to as the County, with regard to the supply of potable water, reuse  
water, and wastewater services for the Project; and  

Whereas, the Developer requests that the County provide potable water supply and  
wastewater and reuse water services to the Project; and  

Whereas the County finds that the provision of potable water, sewage treatment, and re-use  
water services to the Project is consistent with and in furtherance of the goals and purposes of the  
Effingham County Water Distribution and Wastewater Master Plans and is in the public interest, it is  
hereby agreed as follows:
WITNESSETH:

Section 1. Definitions.

*Equivalent Residential Unit or ERU* shall mean the number of residential units to which the water demand of a customer is equivalent, where a single-family detached residential unit is assumed to have an average demand of 300 gallons per day. The number of ERUs assigned to a building or structure shall be determined in accordance with the water use load factors established by ordinance of the Board of Commissioners.

Section 2. The County Facilities.

The County has constructed or will construct a water system having sufficient capacity to provide potable water to the Project, a sewage system having sufficient capacity to treat effluent from the Project, and a re-use water distribution system having sufficient capacity to deliver irrigation water to the Project. Subject to the condition that funds be made available to the County by the Georgia Environmental Facilities Authority or from other sources for the construction of the County water, sewer, and reuse water systems up to and including the connection points, the County shall ensure the availability of potable surface water, reuse water and wastewater services at the connection points, provided that the County shall not be liable to the Developer for consequential damages or economic losses in the event that availability of any or all of said services is delayed.

Furthermore, the County will install a gravity sewer line parallel and adjacent to the right-of-way of Hodgeville Road, from the master pump station northward approximately 4,100 feet, as shown on plans titled "Water, Sewer and Reuse Infrastructure for Research Forest Tract", dated October 10, 2005 and prepared by Thomas and Hutton Engineering Company. The County agrees to have the plans completed, properly permitted, bid and constructed within eight months of execution of this Agreement.
Section 3. Project Improvements.

Developer has retained or will retain, subject to approval by the County, one or more competent professional engineers registered in the State of Georgia to design and observe the construction of such improvements as are necessary to extend the County water distribution, sewage collection, and re-use water distribution systems from the connection points to the Project and to distribute potable water and re-use water and collect wastewater within and from said Project and hereinafter referred to as the Project Improvements. The Project Improvements shall be constructed at Developer’s sole expense. Developer shall ensure that the Project Improvements are of sufficient capacity to serve the Project.

As to re-use system, Developer is able to provide a reuse site having a beneficial irrigation capacity less than 100% of the reuse generated by the subject development, as determined per ERU on an annual average basis.

a. The developer will be required to submit an engineer’s evaluation of the proposed reuse site for review by Effingham County to determine the subject site’s beneficial irrigation capacity.

b. The developer will be required to execute a reuse agreement with the Board of Commissioners under the County’s terms and conditions.

c. The capacity portion of the reuse conveyance and capacity fee as established by ordinance of the Effingham County Board of Commissioners, currently $1,300.00/ERU, will be waived for the reuse capacity generated per ERU on a percentage basis (of the total lots) based on the subject site’s beneficial irrigation capacity as a percentage of the total quantity of reuse water generated by the development. The development/developer will be required to remit to the Board of
Commissioners at the time a building permit is issued (for the remaining lots) the outstanding percentage of the reuse capacity conveyance and capacity fee as established by ordinance of the Effingham County Board of Commissioners, currently $2,000.00/ERU.

Developer shall construct and maintain the reuse water system; provided that, at the discretion of the Board of Commissioners, the County may accept ownership and maintenance responsibilities of a reuse system where the system is located on property dedicated to the County for recreation or other public purposes. All reuse sites and systems must be approved by the County and Georgia EPD. The reuse system must be in operation within one (1) year of the final plat approval of the first phase of the subject development.

Section 4. Inspection, Construction and Dedication of Project Improvements.

Developer shall provide for inspection of the Project Improvements by the design engineer during construction and shall ensure compliance with all County design and construction requirements. Developer shall provide to the County a statement from the design engineer certifying, based on the best of his/her information, knowledge, and belief based on periodic observation, that the materials and workmanship, including but not limited to pipes, bedding, thrust blocks, valves, fire hydrants, pumps, and other related material and work meet the County’s specifications and standards. Developer shall provide two (2) copies of “record” drawings of the Project Improvements signed by the design engineer and/or independent inspector on Mylar. Upon request of the County, the certification shall be substantiated by material affidavits from suppliers and by applicable test results for inflow/infiltration, exfiltration, deflection, pressure, leaks, bacteria, compaction and fire flow tests required by the County. All design, construction, inspection, and other costs incurred to construct the Project Improvements and connect to the County water, sewage collection, and re-use
water distribution systems shall be borne by the Developer. The Developer shall hold the County harmless for and indemnify the County against any and all claims for damages or personal injuries caused by or arising from the faulty or negligent construction of the Project Improvements.

Upon completion of the construction of the Project Improvements, certification by the design engineer, provision of the “record” drawings, and compliance with any other requirements imposed by the County pursuant to Section three (3) and four (4) of this agreement, the County shall, upon dedication by the Developer and subject to approval of the Board of Commissioners, which approval shall not be unreasonably withheld, accept title to and assume responsibility for maintenance and operation of those portions of the Project Improvements located within public easements or right-of-ways, up to but not including individual water and re-use water metering points; provided that the County shall not accept title to or responsibility for maintenance of sewage lateral lines outside of public easements or rights-of-way. This dedication shall include all rights, title, and interest that the Developer has in the Project Improvements and also all easements and/or right-of-way required for the purpose of maintenance thereof.

Developer shall provide to the County a recordable plat(s) showing all public easements and/or rights-of-way that contain utilities that are to be owned and maintained by the County. If the Developer fails to provide the recordable plat, the County shall not accept the Project Improvements, nor issue a Certificate of Occupancy for any building or structure within that phase of the Project.

Section 5. Impact Fees; Re-Use Fees.

To assist in the payment of the cost of constructing the County’s water supply and distribution and sewage collection and treatment systems, the Developer or his successor in interest shall pay to the County impact fees as established by ordinance of the Board of Commissioners, currently $2,000.00 per ERU for water supply and distribution (the “water impact fees”) and
$2,600.00 per ERU for sewer collection and treatment (the "sewer impact fees"). The Developer or his successor in interest shall pay re-use water capacity fees as established by ordinance of the Board of Commissioners, currently $2,000.00 per ERU (the "re-use capacity fee") in accordance with Section 3. The water impact fees, sewer impact fees, and re-use capacity fees shall apply to all connections made within the Project and shall be due and payable in accordance with the ordinances of the Board of Commissioners of Effingham County, except as otherwise provided by this Agreement. The water impact fees, sewer impact fees, and re-use capacity fees are subject to amendment by ordinance of the Board of Commissioners.

The Developer anticipates using 70,800 gallons per day of re-use water in common areas of the Project, which represents 78.9% of the expected wastewater flow from the Project. The capacity portion of the reuse conveyance and capacity fee will therefore be waived for the Developer's first 236 lots, subject to proportional adjustment to reflect the actual quantity of re-use water approved for application on the Project's common areas.


Subject to the provisions of the following paragraph, the Developer and/or its permitted successors and assigns shall guarantee to the County the payment of $672,750.00, which represents 1/2 of the total estimated water and sewer impact fees that will be generated by the Project based upon the per ERU water and sewer impact fees in effect at the time this agreement was first negotiated. The Developer's guarantee shall be secured by an irrevocable Letter of Credit in favor of the Board of Commissioners of Effingham County and the Georgia Environmental Facilities Authority, to be delivered within ten (10) days of the execution of this Agreement. The amount of the Letter of Credit shall not be reduced until the County has received the water and sewer impact fees, and re-use capacity fees due for 1/2 of the total estimated ERUs included within the Project.
Thereafter, the amount of the Letter of Credit may be reduced annually effective the 1st day of the month following the month in which in which the plat is recorded, so that the amount of the Letter of Credit does not exceed the total remaining estimated water and sewer impact fees associated with the Project build-out.

The Developer anticipates a build-out period of 12 years for the Project, or 25 ERUs per year. Based upon this Project build-out period, the Developer agrees to pay water and sewer impact fees and re-use capacity fees of not less than $132,500.00 per year for the 12-year Project build-out period, subject to adjustment of re-use capacity fees as provided for in Sections 3 and 5 above. The first of such payments will be due, unless the County sooner receives all or part thereof, one year from the last day of the month in which the plat is recorded (the “Annual Payment Guaranty Due Date”), with subsequent annual payments due on the same date of each succeeding year through the term of the contract (unless the County sooner receives payment thereof). This amount represents the estimated sum due annually for water and sewer impact fees based on the current impact fees of $2,000.00 for water and $2,600.00 for sewer. The water impact fees, sewer impact fees, and re-use capacity fees are subject to change by ordinance of the Board of Commissioners. The County shall submit a notice of any shortfall in the collection of annual water and sewer impact fees and re-use water capacity fees not less than sixty (60) days before each anniversary of the Annual Payment Guaranty Due Date. The Developer shall have thirty (30) days to review such statement, ask for supporting information, and/or challenge the statement (the “Review Period”). The Developer shall fund any shortfall in the collection of annual water and sewer impact fees and re-use capacity fees by certified check, money order, or other certified funds within thirty (30) days after the end of the Review Period. In the event Developer does not pay the County the shortfall within said period, the County may draw the entire Letter of Credit. If the County elects to draw the Letter of Credit, it shall
thereafter hold the proceeds in an interest bearing escrow account to cover any future shortfalls. If
the County received water and sewer impact and re-use capacity fees in any given year in excess of
the amount Developer has agreed to pay per year in accordance with this Section, such excess shall
be credited against and reduce the amount that is required to be paid in the next succeeding year(s).

Section 7. Other Fees.

The provision of water, sewer, and re-use water services within the Project shall be subject to
all other fees and charges established by ordinance or regulation of the Board of Commissioners,
including, but not limited to, tap and connection fees. Such fees and charges shall be due and
payable as provided by ordinance of the Board of Commissioners. Such fees and charges may be
changed from time-to-time by ordinance of the Board of Commissioners.

Section 8. User Rates.

User charges for water consumption, sewage collection and treatment, and re-use water
consumption shall be billed to the property owner(s), owners association or occupant(s) based upon
the rates and terms established by ordinance of the Board of Commissioners.

Section 9. Term; Renewal.

The initial term of this agreement shall be ten (10) years, commencing on January 3, 2008,
and ending on January 1, 2018. This agreement shall be renewed automatically on the same terms
and conditions herein for an additional ten (10) year period, unless notice is given by either party of
the intent not to renew on or before January 1, 2017. Renewal shall not be effective unless the
Developer delivers to the County a Letter of Credit in an amount equal to 100% of the remaining
estimated water and sewer impact fees for the Project within ten days of the renewal date.
Section 10. Delivery of Letters of Credit.

The delivery of any Letter of Credit required by this Agreement shall be deemed a condition precedent to the County's obligations hereunder; and this Agreement shall be null and void in the event that any Letter of Credit is not delivered as required hereunder, or in the event that any Letter of Credit is revoked or not renewed as required hereunder. Any Letter of Credit that is for a period less than the full term of this Agreement shall be renewed and proof of renewal shall be delivered to the County not less than ninety (90) days prior to the date of expiration, or such lesser period if authorized by the Georgia Environmental Facilities Authority.

Section 11. Compliance with Laws.

Developer shall comply with all existing and future County ordinances, rules, and regulations relating to the connection to and use of the County's water, sewer, and re-use water systems. Nothing in this Agreement shall limit the right of the County to impose other fees or to create special tax districts to enable the County to recover all costs incurred in providing water, sewer, and re-use water services to the Property.

Section 12. Governing Law; Forum Selection.

This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Georgia. Any action arising from this Agreement shall be filed in the Superior Court of Effingham County.

Section 13. Entire Agreement.

This Agreement shall constitute the entire agreement between the parties.

Section 14. Modification of Agreement.

Any modification or amendment to this Agreement shall be binding only if reduced to writing and approved and executed by both parties.
Section 15. No Waiver.

The failure of either party to this Agreement to insist upon the performance of any of the terms and conditions of this Agreement, or the waiver of any breach of any of the terms and conditions of this Agreement, shall not be construed as thereafter waiving any such terms and conditions, but the same shall continue and remain in full force and effect as if no such forbearance or waiver had occurred.

Section 16. Effect of Partial Invalidity.

In the event that any part or subpart of this Agreement is held to be invalid or unenforceable by any court of competent jurisdiction, the parties agree that the remaining provisions shall be deemed to be in full force and effect.

Section 17. Paragraph Headings.

The headings and subheadings within this Agreement are solely for the convenience of the parties and shall not be construed to modify, explain, or aid in the interpretation of this Agreement.

Section 18. Notices.

Any notice provided for or concerning this Agreement shall be in writing and shall be deemed sufficiently given upon receipt by certified or registered mail or hand delivery as follows:

If to the County: Effingham County Board of Commissioners
601 North Laurel Street
Springfield GA 31329

If to Developer: Konter Development, Inc.
22 Commerce Place
Savannah, Georgia 31406

Section 19. Excusable Delay.

Neither the County nor Developer shall be liable to the other or any successor in interest for any loss, cost, or damage arising out of, or resulting from, non-performance or delayed performance
of the terms of this Agreement where such non-performance of delayed performance is the result of circumstances or occurrences beyond the reasonable control of the responsible party (each, a “force majeure”), which, as used herein, shall be deemed to include non-performance or delayed performance resulting from acts of God, strikes, lockouts, blockades, insurrections, riots, explosions, fire, floods, or any other cause not within the reasonable control of the responsible party; provided, however, that in no event shall the foregoing “force majeure” clause apply to abate or delay any obligation to pay money or to provide, renew, pay upon, or draw under any Letter of Credit. In no event shall the County be held liable to the Developer for consequential damages or economic losses arising from delayed performance; provided, however, that in the event the County fails to timely perform its construction obligations under this Agreement after written notice of default from the Developer, then Developer shall be entitled to complete the County’s construction obligations hereunder, and, if Developer undertakes to and does complete all or a portion of the County’s construction obligations hereunder, in accordance with Section 9 of the Effingham County Georgia Impact Fee Ordinance (or any successor provision), be entitled to a credit for the cost of such completion against the water, sower, and re-use impact and capacity fees otherwise payable under this Agreement.

Section 20. Assignment.

This Agreement may be assigned in whole or in part by the Developer with the prior written approval of the County, which approval shall not be unreasonably withheld, conditioned, or delayed and provided that any assignee(s) provides a letter of credit equal to the pro rata share of ERU’s applicable to the portion of the Project owned by such assignee(s). Provided that the assignment does not result in an increase in the estimated number of equivalent residential units included within the Project, Developer’s letter of credit shall be reduced by the amount of the letter(s) of credit
received from such assignee(s). This Agreement shall bind and inure to the benefit of the parties hereto and their permitted successors and assigns.

Section 21. Construction of Agreement.

The parties acknowledge that each party has participated in the negotiation and preparation of this Agreement. This Agreement shall be construed without regard to any presumption or other statute or rule of law requiring construction against the party causing the Agreement to be drafted.

Section 22. Time is of the Essence.

This Agreement shall be void if not executed by the Developer on or before February 5, 2008.

We waive Section 22.

IN WITNESS WHEREOF the Developer has executed these presents under seal, and the County has cause these presents to be executed by its proper officer under seal, affixed, this 1st day of April, 2008.

EFFINGHAM COUNTY BOARD OF COMMISSIONERS

ATTEST:

PATRIC MORRIS, CLERK

EXECUTED IN THE PRESENCE OF:

WITNESS

Sworn to and subscribed before me this 14th day of March, 2008.

Page 12 of 13
Staff Report

Subject: Water and Sewer Agreement (Clover Pointe Develop. LLC)
Author: Tim Callanan, County Manager
Department: Administration
Meeting Date: March 17, 2020

Item Description: Water and sewer agreement with Cover Pointe Development, LLC

Summary Recommendation:
1. This agreement replaces previous agreements terminated earlier this evening.
2. New agreement will allow for the construction of new lift station to tie into county force main. County will pay one half the cost and the developer will pay one half the cost.
3. The county will pay for its half of construction and design cost within 30 days of receiving fees for 30 building permits for the site totaling $159,000 ($5,300 he home)

Executive Summary/Background: This is a new water and sewer agreement associated with development known as Belmont Glen. The agreement will be replaces with 2 previous agreements terminated on this evening’s agenda.

Alternatives for Commission to Consider
1. Approve a Lift Station Construction agreement with Clover Pointe Development, LLC. for New Haven @ Belmont Glen Subdivision.
2. Deny the agreement with Clover Pointe Development, LLC

Recommended Alternative:
1. Approve the Lift Station Construction agreement with Clover Pointe Development, LLC. for New Haven @ Belmont Glen Subdivision.

Other Alternatives:
3. Provide Staff with Direction.

Department Review: Administration

Funding Source: Permit Fees

Attachments: Water and Sewer Agreement
LIFT STATION CONSTRUCTION AGREEMENT

This Lift Station Construction Agreement (hereinafter referred to as “Agreement”) is made and entered into this _____ day of _________________, 2020 by and between and Clover Pointe Development, LLC (hereinafter referred to as the “Developer”) and the Board of Commissioners of Effingham County, Georgia (hereinafter referred to as the “County”).

RECITALS

WHEREAS, Clover Pointe Development, LLC is developing the subdivision known as New Haven at Belmont Glen (hereinafter referred to as the “Subdivision”), consisting of approximately 300 residential or equivalent residential units as shown on the attached drawing entitled “Rezoning Site Plan New Haven at Belmont Glen Effingham County, Georgia” prepared by Hussey Gay Bell, dated April 5, 2019, and the Developer desires certain commitments from the Board of Commissioners of Effingham County, Georgia (hereinafter referred to as the “County”), in regards to construction of a Lift Station to serve the Subdivision; and

WHEREAS, the Lift Station will allow the County to provide potable water, re-use water, and sewer services to the Subdivision; and

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

IT IS AGREED that this Agreement supersedes and replaces all previous agreements, memoranda or correspondence between the County and Konter Development Company, Inc., and the County and Clover Pointe Development, LLC, whether written or oral among the parties with respect to the subject matter of this Agreement including but not limited to the Water, Sewer, and Re-Use Water Service Agreement dated April 1, 2008, and the Water, Sewer, and Re-Use Water Service Agreement dated November 9, 2010.

IT IS FURTHER AGREED that the Developer has retained or will retain, subject to approval by the County’s Engineers, one or more competent professional engineers registered in the State of Georgia to design the Lift Station that will serve the Subdivision.

IT IS FURTHER AGREED that the Developer shall construct the Lift Station subject to inspection and approval by County engineers and ensure their engineer's conformance to area planning, adequacy of design, and conformance to County needs and requirements regarding location, size, capacity, and quality of construction.

IT IS FURTHER AGREED that the Developer shall provide the County a statement from the project engineer certifying that the materials and workmanship of Lift Station equipment and other related materials and work meet the County's specifications and standards.

IT IS FURTHER AGREED that upon request of the County, the certification shall be substantiated by material affidavits from suppliers and by applicable testing as required by County engineers in accordance with County specifications and standards.

IT IS FURTHER AGREED that the Developer shall hold the County harmless for and indemnify the County against any and all claims for damages or personal injuries caused by or arising from the faulty or negligent construction of the Lift Station.
IT IS FURTHER AGREED that upon completion of the Lift Station and all related facilities including "as-builds" drawings, the County will accept title thereto and assume responsibility for maintenance and operation of those portions located within public easements and rights-of-way. This acceptance shall include all rights, title and interest that the Developer has in the water and sanitary sewer systems serving the Subdivision and also all easements and/or rights-of-way required for the purpose of maintenance thereof. The County shall not accept title to or responsibility for maintenance of sewage lateral lines outside of public easements or rights of way.

