1. August 18, 2020 Millage Agenda
   Documents:
          08182020 MILLAGE AGENDA.PDF
   1.I. August 18, 2020 Final Millage Agenda
        Documents:
          08182020 MILLAGE AGENDA.DOCX_FINAL.PDF

2. August 18, 2020 Regular Meeting Agenda
   Documents:
          08182020 AGENDA.PDF
   2.I. August 18, 2020 Final Agenda
        Documents:
          08182020 AGENDA.DOCX_REVISED.DOCX_FINAL.PDF

3. August 18, 2020 Meeting Material
   Documents:
          08182020 AGENDA MATERIAL.PDF
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>
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<th>Action Taken</th>
</tr>
</thead>
<tbody>
<tr>
<td>I  Call to Order</td>
<td>10:00 a.m.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>II Agenda Approval</td>
<td>Consideration of a Resolution to approve the agenda</td>
<td></td>
<td></td>
</tr>
<tr>
<td>III Public Comments</td>
<td>Agenda Items ONLY</td>
<td></td>
<td></td>
</tr>
<tr>
<td>IV Correspondence</td>
<td>Documents from this meeting are located in the Clerk’s office and on the Board of Commissioner’s website</td>
<td></td>
<td></td>
</tr>
<tr>
<td>V  New Business</td>
<td>1st Public Hearing for the adoption of the 2020-2021 Millage</td>
<td></td>
<td></td>
</tr>
<tr>
<td>XII Adjournment</td>
<td></td>
<td></td>
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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.

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<tr>
<td>I Call to Order</td>
<td>10:00 a.m.</td>
<td></td>
<td>10:30 AM</td>
</tr>
<tr>
<td>II Agenda Approval</td>
<td>Consideration of a Resolution to approve the agenda</td>
<td>Approved as read</td>
<td></td>
</tr>
<tr>
<td>III Public Comments</td>
<td>Agenda Items ONLY</td>
<td>Stated by Chairman</td>
<td></td>
</tr>
<tr>
<td>IV 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>
<td></td>
</tr>
<tr>
<td>V New Business</td>
<td>1st Public Hearing for the adoption of the 2020-2021 Millage</td>
<td>Public hearing held w/ comments by citizens</td>
<td></td>
</tr>
<tr>
<td>XII Adjournment</td>
<td></td>
<td></td>
<td>11:25 am</td>
</tr>
</tbody>
</table>

Members Present:
Wesley Corbitt
Forrest Floyd
Jamie Deloach
Phil Kieffer

Members Absent:
Roger Burdette
Reginald Loper
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.

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<td>III Pledge to the</td>
<td>Consideration of a Resolution to approve the agenda</td>
</tr>
<tr>
<td>American Flag</td>
<td></td>
</tr>
<tr>
<td>IV Agenda Approval</td>
<td>Consideration to approve the August 4, 2020 Commission Meeting minutes</td>
</tr>
<tr>
<td>V  Minutes</td>
<td>Agenda Items ONLY</td>
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<tr>
<td>VI Public Comments</td>
<td>Millage – 7:00 pm, 2nd public hearing</td>
</tr>
<tr>
<td>VII Public Hearing</td>
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<td>VIII Correspondence</td>
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<td>X Old Business</td>
<td>01 Public Hearing</td>
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<td></td>
<td>02 Second Reading</td>
</tr>
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<td></td>
<td>03 Public Hearing</td>
</tr>
<tr>
<td></td>
<td>04 Second Reading</td>
</tr>
<tr>
<td>XI New Business</td>
<td>01 Agreement</td>
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<td></td>
<td>02 Policy</td>
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<td></td>
<td>03 Task Order</td>
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<td></td>
<td>04 Change Order</td>
</tr>
<tr>
<td></td>
<td>05 Contract</td>
</tr>
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</table>
**06 Funding**  
Christy Carpenter  
Consideration to approve to accept a CARES Act Coronavirus Relief Fund award from the United States Treasury Department