IT IS FURTHER AGREED that the Developer shall provide to the County a recordable plat(s) showing all utilities within public easements and/or rights-of-way to be owned and maintained by the County. This document shall be provided prior to construction. Should installation deviate from the original recordable plat, the Developer will provide to the County a revised recordable plat showing all utilities in public easements and rights-of-way. Should the Developer fail to provide the revised plat the County will not release the Subdivision nor will a Certificate of Occupancy or water meter be issued.

IT IS FURTHER AGREED that the County shall pay for one-half (1/2) of the design costs. The County’s share shall not exceed $__________________.

IT IS FURTHER AGREED that the County shall reimburse Developer one hundred percent (100%) of the construction costs for the Lift Station and such connections to the existing force main.

IT IS FURTHER AGREED that the County shall pay its one-half (1/2) of the design costs and one-half (1/2) of the construction costs within seven (7) days after the Developer pays the County for thirty (30) building permits in the amount of $159,000.00 which equates to $5,300.00 per lot.

IT IS FURTHER AGREED that the County shall pay the remaining balance of the construction costs to the Developer within seven (7) days of final acceptance of the Lift Station and related infrastructure which shall occur at a regular called monthly commission meeting.

IT IS FURTHER AGREED that the Developer shall construct the potable water, re-use water, and sewer systems within the Subdivision (hereinafter “Project Improvements”) as required by County ordinances, standards, rules, and regulations. All design, construction, inspection, and other costs incurred to construct the Project Improvements and connect to the County water, sewer, and re-use water systems shall be paid for by the Developer.

IT IS FURTHER AGREED that all provisions of law now or hereafter in effect relating to water, sewer, and re-use water service by the County shall be applicable to this Agreement.

IT IS FURTHER AGREED that this Agreement between the County and the Developer may not be transferred or assigned in whole or in part without prior approval of the County being endorsed thereon, and that any violation of this limitation shall terminate the County's obligation and forfeit the Developer's rights thereunder. This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Georgia. Any action arising from this Agreement shall be filed in the Superior Court of Effingham County. This Agreement shall constitute the entire agreement between the parties. Any modifications or amendment to this Agreement shall be binding only if reduced to writing and approved and executed by both parties. The failure of either party to this Agreement to insist upon the performance of any of the terms and conditions of this Agreement, or the waiver of any breach of any of the terms and conditions of this Agreement, shall not be construed as thereafter waiving any such terms and conditions.
but the same shall continue and remain in full force and effect as if no such forbearance or waiver had occurred. In the event that any part or subpart of this Agreement is held to be invalid or unenforceable by any court of competent jurisdiction, the parties agree that the remaining provisions shall be deemed to be in full force and effect. The parties acknowledge that each party has participated in the negotiation and preparation of this Agreement. This Agreement shall be construed without regard to any presumption or other statute or rule of law requiring construction against the party causing the Agreement to be drafted.

IT IS FURTHER AGREED that this Agreement shall finally terminate two (2) years after date of execution or upon completion of the Lift Station and final acceptance by the County whichever occurs first, after which the County shall not be liable for any further obligation thereunder. On this basis, this Agreement shall terminate at the latest on _______________, 2022 (this date is two (2) years from the date entered in the first paragraph of this Agreement).

IN WITNESS WHEREOF, the undersigned parties have executed, or caused this Agreement to be executed by their duly authorized representatives, under the seal as of the day and year above written.

Clover Pointe Development, LLC

By: ________________________________
Its: ________________________________

By: ________________________________
Its: ________________________________

Signed, sealed and delivered this ___ day of __________________, 2020, in the presence of:

_____________________________
WITNESS

_____________________________
NOTARY PUBLIC
IN WITNESS WHEREOF, the undersigned parties have executed, or caused this Agreement to be executed by their duly authorized representatives, under the seal as of the day and year above written.

BOARD OF COMMISSIONERS OF EFFINGHAM COUNTY, GEORGIA

By: _____________________________
    Wesley Corbitt
    Its: Chairman

Attest: _____________________________
    Stephanie Johnson
    Its: County Clerk

Signed, sealed and delivered this _____ day of ___________________, 2020, in the presence of:

________________________________________
WITNESS

________________________________________
NOTARY PUBLIC
Staff Report

Subject: Family Connection Fiscal Agent Agreement
Author: Stephanie D. Johnson
Department: County Administration (Clerk’s office)
Meeting Date: March 17, 2020

Item Description: Consideration to approve an Agreement to designate Effingham County to act as Fiscal Agent for Family Connection

Summary Recommendation: The Board of Commissioners has acted as the Fiscal Agent for Family Connection for many years. Staff recommends continuing this practice.

1. The fiscal agent designation is the first step in formalization of the contract with the State of Georgia and the agreement with the Family Connection board for the general operations and responsibilities of each party regarding this funding to Family Connections.
2. The term of the agreement will run from July 1, 2020 through June 30, 2021.

Executive Summary/Background: Each year in the past the County has been requested to act as the fiscal agent for Family Connections in several ways. We have acted as fiscal agent for a number of grants. The attached documents represent the tasks the fiscal agent is charged with. Later this year you will be requested to approve the grant contract with the state by which the approved budget for Family Connections is administrated.

Alternatives for Commission to Consider:
1. To approve the Fiscal Agent Agreement for Family Connection.
2. To not approve the fiscal agent agreement for Family Connection.

Recommended Alternative: Alternative 1

Other Alternatives: Provide staff with other direction.

Department Review: County Administration and GA Family Connection Partnership

Funding Source: The use of funds is based upon funding received.

Attachments:
1. Agreement and supporting documentation
Fiscal Agent Designation Process and Forms

For a Collaborative to receive the Georgia Family Connection State Allocation administered by Department of Human Services (DHS), the following forms must be completed, and the originals submitted to the Georgia Family Connection Partnership Contract Manager.

For additional information on the contract process, required deadlines, and where to mail the forms, see the Annual Plan Contract Guidelines (available from CLIX). Documents with an * may be downloaded from CLIX.

REQUIRED FORMS

ALL FISCAL AGENTS
- Fiscal Agent Designation and Acceptance Agreement (Annex A, Part 5) *
  Dated and signed by the fiscal agent, collaborative chair, and the coordinator prior to mailing
- IRS W-9 Request for Taxpayer Identification Number and Certification Form (rev. Oct 2018) *
  Signed by authorized fiscal agent representative
- Responsibilities of a Georgia Family Connection Collaborative *
  Signed by the collaborative chairperson and the collaborative coordinator

NON-PROFIT FISCAL AGENTS
In addition to the three documents listed above, non-profit fiscal agents must also submit:
- Resolution to Enter Contract
  Signed by official representative of the non-profit fiscal agent. An example of such a resolution can be found in the Annual Plan Contract Guidelines, and is also available on CLIX
- Articles of Incorporation
- IRS Tax Exempt Letter and either IRS form 990 or 990-EZ
- Name Certificate from Secretary of State
- Audit completed within past 180 days and Financial Statement
  Signed by nonprofit Board President or Chief Executive Officer saying "proposed nonprofit does not violate, and will not violate during the terms of the contract, any provisions of OCGA 45-10-2 through 45-10-28 with respect to conflicts of interest"
- List of nonprofit Board of Directors and their employers
## Fiscal Agent Designation and Acceptance Agreement

The [legal name of agency or board] agrees to serve as the Fiscal Agent for the [name of Georgia Family Connection collaborative]

for the period of July 1, 2020 through June 30, 2021.

The Fiscal Agent certifies they 1) understand this is a 12 month commitment, 2) understand expenses are reimbursable on a quarterly basis, 3) agree to receive all financial correspondence and payments relating to the funds, and make all records available for any required financial audit, 4) have appropriate accounting and financial systems to document costs incurred and claims made and 5) agree the local Family Connection collaborative governing body is the body responsible for all decisions associated with budgeting of these funds, but will ensure such decisions shall be in compliance with the Fiscal Agent’s own policies and procedures.

### Mail signed agreement with signed IRS W-9 form to:

**FY 2021 Fiscal Agent Information**  
Georgia Family Connection Partnership  
235 Peachtree Street  
Suite 1600  
Atlanta, GA 30303-1422

**Deadline:** February 17, 2020

### Family Connection Collaborative Chairperson:

(Signature in ink)

(Print Name in Block Letters)

**Date:**

---

### Fiscal Agent:

Fiscal Agent’s fiscal year end date  
(month and day): _______________

(Signature of agency representative legally responsible to enter into contract.  
Signature in ink)

(Print Name in Block Letters)

**Title:**

(Print Title in Block Letters)

**Date:**

---

### Family Connection Coordinator:

(Signature in ink)

(Print Name in Block Letters)

**Date:**
Request for Taxpayer Identification Number and Certification

Go to www.irs.gov/FormW9 for instructions and the latest information.

1. Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

2. Business name/designed entity name, if different from above.

3. Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.
   - Individual/sole proprietor or single-member LLC
   - C Corporation
   - S Corporation
   - Partnership
   - Trust/estate
   - Limited liability company. Enter the tax classification (C=Corporation, S=Corporation, P=Partnership).

   Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

4. Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):
   - Exempt payee code (if any)
   - Exemption from FATCA reporting code (if any)

   (Applies to accounts maintained outside the U.S.)

5. Address (number, street, and apt. or suite no.) See instructions.

6. City, state, and ZIP code

7. List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see How to get a TIN, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see What Name and Number To Give the Requester for guidelines on whose number to enter.

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification Instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here

Signature of U.S. person

Date

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN), which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.
By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See What is FATCA reporting, later, for further information.

Note: If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. Person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

In the cases below, the following person must give Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States:

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Pub. 515, Withholding Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items.

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

Backup Withholding

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 24% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the instructions for Part II for details),
3. The IRS tells the requester that you furnished an incorrect TIN,
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See Exempt payee code, later, and the separate instructions for the Requester of Form W-9 for more information.

Also see Special rules for partnerships, earlier.

What is FATCA Reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See Exemption from FATCA reporting code, later, and the Instructions for the Requester of Form W-9 for more information.

Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are a tax exempt. In addition, you must furnish a new Form W-9 if the names or TIN changes for the account; for example, if the grantor of a grantor trust dies.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of $50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a $50 penalty.
Specific Instructions

Line 1
You must enter one of the following on this line: do not leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account (other than an account maintained by a foreign financial institution (FFI)), list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9. If you are providing Form W-9 to an FFI to document a joint account, each holder of the account that is a U.S. person must provide a Form W-9.

a. Individual. Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

Note: ITIN applicant: Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

b. Sole proprietor or single-member LLC. Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or doing business as (DBA) name on line 2.

c. Partnership, LLC that is not a single-member LLC, C corporation, or S corporation. Enter the entity’s name as shown on the entity’s tax return on line 1 and any business, trade, or DBA name on line 2.

d. Other entities. Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.

e. Disregarded entity. For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(ii)(ii). Enter the owner’s name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner’s name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity’s name on line 2, “Business name/disregarded entity name.” If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

Line 2
If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

Line 3
Check the appropriate box on line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box on line 3.
The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

<table>
<thead>
<tr>
<th>IF the payment is for . . .</th>
<th>THEN the payment is exempt for . . .</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interest and dividend payments</td>
<td>All exempt payees except for 7</td>
</tr>
<tr>
<td>Broker transactions</td>
<td>Exempt payees 1 through 4 and 6 through 11 and all C corporations. shred corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.</td>
</tr>
<tr>
<td>Barter exchange transactions and patronage dividends</td>
<td>Exempt payees 1 through 4</td>
</tr>
<tr>
<td>Payments over $600 required to be reported and direct sales over $5,000¹</td>
<td>Generally, exempt payees 1 through 5²</td>
</tr>
<tr>
<td>Payments made in settlement of payment card or third party network transactions</td>
<td>Exempt payees 1 through 4</td>
</tr>
</tbody>
</table>

¹ See Form 1099-MISC, Miscellaneous Income, and its instructions.
² However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

Exemption from FATCA reporting code. The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with “Not Applicable” (or any similar indication) written or printed on the line for a FATCA exemption code.

A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)
B—The United States or any of its agencies or instrumentalities
C—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i)
E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i)
F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state
G—A real estate investment trust
H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940
I—A common trust fund as defined in section 584(a)
J—A bank as defined in section 581
K—A broker
L—A trust exempt from tax under section 664 or described in section 4947(a)(1)
M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

Note: You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

Line 5
Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns. If this address differs from the one the requester already has on file, write NEW at the top. If a new address is provided, there is still a chance the old address will be used until the payer changes your address in their records.

Line 6
Enter your city, state, and ZIP code.

Part I. Taxpayer Identification Number (TIN)
Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see How to get a TIN below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN.

If you are a single-member LLC that is disregarded as an entity separate from its owner, enter the owner’s SSN (or EIN, if the owner has one). Do not enter the disregarded entity’s EIN. If the LLC is classified as a corporation or partnership, enter the entity’s EIN.

Note: See What Name and Number To Give the Requester, later, for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at www.ssa.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/Businesses and clicking on Employer Identification Number (EIN) under Starting a Business. Go to www.irs.gov/Forms to view, download, or print Form W-7 and/or Form SS-4. Or, you can go to www.irs.gov/OrderForms to place an order and have Form W-7 and/or SS-4 mailed to you within 10 business days.

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and write “Applied For” in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note: Entering “Applied For” means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

Part II. Certification
To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, 4, or 5 below indicates otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see Exempt payee code, earlier.

Signature requirements. Complete the certification as indicated in items 1 through 5 below.
1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester’s trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), ABLE accounts (under section 529A), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

### What Name and Number To Give the Requester

<table>
<thead>
<tr>
<th>For this type of account:</th>
<th>Give name and SSN of:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individual</td>
<td>The individual</td>
</tr>
<tr>
<td>Two or more individuals (joint account) other than an account maintained by an FFI</td>
<td>The actual owner of the account or, if combined funds, the first individual on the account</td>
</tr>
<tr>
<td>Two or more U.S. persons (joint account maintained by an FFI)</td>
<td>Each holder of the account</td>
</tr>
<tr>
<td>Custodial account of a minor (Uniform Gift to Minors Act)</td>
<td>The minor</td>
</tr>
<tr>
<td>a. The usual revocable savings trust (grantor is also trustee)</td>
<td>The grantor-trustee</td>
</tr>
<tr>
<td>b. So-called trust account that is not a legal or valid trust under state law</td>
<td>The actual owner</td>
</tr>
<tr>
<td>Sole proprietorship or disregarded entity owned by an individual</td>
<td>The owner</td>
</tr>
<tr>
<td>Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))</td>
<td>The grantor</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>For this type of account:</th>
<th>Give name and EIN of:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disregarded entity not owned by an individual</td>
<td>The owner</td>
</tr>
<tr>
<td>A valid trust, estate, or pension trust</td>
<td>Legal entity</td>
</tr>
<tr>
<td>Corporation or LLC electing corporate status on Form 8832 or Form 2553</td>
<td>The corporation</td>
</tr>
<tr>
<td>Association, club, religious, charitable, educational, or other tax-exempt organization</td>
<td>The organization</td>
</tr>
<tr>
<td>Partnership or multi-member LLC</td>
<td>The partnership</td>
</tr>
<tr>
<td>A broker or registered nominee</td>
<td>The broker or nominee</td>
</tr>
</tbody>
</table>

### Give name and EIN of:

| 14. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments | The public entity |
| 15. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations section 1.671-4(b)(2)(i)(B)) | The trust |

1. List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person’s number must be furnished.
2. Circle the minor's name and furnish the minor’s SSN.
3. You must show your individual name and you may also enter your business or DBA name on the “Business name/disregarded entity” name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.
4. List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see Special rules for partnerships, earlier.

*Note: The grantor also must provide a Form W-9 to trustee of trust.

**Note:** If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

### Secure Your Tax Records From Identity Theft

Identity theft occurs when someone uses your personal information such as your name, SSN, or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:
- Protect your SSN.
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Pub. 5027, Identity Theft Information for Taxpayers. Victims of identity theft who are experiencing economic harm or a systemic problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

**Protect yourself from suspicious emails or phishing schemes.**
Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common tactic is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.
The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at spam@uce.gov or report them at www.ftc.gov/complaint. You can contact the FTC at www.ftc.gov/idtheft or 877-IDTHEFT (877-438-4338). If you have been the victim of identity theft, see www.IdentityTheft.gov and Pub. 5027.

Visit www.irs.gov/IdentityTheft to learn more about identity theft and how to reduce your risk.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.
Staff Report

Subject: Final Plat Approval
Author: Teresa Concannon, Planner
Department: Development Services
Meeting Date: March 17, 2020
Item Description: Gregg Howze requests approval of the final plat for Windfield Subdivision (5-lots)

Summary Recommendation:
Approve the final plat and accept the warranty deed.

Executive Summary/Background:
The PD text amendment and rezoning of .75 acres from PD Commercial to PD Residential, and the Sketch Plan for lots 113-117, were approved on April 16, 2019.

Water, Sewer, and storm drainage infrastructure has been installed to serve the 5 lots on Tailwind Trail, and inspected by Public Works and Engineering staff. The Tailwind Trail ROW, and the water, sewer, and storm drainage systems have previously been conveyed to Effingham County at the Final Plat approval of phase I (April 6, 2010).

Staff has reviewed the final plat, and final plat checklist for lots 113-117. All documents are in order, and consistent with the zoning, plans, and plats approved previously. A letter of credit has been provided for 10% of the total cost of water, sewer, and storm drainage serving lots 113-117. The warranty deed was reviewed and approved by the County Attorney.

Alternatives for Commission to Consider
1 - Approve the final plat, and accept the utility easement identified in the warranty deed.
2 – Do not approve the final plat, or accept the utility easement identified in the warranty deed.

Recommended Alternative:
Staff has reviewed the final plat submittal materials, and recommends approval of the final plat, and acceptance of the utility easement identified in the warranty deed.

Other Alternatives: N/A

Department Review:
Development Services-planner; Engineering-EOM; County Attorney

Funding Source:
No new funding requested.

Attachments:
1. Final Plat for Windfield lots 113-117
2. Final Plat Submittal Form & Checklist
3. EOM recommendation
4. Warranty Deed
5. Bond Recommendation
NOTE: SUBJECT PROPERTY IS A PORTION OF MAP & PARCELS 352F-11 & 1H OF THE EFFINGHAM COUNTY TAX ASSESSOR'S FILE.

CERTIFICATE OF APPROVAL FOR RECORDING
The subdivision plan known as Winfield Subd. Lots 113-117 has been found to comply with the Effingham County Subdivision Regulations and was approved by the Effingham County Board of Commissioners for recording in the office of the Clerk of Superior Court of Effingham County, Georgia dated __________.

Chairman of Effingham County Board of Commissioners
Site designation may void this approval.

Witness Clerk of the Effingham County Board of Commissioners

---

ENGINEER APPROVAL
This project is built according to plans set forth in the design and according to Effingham County Subdivision Regulations.

GEORGIA REGISTERED ENGINEER NO. 3218

DATE: 3/11/2020

NOTE: WATER AND SEWER TO BE PROVIDED BY EFFINGHAM COUNTY.
SET BACKS:
FRONT SETBACK = 20'
SIDE SETBACK IN = 5.5'
SIDE SETBACK STREET = 5.5'
BACK SETBACK = 25'
ZONING: PD

---

SURVEY FOR LAUREL MILL INC.
SURVEY OF 5 LOTS FROM THE LANDS OF LAUREL MILL INC.
LOCATED IN THE 1559TH G.M.D. EFFINGHAM COUNTY, GEORGIA SURVEYED 14 OCT 2019 PLAT REDRAWN 03 MAR 2020
## EFFINGHAM COUNTY
### FINAL PLAT SUBMITTAL FORM

**OFFICIAL USE ONLY**

<table>
<thead>
<tr>
<th>Date Received:</th>
<th>Project Number:</th>
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<tbody>
<tr>
<td>Date Reviewed:</td>
<td>Reviewed by:</td>
</tr>
</tbody>
</table>

### Name of Subdivision

Outlet

### Name of Applicant/Agent

W. Greg Howze  Phone  912 663-8588

### Company Name

Laurel Mill Inc

### Address


### Owner of Record

Laurel Mill Inc  Phone

### Address

31 Warrally Drive  Richmond Hill GA

### Engineer

Toss Allen  Phone  912 667-2467

### Address

Rincon

### Surveyor

Adolph W. Michelis  Phone  912 829 3972

### Address


*Information may be left blank if it is the same as indicated on the sketch plan submittal form

### Total acreage subdivided

76

### Zoning

PD

### Number of Lots

5

### Date of sketch plan approval

4-16-19  Date of preliminary plan approval

### Map/Parcel# to be subdivided

352- F-14-15

### List all contiguous holdings in the same ownership:

### Map/Parcel#

### Water supply

Effingham Co

### Sewer supply

### Have any changes been made since this Subdivision was last before the County Commission?

No

### If so, please describe:


### The undersigned (applicant) (owner), hereby acknowledges that the information contained herein is true and complete to the best of its knowledge.

This 1st day of February 2020

Applicant

Owner
EFFINGHAM COUNTY
FINAL PLAT CHECKLIST

OFFICIAL USE ONLY
Subdivision Name: Windfield Project Number: 
Date Received: 03/12/2020 Date Reviewed: 
Reviewed by: 

The following checklist is designed to inform applicants as to what is required in preparing final plats for review by Effingham County. The Final Plat must be drawn in ink by a Georgia Registered Land Surveyor on Mylar, and four (4) paper copies must be included. After the Final Plat is approved and ALL associated fees have been paid, it is the petitioner’s responsibility to obtain the necessary signatures and to record the Final Plat with Clerk of Superior Court of Effingham County.

<table>
<thead>
<tr>
<th>Office Use</th>
<th>Applicant Use</th>
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### Project Information:

1. Graphic scale.
2. Lot areas in accordance with the applicable zoning regulation or preliminary plan for planned development.
3. North arrow.
4. Land reference point.
5. Point of beginning designated.
6. Date of preparation (under Surveyor’s signature).
7. Name of Subdivision.
8. Names of adjacent subdivisions and owners of adjoining parcels of land.
9. Names and widths of adjacent streets.
10. Names and widths of streets within subdivision. Names either match existing street names that align with proposed streets, or are not used elsewhere in Effingham County.
11. Plat boundaries darkened.
12. Proposed building setback lines.
13. Location of all existing easements or other existing features.
14. New easements required by Planning Department, County Utilities, Public Works Department, Telephone Company, etc.
15. Lots in new subdivisions are to be numbered consecutively from one to the total number of lots.
16. Lot lines with accurate dimensions in feet and tenths, and angles or bearings to the street when other than 90°.
17. Express dedication statement to the public for streets, alleys, access limitations, right-of-way, parks, school sites, and other public places shown on the attached plat.
18. Name, registration number, and seal of registered land surveyor or professional engineer (signed and dated).
19. Location of city limits and county lines, if applicable.

Page 2 of 3

8/16/2011
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<tr>
<td>20.</td>
<td>Location on the property to be subdivided of natural features such as streams, lakes, swamps, wetlands, and land subject to flood based on current effective FEMA Flood Insurance Rate Map (FIRM).</td>
</tr>
<tr>
<td>21.</td>
<td>Digital copy of final plat geographically referenced to Georgia State Plane Coordinate System as further described on Attachment for Digital Submissions.</td>
</tr>
<tr>
<td>22.</td>
<td>Certificate of Approval – To be signed by County Commission chair.</td>
</tr>
<tr>
<td>25.</td>
<td>Signed Certificate of Ownership and Dedication – Corporation (Corporate Seal must be affixed to plats; signature of one corporate officer).</td>
</tr>
<tr>
<td>26.</td>
<td>Signed Certificate by Registered Engineer that all permitted improvements were installed in accordance with approved plans, accompanied by two complete sets of as-built construction plans as record drawings.</td>
</tr>
<tr>
<td>27.</td>
<td>Signed Warranty Deed conveying all streets, utilities, parks, easements, and other government uses (except ponds), in a form approved by the county attorney.</td>
</tr>
<tr>
<td>28.</td>
<td>Maintenance bond, letter of credit, escrow account, or certified check, which is available to the County to cover any necessary repair of infrastructure conveyed by warranty deed for a minimum of 10% of the total construction cost of such improvements.</td>
</tr>
</tbody>
</table>

The undersigned (applicant) (owner), hereby acknowledges that the information contained herein is true and complete to the best of its knowledge.

This 20 day of February 2020  

[Signature]  

Applicant  

[Signature]  

Owner

[Stamp]
Re: Windfield Residential Lots Final Plat

Dear Ms. Concannon,

The Windfield Residential Lots has requested that Effingham County accept all the public utilities located within the Right-of-Way, the Easements and the Final Plat for recording. After review of the information submitted as a part of the Final Plat application and the site inspection, following observations were made:

- Temporary grassing was not established.
- Sidewalks were not built.

Teresa Concannon
County Planner
Effingham Board of Commissioners
601 N Laurel Street
Springfield, GA 31329
• Stockpiles of debris was located on the lots and also, on the abutting property.

• A certification statement should be submitted from engineer stating that the storm drainage system was built according the Effingham County specifications.
• The as-built plans must be revised to identify the easements for utilities located outside of the subject lots.

Please contact me if you have any questions or if you need any additional information.

Sincerely,

V. Sri

Srikar Velagapudi
Civil Engineer
EOM Operations
Record and Return to:  
W. Gregg Howze  
Laurel Mill, Inc.  
631 Warnell Road  
Richmond Hill, Georgia 31324

STATE OF GEORGIA, )       UTILITY EASEMENT WARRANTY DEED
COUNTY OF EFFINGHAM, )

THIS INDENTURE, made this 11th day of March, 2020, between LAUREL MILL, INC., a Georgia Corporation, as Party of the First Part ("Grantor"), and THE BOARD OF COMMISSIONERS OF EFFINGHAM COUNTY, GEORGIA, as Party of the Second Part ("Grantee"),

W I T N E S S E T H:

That the said Grantor, for an in consideration of the sum of One ($1.00) Dollar, and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt and adequacy of which is hereby acknowledged, has bargained, sold, and does by these presents hereby grant unto the said Grantee, its successors or assigns, invitees and licensees, an irrevocable, non-exclusive perpetual easement for drainage and utility purposes, upon and across the following lands, to wit:

PLEASE SEE EXHIBIT “A” ATTACHED HERETO AND MADE A PART THEREOF.

The easement herein granted shall bind the heirs, executors, and assigns of the undersigned parties, and inure to the benefit of the successors in title of the Grantee. It is expressly agreed and underwood that Grantee may assign this easement.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomever.
IN WITNESS WHEREOF, the said Grantor has set its hand and seal on the date hereinabove written.

LAUREL MILL, INC.
a Georgia Corporation

By: ________________________________ (L.S.)
Name: W. Gregg Howze
Title: CEO and Secretary

Signed, sealed and delivered in the presence of:

______________________________
Witness

Sworn to and subscribed before me this ______ day of March, 2020,

______________________________
Notary Public

TITLA NOT EXAMINED NOR WARRANTED BY PREPARER OF DEED
EXHIBIT "A"

All that certain lot, tract or parcel of land situate, lying and being in the 1559th G. M. District of Effingham County, Georgia, consisting of that Twenty (20) foot wide easement, together with all utility improvements thereon, being known and identified as that 20’ Utility Easement crossing Lots 113, 14, 115, 116, and 117, Phase II, Windfield Subdivision as shown on that map or plat of survey made by Adolph N. Michelis, R.L.S. No. 1323, dated March 11, 2020, and recorded in Plat Book _____, page _____, in the Office of the Clerk of Superior Court of Effingham County, Georgia.

AND ALSO, all that certain lot, tract or parcel of land situate, lying and being in the 1559th G. M. District of Effingham County, Georgia, consisting of that Fifteen (15) foot wide easement running along the southeasterly lot line, together with all utility improvements thereon, being known and identified as that 20’ Utility Easement crossing Lots 113, 14, 115, 116, and 117, Phase II, Windfield Subdivision as shown on that map or plat of survey made by Adolph N. Michelis, R.L.S. No. 1323, dated March 11, 2020, and recorded in Plat Book _____, page _____, in the Office of the Clerk of Superior Court of Effingham County, Georgia.

This being a portion of the same property conveyed by Warranty Deed from Eddie G. Broadnax to Laurel Mill, Inc., a Georgia corporation, dated March 10, 2017 and recorded in Deed Book 2394, page 586, aforesaid records.
February 20, 2020

Mrs. Diane Proudfoot
Effingham County Development Services
601 N. Laurel Street
Springfield, Georgia 31329

RE: WINFIELD PARCELS C & E 5 LOT SUBDIVISION
PROJECT NO: 19-014

Dear Mrs. Proudfoot:

Listed below is our bond recommendation for the above referenced project. This phase consists of five (5) single family residential lots with associated water, sewer, and drainage infrastructure. The project utilized an existing county owned road and didn’t create any new roads. The water, sewer and drainage are intended to be deeded to Effingham County. The bond request is for 10% of the total construction cost associated with the items to be deeded to the county upon completion.

Phase II Total Cost $ 52,570.00

Total Bond Amount $ 5,257.00

Please let me know if you need any additional information.

Sincerely,

Anthony T. Allen, P.E.
Staff Report

Subject: Rezoning (Second District)
Author: Diane Proudfoot, Zoning Administrator
Department: Development Services – Planning & Zoning
Meeting Date: March 17, 2020
Item Description: Communications Tower Group, LLC. requests a Conditional Use Rezoning of .229 acres from AR-1 to B-2 at 291 Loubern Road for a monopole cell tower lease area.
Map# 376 Parcel #9

Summary Recommendation
Approve Conditional Use Rezoning of .229 acres from AR-1 to B-2 for a monopole cell tower lease area, with the following stipulations:
1. Meet the requirements of Article V – Telecommunications Regulations Ordinance.
2. Future site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
3. Written statements from the FAA, FCC, and any appropriate state review authority stating that the proposed tower complies with regulations by that agency or that the tower is exempt from those regulations.
4. All wetland impacts permitted by USACE.

Executive Summary
The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text, Section 9. Article V - Telecommunications Regulations Section 14-133 Permitted Uses (2) Monopole towers shall be as a matter of right within the general commercial (B-2) and industrial (I-1) districts; (b) Conditional use rezoning. (1) If the tower or antenna is not a permitted use under subsection (a) above, then a conditional use rezoning shall be required for the construction of a tower or the placement of an antenna in all zoning districts.

Background
At the Planning Board meeting, Alan Zipperer made a motion to approve the Conditional Use Rezoning of .229 acres from AR-1 to B-2 for a monopole cell tower lease area, with the following stipulations:
1. Meet the requirements of Article V – Telecommunications Regulations Ordinance.
2. Future site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
3. Written statements from the FAA, FCC, and any appropriate state review authority stating that the proposed tower complies with regulations by that agency or that the tower is exempt from those regulations.
4. All wetland impacts permitted by USACE.
Juanita Golden seconded the motion. The motion carried unanimously.

Alternatives
Recommended Alternative: Approve the Conditional Use Rezoning of .229 acres from AR-1 to B-2 for a monopole cell tower lease area, as recommend by the Planning Board with the following stipulations:
1. Meet the requirements of Article V – Telecommunications Regulations Ordinance.
2. Future site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
3. Written statements from the FAA, FCC, and any appropriate state review authority stating that the proposed tower complies with regulations by that agency or that the tower is exempt from those regulations.
4. All wetland impacts permitted by USACE.

Other Alternatives
Deny the request for Conditional Use Rezoning of .229 acres from AR-1 to B-2 for a monopole cell tower lease area at 291 Loubern Road.
Department Review
Petition reviewed by Teresa Concannon, Planner; Diane Proudfoot, Zoning Administrator and County Health Department

FUNDING: N/A

Attachments:
1. Rezoning checklist
2. Rezoning application
3. Ownership certificate
4. Deed
5. Health Department Letter
6. Plat
7. Aerial photograph
EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. The supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

After receiving all information presented as to each zoning proposal at any public hearing provided for in this Article, and prior to making any recommendation thereon, the Planning Board shall consider each of the eight questions contained in the following checklist in written form and forward a copy of the same to the Board of Commissioners together with any additional material deemed appropriate:

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL_______ DISAPPROVAL_____

Of the rezoning request by applicant (Communications Tower Group, LLC - Map# 376-9) from AR-1 to B-2 zoning.

Yes No? 1. Is this proposal inconsistent with the county’s master plan?

Yes No? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?

Yes No? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?

Yes No? 4. Does the property which is proposed to be rezoned have a reasonable economic use under existing zoning?

Yes No? 5. Does the proposed change constitute “spot zoning” which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?

Yes No? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?

Yes No? 7. Are nearby residents opposed to the proposed zoning change?

Yes No? 8. Do other conditions affect the property so as to support a decision against the proposal?
EFFINGHAM COUNTY
APPLICATION FOR A VARIANCE OR CONDITIONAL USE

DATE 1/24/2020

APPLICANT NAME

COMMUNICATIONS TOWER GROUP LLC
BY TERRY THOMAS - SITE DEV. MANAGER

MAILING ADDRESS

COMMUNICATIONS TOWER GROUP LLC
15720 BRIXTON HILL AVE, SUITE 300
CHARLOTTE, NC. 28277

PROPERTY OWNER

ANDREA H. McBRIDE

PROPERTY LOCATION

291 LOUBERN RD.
GUYTON, GA. 31312

PHONE # (717) 254-7458
CELL - TERRY THOMAS

EMAIL ADDRESS

thomas@ctowergroup.com

MAP #__________

PARCEL # 03760009

ZONING AG

ACREAGE 208.25

NAME OF DEVELOPMENT

GA-0013131 - GONAWAY CELL TOWER

SECTION NUMBER(S) OF THE ORDINANCE FROM WHICH A VARIANCE/CONDITIONAL USE IS REQUESTED
Sec. 14-133. (b) CONDITIONAL USES

DESCRIBE THE REQUESTED VARIANCE OR CONDITIONAL USE

CONDITIONAL USE FOR A 195' MONOPOLE CELL TOWER.
NO VARIANCES ARE REQUESTED BECAUSE ALL SET BACKS ARE MET
ACCORDING TO SEC. 14-134. (b) (1).
ATTACHMENT A

EFFINGHAM COUNTY REZONING AMENDMENT FORMS

Communications Tower Group LLC

Applicant: ANDREA H. McBELO

Property owner: ANDREA McBELO

Telephone Number: (727) 254-7758

Communications Tower Group LLC

Mailing Address: 15720 BAXHAM MILL DR., SUITE 300

CHARTER, N.C. 28277

Property location: 291 LOUBERN RD., GUYTON, GA. 31312

Present zoning: AR-1

Proposed zoning: B-2 - FOR THE 100' X 100' CELL TOWER LEASE AREA ONLY

Present land-use: AG

Proposed land-use: FOR 100' X 100' CELL TOWER LEASE AREA - CELL TOWER

Tax Map #: Parcel #03760009

Lot #:

Total Acres: 208.25

Acres to be rezoned: 0.229 (100' X 100' CELL TOWER LEASE AREA)

Lot characteristics: FARMLAND WITH SOME PLANTED PINE AND FAMILY RESIDENCES

Water: N/A - NOT NEEDED FOR CELL TOWER

Sewer: N/A - NOT NEEDED FOR CELL TOWER

Proposed access: NON EXCLUSIVE ACCESS BASEMENT FROM CELL TOWER TO LOUBERN RD.

Justification: TO DECREASE THE 100' X 100' CELL TOWER LEASE AREA AS B-2 PERMITTED USE!

List the zoning of the other property in the vicinity of the property you wish to rezone:

East: #039-8005 - LULA DIXON (AR-1)

North: #039-8006 - LULA DIXON (AR-1)

#039-8007 - MARK E PERRY (AR-1)

East: #039-80031 - CHATHAM COUNTY (AR-1)

South: #03760001 - EFFINGHAM COUNTY BOC (R-1)

West: #03760015 - SOUTH GA HOMEOWNERS ASSOC., INC. (PD)

NORTH: #03760002 - MARY BRENNA HINLEY (R-1)

#03760007 - BRENNA H. (R-1)

#039-8002 - RICHARD R. & KAY I. PARKER (AR-2)

#039-8003 - JEREMY CROSBY (AR-2)

#039-8002 - HALCY & BARBARA DAVISON (AR-2)

#039-8004 - BETTY PEGGY (AR-2)

#039-8004 - DAVID BARRETT (AR-1)
1. Describe the current use of the property you wish to rezone.

100' X 100' LEASE AREA IS NEXT TO EXISTING CLEARGE GA POWER EASEMENT AND WITHIN EXISTING PLANTED PINES.

2. Does the property you wish to rezone have a reasonable economic use as it is currently zoned?

YES FARM LAND & PLANTED PINES HOWEVER THE 100' X 100' LEASED AREA FOR TOWER WOULD BE HIGHER & BEST USE FOR THAT SMALLEST AMOUNT OF PROPERTY.

3. Describe the use that you propose to make of the land after rezoning.

THE 100' X 100' CELL TOWER LEASED AREA WILL BE A CELL TOWER SITE.

4. Describe the uses of the other property in the vicinity of the property you wish to rezone?

MOSTLY ALL ADJOINING PARCELS ARE (AR-1) & (AR-2) ONE LOT IS (R-1) SOUTHBOUND HOMEOWNERS ASSOCIATION WEST IS A (PD)

5. Describe how your rezoning proposal will allow a use that is suitable in view of the uses and development of adjacent and nearby property?

THIS PROPOSAL SHOULDN'T HAVE A NEGATIVE EFFECT ON SURROUNDING PROPERTIES IMPROVING WIRELESS COMMUNICATION QUALITY. PROPOSED 145' MONOPOLE TOWER AMONG EXISTING PLANTED PINES WILL BE MINIMAL IMPACT VISUALLY.

6. Will the proposed zoning change result in a use of the property, which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?

NO THE CELL COMPANY SERVICE VEHICLES ARE MORE OR LESS PICKUP TRUCKS OR PANEL VANS THAT WOULD VISIT THE SITE AVERAGELY OF APPROXIMATELY TWICE A MONTH.
ATTACHMENT B

EFFINGHAM COUNTY OWNERSHIP CERTIFICATION

I, (we) the undersigned, do hereby certify that I (we) own the property affected by the proposed Amendment to the Effingham County Zoning Ordinance by virtue of a deed date

February 16, 2018, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2451 page 824-825.

Owner’s signature: Andrea H. McBride
Date: 1/31/2020

Owner’s signature:

Owner’s signature:

*******************************************************************************

AUTHORIZATION OF PROPERTY OWNER

(Please complete this section if the owner is giving another person authority to act on their behalf)

I authorize the person named below to act as applicant in the pursuit of a variance, conditional use, rezoning of my property.

Name of Applicant: Communications Tower Group, LLC by Terry Thomas
Address: 15720 Brixham Hill Av, Suite 300, Charlotte, N.C. 28277
Telephone #: (727) 454-7158 - OCEC email: TThomas@CTowerGroup.com

Andrea H. McBride
Date: 1/31/2020

Personally appeared before me Andrea H. McBride
who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Notary: Nancy Sanders
Date: 1/31/20
STATE OF GEORGIA
COUNTY OF JENKINS

DEED OF GIFT

THIS INDENTURE made this 16th day of February, 2018, between LOUDEAN R. HINELY, JR. ("Grantor"), and ANDREA H. MCBRIDE ("Grantee").

The words "Grantor" and "Grantee" shall include their respective heirs, successors and assigns where the context requires or permits, and shall include the singular and plural, and the masculine, feminine, and neuter, as the context requires.