**XII Reports from Administrative Staff & Commissioners**

**XIII Executive Session**  
To discuss Personnel, Property and Pending Litigation

**XIV Planning Board**  
6:00 PM

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<table>
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<tr>
<td><strong>07 Public Hearing</strong></td>
<td>The Planning Board recommends approving</td>
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<tr>
<td>Item</td>
<td>Description</td>
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<td>08 Second Reading</td>
<td>Consideration to approve the Second Reading of an application by <strong>Diane Exley</strong> to rezone 1.0 acre out of 5 acres located at 4121 Highway 119 North from AR-1 to AR-2 (the remaining 4 acres will be split and combined with adjoining parcels) Map# 406 Parcel# 38 in the Third District</td>
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<td>09 Public Hearing</td>
<td>The Planning Board recommends approving an application by <strong>Kathryn Roberts</strong> to rezone 3.38 acres out of 9.22 acres located at 105 Union Springs Road from AR-1 to AR-2 Map# 4245 Parcel# 66 in the Third District</td>
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<td>10 Second Reading</td>
<td>Consideration to approve the Second Reading of an application by <strong>Kathryn Roberts</strong> to rezone 3.38 acres out of 9.22 acres located at 105 Union Springs Road from AR-1 to AR-2 Map# 4245 Parcel# 66 in the Third District</td>
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<td>11 Public Hearing</td>
<td>The Planning Board recommends approving an application by <strong>Katherine Young Barnes</strong> to rezone 3.2 acres located on Whitaker Road from AR-1 to AR-2 to allow for a realignment of the property lines Map# 441 Parcel# 44, 45 in the Third District</td>
<td></td>
</tr>
<tr>
<td>12 Second Reading</td>
<td>Consideration to approve the Second Reading of an application by <strong>Katherine Young Barnes</strong> to rezone 3.2 acres located on Whitaker Road from AR-1 to AR-2 to allow for a realignment of the property lines Map# 441 Parcel# 44, 45 in the Third District</td>
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<tr>
<td>13 Public Hearing</td>
<td>The Planning Board recommends approving an application by <strong>Aaron Jordan</strong> to rezone 2 acres out of 22.50 acres located on McCall Road from AR-1 to AR-2 to create two home sites Map# 390 Parcel# 12 in the Fourth District</td>
<td></td>
</tr>
<tr>
<td>14 Second Reading</td>
<td>Consideration to approve the Second Reading of an application by <strong>Aaron Jordan</strong> to rezone 2 acres out of 22.50 acres located on McCall Road from AR-1 to AR-2 to create two home</td>
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<tr>
<td><strong>sites Map# 390 Parcel# 12 in the Fourth District</strong></td>
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<tr>
<td><strong>15 Public Hearing</strong></td>
<td>The Planning Board recommends denying an application by Kern &amp; Co., LLC as agent for Old Pines, LLC to rezone 741.60 total acres located off of Old Augusta Road from AR-1/R-1 to I-1 (Heavy Industrial) Map# 465 Parcel# 6 and Map# 477 Parcel# 15 in the Fifth District</td>
<td></td>
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<tr>
<td><strong>16 Second Reading</strong></td>
<td>Consideration to approve the Second Reading of an application by Kern &amp; Co., LLC as agent for Old Pines, LLC to rezone 741.60 total acres located off of Old Augusta Road from AR-1/R-1 to I-1 (Heavy Industrial) Map# 465 Parcel# 6 and Map# 477 Parcel# 15 in the Fifth District</td>
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**XV Adjournment**
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<td>5:00 p.m.</td>
<td></td>
<td>5:02 pm</td>
</tr>
<tr>
<td>II Invocation</td>
<td></td>
<td>Mrs. Pam Corbitt</td>
<td></td>
</tr>
<tr>
<td>III Pledge to the American Flag</td>
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<td>Sounded in unison</td>
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</tr>
<tr>
<td>IV Agenda Approval</td>
<td>Consideration of a Resolution to approve the agenda</td>
<td>Approved w/ changes</td>
<td></td>
</tr>
<tr>
<td>V Minutes</td>
<td>Consideration to approve the August 4, 2020 Commission Meeting minutes</td>
<td>Approved as read</td>
<td></td>
</tr>
<tr>
<td>VI Public Comments</td>
<td>Agenda Items ONLY</td>
<td>Stated by Chairman</td>
<td></td>
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<tr>
<td>VII Public Hearing</td>
<td>Millage – 7:00 pm, 2nd public hearing</td>
<td></td>
<td></td>
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<td>VIII Correspondence</td>
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<td>Stated by Chairman</td>
<td></td>
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<td>IX Consent Agenda</td>
<td>Consideration to approve to renew the Memorandum of Understanding between Effingham County Board of Commissioners and the Board of Education for ambulatory services during various Board of Education events</td>
<td>Approved</td>
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<td>Approved</td>
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<td>Consideration to approve to rescind a Contract with TCM General Contracting for flooring services for the Central Gym located on</td>
<td>Approved</td>
<td></td>
</tr>
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Wallace Drive and to approve a revised contract (20-21-006 (2)) with TCM General Contracting