WITNESSETH:

THAT THE SAID GRANTOR, for and in consideration of the love and affection for Grantee, does hereby give, grant, alien, and convey unto Grantee, her heirs and assigns, all of the following described property, to-wit:

All that certain tract or parcel of land situate, lying and being in the 1559th G. M. District, Effingham County, Georgia, containing two hundred sixteen (216) acres, more or less, bounded on the North by lands, now or formerly, of Shelly Helms and D. S. Ulmer; East by lands, now or formerly, of G. L. Shearouse and Ernest Hinely; South by lands, now or formerly, of J. J. Hester; and West by lands, now or formerly, of Mrs. Minnie Shearouse and Mrs. Marie Hinely.

Less and except any and all previous conveyances by LouDean R. Hinely, Sr. during his lifetime.

This is the same property conveyed by virtue of Assent to Devises dated December 15, 1998 from LouDean R. Hinely, Jr. as Executor of the
Estate of LouDean R. Hinely, Sr. to LouDean R. Hinely, Jr., recorded in Deed Book 556, Page 096, Effingham County, Georgia Records.

The above-described property is identified as Parcel 03760009 in the office of the Effingham County Tax Assessor.


TO HAVE AND TO HOLD the above-described lands together with all and singular the rights, members and appurtenances thereunto belonging or in anywise appertaining to the same, to the only proper use, benefit and behoof of Grantee, his heirs, executors, administrators and assigns, forever in PERPETUAL.

IN WITNESS WHEREOF, the said Grantor has hereunto set hand and seal this day and year first above written.

[Signature]
LouDean R. Hinely, Jr.

Signed, sealed and delivered this 16th day of February, 2018, in the presence of:

[Signature]
Witness

[Signature] Courtney Miller
Notary Public

My Commission Expires: 5/14/18
Sec. 14-133. - Permitted uses.

(a) Telecommunications facilities are permitted only within the following zoning districts:

(1) The attachment of antennae and related equipment to an existing tower or alternative tower structure shall be permitted in all zoning districts; provided, however, that the existing freestanding nonresidential structure other than a tower on which such antenna will be placed is 50 feet in height or greater and the antenna will add no more than 20 feet to the height of said existing structure.

(2) Monopole towers shall be permitted as a matter of right within the general commercial (B-2) and industrial (I-1) districts.

(3) Guyed and lattice towers and tower farms shall be permitted within industrial (I-1) districts.

(4) Monopole towers may be permitted in planned unit development districts, subject to a finding by the planning board and the board of commissioners that such use is compatible with the approved development plan.

(b) Conditional use rezoning. The standards and procedures for granting and denying a conditional use rezoning request in article IX of the county zoning ordinance shall be applicable to this article. In addition to the standards prescribed in said article IX, the following provisions shall govern a rezoning decision:

(1) If the tower or antenna is not a permitted use under subsection (a) above, then a conditional use rezoning shall be required for the construction of a tower or the placement of an antenna in all zoning districts.

(2) In granting a conditional use rezoning, the board of commissioners may impose conditions to the extent the board of commissioners concludes such conditions are necessary to minimize any adverse effect of the proposed tower on adjoining properties.

(3) Information required. Each applicant requesting a conditional use rezoning under this article shall submit a scaled site plan and other supporting drawings, calculations, and other documentation, signed and sealed by appropriate licensed professionals, showing information concerning
topography, radio frequency coverage, tower height requirements, setbacks, drives, fencing, landscaping, adjacent uses, and other information deemed necessary by the board of commissioners.

(4) Any information of an engineering nature that the applicant submits, whether civil, mechanical, or electrical, shall be certified by a licensed professional engineer.

(c) **Prohibitions.** No new tower shall be permitted unless the applicant adequately demonstrates that neither an existing tower suitable for colocation nor a suitable alternative tower structure is available within the geographic area required to meet the applicant's engineering requirements.

(Ord. of 1-5-99, § 1603(III))
9.5

EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. The supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

After receiving all information presented as to each zoning proposal at any public hearing provided for in this Article, and prior to making any recommendation thereon, the Planning Board shall consider each of the eight questions contained in the following checklist in written form and forward a copy of the same to the Board of Commissioners together with any additional material deemed appropriate:

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL ______  DISAPPROVAL ______

Of the rezoning request by applicant (Communications Tower Group, LLC - Map# 376-9) from AR-1 to B-2 zoning.

Yes   No  ?  1. Is this proposal inconsistent with the county’s master plan?

Yes   No  ?  2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?

Yes   No  ?  3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?

Yes   No  ?  4. Does the property which is proposed to be rezoned have a reasonable economic use under existing zoning?

Yes   No  ?  5. Does the proposed change constitute “spot zoning” which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?

Yes   No  ?  6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?

Yes   No  ?  7. Are nearby residents opposed to the proposed zoning change?

Yes   No  ?  8. Do other conditions affect the property so as to support a decision against the proposal?

Planning Board Meeting – February 24, 2020
9.5

EFFINGHAM COUNTY REZONING CHECKLIST

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Yes No? 7. Are nearby residents opposed to the proposed zoning change?

Yes No? 8. Do other conditions affect the property so as to support a decision against the proposal?

Planning Board Meeting – February 24, 2020
EFFINGHAM COUNTY REZONING CHECKLIST

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APPROVAL  DISAPPROVAL

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Planning Board Meeting – February 24, 2020
EFFINGHAM COUNTY REZONING CHECKLIST

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL √ DISAPPROVAL ___

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Yes √ No ?  1. Is this proposal inconsistent with the county's master plan?

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Yes √ No ?  7. Are nearby residents opposed to the proposed zoning change?

Yes √ No ?  8. Do other conditions affect the property so as to support a decision against the proposal?
Staff Report

Subject: Rezoning (Second District)
2nd Reading Zoning Map Amendment

Author: Diane Proudfoot, Zoning Administrator
Department: Development Services – Planning & Zoning
Meeting Date: March 17, 2020
Item Description: Communications Tower Group, LLC. requests a Conditional Use Rezoning of .229 acres from AR-1 to B-2 at 291 Loubern Road for a monopole cell tower lease area.
Map# 376 Parcel #9

Summary Recommendation
Approve Conditional Use Rezoning of .229 acres from AR-1 to B-2 for a monopole cell tower lease area, with the following stipulations:

1. Meet the requirements of Article V – Telecommunications Regulations Ordinance.
2. Future site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
3. Written statements from the FAA, FCC, and any appropriate state review authority stating that the proposed tower complies with regulations by that agency or that the tower is exempt from those regulations.
4. All wetland impacts permitted by USACE.

Executive Summary
The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text, Section 9.

Article V - Telecommunications Regulations
Section 14-133 Permitted Uses (2) Monopole towers shall be as a matter of right within the general commercial (B-2) and industrial (I-1) districts;
(b) Conditional use rezoning. (1) If the tower or antenna is not a permitted use under subsection (a) above, then a conditional use rezoning shall be required for the construction of a tower or the placement of an antenna in all zoning districts.

Background
At the Planning Board meeting, Alan Zipperer made a motion to approve the Conditional Use Rezoning of .229 acres from AR-1 to B-2 for a monopole cell tower lease area, with the following stipulations:

1. Meet the requirements of Article V – Telecommunications Regulations Ordinance.
2. Future site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
3. Written statements from the FAA, FCC, and any appropriate state review authority stating that the proposed tower complies with regulations by that agency or that the tower is exempt from those regulations.
4. All wetland impacts permitted by USACE.
Juanita Golden seconded the motion. The motion carried unanimously.

Alternatives
Recommended Alternative: Approve the Conditional Use Rezoning of .229 acres from AR-1 to B-2 for a monopole cell tower lease area, as recommend by the Planning Board with the following stipulations:

1. Meet the requirements of Article V – Telecommunications Regulations Ordinance.
2. Future site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
3. Written statements from the FAA, FCC, and any appropriate state review authority stating that the proposed tower complies with regulations by that agency or that the tower is exempt from those regulations.
4. All wetland impacts permitted by USACE.
Other Alternatives
Deny the request for Conditional Use Rezoning of .229 acres from AR-1 to B-2 for a monopole cell tower lease area at 291 Louburn Road.

Department Review
Petition reviewed by Teresa Concannon, Planner; Diane Proudfoot, Zoning Administrator and County Health Department

FUNDING: N/A
STATE OF GEORGIA
EFFINGHAM COUNTY

AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 376-9
AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 376-9

AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Effingham County Board of Commissioners in regular meeting assembled and pursuant to lawful authority thereof:

WHEREAS, COMMUNICATIONS TOWER GROUP, LLC have filed an application to rezone twenty three hundredths (.23) +/- acres; from AR-1 to B-2; map and parcel number 376-9, located in the 2nd commissioner district, and

WHEREAS, a public hearing was held on March 17, 2020 and notice of said hearing having been published in the Effingham County Herald on February 26, 2020; and

WHEREAS, a public hearing was held before the Effingham County Planning Board, notice of said hearing having been published in the Effingham County Herald on 2/5/2020; and

IT IS HEREBY ORDAINED THAT twenty three hundredths (.23) acres +/- acres; map and parcel number 376-9, located in the 2nd commissioner district is rezoned from AR-1 to B-2 with the following stipulations:

1. Meet the requirements of Article V – Telecommunications Regulations Ordinance.
2. Future site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
3. Written statements from the FAA, FCC, and any appropriate state review authority stating that the proposed tower complies with regulations by that agency or that the tower is exempt from those regulations.
4. All wetland impacts permitted by USACE.

All ordinances or part of ordinances in conflict herewith are hereby repealed.

This _____ day of ________________, 20____

BOARD OF COMMISSIONERS
EFFINGHAM COUNTY, GEORGIA

BY: ________________________________
   WESLEY M. CORBITT, CHAIRMAN

ATTEST: ________________________________
FIRST/SECOND READING: ______________

____________________________________
STEPHANIE D. JOHNSON
COUNTY CLERK
Staff Report

Subject: Rezoning (Second District)
Author: Diane Proudfoot, Zoning Administrator
Department: Development Services – Planning & Zoning
Meeting Date: March 17, 2020

Item Description: Mark Maier requests to rezone three parcels consisting of 10 acres, 5.00 acres, and 5.38 acres (total 20.38 acres), from AR-1 to AR-2, for future development of homesites. The parcels are located at Blue Jay Road and Otis Seckinger Road.

Map #415 Parcel #33, 33A, 33B

Summary Recommendation
Approve the requests to rezone three parcels consisting of 10 acres, 5 acres, and 5.38 acres from AR-1 to AR-2, with the following stipulations:

1. A Sketch Plan must be submitted for review, and conform to requirements of Appendix B – Subdivision Regulations, Article V-Plan and Plat Requirements, 5.1 Sketch Plan.
2. Development shall comply with the requirements of the AR-2 zoning district.
3. Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
4. All wetland impacts permitted by USACE.

Executive Summary
The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text. The Zoning districts are described in Appendix C, Article V-Uses Permitted in Districts. AR-1 requires a minimum lot size of 5 acres. AR-2 allows lots of one acre or more.

Background
At the Planning Board meeting, Peter Higgins made a motion to deny the request to rezone three parcels consisting of 10 acres, 5 acres and 5.38 acres from AR-1 to AR-2.
Juanita Golden seconded the motion and it passed with affirmative votes from members Burns, Golden and Higgins. Alan Zipperer recused himself, Brad Smith was not in attendance.

Alternatives
Recommended Alternative: Approval with the following stipulations:
1. A Sketch Plan must be submitted for review, and conform to requirements of Appendix B – Subdivision Regulations, Article V-Plan and Plat Requirements, 5.1 Sketch Plan.
2. Development shall comply with the requirements of the AR-2 zoning district.
3. Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
4. All wetland impacts permitted by USACE.

Other Alternatives
Deny the request to rezone three acres from AR-1 to AR-2 as recommended by Planning Board.

Department Review
Petition reviewed by Teresa Concannon, Planner; Diane Proudfoot, Zoning Administrator and County Health Department

FUNDING: N/A

Attachments:
1. Rezoning checklist
2. Rezoning application
3. Ownership certificate
4. Deed
5. Health Department letter
6. Informational lot sketches
7. Wetlands/Flood Map documents
8. Tax Aassessors plat
9. Aerial Photograph
ATTACHMENT A

EFFINGHAM COUNTY REZONING AMENDMENT FORMS

Applicant: Mark Maier DATE: 1/24/20

Applicant email address: markmaier@comcast.net Phone #: 912-661-1990

Property owner(s): Mary Jane Brinson email: mbrinson1@windstream.net

Telephone Number: 912-484-3010

Mailing Address: 337 Ralph Rahn Road, Rincon, GA 31326

Property location: Blue Jay Road and Otis Seckinger Road

Agent: Mark Maier Phone #: 912-661-1990

Agent email address: markmaier@comcast.net

Present zoning: AR-1

Proposed zoning: AR-2

Present land-use: Vacant Tract

Proposed land-use: 10 Lot Subdivision

Tax Map #: 04150033 / 04150033A00 / 04150033B00 Parcel #: Lot #: 

Total Acres: 20.38 Acres to be rezoned: 20.38

Lot characteristics: Level topography, rectangle shape tract

Water: Public Water Sewer: Public Sewer

Proposed access: We are asking for 10 driveways with the lots being over 190’ wide

Justification: Lot widths are almost double AR-2 requirements, and the lots across from Emerald Plantations, the lots on Chimney Road and others have similar layouts.

List the zoning of the other property in the vicinity of the property you wish to rezone:

North: R-1 (Staffordshire Sub) South: AR-1

East: AR-1 West: AR-1
1. Describe the current use of the property you wish to rezone.

   A vacant tract agricultural Tract

2. Does the property you wish to rezone have a reasonable economic use as it is currently zoned?

   No

3. Describe the use that you propose to make of the land after rezoning.

   To divide the tract in ten (10) lots, two (2) acres in size

4. Describe the uses of the other property in the vicinity of the property you wish to rezone?

   Staffordshire Subdivision is directly across the street, with Whiteship Farms

   adjacent being a vacant built out subdivision, other wooded tracts surround the subject
   property, there are also single family homes across the street.

5. Describe how your rezoning proposal will allow a use that is suitable in view of the uses and
   development of adjacent and nearby property?

   Our property will conform perfectly with Staffordshire subdivision and other single
   family homes being directly across the street.

6. Will the proposed zoning change result in a use of the property, which could cause an excessive or
   burdensome use of existing streets, transportation facilities, utilities, or schools?

   No
ATTACHMENT B

EFFINGHAM COUNTY OWNERSHIP CERTIFICATION

I, (we) the undersigned, do hereby certify that I (we) own the property affected by the proposed Amendment to the Effingham County Zoning Ordinance by virtue of a deed date July 5, 2003, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 993 page 207.

Owner’s signature

Owner’s signature

Owner’s signature
STATE OF GEORGIA

COUNTY OF SCREWEN

THIS INDENTURE, Made this 5th day of July, 2003, between CHARLES E. ZIPPERER and AUDREY F. ZIPPERER of the FIRST PART, and LAMAR E. ZIPPERER and MARY JANE Z. BRINSON of the SECOND PART.

WITNESSETH: That the Parties of the FIRST PART, for and in consideration of the natural love and affection which they have for their son and daughter, the Parties of the SECOND PART, does hereby give, grant, alien and convey unto the Parties of the SECOND PART, their heirs and assigns, all of the following described property, to wit:

All that certain tract or parcel of land situate, lying and being in the 9th G. M. District of Effingham County, Georgia, containing Sixty-seven and Twenty Hundredths (67.20) acres, more or less, and being known and designated as Parcel 2-A, as shown on the plat thereof hereinafter referred to. Said parcel of land being bounded on the northeast by Parcel 1, on the southeast by County Road Number 156 now or formerly known as Blanford Road; on the southwest by Parcel 3, as shown on said plat and on the northwest by lands now or formerly of Kessler.

Express reference is hereby made to a plat of said lands made by Charles F. Truett, R. L. S. Number 1928 dated February 16, 1983 and recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Cabinet "A", slide 378A for better determining the metes and bounds of said lands herein conveyed.

Said plat showing the 240 foot wide right-of-way of the Savannah Electric and Power Company easement running through said tract of land.

Subject, however, to the reservations and restrictions contained in that certain deed from William H. Zipperer and Bobby L. Zipperer to Charles E. Zipperer, dated January 21, 1997 and recorded in said Clerk's Office in Deed Book 429, page 159.

LESS AND EXCEPT: 3.72 acres, more or less, as described more fully in that certain deed from Mrs. Minnie N. Zipperer to Charles E. Zipperer, dated December 19, 1952 and recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Deed Book 108, page 553.
TO HAVE AND TO HOLD the above described lands together with all and singular the rights, members and appurtenances thereof belonging or in anywise appertaining unto the Parties of the SECOND PART, their heirs and assigns, in fee simple.

IN WITNESS WHEREOF, the said Parties of the FIRST PART have hereunto set their hand and affixed their seal the day and year first above written.

_____________________________
Charles E. Robinson

_____________________________
Audrey E. Robinson

Signed, sealed and delivered in the presence of:

_____________________________
Witness

Note: Public Notary Public, Austin County, Georgia
My Commission Expires March 21, 2021
February 5, 2020

Effingham County Zoning Board
Springfield, GA 31329

Re: Mark Maier
   Blue Jay Road and Otis Seckinger Road, Guyton, GA 31312
   Pin #415-33, 33A, 33B
   Total Acres: 20.38 Acres to be rezoned: 20.38

To Whom It May Concern:

The Effingham County Health Department, Division of Environmental Health has reviewed the request to rezone the above referenced tract of land from AR-1 to AR-2. This property will be serviced by Public Water and Sewer from Effingham County. Final approval is given to the above referenced tract of land.

If there are any questions, please do not hesitate to call.

Sincerely,

Darrell M. O'Neal, MPA
Environmental Health County Manager
Effingham County Health Department
DATE: APRIL 28, 2019
By: Warren E Poythress
Registered Land Surveyor No. 1953
Address: 991 Hunters Road
Sylvania, Georgia 30467
Cell Phone - 912-531-1453
Telephone: 912-857-3268
Equipment - Sokkia GRS2 - GPS
FINAL PLAT CLOSURE = 323766

SURVEYOR'S CERTIFICATION
As required by subsection(c) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps or statements hereon. Such approval or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

Warren E. Poythress, Registered Land Surveyor, No. 1953
March 17, 2020

APPLICATION FOR REZONING FROM AR-1 TO AR-2.
TOTAL AREA = 20.36 ACRES

BUILDING SETBACKS:
50' FRONT SETBACK
15' SIDE SETBACK (INTERIOR)
25' REAR SETBACK

SUBDIVISION SKETCH FOR
MARY JANE Z. BRINSON
LOCATED IN THE 9TH G.M.D.,
EFFINGHAM COUNTY, GEORGIA

THOMAS R. WILSON

February 24, 2020
PROPERTY SURVEY
FOR
MARY JANE Z. BRINSON
LOCATED IN THE 9TH G. M. D.,
EFFINGHAM COUNTY, GEORGIA

DATE: APRIL 28, 2019
By: Warren E. Poyntress
Registered Land Surveyor No. 1953
Address: 991 Hunters Road
Sylvania, Georgia 31437
Cell Phone – 912-531-1453
Telephone – 912-804-3388
Equipment – Sokkia GR52 - GPS
FINAL PLAT CLOSURE – 103766

SURVEYOR’S CERTIFICATION
As required by subsection(s) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land
surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval
certified, signatures, stamps or statements herein. Such approvals or affirmations should
be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as
to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat
complies with the minimum technical standards for property survey in Georgia as set forth in
the rules and regulations of the Georgia Board of Registration for Professional Engineers and
Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

Warren E. Poyntress, Registered Land Surveyor, No. 1953
Date

BUILDING SETBACKS:
50' FRONT SETBACK
15' SIDE SETBACK(INTERIOR)
25' REAR SETBACK

Parcels 1, 3 & 4 are to be
Served by Effingham County
water and Sewer.

APPROVED FOR RECORDING BY EFFINGHAM COUNTY
ZONING ADMINISTRATION.

Re: recording of Plat 28/605 to correct
circled parcel��bage.
Scanned to GIS.

Page 13 of 18
9.5 EFFINGHAM COUNTY REZONING CHECKLIST

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The Effingham County Planning Commission recommends:

<table>
<thead>
<tr>
<th>APPROVAL</th>
<th>DISAPPROVAL</th>
</tr>
</thead>
</table>

Of the rezoning request by applicant (Mark Maier - Map# 415-33, 33A &33 B) from **AR-1** to **AR-2** zoning.

Yes  No ?  1. Is this proposal inconsistent with the county’s master plan?

Yes  No ?  2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?

Yes  No ?  3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?

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Yes  No ?  8. Do other conditions affect the property so as to support a decision against the proposal?

Planning Board Meeting – February 24, 2020

2/23/2020
EFFINGHAM COUNTY REZONING CHECKLIST

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CHECK LIST:

The Effingham County Planning Commission recommends: ___ APPROVAL ___ DISAPPROVAL

Of the rezoning request by applicant (Mark Maier - Map# 415-33, 33A & 33 B) from AR-1 to AR-2 zoning.

__ Yes __ No ? 1. Is this proposal inconsistent with the county’s master plan?

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__ Yes __ No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

Planning Board Meeting – February 24, 2020

21/23/2020
9.5 EFFINGHAM COUNTY REZONING CHECKLIST

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL  D candido

Of the rezoning request by applicant (Mark Maier - Map# 415-33, 33A &33 B) from AR-1 to AR-2 zoning.

Yes  No 1. Is this proposal inconsistent with the county’s master plan?

Yes  No 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?

Yes  No 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?

Yes  No 4. Does the property which is proposed to be rezoned have a reasonable economic use under existing zoning?

Yes  No 5. Does the proposed change constitute “spot zoning” which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?

Yes  No 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?

Yes  No 7. Are nearby residents opposed to the proposed zoning change?

Yes  No 8. Do other conditions affect the property so as to support a decision against the proposal?

Planning Board Meeting – February 24, 2020

03/12/2020

Page 17 of 18
EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. The supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

After receiving all information presented as to each zoning proposal at any public hearing provided for in this Article, and prior to making any recommendation thereon, the Planning Board shall consider each of the eight questions contained in the following checklist in written form and forward a copy of the same to the Board of Commissioners together with any additional material deemed appropriate:

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL ________ DISAPPROVAL √

Of the rezoning request by applicant (Mark Maier - Map# 415-33, 33A & 33 B) from AR-1 to AR-2 zoning.

Yes □ No □ 1. Is this proposal inconsistent with the county’s master plan?

Yes □ No □ 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?

Yes □ No □ 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?

Yes □ No □ 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?

Yes □ No □ 5. Does the proposed change constitute “spot zoning” which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?

Yes □ No □ 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?

Yes □ No □ 7. Are nearby residents opposed to the proposed zoning change?

Yes □ No □ 8. Do other conditions affect the property so as to support a decision against the proposal?

Planning Board Meeting – February 24, 2020
Staff Report

Subject: Rezoning (Second District)  
2nd Reading Zoning Map Amendment

Author: Diane Proudfoot, Zoning Administrator
Department: Development Services – Planning & Zoning
Meeting Date: March 17, 2020

Item Description: Mark Maier requests to rezone three parcels consisting of 10 acres, 5.00 acres, and 5.38 acres (total 20.38 acres), from AR-1 to AR-2, for future development of homesites. The parcels are located at Blue Jay Road and Otis Seckinger Road. Map #415 Parcel #33, 33A, 33B

Summary Recommendation
Approve the requests to rezone three parcels consisting of 10 acres, 5 acres, and 5.38 acres from AR-1 to AR-2, with the following stipulations:

1. A Sketch Plan must be submitted for review, and conform to requirements of Appendix B – Subdivision Regulations, Article V-Plan and Plat Requirements, 5.1 Sketch Plan.
2. Development shall comply with the requirements of the AR-2 zoning district.
3. Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
4. All wetland impacts permitted by USACE.

Executive Summary
The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text. The Zoning districts are described in Appendix C, Article V-Uses Permitted in Districts. AR-1 requires a minimum lot size of 5 acres. AR-2 allows lots of one acre or more.

Background
At the Planning Board meeting, Peter Higgins made a motion to deny the request to rezone three parcels consisting of 10 acres, 5 acres and 5.38 acres from AR-1 to AR-2. Juanita Golden seconded the motion and it passed with affirmative votes from members Burns, Golden and Higgins. Alan Zipperer recused himself, Brad Smith was not in attendance.

Alternatives
Recommended Alternative: Approval with the following stipulations:

1. A Sketch Plan must be submitted for review, and conform to requirements of Appendix B – Subdivision Regulations, Article V-Plan and Plat Requirements, 5.1 Sketch Plan.
2. Development shall comply with the requirements of the AR-2 zoning district.
3. Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
4. All wetland impacts permitted by USACE.

Other Alternatives
Deny the request to rezone three acres from AR-1 to AR-2 as recommended by Planning Board.

Department Review
Petition reviewed by Teresa Concannon, Planner; Diane Proudfoot, Zoning Administrator and County Health Department

FUNDING: N/A
AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 
415-33, 33A, 33B
AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 
415-33, 33A, 33B

AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Effingham County Board of Commissioners in regular meeting assembled and pursuant to lawful 
authority thereof:

WHEREAS, LINDA HEIDT, have filed an application to rezone twenty and thirty-eight hundredths (20.38) +/- acres; from 
AR-1 to AR-2 for future home sites; map and parcel number 415-33, 33A, 33B, located in the 2nd commissioner district, and 
WHEREAS, a public hearing was held on March 17, 2020 and notice of said hearing having been published in the Effingham 
County Herald on February 26, 2020; and 
WHEREAS, a public hearing was held before the Effingham County Planning Board, notice of said hearing having been 
published in the Effingham County Herald on 2/5/2020; and 

IT IS HEREBY ORDAINED THAT twenty and thirty-eight hundredths (20.38) +/- acres; map and parcel number 415-33, 
33A, 33B, located in the 2nd commissioner district is rezoned from AR-1 to AR-2 for future home site with the following stipulations:

1. A Sketch Plan must be submitted for review, and conform to requirements of 
Appendix B – Subdivision Regulations, Article V-Plan and Plat Requirements, 5.1 Sketch Plan.
2. Development shall comply with the requirements of the AR-2 zoning district.
3. Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
4. All wetland impacts permitted by USACE.

All ordinances or part of ordinances in conflict herewith are hereby repealed.

This _____ day of ______________, 20___

BOARD OF COMMISSIONERS 
EFFINGHAM COUNTY, GEORGIA

BY: ______________________________
WESLEY CORBITT, CHAIRMAN

ATTEST: FIRST/SECOND READING: ______________

__________________________
STEPHANIE JOHNSON
COUNTY CLERK
Staff Report

Subject: Rezoning (Second District)
Author: Diane Proudfoot, Zoning Administrator
Department Development Services – Planning & Zoning
Meeting Date: March 17, 2020
Item Description: Heather Sandstrom DBA S & P Automotive Specialists requests to rezone .53 acres from B-2 to B-3 for a used automotive sales business at 6150 Hwy 21 South. Map #465 Parcel #15

Summary Recommendation
Approval with the following stipulations:
1. Site development plan must be submitted for review, and conform to requirements of Appendix E – Development Plan Ordinance, Section 3, Requirements for a Complete Application.
2. Must meet the requirements of the B-3 zoning district.
3. Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.

Executive Summary
The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text. Zoning district B-3-Highway Commercial permits automotive sales, service, and storage, wholesale operations, recreation facilities, medical facilities, multifamily housing, and guest accommodations (Section 5.11). Water and Sewer for this project will be served by the City of Rincon.

Background
At the Planning Board meeting, Alan Zipperer made a motion to approve the requests to rezone .53 acres from B-2 to B-3 for a used automotive sales business at 6150 Hwy 21 South. Juanita Golden seconded the motion. The motion carried unanimously.

Alternatives
Approval with the following stipulations:
1. Site development plan must be submitted for review, and conform to requirements of Appendix E – Development Plan Ordinance, Section 3, Requirements for a Complete Application.
2. Must meet the requirements of the B-3 zoning district.
3. Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.

Other Alternatives
Deny the request to rezone .53 acres from B-2 to B-3 for a used automotive sales business at 6150 Hwy 21.

Department Review
Petition reviewed by Teresa Concannon, Planner; Diane Proudfoot, Zoning Administrator and County Health Department

FUNDING: N/A

Attachments:
1. Rezoning checklist
2. Rezoning application
3. Ownership certificate
4. Deed
5. Health Department letter
6. Plat
7. Aerial photograph
ATTACHMENT A

EFFINGHAM COUNTY REZONING AMENDMENT FORMS

Applicant Heather N Sandstrom DBA S&P Automotive Specialists  DATE

Applicant email address heather@spauto.net Phone # 912-667-7263

Property owner(s) Sandlord LLC email heather@spauto.net

Telephone Number ( 912 ) 667-7263

Mailing Address 828 Old Eastleigh Court, Statesboro GA 30461

Property location 6150 HWY 21 South, Rincon GA 31326

Agent Phone #

Agent email address

Present zoning B-2

Proposed zoning B-3

Present land-use Auto Repair Shop

Proposed land-use Used Automotive Sales

Tax Map # Parcel # 04650015 Lot #

Total Acres .53 Acres to be rezoned .53

Lot characteristics Road front lot w/shared driveway

Water County Sewer County

Proposed access already in place

Justification

List the zoning of the other property in the vicinity of the property you wish to rezone:

North B-2 South B-2

East B-3/B-3 West B-2

1
1. Describe the current use of the property you wish to rezone.

   raw land

2. Does the property you wish to rezone have a reasonable economic use as it is currently zoned?

   NO

3. Describe the use that you propose to make of the land after rezoning.

   Used Car Sales. Mobile office. Completed landscaping

4. Describe the uses of the other property in the vicinity of the property you wish to rezone?

   Automotive Repair Shop, Car Wash, Gas Stations, Hotel, Oil Change Fac.

5. Describe how your rezoning proposal will allow a use that is suitable in view of the uses and development of adjacent and nearby property?

   Mostly Automotive Related Businesses

6. Will the proposed zoning change result in a use of the property, which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?

   No
ATTACHMENT B

EFFINGHAM COUNTY OWNERSHIP CERTIFICATION

I, (we) the undersigned, do hereby certify that I (we) own the property affected by the proposed Amendment to the Effingham County Zoning Ordinance by virtue of a deed date 5-30-2018, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2468 page 788-790.

Owner's signature

Owner's signature

Owner's signature
LIMITED
WARRANTY DEED

STATE OF GEORGIA

COUNTY OF EFFINGHAM

THIS INDENTURE made this 17th day of May, 2018, between W. Darrel Hutcherson, of the County of Effingham, State of Georgia; and James T. Roberts, Sr., aka James Toby Roberts, Sr., of the County of Bryan and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Sandlord, LLC, a Georgia limited liability company, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable considerations in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee.

All that certain lot, tract or parcel of land situate, lying and being in the 9th G.M. District, Effingham County, Georgia, being known as Lot 1A upon a map or plat entitled "Plat of division of Lot 1 of the James Royal Tract for Harvey Keiffer", dated October 6, 1993, prepared by Wilder Surveying & Mapping, recorded in Plat Cabinet A, page 206A, in the records of the Clerk of Superior Court of Effingham County, Georgia. Said Lot as shown on the aforesaid plat is bounded on the Northeast by the right of way of Georgia Highway 21 with a frontage of 125.0 feet; on the Southeast by Lot 1-B with a distance of 184.93 feet; on the Southwest by lands now or formerly of W. Darrel Hutcherson and James Toby Roberts, Sr. with a distance of 125.0 feet; and on the Northwest by lands now or formerly of Tom Jackson with a distance of 169.77 feet. For a more particular description reference is hereby made to the aforesaid plat, which is specifically incorporated herein and made a part hereof.

SUBJECT HOWEVER to the reservation of a non-exclusive easement for Ingress and egress serving Lot 1-B of said subdivision, having a constant width of 20.0 feet and being parallel to the southwestern right-of-way line of Georgia Highway 21. The purpose of this easement is to provide access from Georgia Highway 21 to Lot 21-B, said subdivision.

This being the same property conveyed by Warranty Deed from Barry Tran, Ty Ma, Nam Ma, and John Tran to James T. Roberts, Sr., W. Darrel Hutcherson, and Virginia L. Hutcherson, dated February 24, 1999, recorded in Deed Book 549, page 211; and by Gift Deed from Virginia L. Hutcherson to W. Darrel Hutcherson dated August 1, 2007, recorded in Deed Book 1660, page 431; aforesaid records.

PIN#: 04650-015-000

AND ALSO: All that certain lot, tract or parcel of land situate, lying and being in the 9th G.M. District, Effingham County, Georgia, and being more specifically described as follows: Commencing at the point which marks the Northwestern intersection of Goshen Road and Georgia Highway No. 21; running thence South 60 degrees 28' 40 seconds West along the Northern right-of-way line of Goshen Road a
distance of 276.63 feet to a point; running thence North 32 degrees 23 minutes 50 seconds West a distance of 330.42 feet to a point, said point marking the Point of Beginning; running thence South 60 degrees 28 minutes 40 seconds West a distance of 313.43 feet to a point; running thence North 29 degrees 31 minutes 20 seconds West a distance of 284.5 feet to a point; running thence North 0 degrees 28 minutes 40 seconds East a distance of 299.14 feet to a point; running thence South 32 degrees 23 minutes, 50 seconds East a distance of 284.86 feet to a point; said point marking the Point of Beginning. Said tract of land containing two (2.0) acres, more or less, and being more specifically shown on a plat prepared by Paul D. Wilder, R.L.S. #1559, dated March 11, 1977, recorded in Plat Book 10, Folio 129, in the Office of the Clerk of Superior Court of Effingham County, Georgia. For a more particular description, reference is hereby made to the aforesaid plat which is incorporated herewith and made a part hereof.

This being the same property conveyed by Warranty Deed from Ronald G. Moore to James W. Royal and W. Darrel Hutcheson dated August 25, 1981, recorded in Deed Book 201, page 723; and by Warranty Deed from James W. Royal to James toby Roberts, Sr., dated August 31, 1982, recorded in Deed Book 206, Page 723; aforesaid records.

PIN#: 04650-019-000

This Deed is given subject to all easements and restrictions of record.

TO HAVE AND TO HOLD the said tract or parcel of land, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee, forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons by, through and under the above named grantor.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

State of 

County of 

W. Darrel Hutcheson

Sworn to and subscribed before me this day of , 2018 by , personally known to me or proved to me on the basis of satisfactory evidence to be the person who appeared before me.

Notary Public
MY COMMISSION EXPIRES:
(APPLY NOTARY SEAL)

State of GA

County of BAYAN

Sworn to and subscribed before me this 1st day of May , 2018 by , personally known to me or proved to me on the basis of satisfactory evidence to be the person who appeared before me.

Witness

Notary Public
MY COMMISSION EXPIRES:
(APPLY NOTARY SEAL)
distance of 276.63 feet to a point; running thence North 32 degrees 23 minutes 50 seconds West a distance of 339.42 feet to a point, said point marking the Point of Beginning; running thence South 60 degrees 28 minutes 40 seconds West a distance of 313.43 feet to a point; running thence North 29 degrees 31 minutes 20 seconds West a distance of 284.5 feet to a point; running thence North 0 degrees 28 minutes 40 seconds East a distance of 299.14 feet to a point; running thence South 32 degrees 23 minutes, 50 seconds East a distance of 284.86 feet to a point; said point marking the Point of Beginning. Said tract of land containing two (2.0) acres, more or less, and being more specifically shown on a plat prepared by Paul D. Wilder, R.L.S. #1559, dated March 11, 1977, recorded in Plat Book 10, Folio 129, in the Office of the Clerk of Superior Court of Effingham County, Georgia. For a more particular description, reference is hereby made to the aforesaid plat which is incorporated herewith and made a part hereof.

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PIN#: 04650-019-000

This Deed is given subject to all easements and restrictions of record.

TO HAVE AND TO HOLD the said tract or parcel of land, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behalf of the said Grantee, forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons by, through and under the above named grantor.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

State of GA

County of EFFINGHAM

Sworn to and subscribed before me this 11th day of May, 2018 by W. Darrel Hutcheson, personally known to me or proved to me on the basis of satisfactory evidence to be the person who appeared before me.

Notary Public

MY COMMISSION EXPIRES: [AFFIX NOTARY SEAL]

W. Darrel Hutcheson

James T. Roberts, Sr. aka James Toby Roberts, Sr.

Sworn to and subscribed before me this 11th day of May, 2018 by James Toby Roberts, personally known to me or proved to me on the basis of satisfactory evidence to be the person who appeared before me.

Notary Public

MY COMMISSION EXPIRES: [AFFIX NOTARY SEAL]

Witness

03/12/2020
February 5, 2020

Effingham County Zoning Board
Springfield, GA 31329

Re: Heather N. Sandstrom
   6150 Hwy 21 South, Rincon, GA 31326
   Pin #465-15
   Total Acres: 0.53 Acres to be rezoned: 0.53

To Whom It May Concern:

The Effingham County Health Department, Division of Environmental Health has reviewed the request to rezone the above referenced tract of land from B-2 to B-3. This property will be serviced by Municipal Water and Sewer provided by the City of Rincon. Final approval is given to the above referenced tract of land.

If there are any questions, please do not hesitate to call.

Sincerely,

Darrell M. O’Neal, MPA
Environmental Health County Manager
Effingham County Health Department
EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. The supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

After receiving all information presented as to each zoning proposal at any public hearing provided for in this Article, and prior to making any recommendation thereon, the Planning Board shall consider each of the eight questions contained in the following checklist in written form and forward a copy of the same to the Board of Commissioners together with any additional material deemed appropriate:

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL______ DISAPPROVAL_____

Of the rezoning request by applicant (S&P Automotive Specialists - Map# 465-15) from B-2 to B-3 zoning.

Yes No? 1. Is this proposal inconsistent with the county’s master plan?

Yes No? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?

Yes No? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?

Yes No? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?

Yes No? 5. Does the proposed change constitute “spot zoning” which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?

Yes No? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?

Yes No? 7. Are nearby residents opposed to the proposed zoning change?

Yes No? 8. Do other conditions affect the property so as to support a decision against the proposal?

Planning Board Meeting – February 24, 2020
EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. The supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

After receiving all information presented as to each zoning proposal at any public hearing provided for in this Article, and prior to making any recommendation thereon, the Planning Board shall consider each of the eight questions contained in the following checklist in written form and forward a copy of the same to the Board of Commissioners together with any additional material deemed appropriate:

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL______ DISAPPROVAL______

Of the rezoning request by applicant (S&P Automotive Specialists - Map# 465-15) from B-2 to B-3 zoning.

Yes No ? 1. Is this proposal inconsistent with the county’s master plan?

Yes No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?

Yes No ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?

Yes No ? 4. Does the property which is proposed to be rezoned have a reasonable economic use under existing zoning?

Yes No ? 5. Does the proposed change constitute “spot zoning” which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?

Yes No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?

Yes No ? 7. Are nearby residents opposed to the proposed zoning change?

Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

Planning Board Meeting – February 24, 2020

Pett

2/23/2020
EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. The supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

After receiving all information presented as to each zoning proposal at any public hearing provided for in this Article, and prior to making any recommendation thereon, the Planning Board shall consider each of the eight questions contained in the following checklist in written form and forward a copy of the same to the Board of Commissioners together with any additional material deemed appropriate:

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL   DISAPPROVAL

Of the rezoning request by applicant (S&P Automotive Specialists - Map# 465-15) from B-2 to B-3 zoning.