<table>
<thead>
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<th>X Old Business</th>
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<tr>
<td><strong>01 Public Hearing</strong></td>
<td>The Planning Board recommends approving an application by Teramore Development to rezone 0.78 acres out of 1.41 acres located at the corner of Midland Road and Highway 17 South from AR-2 to B-3 to combine with an existing parcel for a retail development Map# 297A Parcel# 3 in the First District</td>
<td>Postponed 07/21/2020</td>
</tr>
<tr>
<td><strong>02 Second Reading</strong></td>
<td>Consideration to approve the Second Reading of an application by Teramore Development to rezone 0.78 acres out of 1.41 acres located at the corner of Midland Road and Highway 17 South from AR-2 to B-3 to combine with an existing parcel for a retail development Map# 297A Parcel# 3 in the First District</td>
<td>Postponed 07/21/2020</td>
</tr>
<tr>
<td><strong>03 Public Hearing</strong></td>
<td>The Planning Board recommends approving an application by Deborah Oetgen to rezone 27.68 acres out of 141.73 acres from AR-1 to I-1 and 20.58 acres from R-4 to I-1 located at 504 Godley Road Map# 399 Parcel# 3A/3S in the First District</td>
<td>Postponed 07/21/2020</td>
</tr>
<tr>
<td><strong>04 Second Reading</strong></td>
<td>Consideration to approve the Second Reading of an application by Deborah Oetgen to rezone 27.68 acres out of 141.73 acres from AR-1 to I-1 and 20.58 acres from R-4 to I-1 located at 504 Godley Road Map# 399 Parcel# 3A/3S First District</td>
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<td><strong>01 Agreement</strong></td>
<td>Consideration to approve an Agreement for fire services between Effingham County and the City of Rincon</td>
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<tr>
<td>Clint Hodges</td>
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<tr>
<td><strong>02 Payment</strong></td>
<td>Consideration to approve Payment to the Ogeechee Judicial Circuit for Mental Health/Drug Court</td>
<td></td>
</tr>
<tr>
<td>Alison Bruton</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>03 Task Order</strong></td>
<td>Consideration to approve Task Order# 1 of the design build SCADA System project with C2I Control Instruments, Inc.</td>
<td></td>
</tr>
<tr>
<td>Charlie George</td>
<td></td>
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<tr>
<td>Kristen Achtziger</td>
<td></td>
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</tr>
<tr>
<td><strong>04 Change Order</strong></td>
<td>Consideration to approve a Change Order with Reeves Construction for the Bunyan Kessler, Courthouse Road, and Elections office parking lot addition project</td>
<td></td>
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<tr>
<td>Charlie George</td>
<td></td>
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<tr>
<td>Item</td>
<td>Description</td>
<td>Approval Status</td>
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<tr>
<td><strong>05 Contract</strong>&lt;br&gt;Chris Reed, Tim Callanan</td>
<td>Consideration to approve to renew a Contract with Spatial Engineering, Inc. for Geographical Information Services</td>
<td>Approved</td>
</tr>
<tr>
<td><strong>06 Funding</strong>&lt;br&gt;Christy Carpenter</td>
<td>Consideration to approve to accept a CARES Act Coronavirus Relief Fund award from the United States Treasury Department</td>
<td>Approved</td>
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<td><strong>XII Reports from Administrative Staff &amp; Commissioners</strong></td>
<td>To discuss Personnel, Property and Pending Litigation</td>
<td>No executive session was held</td>
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<td>The Planning Board recommends approving an application by Garland Caleb Vandiver to rezone 1 acre out of 44.91 acres located at 2995 Highway 17 South from AR-1 to AR-2 Map# 324 Parcel# 60A in the First District</td>
<td>Approved w/ stipulations</td>
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<td><strong>Approved 2nd Reading</strong></td>
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<tr>
<td><strong>XV Adjournment</strong></td>
<td></td>
<td><strong>9:45 pm</strong></td>
</tr>
</tbody>
</table>

**Members Present:**

- Wesley Corbitt
- Forrest Floyd
- Roger Burdette
- Jamie Deloach
- Reginald Loper
- Phil Kieffer
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>
</tr>
</thead>
<tbody>
<tr>
<td>I Call to Order</td>
<td>5:00 a.m.</td>
<td></td>
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</tr>
<tr>
<td>II Agenda Approval</td>
<td>Consideration of a Resolution to approve the agenda</td>
<td></td>
<td></td>
</tr>
<tr>
<td>III Public Comments</td>
<td>Agenda Items ONLY</td>
<td></td>
<td></td>
</tr>
<tr>
<td>IV Correspondence</td>
<td>Documents from this meeting are located in the Clerk’s office and on the Board of Commissioner’s website</td>
<td></td>
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<tr>
<td>V New Business</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>01 Public Hearing</td>
<td>1st Public Hearing for the adoption of the 2020-2021 Millage</td>
<td></td>
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</tr>
<tr>
<td>XII Adjournment</td>
<td></td>
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<td></td>
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<tr>
<td>II Invocation</td>
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<tr>
<td>III Pledge to the American Flag</td>
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<tr>
<td>IV Agenda Approval</td>
<td>Consideration of a Resolution to approve the agenda</td>
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</tr>
<tr>
<td>V Minutes</td>
<td>Consideration to approve the August 4, 2020 Commission Meeting minutes</td>
<td></td>
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<tr>
<td>VI Public Comments</td>
<td>Agenda Items ONLY</td>
<td></td>
<td></td>
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<tr>
<td>VII Public Hearing</td>
<td>Millage – 7:00 pm, 2nd public hearing</td>
<td></td>
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</tr>
<tr>
<td>VIII Correspondence</td>
<td>Documents from this meeting are located in the Clerk’s office and on the Board of Commissioner’s website</td>
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<tr>
<td>IX Consent Agenda</td>
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</tr>
<tr>
<td>01 MOU</td>
<td>Consideration to approve to renew the Memorandum of Understanding between Effingham County Board of Commissioners and the Board of Education for ambulatory services during various Board of Education events</td>
<td></td>
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</tr>
<tr>
<td>02 Grant</td>
<td>Consideration to approve to accept a Grant Award from the Georgia Department of Agriculture (GDA) Dog and Cat Sterilization Grant Program</td>
<td></td>
<td></td>
</tr>
<tr>
<td>03 Contract</td>
<td>Consideration to approve to rescind a Contract with TCM General Contracting for flooring services for the Central Gym located on Wallace Drive</td>
<td></td>
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<tr>
<td>Old Business</td>
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<tr>
<td>01 Public Hearing</td>
<td>The Planning Board recommends approving an application by <strong>Teramore Development</strong> to rezone 0.78 acres out of 1.41 acres located at the corner of Midland Road and Highway 17 South from AR-2 to B-3 to combine with an existing parcel for a retail development Map# 297A Parcel# 3 in the First District</td>
<td></td>
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<td></td>
<td>Postponed 07/21/2020</td>
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<tr>
<td>02 Second Reading</td>
<td>Consideration to approve the Second Reading of an application by <strong>Teramore Development</strong> to rezone 0.78 acres out of 1.41 acres located at the corner of Midland Road and Highway 17 South from AR-2 to B-3 to combine with an existing parcel for a retail development Map# 297A Parcel# 3 in the First District</td>
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<tr>
<td>03 Public Hearing</td>
<td>The Planning Board recommends approving an application by <strong>Deborah Oetgen</strong> to rezone 27.68 acres out of 141.73 acres from AR-1 to I-1 and 20.58 acres from R-4 to I-1 located at 504 Godley Road Map# 399 Parcel# 3A/3S in the First District</td>
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<tr>
<td>New Business</td>
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<td>01 Agreement</td>
<td>Consideration to approve an Agreement for fire services between Effingham County and the City of Rincon</td>
<td></td>