Yes  No?  1. Is this proposal inconsistent with the county’s master plan?

Yes  No?  2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?

Yes  No?  3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?

Yes  No?  4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?

Yes  No?  5. Does the proposed change constitute “spot zoning” which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?

Yes  No?  6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?

Yes  No?  7. Are nearby residents opposed to the proposed zoning change?

Yes  No?  8. Do other conditions affect the property so as to support a decision against the proposal?
9.5 EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. The supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

After receiving all information presented as to each zoning proposal at any public hearing provided for in this Article, and prior to making any recommendation thereon, the Planning Board shall consider each of the eight questions contained in the following checklist in written form and forward a copy of the same to the Board of Commissioners together with any additional material deemed appropriate:

CHECK LIST:

The Effingham County Planning Commission recommends:

\[ \text{APPROVAL} \checkmark \quad \text{DISAPPROVAL} \]

Of the rezoning request by applicant (S&P Automotive Specialists - Map# 465-15) from \textbf{B-2} to \textbf{B-3} zoning.

Yes \quad No ? 1. Is this proposal inconsistent with the county’s master plan?

Yes \quad No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?

Yes \quad No ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?

Yes \quad No ? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?

Yes \quad No ? 5. Does the proposed change constitute “spot zoning” which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?

Yes \quad No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?

Yes \quad No ? 7. Are nearby residents opposed to the proposed zoning change?

Yes \quad No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

Planning Board Meeting – February 24, 2020

\[ \text{Signature} \]

2/23/2020
Staff Report

Subject: Rezoning (Second District)
2nd Reading Zoning Map Amendment
Author: Diane Proudfoot, Zoning Administrator
Department: Development Services – Planning & Zoning
Meeting Date: March 17, 2020
Item Description: Heather Sandstrom DBA S & P Automotive Specialists requests to rezone .53 acres from B-2 to B-3 for a used automotive sales business at 6150 Hwy 21 South. Map #465 Parcel #15

Summary Recommendation
Approval with the following stipulations:
1. Site development plan must be submitted for review, and conform to requirements of Appendix E – Development Plan Ordinance, Section 3, Requirements for a Complete Application.
2. Must meet the requirements of the B-3 zoning district.
3. Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.

Executive Summary
The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text. Zoning district B-3-Highway Commercial permits automotive sales, service, and storage, wholesale operations, recreation facilities, medical facilities, multifamily housing, and guest accommodations (Section 5.11). Water and Sewer for this project will be served by the City of Rincon.

Background
At the Planning Board meeting, Alan Zipperer made a motion to approve the requests to rezone .53 acres from B-2 to B-3 for a used automotive sales business at 6150 Hwy 21 South. Juanita Golden seconded the motion. The motion carried unanimously.

Alternatives
Approval with the following stipulations:
1. Site development plan must be submitted for review, and conform to requirements of Appendix E – Development Plan Ordinance, Section 3, Requirements for a Complete Application.
2. Must meet the requirements of the B-3 zoning district.
3. Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.

Other Alternatives
Deny the request to rezone .53 acres from B-2 to B-3 for a used automotive sales business at 6150 Hwy 21.

Department Review
Petition reviewed by Teresa Concannon, Planner; Diane Proudfoot, Zoning Administrator and County Health Department

FUNDING: N/A
AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 465-15
AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 465-15

AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Effingham County Board of Commissioners in regular meeting assembled and pursuant to lawful authority thereof:

WHEREAS, HEATHER SANDSTROM (S&P AUTOMOTIVE SPECIALISTS), have filed an application to rezone fifty-three hundredths (.53) +/- acres; from B-2 to B-3 for a used automotive sales business; map and parcel number 465-15, located in the 2nd commissioner district, and

WHEREAS, a public hearing was held on March 17, 2020 and notice of said hearing having been published in the Effingham County Herald on February 26, 2020; and

WHEREAS, a public hearing was held before the Effingham County Planning Board, notice of said hearing having been published in the Effingham County Herald on 2/5/2020; and

IT IS HEREBY ORDAINED THAT fifty-three hundredths (.53) +/- acres; map and parcel number 465-15, located in the 2nd commissioner district is rezoned from B-2 to B-3 for used automotive sales business with the following stipulations:

1. Site development plan must be submitted for review, and conform to requirements of Appendix E – Development Plan Ordinance, Section 3, Requirements for a Complete Application.
2. Must meet the requirements of the B-3 zoning district.
3. Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.

All ordinances or part of ordinances in conflict herewith are hereby repealed.

This _____ day of ______________________, 20____

BOARD OF COMMISSIONERS
EFFINGHAM COUNTY, GEORGIA

BY: ________________________________
WESLEY M. CORBITT, CHAIRMAN

ATTEST: ________________________________
FIRST/SECOND READING: ________________

___________________________
STEPHANIE D. JOHNSON
COUNTY CLERK
Staff Report

Subject: Variance (Second District)  
2nd Reading Zoning Map Amendment

Author: Diane Proudfoot, Zoning Administrator
Department: Development Services – Planning & Zoning
Meeting Date: March 17, 2020
Item Description: Chesterfield, LLC requests a variance from Section 3.38 Signs, Section 3.38.9 Freestanding Sign Size at the Georgia International Trade Center on Hwy 21 South.
Map #466 Parcel #8A04 & 8A02

Summary Recommendation
Approval with the following stipulations:

1. The sign must have 200 feet of street frontage.
2. The sign shall not encroach into the street right-of-way, or be within 25 feet of an established street intersection, or obstruct driver visibility.

Executive Summary
Pursuant to Appendix C-Zoning Ordinance, Article VII-Planning Board, Section 7.1.8, variances may only be granted if the following findings are made:

That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness, of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not to circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located; and

That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance, and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

The Sign Ordinance was adopted in 1997, and amended in 2006 (campaign signs), and 2009 (internally-lit billboards).

The maximum sign size allowed in any zoning district is 100 sf for multiple tenants.
The proposed sign is 190 sf on each side of the sign (total 380 sf).
The sign is going to be placed at the right of way, with no encroachment into the right of way, and meeting AASHTO sight line requirements for safety.

Background
At the Planning Board meeting, Alan Zipperer made a motion to approve the request for a variance from Section 3.38 Signs, Section 3.38.9 Freestanding Sign Size. Peter Higgins seconded the motion. The motion carried unanimously.

Alternatives
Recommended Alternative: Approval with the following stipulations:

1. The sign must have 200 feet of street frontage.
2. The sign shall not encroach into the street right-of-way, or be within 25 feet of an established street intersection, or obstruct driver visibility.

Other Alternatives
Deny the request for a variance from Section 3.38 Signs, Section 3.38.9 Freestanding Sign Size at the Georgia International Trade Center on Hwy 21 South.

Department Review
Petition reviewed by Teresa Concannon, Planner; Diane Proudfoot, Zoning Administrator and County Health Department

FUNDING: N/A
03/12/2020
AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.
466-8A02 & 8A04
AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.
466-8A02 & 8A04
AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Effingham County Board of Commissioners in regular meeting assembled and pursuant to lawful authority thereof:

WHEREAS, CHESTERFIELD, LLC, have filed an application for a variance from Section 3.38 Signs and Section 3.38.9 Freestanding sign size at Georgia International Trade Center; map and parcel number 466-8A02 & 8A04, located in the 2nd commissioner district, and
WHEREAS, a public hearing was held on March 17, 2020 and notice of said hearing having been published in the Effingham County Herald on February 26, 2020; and
WHEREAS, a public hearing was held before the Effingham County Planning Board, notice of said hearing having been published in the Effingham County Herald on 2/5/2020; and

IT IS HEREBY ORDAINED THAT a variance from Section 3.38 Signs and Section 3.38.9 Freestanding sign size at Georgia International Trade Center; map and parcel number 466-8A02 & 8A04, located in the 2nd commissioner district is approved.

All ordinances or part of ordinances in conflict herewith are hereby repealed.

This _____ day of _____________, 20___

BOARD OF COMMISSIONERS
EFFINGHAM COUNTY, GEORGIA

BY: ________________________________________________________
WESLEY M. CORBITT, CHAIRMAN

ATTEST: _____________________________________________________
FIRST/SECOND READING: ____________________

____________________________
STEPHANIE D. JOHNSON
COUNTY CLERK
Staff Report

Subject:  Variance (Second District)
2nd Reading Zoning Map Amendment

Author:  Diane Proudfoot, Zoning Administrator

Department:  Development Services – Planning & Zoning

Meeting Date:  March 17, 2020

Item Description:  Chesterfield, LLC requests a variance from Section 3.38 Signs, Section 3.38.9 Freestanding Sign Size at the Georgia International Trade Center on Hwy 21 South.

Map #466 Parcel #8A04 & 8A02

Summary Recommendation
Approval with the following stipulations:
1. The sign must have 200 feet of street frontage.
2. The sign shall not encroach into the street right-of-way, or be within 25 feet of an established street intersection, or obstruct driver visibility.

Executive Summary
Pursuant to Appendix C-Zoning Ordinance, Article VII-Planning Board, Section 7.1.8, variances may only be granted if the following findings are made:

That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness, of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not to circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located; and

That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance, and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

The Sign Ordinance was adopted in 1997, and amended in 2006 (campaign signs), and 2009 (internally-lit billboards).
The maximum sign size allowed in any zoning district is 100 sf for multiple tenants.
The proposed sign is 190 sf on each side of the sign (total 380 sf).
The sign is going to be placed at the right of way, with no encroachment into the right of way, and meeting AASHTO sight line requirements for safety.

Background
At the Planning Board meeting, Alan Zipperer made a motion to approve the request for a variance from Section 3.38 Signs, Section 3.38.9 Freestanding Sign Size. Peter Higgins seconded the motion. The motion carried unanimously.

Alternatives
Recommended Alternative:  Approval with the following stipulations:
1. The sign must have 200 feet of street frontage.
2. The sign shall not encroach into the street right-of-way, or be within 25 feet of an established street intersection, or obstruct driver visibility.

Other Alternatives
Deny the request for a variance from Section 3.38 Signs, Section 3.38.9 Freestanding Sign Size at the Georgia International Trade Center on Hwy 21 South.

Department Review
Petition reviewed by Teresa Concannon, Planner; Diane Proudfoot, Zoning Administrator and County Health Department

FUNDING: N/A
03/12/2020
AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 466-8A02 & 8A04
AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 466-8A02 & 8A04
AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Effingham County Board of Commissioners in regular meeting assembled and pursuant to lawful authority thereof:

WHEREAS, CHESTERFIELD, LLC, have filed an application for a variance from Section 3.38 Signs and Section 3.38.9 Freestanding sign size at Georgia International Trade Center; map and parcel number 466-8A02 & 8A04, located in the 2nd commissioner district, and

WHEREAS, a public hearing was held on March 17, 2020 and notice of said hearing having been published in the Effingham County Herald on February 26, 2020; and

WHEREAS, a public hearing was held before the Effingham County Planning Board, notice of said hearing having been published in the Effingham County Herald on 2/5/2020; and

IT IS HEREBY ORDAINED THAT a variance from Section 3.38 Signs and Section 3.38.9 Freestanding sign size at Georgia International Trade Center; map and parcel number 466-8A02 & 8A04, located in the 2nd commissioner district is approved.

All ordinances or part of ordinances in conflict herewith are hereby repealed.

This _____ day of ________________, 20___

BOARD OF COMMISSIONERS
EFFINGHAM COUNTY, GEORGIA

BY:

WESLEY M. CORBITT, CHAIRMAN

ATTEST:

FIRST/SECOND READING: __________________

STEPHANIE D. JOHNSON
COUNTY CLERK
Staff Report

Subject: Rezoning (Fourth District)
Author: Diane Proudfoot, Zoning Administrator
Department: Development Services – Planning & Zoning
Meeting Date: March 17, 2020
Item Description: Darrell Carter requests to rezone 2.23 acres from AR-1 to AR-2 to allow the parcel to be split for future residential lot located at 611 Log Landing Road.
Map # 428 Parcel # 5

Summary Recommendation
Approval with the following stipulations:
1. The lot must meet the requirements of the AR-2 zoning district, including setbacks.
2. Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
3. All wetland impacts permitted by USACE.
4. Subdivision plat must be approved by the Health Department and the Zoning Administrator.

Executive Summary
The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text, Section 9. Zoning districts are described in Appendix C, Article V-Uses Permitted in Districts. AR-1 requires a minimum lot size of 5 acres. AR-2 allows lots of one acre or more. The applicant wishes to subdivide 2-acres for a residential dwelling and therefore must rezone the parcel to AR-2.

Background
At the Planning Board meeting, Peter Higgins made a motion to approve the request to rezone 2.23 acres from A-1 to AR-2 to allow the parcel to be split for future residential lot at 611 Log Landing Road. Juanita Golden seconded the motion. The motion carried unanimously.

Alternatives
Recommended Alternative: Approval with the following stipulations:
1. The lot must meet the requirements of the AR-2 zoning district, including setbacks.
2. Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
3. All wetland impacts permitted by USACE.
4. Subdivision plat must be approved by the Health Department and the Zoning Administrator.

Other Alternatives
Deny the request to rezone 2.23 acres from A-1 to AR-2 to allow the parcel to be split for future residential lot at 611 Log Landing Road.

Department Review
Petition reviewed by Teresa Concannon, Planner; Diane Proudfoot, Zoning Administrator and County Health Department.

FUNDING: N/A

Attachments:
1. Rezoning checklist
2. Rezoning application
3. Ownership certificate
4. Deed
5. Plat
6. Health Department letter
7. Aerial photograph
ATTACHMENT A

EFFINGHAM COUNTY REZONING AMENDMENT FORMS

Applicant: Darrell J. Carter
DATE: 1/24/20

Applicant email address: djcarter1682@gmail.com
Phone #: 912-247-6812

Property owner(s) email: djcarter1682@gmail.com

Telephone Number: 

Mailing Address: 611 Log Landing Rd, Springfield

Property location: Same

Agent: 
Phone #: 

Agent email address: 

Present zoning: AR-1

Proposed zoning: AR-2

Present land-use: Residential

Proposed land-use: Residential

Tax Map #: 428
Parcel #: 5
Lot #: 
Total Acres: 2.23
Acres to be rezoned: 2.23

Lot characteristics:

Water: Private
Sewer: Private (septic tank)

Proposed access: Log Landing Estates

Justification:

List the zoning of the other property in the vicinity of the property you wish to rezone:

North: AR-1
South: AR-1

East: AR-1
West: AR-1

03/12/2020
1. Describe the current use of the property you wish to rezone.

I live on it.

2. Does the property you wish to rezone have a reasonable economic use as it is currently zoned?

Yes

3. Describe the use that you propose to make of the land after rezoning.

Provide (2) lots for residential

4. Describe the uses of the other property in the vicinity of the property you wish to rezone?

All residential. All the neighbors live in mobile homes.

5. Describe how your rezoning proposal will allow a use that is suitable in view of the uses and development of adjacent and nearby property?

If they choose to build another, it would be better. If not, it would match neighbors.

6. Will the proposed zoning change result in a use of the property, which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?

No
ATTACHMENT B

EFFINGHAM COUNTY OWNERSHIP CERTIFICATION

I, (we) the undersigned, do hereby certify that I (we) own the property affected by the proposed Amendment to the Effingham County Zoning Ordinance by virtue of a deed date ______________________, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book _____________ page _____________.

Owner’s signature

Owner’s signature

Owner’s signature
RETURN TO:
REDDICK & EXLEY
ATTORNEYS AT LAW
P. O. BOX 385
SPRINGFIELD, GA. 31339

STATE OF GEORGIA

COUNTY OF EFFINGHAM

PB Presentment 09
March 17, 2020

THIS INDEBTURE, Made the 14th day of January, 2020, between C. KELLTON CALHOUN and DEBRA P. CALHOUN of the FIRST PART, and DARRELL JACK CARTER of the SECOND PART,

WITNESSETH: FIRST PARTIES, for and in consideration of the sum of Ten and no/100 ($10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, do hereby grant, bargain, sell and convey unto SECOND PARTY, his heirs and assigns, the following described property, to wit:

ALL that certain tract or parcel of land situate, lying and being in the 11th G. M. District of Effingham County, Georgia, containing Two and Twenty-Three Hundredths (2.23) acres, more or less, as shown on the plat thereof hereinafter referred to. Said parcel of land being bounded on the North by the 60-foot wide right-of-way of Log Landing Drive; on the East by the 60-foot wide right-of-way of Log Landing Road; on the South by lands now or formerly of Christi and Randall Wood and by lands now or formerly of Thomas J. and W. Bragg, Jr; and on the West by Lot One (1).

Express reference is hereby made to the plat of said lands made by Harold R. Johnson, R.L.S. #1137, dated October 12, 2004 and recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Book 28, Page 500 for better determining the metes and bounds of said lands herein conveyed.

This being the same property conveyed by Martha H. Hill to C. Kelton Calhoun and Debra P. Calhoun dated September 10, 2004 and recorded in said Clerk's Office in Deed Book 1170, Page 37.

SUBJECT, to the easement to Savannah Electric and Power Company recorded in Deed Book 688, Page 414.

SUBJECT, to restrictive covenants and easements of record.

TO HAVE AND TO HOLD said property, together with all and singular the rights, members, hereditaments, improvements, easements, and appurtenances thereto belonging or in any wise appertaining unto SECOND PARTY, his heirs and assigns, FOREVER IN FEESIMPLE with Full WARRANTY OF TITLE to said property against the claims of all persons whosoever.

IN WITNESS WHEREOF, FIRST PARTIES have hereunto set their hands and affixed their seals and delivered these presents, the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
C. KELTON CALHOUN (SEAL)

[Signature]
DEBRA P. CALHOUN (SEAL)

[Signature]
LINDSAY P. BROWN
Unofficial Witness

[Signature]
[Seal]
Notary Public - Effingham County

03/12/2020
Page 5 of 13
SALES CONTRACT

January 30, 2023

The undersigned SELLERS agree to sell, and the undersigned PURCHASER agrees to buy through NO AGENT,

ALL that certain tract or parcel of land situate, lying and being in the 119 G.M. District of Effingham County, Georgia, containing Two and Twenty-Three Hundredths (2.23) acres, more or less, as shown on the plat thereof heretofore referred to. Said parcel of land being bounded on the North by the 60-foot wide right-of-way of Log Landing Drive; on the East by the 80-foot wide right-of-way of Log Landing Road; on the South by lands now or formerly of Christi and Randall Wood and by lands now or formerly of Thomas J. and W. Bragg, Jr. and on the West by Lot One (1).

Express reference is hereby made to the plat of said lands made by Harold R. Johnson, R.L.S. #1137, dated October 12, 2004 and recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Book 28, Page 600 for better determining the metes and bounds of said lands herein conveyed.

This being the same property conveyed by Martha H. Hill to C. Kelton Calhoun and Debra P. Calhoun dated September 10, 2004 and recorded in said Clerk’s Office in Deed Book 1170, Page 37.

SUBJECT, to the easement to Savannah Electric and Power Company recorded in Deed Book 688, Page 414.

SUBJECT, to restrictive covenants and easements of record.

including all lighting fixtures attached thereto and all plumbing and other stationary equipment, also all trees and shrubbery.

The purchase price of said property shall be $121,000.00 Dollars, to be paid as follows:

CASH AT CLOSING

Title to the aforesaid property is to be conveyed by Seller to Purchaser by general warranty deed. Taxes, water, insurance premiums and water rent are to be prorated as of the date of the consummation of this sale.

The sale is to be consummated within 45 days of the date of acceptance of this offer by Seller or Purchaser who last executes this contract, during which time Purchaser shall have the opportunity of having the title examined; it being expressly understood and agreed between the parties hereto that time is of the essence of this contract. Should any legal defect be found in the title, Seller shall be furnished with a written statement thereof within said period of 45 days from this date, and given a reasonable time thereafter within which to correct the same, however, in no event to exceed ninety days from the effective date of this Sales Contract.