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<td><strong>Clint Hodges</strong></td>
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<td>02 Policy</td>
<td>Consideration to approve Payment to the Ogeechee Judicial Circuit for Mental Health/Drug Court</td>
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<tr>
<td><strong>Vicki Dunn</strong></td>
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<tr>
<td>03 Task Order</td>
<td>Consideration to approve Task Order# 1 of the design build SDADA System project with C2i Control Instruments, Inc.</td>
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<tr>
<td><strong>Charlie George</strong></td>
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<tr>
<td>04 Change Order</td>
<td>Consideration to approve a Change Order with Reeves Construction for the Bunyan Kessler, Courthouse Road, and Elections office parking lot addition project</td>
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<td><strong>Charlie George</strong></td>
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<td>05 Contract</td>
<td>Consideration to approve to renew a Contract with Spatial Engineering, Inc. for Geographical Information Services</td>
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<td><strong>Chris Reed</strong></td>
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</table>
| **06 Funding**  
*Christy Carpenter* | Consideration to approve to accept a CARES Act Coronavirus Relief Fund award from the United States Treasury Department |   |
<p>| <strong>XII Reports from Administrative Staff &amp; Commissioners</strong> |   |   |
| <strong>XIII Executive Session</strong> | To discuss Personnel, Property and Pending Litigation |   |
| <strong>XIV Planning Board</strong> | 6:00 PM |   |
| <strong>01 Public Hearing</strong> | The Planning Board recommends approving an application by <strong>Garland Caleb Vandiver</strong> to rezone 1 acre out of 44.91 acres located at 2995 Highway 17 South from AR-1 to AR-2 Map# 324 Parcel# 60A in the First District |   |
| <strong>02 Second Reading</strong> | Consideration to approve the Second Reading of an application by <strong>Garland Caleb Vandiver</strong> to rezone 1 acre out of 44.91 acres located at 2995 Highway 17 South from AR-1 to AR-2 Map# 324 Parcel# 60A in the First District |   |
| <strong>03 Public Hearing</strong> | The Planning Board recommends approving an application by <strong>Michael Wedincamp</strong> to rezone 5 acres located at 2301 US Hwy 80 from AR-1 to B-3 for a commercial parking and storage business Map# 354 Parcel# 22 in the First District |   |
| <strong>04 Second Reading</strong> | Consideration to approve the Second Reading of an application by <strong>Michael Wedincamp</strong> to rezone 5 acres located at 2301 US Hwy 80 from AR-1 to B-3 for a commercial parking and storage business Map# 354 Parcel# 22 in the First District |   |
| <strong>05 Public Hearing</strong> | The Planning Board recommends approving an application by <strong>Verizon Wireless/Karyn Acevedo as agent for Mary Randolph</strong> to rezone .23 acres out of 119 acres located on Shearwood Road from AR-1 to I-1 for a cell tower Map# 221 Parcel# 4 in the Third District |   |
| <strong>06 Second Reading</strong> | Consideration to approve the Second Reading of an application by <strong>Verizon Wireless/Karyn Acevedo as agent for Mary Randolph</strong> to rezone .23 acres out of 119 acres located on Shearwood Road from AR-1 to I-1 for a cell tower Map# 221 Parcel# 4 in the Third District |   |
| <strong>07 Public Hearing</strong> | The Planning Board recommends approving |   |</p>
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<tbody>
<tr>
<td><strong>08 Second Reading</strong></td>
<td>Consideration to approve the Second Reading of an application by <strong>Diane Exley</strong> to rezone 1.0 acre out of 5 acres located at 4121 Highway 119 North from AR-1 to AR-2 (the remaining 4 acres will be split and combined with adjoining parcels) Map# 406 Parcel# 38 in the Third District</td>
</tr>
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<td><strong>09 Public Hearing</strong></td>
<td>The Planning Board recommends approving an application by <strong>Kathryn Roberts</strong> to rezone 3.38 acres out of 9.22 acres located at 105 Union Springs Road from AR-1 to AR-2 Map# 4245 Parcel# 66 in the Third District</td>
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<td><strong>XV Adjournment</strong></td>
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NOTICE