Purchaser has paid to Seller, $10,800.00 Dollars, as earnest money (was for rent-to-own), to be applied as part payment on the purchase price of said property; if the sale is not consummated due to Purchaser’s default, the earnest money shall be applied to agent’s commission hereunder and agent shall pay the balance, if any, to Seller to be applied toward Seller’s damages caused by purchaser’s default, in the event the sale is not consummated for reason other than the default of Purchaser the earnest money is to be refunded to Purchaser.

Should the aforesaid property be improved and such improvements be wholly destroyed by fire or other elements before sale is consummated, the loss shall fall on the Seller. If such loss is partial, then at the option of the purchaser, the Seller shall repair or restore the premises to their former condition or the Purchaser shall be allowed to deduct from the agreed purchase price the amount necessary to repair or restore the premises to the condition of the same prior to the casualty. If the parties are unable to agree as to the amount necessary to repair or restore the property to its former condition; in the event of either a total or partial loss, then each party shall name one appraiser and the two appraisers shall name an umpire and the decision of the majority shall determine the amount to be deducted from the purchase price, which decision and award shall have the force and effect of a statutory award as provided by the law of Georgia.

The contract constitutes the entire agreement between the parties.

The following special stipulation shall, if any conflict with the printed matter, control:

SPECIAL STIPULATIONS:

Purchaser has already paid $10,800.00 toward the sales price as rent-to-own with Seller.

Reddick & Exley, Attorneys at Law will be the closing attorneys.

PROPERTY IS BEING SOLD IN 'AS IS' CONDITION.

This instrument shall be regarded as an offer by the Seller or Purchaser who first executes the same, to the other, and is open for acceptance by the other until noon on the 30th Day of January, 2020, by which time this instrument must have been accepted and executed by both seller and purchaser.

C. KELTON CALHOUN—SELLER

Debra P. Calhoun—SELLER

03/12/2020
February 5, 2020

Effingham County Zoning Board
Springfield, GA 31329

Re: Darrell J. Carter
611 Log Landing Road, Springfield 31329
Pin #428-5
Total Acres: 2.23  Acres to be rezoned: 2.23

To Whom It May Concern:

The Effingham County Health Department, Division of Environmental Health has reviewed the request to rezone the above referenced tract of land from AR-1 to AR-2. Preliminary approval is given to the above referenced tract of land with the following requirements:

1. Level III soils overlay on the Final plat with Soil Suitability Description

If there are any questions, please do not hesitate to call.

Sincerely,

[Signature]

Darrell M. O’Neal, MPA
Environmental Health County Manager
Effingham County Health Department
SURVEY OF 2.23 AC. LOCATED IN THE 11TH G.M. DISTRICT
OF EFFINGHAM COUNTY, GEORGIA

BK:28 PG:600-600
P2019000135

FILED IN OFFICE
CLERK OF COURT
07/01/2019 02:15 PM
ELIZABETH Z. HURSEY, CLERK
SUPERIOR COURT
EFFINGHAM COUNTY, GA

N/F
THOMAS J. & W. BRAGG JR.

THE DATA UPON WHICH THIS SURVEY WAS BASED HAS A FIELD
PRECISION ERROR OF ONE IN 25,000 FEET HAVING ANGULAR
ERROR OF 6 SEC/ANGLE POINT AND WAS ADJUSTED USING
CRANDALL METHOD.

IN MY OPINION THIS PLAT IS A TRUE AND CORRECT
REPRESENTATION OF THE LAND PLATTED AND HAS BEEN
PREPARED IN CONFORMITY WITH THE MINIMUM

Pursuant to O.C.G.A. Section 18-6-97
I certify that this plat does not require
approval of the Effingham County Planning
Commission.

Page 8 of 13

SURVEY FOR:
9.5 EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. The supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

After receiving all information presented as to each zoning proposal at any public hearing provided for in this Article, and prior to making any recommendation thereon, the Planning Board shall consider each of the eight questions contained in the following checklist in written form and forward a copy of the same to the Board of Commissioners together with any additional material deemed appropriate:

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL_______ DISAPPROVAL_______

Of the rezoning request by applicant (Darrell J. Carter - Map# 428-5) from AR-1 to AR-2 zoning.

Yes  No? 1. Is this proposal inconsistent with the county's master plan?

Yes  No? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?

Yes  No? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?

Yes  No? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?

Yes  No? 5. Does the proposed change constitute "spot zoning" which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?

Yes  No? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?

Yes  No? 7. Are nearby residents opposed to the proposed zoning change?

Yes  No? 8. Do other conditions affect the property so as to support a decision against the proposal?

Planning Board Meeting – February 24, 2020

03/12/2020

Page 10 of 13
EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. The supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

After receiving all information presented as to each zoning proposal at any public hearing provided for in this Article, and prior to making any recommendation thereon, the Planning Board shall consider each of the eight questions contained in the following checklist in written form and forward a copy of the same to the Board of Commissioners together with any additional material deemed appropriate:

CHECK LIST:

The Effingham County Planning Commission recommends:

\[\text{APPROVAL} \quad \text{DISAPPROVAL}\]

Of the rezoning request by applicant (Darrell J. Carter - Map# 428-5) from AR-1 to AR-2 zoning.

Yes  No ?  1. Is this proposal inconsistent with the county's master plan?

Yes  No ?  2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?

Yes  No ?  3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?

Yes  No ?  4. Does the property which is proposed to be rezoned have a reasonable economic use under existing zoning?

Yes  No ?  5. Does the proposed change constitute "spot zoning" which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?

Yes  No ?  6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?

Yes  No ?  7. Are nearby residents opposed to the proposed zoning change?

Yes  No ?  8. Do other conditions affect the property so as to support a decision against the proposal?

Planning Board Meeting – February 24, 2020

[Signature]
EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. The supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

After receiving all information presented as to each zoning proposal at any public hearing provided for in this Article, and prior to making any recommendation thereon, the Planning Board shall consider each of the eight questions contained in the following checklist in written form and forward a copy of the same to the Board of Commissioners together with any additional material deemed appropriate:

CHECK LIST:

The Effingham County Planning Commission recommends:

[ ] APPROVAL  [ ] DISAPPROVAL

Of the rezoning request by applicant (Darrell J. Carter - Map# 428-5) from AR-1 to AR-2 zoning.

Yes [ ] 1. Is this proposal inconsistent with the county’s master plan?

Yes [ ] 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?

Yes [ ] 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?

Yes [ ] 4. Does the property which is proposed to be rezoned have a reasonable economic use under existing zoning?

Yes [ ] 5. Does the proposed change constitute “spot zoning” which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?

Yes [ ] 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?

Yes [ ] 7. Are nearby residents opposed to the proposed zoning change?

Yes [ ] 8. Do other conditions affect the property so as to support a decision against the proposal?

Planning Board Meeting – February 24, 2020
EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. The supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

After receiving all information presented as to each zoning proposal at any public hearing provided for in this Article, and prior to making any recommendation thereon, the Planning Board shall consider each of the eight questions contained in the following checklist in written form and forward a copy of the same to the Board of Commissioners together with any additional material deemed appropriate:

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL ✓ DISAPPROVAL

Of the rezoning request by applicant (Darrell J. Carter - Map# 428-5) from AR-1 to AR-2 zoning.

Yes ⌒ No ⌒ 1. Is this proposal inconsistent with the county's master plan?

Yes ⌒ No ⌒ 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?

Yes ⌒ No ⌒ 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?

Yes ⌒ No ⌒ 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?

Yes ⌒ No ⌒ 5. Does the proposed change constitute “spot zoning” which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?

Yes ⌒ No ⌒ 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?

Yes ⌒ No ⌒ 7. Are nearby residents opposed to the proposed zoning change?

Yes ⌒ No ⌒ 8. Do other conditions affect the property so as to support a decision against the proposal?

Planning Board Meeting – February 24, 2020
Staff Report

Subject: Rezoning (Fourth District)  
2nd Reading Zoning Map Amendment

Author: Diane Proudfoot, Zoning Administrator
Department: Development Services – Planning & Zoning
Meeting Date: March 17, 2020

Item Description
Darrell Carter requests to rezone 2.23 acres from AR-1 to AR-2 to allow the parcel to be split for future residential lot located at 611 Log Landing Road.  
Map # 428 Parcel # 5

Summary Recommendation
Approval with the following stipulations:
1. The lot must meet the requirements of the AR-2 zoning district, including setbacks.
2. Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
3. All wetland impacts permitted by USACE.
4. Subdivision plat must be approved by the Health Department and the Zoning Administrator.

Executive Summary
The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text, Section 9. Zoning districts are described in Appendix C, Article V-Uses Permitted in Districts. AR-1 requires a minimum lot size of 5 acres. AR-2 allows lots of one acre or more. The applicant wishes to subdivide 2-acres for a residential dwelling and therefore must rezone the parcel to AR-2.

Background
At the Planning Board meeting, Peter Higgins made a motion to approve the request to rezone 2.23 acres from A-1 to AR-2 to allow the parcel to be split for future residential lot at 611 Log Landing Road. Juanita Golden seconded the motion. The motion carried unanimously.

Alternatives
Recommended Alternative: Approval with the following stipulations:
1. The lot must meet the requirements of the AR-2 zoning district, including setbacks.
2. Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
3. All wetland impacts permitted by USACE.
4. Subdivision plat must be approved by the Health Department and the Zoning Administrator.

Other Alternatives
Deny the request to rezone 2.23 acres from A-1 to AR-2 to allow the parcel to be split for future residential lot at 611 Log Landing Road.

Department Review
Petition reviewed by Teresa Concannon, Planner; Diane Proudfoot, Zoning Administrator and County Health Department.

FUNDING: N/A
STATE OF GEORGIA  
EFFINGHAM COUNTY

AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 428-5  
AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 428-5  
AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Effingham County Board of Commissioners in regular meeting assembled and pursuant to lawful authority thereof:

WHEREAS, DARRELL CARTER, have filed an application to rezone two and twenty-three hundredths (2.23) +/- acres; from AR-1 to AR-2 for future home sites; map and parcel number 428-5, located in the 4th commissioner district, and

WHEREAS, a public hearing was held on March 17, 2020 and notice of said hearing having been published in the Effingham County Herald on February 26, 2020; and

WHEREAS, a public hearing was held before the Effingham County Planning Board, notice of said hearing having been published in the Effingham County Herald on 2/5/2020; and

IT IS HEREBY ORDAINED THAT two and twenty-three hundredths (2.23) +/- acres; map and parcel number 428-5, located in the 4th commissioner district is rezoned from AR-1 to AR-2 for future home sites with the following stipulations:

1. The lot must meet the requirements of the AR-2 zoning district, including setbacks.
2. Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
3. All wetland impacts permitted by USACE.
4. Subdivision plat must be approved by the Health Department and the Zoning Administrator.

All ordinances or part of ordinances in conflict herewith are hereby repealed.

This _____ day of ________________, 20___

BOARD OF COMMISSIONERS
EFFINGHAM COUNTY, GEORGIA

BY: _______________________________ __
    WESLEY M. CORBITT, CHAIRMAN

ATTEST: ____________________________
    FIRST/SECOND READING: ____________

______________________
STEPHANIE D. JOHNSON
COUNTY CLERK
Staff Report

Subject: Variance (Fourth District)  
Author: Diane Proudfoot, Zoning Administrator  
Department: Development Services – Planning & Zoning  
Meeting Date: March 17, 2020  
Item Description: Randall & Michelle Ledet requests a 20’ variance from the established 35’ rear setback at 185 Cubbedge Dr. in Ramsey Landing.  
Map # 445C Parcel # 93

Summary Recommendation
Denial, a variance is not warranted as the approved development plan enables reasonable use of the property and is suitable to accommodate a structure.

Executive Summary
The request for a variance refers to Appendix C-Zoning Ordinance, Article VII.-Planning Board, Section 7.1.8 of the Code of Ordinances, which allows the Planning Board to recommend approval of variances in cases of hardship:

That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness, of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not to circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located, and that because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance, and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

Based on the required setbacks there would be approximately 101’ x 130’ of building area.

Background
At the Planning Board meeting, Alan Zipperer made a motion to approve a 20’ variance from the established 35’ rear setback at 185 Cubbedge Dr. in Ramsey Landing. Peter Higgins seconded the motion. The motion carried unanimously.

Alternatives
Recommended Alternative: Denial, a variance is not warranted as the approved development plan enables reasonable use of the property and is suitable to accommodate a structure.

Other Alternatives
Approve a 20’ variance from the established 35’ rear setback at 185 Cubbedge Dr. in Ramsey Landing.

Department Review
Petition reviewed by Teresa Concannon, Planner; Diane Proudfoot, Zoning Administrator and County Health Department

FUNDING: N/A

Attachments:
1. Variance application  
2. Ownership certificate  
3. Deed  
4. Subdivision lot layout  
5. Site plan of home  
6. Email  
7. Aerial photo
EFFINGHAM COUNTY
APPLICATION FOR A VARIANCE OR CONDITIONAL USE

DATE 01/29/2020

APPLICANT/AGENT NAME: Randal J & Michelle G Ledet

APPLICANT/AGENT EMAIL: rjmgl619@comcast.net

APPLICANT/AGENT PHONE #: 912-295-5020

PROPERTY OWNER(s): Randal J & Michelle G Ledet

PROPERTY OWNER PHONE #: 912-295-5020

MAILING ADDRESS
121 Mill Creek Dr, Rincon GA 31326

PROPERTY OWNER
Randal J & Michelle G Ledet

PROPERTY LOCATION
Lot # 93 / 185 Cubedge, Rincon GA 31326

PHONE # Same as above
EMAIL ADDRESS: Same as above

MAP #: Plat Phase I, Sheet 5 of 9
PARCEL #: Lot 93

ZONING: R 1
ACREAGE: 0.68 ac

NAME OF DEVELOPMENT (IF APPLICABLE)
Ramsey Landing

SECTION NUMBER(S) OF THE ORDINANCE FROM WHICH A VARIANCE/CONDITIONAL USE IS REQUESTED

DESCRIBE THE REQUESTED VARIANCE OR CONDITIONAL USE
Relief from the mandated 35’ easement / setback to 15’.

EXPLAIN WHY THE VARIANCE OR CONDITIONAL USE IS BEING REQUESTED
Documents provided at time of closing, by Joffey Land Inc representative was incorrect, showing 15’ easement around entire lot perimeter. Plans were designed to that value. Several footprint options were provided to Joffey; however, current plans were the only ones that Joffey would approve. Funds have already been used for the current plans and if a variance is not granted, more funds would have to be used for re-design or worse, the house will not be able to be built. Additionally, the 50’ front setback also adds to the hindrance of the placement of the main structure and overall combination of both structures placed with an architectural balance. Joffey’s covenants restricts garage doors from facing any street, which also influenced the final design.

THE FOLLOWING ITEMS MUST BE SUBMITTED AT TIME OF APPLICATION:

☑ A COPY OF THE SITE PLAN THAT CLEARLY ILLUSTRATES THE REQUESTED VARIANCE OR CONDITIONAL USE IN RELATION TO
THE AFFECTED SITE AND TO SURROUNDING PARCELS AND USES. A REPRODUCABLE COPY OF THIS PLAN, NO LARGER THAN 11” x 17”, MUST BE SUBMITTED.

☐ OWNERSHIP CERTIFICATE

☐ FILING FEE - $200.00

☐ IF DESIRED, ADDITIONAL NARRATIVE THAT EXPLAINS HOW AND WHY THE REQUESTED VARIANCE OR CONDITIONAL USE MEETS THE CRITERIA OF SECTION 7.1.8 & 7.1.6 OF THE EFFINGHAM COUNTY ZONING ORDINANCE.

SIGNATURE _______________________________ DATE ________/_______/______

***Please include a copy of the plat identifying existing structures and imply future structures***

******************************************************************************
OFFICIAL USE ONLY

DATE RECEIVED _______________ TIME ____________________
ACCEPTED BY _______________ TRACKING NUMBER ____________
DATE APPROVED BY COUNTY COMMISSIONERS ____________
ATTACHMENT B

EFFINGHAM COUNTY OWNERSHIP CERTIFICATION

I, (we) the undersigned, do hereby certify that I (we) the property affected by the proposed Amendment to the Effingham County Zoning Ordinance by virtue of a deed date

March 30, 2017 on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2398 page 79-83.
After Recording Return to:
Carellas Law Firm
440 Silverwood Centre Drive
Rincon, Georgia 31326
File # 0073-17
STATE OF GEORGIA
COUNTY OF EFFINGHAM

LIMITED WARRANTY DEED

THIS LIMITED WARRANTY DEED is made this 23rd day of March, 2017, between RAMSEY LANDING SOFIV, LLC, a Georgia limited liability company, as party of the first part (hereinafter “Grantor”), and RANDAL J. LEDET and MICHELLE G. LEDET, as party of the second part (hereinafter “Grantees”).

WITNESSETH:

GRANTOR, for and in consideration of the sum of Ten and No/100 Dollars ($10.00) and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto Grantees, as joint tenants with right of survivorship, and not as tenants in common, all that tract or parcel of land described on Exhibit A attached hereto and made a part hereof (the “Property”).

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the only proper use, benefit and behoof of GRANTEES, as joint tenants with right of survivorship, and not as tenants in common.
And GRANTOR, for itself, its successors and assigns, will warrant and forever defend the right and title to the above described property unto GRANTEES, as joint tenants with right of survivorship, and not as tenants in common, against the lawful claims of all persons claiming by, through or under GRANTOR.

The Property is conveyed subject to the conditions, restrictions, reservations, easements and encumbrances, if any, duly recorded affecting the Property and constituting constructive notice, including, without limitation, those items set out in Exhibit B attached hereto and made a part hereof.

[Signature Page Follows]
IN WITNESS WHEREOF, the Grantor has signed and sealed this deed as of the day and year first above written.

Signed, sealed and delivered in the presence of:

RAMSEY LANDING SOFIV, LLC
a Georgia limited liability company

By: Scorpion Opportunity Fund Manager IV, LLC, a Georgia limited liability company

By: __________________________
Name: Howard B. Joffe
Title: Manager

WITNESS

NOTARY PUBLIC
Commission Expiration: 11/8/2020

[NOTARIAL SEAL]

Nathan Hardin
NOTARY PUBLIC
DeKalb County, GEORGIA
My Comm. Expires 11/08/2020
EXHIBIT A
(Legal Description)

All that certain lot, tract or parcel of land situate, lying and being in the 9th G. M. District, Effingham County, Georgia, known as LOT 93, RAMSEY LANDING SUBDIVISION, PHASE 1, on a map or plan made by Southeastern Engineering and Environmental for Ramsey Plantation Development Company, Inc., dated January 2, 2007, recorded in Plat Cabinet “C”, Slide 151-C, in the Office of the Clerk of the Superior Court of Effingham County, Georgia. Said map or plan is hereby incorporated into the description by reference and made a part hereof to better determine the metes and bounds, courses and distances of the property herein conveyed.

Property Address: 185 Cubbedge Drive, Rincon, Georgia 31326
PIN #: 0445C-93
EXHIBIT B
(Permitted Exceptions)

1) Taxes and assessments for the year 2017 and subsequent years not yet due and payable.

2) Restrictive Covenants recorded in Book 2044, Page 357 of the Effingham County, Georgia Registry, and amended as per Deed Book 2126, page 1, and as may be further amended.

3) All matters shown on affecting subject property as shown on those plats recorded in Plat Cabinet C, Page 78 B-1, Plat Cabinet C, Pages 151 A-F, and Plat Cabinet C, Pages 152 A-B, all of Effingham County, Georgia Registry.

4) All matters that would be shown on an accurate survey of the Property.
I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED THEREON, AND THAT ALL SIDES, ALLEYS, WALKS, AND OTHER SITES SHOWN ARE DEDIcATED TO THE PUBLIC USE AS NOTED.