The Effingham County Board of Commissioners does hereby announce that the millage rate will be set at a meeting to be held at the Administrative Complex 601 N. Laurel Street, Springfield, GA 31329 on 08/18/2020 at 10 AM & 7 PM, and 08/25/2020 at 10 AM and pursuant to the requirements of O.C.G.A. § 48-5-32 does hereby publish the following presentation of the current year’s tax digest and levy, along with the history of the tax digest and levy for the past five years.

CURRENT 2020 PROPERTY TAX DIGEST AND 5 YEAR HISTORY OF LEVY

<table>
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<tbody>
<tr>
<td><strong>Real &amp; Personal</strong></td>
<td>1,641,072,826</td>
<td>1,730,881,885</td>
<td>1,806,476,346</td>
<td>1,912,202,189</td>
<td>2,174,263,466</td>
<td>2,262,997,975</td>
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<tr>
<td><strong>Motor Vehicles</strong></td>
<td>87,764,460</td>
<td>67,092,600</td>
<td>50,599,780</td>
<td>41,093,790</td>
<td>35,108,070</td>
<td>31,229,400</td>
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<tr>
<td><strong>Mobile Homes</strong></td>
<td>17,085,356</td>
<td>17,988,695</td>
<td>18,169,521</td>
<td>19,510,793</td>
<td>18,937,196</td>
<td>22,170,857</td>
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<tr>
<td><strong>Timber - 100%</strong></td>
<td>10,997,540</td>
<td>11,429,508</td>
<td>8,824,900</td>
<td>11,885,973</td>
<td>10,842,021</td>
<td>10,787,245</td>
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<tr>
<td><strong>Heavy Duty Equipment</strong></td>
<td>581,062</td>
<td>371,217</td>
<td>1,957,203</td>
<td>344,932</td>
<td>711,931</td>
<td>618,452</td>
</tr>
<tr>
<td><strong>Gross Digest</strong></td>
<td>1,757,501,244</td>
<td>1,827,763,905</td>
<td>1,886,027,750</td>
<td>1,985,037,677</td>
<td>2,239,862,684</td>
<td>2,327,803,929</td>
</tr>
<tr>
<td><strong>Less Exemptions</strong></td>
<td>211,052,177</td>
<td>224,557,972</td>
<td>226,598,318</td>
<td>231,235,376</td>
<td>299,746,700</td>
<td>306,421,417</td>
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<tr>
<td><strong>NET DIGEST VALUE</strong></td>
<td>1,546,449,067</td>
<td>1,603,205,933</td>
<td>1,659,429,432</td>
<td>1,753,802,301</td>
<td>1,940,115,984</td>
<td>2,021,382,512</td>
</tr>
<tr>
<td><strong>Less Rollback</strong></td>
<td>3.9400</td>
<td>3.8030</td>
<td>3.1870</td>
<td>3.8200</td>
<td>3.3710</td>
<td>3.3450</td>
</tr>
<tr>
<td><strong>NET M&amp;O MILLAGE RATE</strong></td>
<td>8.3370</td>
<td>8.3370</td>
<td>6.5580</td>
<td>6.5580</td>
<td>6.5580</td>
<td>7.5280</td>
</tr>
<tr>
<td><strong>TOTAL M&amp;O TAXES LEVIED</strong></td>
<td>$12,892,746</td>
<td>$13,365,928</td>
<td>$10,882,538</td>
<td>$11,501,435</td>
<td>$12,723,281</td>
<td>$15,216,968</td>
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<tr>
<td><strong>Net Tax $ Increase</strong></td>
<td>$22,384</td>
<td>$473,182</td>
<td>($2,483,390)</td>
<td>$618,897</td>
<td>$1,221,845</td>
<td>$2,493,687</td>
</tr>
<tr>
<td><strong>Net Tax % Increase</strong></td>
<td>0.17%</td>
<td>3.67%</td>
<td>-18.58%</td>
<td>5.69%</td>
<td>10.62%</td>
<td>19.60%</td>
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</tbody>
</table>
NOTICE OF PROPERTY TAX INCREASE

The Effingham County Board of Commissioners has tentatively adopted a 2020 millage rate which will require an increase in property taxes by 16.41 percent.

All concerned citizens are invited to the public hearing on this tax increase to be held at the Administrative Complex, 601 North Laurel Street, Springfield, GA 31329 on August 18, 2020, at 10 am and 7:00 pm.

Time and place of an additional public hearing on this tax increase will be at the Administrative Complex, 601 North Laurel Street, Springfield, Ga 31329 on August 25, 2020 at 10:00 AM. This tentative increase will result in a millage rate of 7.528 mills, an increase of 1.061 mills. Without this tentative tax increase, the millage rate will be no more than 6.467 mills. The proposed tax increase for home with a fair market value of $150,000 is approximately $63.66 and the proposed tax increase for non-homestead property with a fair market value of $125,000 is approximately $53.05.
PRESS RELEASE ANNOUNCING A PROPOSED PROPERTY TAX INCREASE

The Effingham County Board of Commissioners today announces its intention to increase the 2020 property taxes it will levy this year by **16.41** percentage over the rollback millage rate.

*Each year, the Board of Tax Assessors is required to review the assessed value for property tax purposes of taxable property in the county. When the trend of prices on properties that have recently sold in the county indicate there has been an increase in the fair market value of any specific property, the Board of Tax Assessors is required by law to re-determine the value of such property and adjust the reassessment.*

When the total digest of taxable property is prepared, Georgia law requires that a rollback millage rate must be computed that will produce the same total revenue on the current year’s digest that last year’s millage rate would have produced had no reassessments occurred.

The budget tentatively adopted by the Effingham County Board of Commissioners requires that a millage rate higher than the rollback millage rate, therefore, before the Effingham County Board of Commissioners may finalize the tentative budget and set a final millage rate, Georgia law requires three public hearings to held to allow the public an opportunity to express their opinions on the increase.

All concerned citizens are invited to the public hearings on this tax increase to be held at the Administrative Complex, 601 North Laurel Street, Springfield, Georgia on August 18, 2020, at 10:00 AM and 7:00 PM and on August 25, 2020, at 10:00 AM.
EFFINGHAM COUNTY PROPERTY TAX ADOPTION

The Effingham County Board of Commissioners has tentatively adopted a 2020 millage rate. The overall millage rate includes Maintenance and Operations, Roads, Recreation and Hospital (indigent care). Combined this millage equals 10.618 mills for 2020 which is the same as it was for 2019. The breakdown has changed but the totals have stayed the same since 2019. The breakdown for both 2019 and 2020 are as follows:

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>County M&amp;O</td>
<td>6.558</td>
<td>7.528</td>
</tr>
<tr>
<td>Roads</td>
<td>1.149</td>
<td>0.822</td>
</tr>
<tr>
<td>Recreation</td>
<td>0.934</td>
<td>0.558</td>
</tr>
<tr>
<td>Hospital</td>
<td>1.977</td>
<td>1.710</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>10.618</td>
<td>10.618</td>
</tr>
</tbody>
</table>
### ENTER VALUES AND MILLAGE RATES FOR THE APPLICABLE TAX YEARS IN YELLOW HIGHLIGHTED BOXES BELOW

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>2019 DIGEST</th>
<th>REASSESSMENT OF EXISTING REAL PROP</th>
<th>OTHER CHANGES TO TAXABLE DIGEST</th>
<th>2020 DIGEST</th>
</tr>
</thead>
<tbody>
<tr>
<td>REAL</td>
<td>284,789,110</td>
<td>593,778</td>
<td>955,890</td>
<td>286,338,778</td>
</tr>
<tr>
<td>PERSONAL</td>
<td>20,565,037</td>
<td></td>
<td>(200,394)</td>
<td>18,572,443</td>
</tr>
<tr>
<td>MOTOR VEHICLES</td>
<td>2,429,910</td>
<td></td>
<td>(4,040,060)</td>
<td>2,025,850</td>
</tr>
<tr>
<td>MOBILE HOMES</td>
<td>900,216</td>
<td></td>
<td>87,669</td>
<td>1,077,885</td>
</tr>
<tr>
<td>TIMBER -100%</td>
<td>0</td>
<td></td>
<td>263,476</td>
<td>263,476</td>
</tr>
<tr>
<td>HEAVY DUTY EQUIP</td>
<td>0</td>
<td></td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>GROSS DIGEST</td>
<td>308,774,273</td>
<td>593,778</td>
<td>(2,089,619)</td>
<td>308,278,432</td>
</tr>
<tr>
<td>EXEMPTIONS</td>
<td>17,594,312</td>
<td>1,799,519</td>
<td>(1,145,585)</td>
<td>18,248,246</td>
</tr>
<tr>
<td>NET DIGEST</td>
<td>291,179,961</td>
<td>(1,205,741)</td>
<td>55,966</td>
<td>290,030,186</td>
</tr>
<tr>
<td>(PYD)</td>
<td>(RVA)</td>
<td>(NAG)</td>
<td>(CYD)</td>
<td></td>
</tr>
</tbody>
</table>

**2019 MILLAGE RATE:** 1.651

**2020 MILLAGE RATE:** 1.651

### CALCULATION OF ROLLBACK RATE

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>ABBREVIATION</th>
<th>AMOUNT</th>
<th>FORMULA</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019 Net Digest</td>
<td>PYD</td>
<td>291,179,961</td>
<td></td>
</tr>
<tr>
<td>Net Value Added-Reassessment of Existing Real Property</td>
<td>RVA</td>
<td>(1,205,741)</td>
<td></td>
</tr>
<tr>
<td>Other Net Changes to Taxable Digest</td>
<td>NAG</td>
<td>55,966</td>
<td></td>
</tr>
<tr>
<td>2020 Net Digest</td>
<td>CYD</td>
<td>290,030,186</td>
<td>(PYD+RVA+NAG)</td>
</tr>
</tbody>
</table>

**2019 Millage Rate**

**PYM** 1.651

**Millage Equivalent of Reassessed Value Added**

**ME** -0.007

**Rollback Millage Rate for 2020**

**RR - ROLLBACK RATE** 1.658

**PYM - ME**

### CALCULATION OF PERCENTAGE INCREASE IN PROPERTY TAXES

If the 2020 Proposed Millage Rate for this Taxing Jurisdiction exceeds Rollback Millage Rate computed above, this section will automatically calculate the amount of increase in property taxes that is part of the notice required in O.C.G.A. § 48-5-32.1(c) (2).