Tina Allen
WITNESS

Philip Held
PHOTOGRAPHER

LEGEND:

- CMF (3" X 3" CONCRETE MONUMENT FOUND)
- IRF (6/8" IRON ROD FOUND)
- IRS (6/8" IRON ROD SET)
- CMS (3" X 3" CONCRETE MONUMENT SET)

LOT NUMBER

STREET ADDRESS

BUILDING SETBACKS:
- 50' FRONT SETBACK
- 15' SIDE SETBACK (INTERIOR)
- 25' SIDE SETBACK (STREET)
- 35' REAR SETBACK

REFERENCES:
- D.B. 507, PAGE 301
- D.B. 300, PAGE 384
- D.B. 264, PAGE 173
- D.B. 553, PAGE 064
- P.B. 1, PAGE 342
- P.C. B PAGE, 486
- P.C. C PAGE, 790-1
- P.C. A PAGE, 282E

03/12/2020

Page 12 of 23
New Residence
Michelle & Randy Ledet
185 Cubbidge, Rincon, GA
03-01-2019

ARCHITECTURAL:
C1.1 - SITE PLAN, GARAGE PLAN
A1.1 - NOTED
A1.1 - FLOOR PLAN
A2.1 - BUILDING ELEVATIONS
A2.2 - BUILDING ELEVATIONS CONT.
A3.1 - BUILDING & WALL SECTIONS
A4.1 - PERSPECTIVE VIEWS

SQUARE FOOTAGE

AREA
HEATED: 2746 SF
GARAGE: 471 SF
PORCHES: 835 SF
TOTAL: 4118 SF
Diane Proudfoot

From: James L. Parr
Sent: Wednesday, January 22, 2020 8:35 AM
To: Diane Proudfoot
Subject: FW: EXTERNAL: Randy Ledet, 185 Cubbedge, Ramsey Landing
Attachments: Final Ramsey Landing House Plans.pdf

Diane

This gentleman will be contacting you in regards to the setback issues

James Parr
Building Official
Effingham County
Development Services
912-754-2128
jparr@effinghamcounty.org

From: Michelle Ledet [mailto:rjml619@comcast.net]
Sent: Sunday, January 19, 2020 6:56 PM
To: James L. Parr
Cc: dmjonesconstruction@gmail.com
Subject: EXTERNAL: Randy Ledet, 185 Cubbedge, Ramsey Landing

Jimmy,

I'm currently working with Dennis Jones on a single family new construction home in Ramsey Landing. We're in the very early stages of quoting and planning. Dennis brought to my attention that there is a county ordinance of a 25' easement / setback at the rear of my lot, if I have the detached garage connected to the house under roof. If not attached, the 15' easement / setback is acceptable.

I've worked with the ARC for Joffey Land Inc on approvals as designed plans depict. Dennis suggested I get with you to see if there are any solutions to keep the design as is. I can't turn the footprint or move everything up that 10' (to satisfy that 25' requirement). Joffey will not approve it.

Any assistance / relief you can provide would be of great help.

See attached.

Thanks,
Randy

Randal J. Ledet
121 Mill Creek Dr
Rincon GA, 31326
Home Ph: 912-295-5020
My Cell: 210-462-6133
My Work: 912-395-0089
My Wife's Cell: 210-462-6122

**** This is an EXTERNAL email. Please do not click on a link or open ANY attachments unless you are confident it is from a trusted source and you are expecting this email. *****
Diane Proudfoot

From: Michelle Ledet <rjml619@comcast.net>
Sent: Wednesday, February 19, 2020 6:03 PM
To: Diane Proudfoot
Subject: EXTERNAL:Fwd: Re: Ramsey Landing

Diane,

Just wanted to say that I appreciate the work you're putting into this variance. As I stated earlier, I have a pretty good construction background and have had dealings with the county for the house I'm living in now. So, I'm going to have a lot of questions when something doesn't pass the common sense test.

Anyway, below is the email trail from the Joffe Landing Arc representative. I would like this to be included.

Thanks,
Randy

--------- Original Message ---------
From: David Brening <David@jlandco.com>
To: Michelle Ledet <rjml619@comcast.net>
Date: February 12, 2020 at 12:12 PM
Subject: Re: Ramsey Landing

Randy,

Contingent upon the County variance, I would be comfortable approving your house location plan as you have it depicted on the plans. Please let me know how the hearing goes.

Thanks,

David Brening, PE
Joffe Land Companies
(678) 925-2509

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On Mon, Feb 10, 2020 at 7:36 PM Michelle Ledet <rjml619@comcast.net> wrote:

    David,

    I'm communicating with you again on this email trail so we can have a running record of our discussions. I wanted to inform you that my variance will be heard at the Effingham County Planning Board on 02/24/2020 @ 6pm. Since this is a county issue, and you've stated the ARC should also read "contingent upon county approval of a variance", I would like to get concurrence from you that my plans will be accepted once the county approves the variance. I do realize, if the variance is approved, I will still...
have to submit other required items to you per the ARC guidance. I just want to ensure the foot print, as depicted, will be approved by the ARC.

I just want keep you informed of the progress. Attached is a county letter of notification for the upcoming meeting. I don't know if you will (or have received) this. I believe in being up front and straight forward.

Thanks,
Randy

On January 22, 2020 at 1:02 PM David Brening <David@jlandco.com> wrote:

Randy,

Thank you for the email. Unfortunately, that rear setback is a County zoning issue and the setback is shown on the recorded final plat so that is not something we can unilaterally issue a variance on. That paragraph in the ARC guidelines should also read "contingent upon county approval of a variance".

David Brening, PE
Joffé Land Companies
(678) 925-2509

On Tue, Jan 21, 2020 at 7:51 PM Michelle Ledet <rjmg1619@comcast.net> wrote:

David,

Thanks for contacting me. I'm attaching the plans, designed as approved by Chris. However, there's already an issue with the rear setback requirement of 35'. The designed footprint, as you will see, is 15' off the rear property line. I believe the representatives at the time provided me the incorrect documents. I spoke to the Effingham County Zoning folks and they stated this was a zoning issue. In the Architectural Design Guidelines (provided after purchasing the lot) states that the ARC can grant exceptions (See Page 5, Para 5.4.). How is this possible, if this is a zoning issue with the county and can you grant this exception without variances being attached to the property?

So, I'm attaching the plans. Please be advised, I'm only requesting you to re-approve and help with this setback issue. If the setback issue
can't be resolved, I won't be able to move forward with construction. Looking forward to hearing from you soon. I have a builder working on quoting now. Incidentally, he's the one that brought this to my attention.

Thanks,
Randy

Randal J. Ledet
121 Mill Creek Dr
Rincon, GA 31326
Home Ph: 912-295-5020
My Cell Ph: 210-462-6133
Work Ph: 912-395-0089
Wife's Cell Ph: 210-462-6122

On January 16, 2020 at 10:23 AM
David Brening <David@jlandco.com> wrote:

Mr. Randy,

As we discussed at the HOA meeting, whenever you are ready to move forward with your home you can send me all of your plans so that I can issue you a new and updated ARC approval.

Thanks and let me know if you have any questions in the meantime.

David Brening, PE
Joffe Land Companies
(678) 925-2509

**** This is an EXTERNAL email. Please do not click on a link or open ANY attachments unless you are confident it is from a trusted source and you are expecting this email. *****
Staff Report

Subject: Variance (Fourth District)
2nd Reading Zoning Map Amendment

Author: Diane Proudfoot, Zoning Administrator
Department: Development Services – Planning & Zoning
Meeting Date: March 17, 2020
Item Description: Randall & Michelle Ledet requests a 20’ variance from the established 35’ rear setback at 185 Cubbedge Dr. in Ramsey Landing.

Map # 445C Parcel # 93

Summary Recommendation
Denial, a variance is not warranted as the approved development plan enables reasonable use of the property and is suitable to accommodate a structure.

Executive Summary
The request for a variance refers to Appendix C-Zoning Ordinance, Article VII.-Planning Board, Section 7.1.8 of the Code of Ordinances, which allows the Planning Board to recommend approval of variances in cases of hardship:

That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness, of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not to circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located, and that because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance, and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

Based on the required setbacks there would be approximately 101’ x 130’ of building area.

Background
At the Planning Board meeting, Alan Zipperer made a motion to approve a 20’ variance from the established 35’ rear setback at 185 Cubbedge Dr. in Ramsey Landing. Peter Higgins seconded the motion. The motion carried unanimously.

Alternatives
Recommended Alternative: Denial, a variance is not warranted as the approved development plan enables reasonable use of the property and is suitable to accommodate a structure.

Other Alternatives
Approve a 20’ variance from the established 35’ rear setback at 185 Cubbedge Dr. in Ramsey Landing.

Department Review
Petition reviewed by Teresa Concannon, Planner; Diane Proudfoot, Zoning Administrator and County Health Department

FUNDING: N/A
AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 445C-93
AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 445C-93
AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Effingham County Board of Commissioners in regular meeting assembled and pursuant to lawful authority thereof:

WHEREAS, RANDALL & MICHELLE LEDET, have filed an application for a variance of 20’ from the established 35’ rear setback at 185 Cubbedge Drive in Ramsey Landing; map and parcel number 445C-93, located in the 4th commissioner district, and

WHEREAS, a public hearing was held on March 17, 2020 and notice of said hearing having been published in the Effingham County Herald on February 26, 2020; and

WHEREAS, a public hearing was held before the Effingham County Planning Board, notice of said hearing having been published in the Effingham County Herald on 2/5/2020; and

IT IS HEREBY ORDAINED THAT a variance of 20’ from the established 35’ rear setback at 185 Cubbedge Drive in Ramsey Landing; map and parcel number 445C-93, located in the 4th commissioner district is approved.

All ordinances or part of ordinances in conflict herewith are hereby repealed.

This _____ day of ______________, 20____

BOARD OF COMMISSIONERS
EFFINGHAM COUNTY, GEORGIA

BY: ______________________________

WESLEY M. CORBITT, CHAIRMAN

ATTEST: ______________________________

FIRST/SECOND READING: ______________

STEPHANIE D. JOHNSON
COUNTY CLERK
The Georgia Conflict of Interest in Zoning Action Statue (O.C.G.A. §§ 36-67A-1 et seq.) requires disclosure of certain campaign contributions made by applicants for rezoning actions and by opponents of rezoning application. A rezoning applicant or opponent of a rezoning application must disclose contributions or gifts which in aggregate total $250.00 or more if made within the last two years to a current member of Effingham County Planning Board, Board of Commissioners, or other Effingham County official who will consider the application. The campaign contribution disclosure requirement applies to an opponent of a rezoning application who publishes his or her opposition by appearance before the Planning Board or Board of Commissioners or by any other oral or written communication to a member or members of the Planning Board or Board of Commissioners. Disclosure must be reported to the Board of Commissioners by applicants within ten (10) days after the rezoning application is filed and by opponents at least five (5) days prior to the first hearing by the Planning Board. Any person knowing failing to comply with these requirements shall be guilty of a misdemeanor.

"Individuals with disabilities who require special needs to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities should contact the County Clerk at 912-754-2123 promptly to afford the County time to create reasonable accommodations for those persons."

**PLEASE TURN OFF YOUR CELL PHONE**

<table>
<thead>
<tr>
<th>Items of Business</th>
<th>Action Requested of Commissioners</th>
<th>Previous Action of Commissioners</th>
<th>Action Taken</th>
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</thead>
<tbody>
<tr>
<td>I Call to Order</td>
<td>5:00 p.m.</td>
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<td>Chairman</td>
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<tr>
<td>II Invocation</td>
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<td>Comm. Burdette</td>
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<td>III Pledge to the American Flag</td>
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<td>Sounded in unison</td>
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<tr>
<td>IV Agenda Approval</td>
<td>Consideration of a Resolution to approve the agenda</td>
<td>Approved w/ changes (addition of NB# 12 &amp; 13, withdrawal PB# 3 &amp; 4</td>
<td></td>
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<tr>
<td>V Minutes</td>
<td>Consideration to approve the March 3, 2020 Regular Commission Meeting minutes,</td>
<td>Approved as read</td>
<td></td>
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<tr>
<td>VI Public Comments</td>
<td>Agenda Items ONLY</td>
<td></td>
<td>Stated by Chairman</td>
</tr>
<tr>
<td>VII Correspondence</td>
<td>Documents from this meeting are located in the Clerk’s office and on the Board of Commissioner’s website</td>
<td>Stated by Chairman</td>
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<td>VIII Consent Agenda</td>
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<tr>
<td>01 Agreement</td>
<td>Consideration to approve to auto renew the Lease Agreement with FP Mailing Solutions for postage meters for one year</td>
<td>Approved</td>
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<tr>
<td>02 Releases</td>
<td>Consideration to approve Sanitation Releases as submitted by Administrative Staff and approved by the Tax Commissioner/Fire Chief</td>
<td>Approved</td>
<td></td>
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<tr>
<td>IX Old Business</td>
<td>The Planning Board recommends approving an application by South Georgia Custom Homes for a Variance to waive the requirement to install reuse water lines in Emerald Plantation, Phase II located on Bluejay Road Map# 350 Parcel# 16 in the First</td>
<td>Tabled 02/18/2020</td>
<td>Approved</td>
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<td>District</td>
<td>02 2\textsuperscript{nd} Reading</td>
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<td>Consideration to approve the Second Reading of an application by South Georgia Custom Homes for a Variance to waive the requirement to install reuse water lines in Emerald Plantation, Phase II located on Bluejay Road Map# 350 Parcel# 16 in the First District</td>
<td>Tabled 02/18/2020 Approved 2\textsuperscript{nd} Reading</td>
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<th>District</th>
<th>03 Public Hearing</th>
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<td>Diane Proudfoot</td>
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<th>District</th>
<th>04 2\textsuperscript{nd} Reading</th>
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<td>Consideration to approve the Second Reading of an application by South Georgia Custom Homes for a Variance to waive the requirement to install reuse water lines in Emerald Plantation, Phase III located on Bluejay Road Map# 350 Parcel# 16 in the First District</td>
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<thead>
<tr>
<th>X New Business</th>
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<tr>
<th>District</th>
<th>01 Appointment</th>
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<td>Stephanie Johnson</td>
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<tr>
<th>District</th>
<th>02 Resolution</th>
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<td></td>
<td>Alison Bruton</td>
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<tr>
<th>District</th>
<th>03 Letter</th>
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<td>Alison Bruton</td>
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<tr>
<th>District</th>
<th>04 Agreement</th>
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<td>Vicki Dunn</td>
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<tr>
<th>District</th>
<th>05 Ordinance</th>
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<td>Eric Larson</td>
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<tr>
<th>District</th>
<th>06 Payment</th>
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<td>Eric Larson</td>
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</tbody>
</table>
### 07 Agreement
**Tim Callanan**
Consideration to approve a Mutual Termination Agreement for a water and sewer between Effingham County and Clover Pointe Development, LLC
Approved

### 08 Agreement
**Tim Callanan**
Consideration to approve a Mutual Termination Agreement for water and sewer between Effingham County and Konter Development Inc.
Approved

### 09 Agreement
**Tim Callanan**
Consideration to approve a Water and Sewer Agreement between Effingham County and Clover Pointe Development LLC for New Haven Subdivision
Approved

### 10 Agreement
**Stephanie Johnson**
Consideration to approve an Agreement to designate Effingham County as Fiscal Agent for Family Connection
Approved

### 11 Plat/Deed
**Teresa Concannon**
Consideration to approve a Final Plat and Warranty Deed for Windfield Subdivision, consisting of 5 lots (113-117) located off of Highway 30 Map# 352F Parcel# 1H-1J
Approved

### ADDITION TO AGENDA

### 12 Meeting
Consideration to approve to cancel the April 7, 2020 Commission meeting
Approved

### 13 Resolution
Consideration to approve a Resolution to disallow Assemblage Permits
Approved

### XI Reports from Administrative Staff & Commissioners
T. Callanan  
S. Johnson  
Comm. Kieffer  
Comm. Burdette

### XII Executive Session
Discussion of Personnel, Property and Pending Litigation
No executive session was held

### XIII Executive Session Minutes
Consideration to approve the March 3, 2020 executive session meeting minutes
Approved as read

### XIV Planning Board
**6:00 PM**

### 01 Public Hearing
The Planning Board recommends approving an application by Communications Tower Group, LLC to rezone .229 acres located at 291 Loubern Road from AR-1 to B-2 for a monopole cell tower lease area Map# 376 Parcel# 9 in the Second District
Approved w/ stipulations

### 02 Second Reading
Consideration to approve the Second Reading of an application by Communications Tower Group, LLC to rezone .229 acres located at 291 Loubern Road from AR-1 to B-2 for a monopole cell tower lease area Map# 376 Parcel# 9 in the Second District
Approved 2nd Reading

### 03 Public Hearing
The Planning Board recommends denying an
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<tr>
<td>04 Second Reading</td>
<td>Consideration to approve the Second Reading of an application by Mark Maier to rezone three (3) parcels consisting of approximately 20.38 acres located at Blue Jay and Otis Seckinger Roads from AR-1 to AR-2 for future development of home sites Map# 415 Parcel# 33, 33A, 33B in the Second District</td>
<td>Withdrawn at agenda approval</td>
</tr>
<tr>
<td>05 Public Hearing</td>
<td>The Planning Board recommends approving an application by Heather Sandstrom to rezone .53 acres located at 6150 Hwy 21 South from B-2 to B-3 for a used automotive sales business Map# 465 Parcel# 15 on the Second District</td>
<td>Approved w/stipulations</td>
</tr>
<tr>
<td>06 Second Reading</td>
<td>Consideration to approve the Second Reading of an application by Heather Sandstrom to rezone .53 acres located at 6150 Hwy 21 South from B-2 to B-3 for a used automotive sales business Map# 465 Parcel# 15 on the Second District</td>
<td>Approved 2nd Reading</td>
</tr>
<tr>
<td>07 Public Hearing</td>
<td>The Planning Board recommends approving an application by Chesterfield, LLC for a Variance from Section 3.38, Section 3.38.9 to construct a freestanding sign located on Hwy 21 South Map# 466 Parcel# 8A04, 8A02 in the Second District</td>
<td>Approved w/stipulations</td>
</tr>
<tr>
<td>08 Second Reading</td>
<td>Consideration to approve the Second Reading of an application by Chesterfield, LLC for a Variance from Section 3.38, Section 3.38.9 to construct a freestanding sign located on Hwy 21 South Map# 466 Parcel# 8A04, 8A02 in the Second District</td>
<td>Approved 2nd Reading</td>
</tr>
<tr>
<td>09 Public Hearing</td>
<td>The Planning Board recommends approving an application by Darrell Carter to rezone 2.23 acres located at 611 Log Landing Road from AR-1 to AR-2 Map# 428 Parcel# 5 in the Fourth District</td>
<td>Approved w/Stipulations</td>
</tr>
<tr>
<td>10 Second Reading</td>
<td>Consideration to approve the Second Reading of an application by Darrell Carter to rezone 2.23 acres located at 611 Log Landing Road from AR-1 to AR-2 Map# 428 Parcel# 5 in the Fourth District</td>
<td>Approved 2nd Reading</td>
</tr>
</tbody>
</table>
### Public Hearing

The Planning Board recommends approving an application by Randall & Michelle Ledet for a Variance on the rear setback for a property located at 185 Cubbege Drive Map# 445C Parcel# 93 in the Fourth District

- **Approved w/ stipulations**

### Second Reading

Consideration to approve the Second Reading of an application by Randall & Michelle Ledet for a Variance on the rear setback for a property located at 185 Cubbege Drive Map# 445C Parcel# 93 in the Fourth District

- **Approved 2nd Reading**

### Adjournment

- **7:12 pm**

**Members Present:**
- Wesley Corbitt
- Forrest Floyd
- Roger Burdette
- Jamie Deloach
- Reginald Loper
- Phil Kieffer