Rollback Millage Rate: 1.658

2020 Millage Rate: 1.651

**Percentage Tax Increase** -0.42%

### CERTIFICATIONS

I hereby certify that the amount indicated above is an accurate accounting of the total net assessed value added by the reassessment of existing real property for the tax year for which this rollback millage rate is being computed.

Chairman, Board of Tax Assessors

Date

I hereby certify that the values shown above are an accurate representation of the digest values and exemption amounts for the applicable tax years.

Tax Collector or Tax Commissioner

Date

I hereby certify that the above is a true and correct computation of the rollback millage rate in accordance with O.C.G.A. § 48-5-32.1 for the taxing jurisdiction for tax year 2020 and that the final millage rate set by the authority of this taxing jurisdiction for tax year 2020 is __________

### CHECK THE APPROPRIATE PARAGRAPH BELOW THAT APPLIES TO THIS TAXING JURISDICTION

If the final millage rate set by the authority of the taxing jurisdiction for tax year 2020 exceeds the rollback rate, I certify that the required advertisements, notices, and public hearings have been conducted in accordance with O.C.G.A. §§ 48-5-32 and 48-5-32.1 as evidenced by the attached copies of the published "five year history and current digest" advertisement and the "Notice of Intent to Increase Taxes" showing the times and places when and where the required public hearings were held, and a copy of the press release provided to the local media.

If the final millage rate set by the authority of the taxing jurisdiction for tax year 2020 does not exceed the rollback rate, I certify that the required "five year history and current digest" advertisement has been published in accordance with O.C.G.A. § 48-5-32 as evidenced by the attached copy of such advertised report.

Responsible Party

Title

Date

08/13/2020 Page 5 of 8
## PT-32.1 - Computation of Millage Rate Rollback and Percentage Increase in Property Taxes - 2020

### Effingham County

### Recreation Taxing Jurisdiction

#### ENTER VALUES AND MILLAGE RATES FOR THE APPLICABLE TAX YEARS IN YELLOW HIGHLIGHTED BOXES BELOW

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>2019 DIGEST</th>
<th>REASSESSMENT OF EXISTING REAL PROP</th>
<th>OTHER CHANGES TO TAXABLE DIGEST</th>
<th>2020 DIGEST</th>
</tr>
</thead>
<tbody>
<tr>
<td>REAL</td>
<td>1,689,060,877</td>
<td>36,170,372</td>
<td>(32,984,929)</td>
<td>1,692,246,320</td>
</tr>
<tr>
<td>PERSONAL</td>
<td>143,834,576</td>
<td></td>
<td>7,645,687</td>
<td>151,480,263</td>
</tr>
<tr>
<td>MOTOR VEHICLES</td>
<td>32,678,160</td>
<td></td>
<td>(5,184,940)</td>
<td>27,493,220</td>
</tr>
<tr>
<td>MOBILE HOMES</td>
<td>17,946,980</td>
<td></td>
<td>2,563,024</td>
<td>20,510,004</td>
</tr>
<tr>
<td>TIMBER -100%</td>
<td>10,842,021</td>
<td></td>
<td>(318,252)</td>
<td>10,523,769</td>
</tr>
<tr>
<td>HEAVY DUTY EQUIP</td>
<td>691,457</td>
<td></td>
<td>(73,005)</td>
<td>618,452</td>
</tr>
<tr>
<td>GROSS DIGEST</td>
<td>1,895,054,071</td>
<td>36,170,372</td>
<td>(28,329,415)</td>
<td>1,902,872,028</td>
</tr>
<tr>
<td>EXEMPTIONS</td>
<td>278,178,343</td>
<td>11,294,810</td>
<td>(10,945,259)</td>
<td>278,527,894</td>
</tr>
<tr>
<td>NET DIGEST</td>
<td>1,616,875,728</td>
<td>24,875,562</td>
<td>(17,407,156)</td>
<td>1,624,344,134</td>
</tr>
</tbody>
</table>

#### 2019 Millage Rate: 0.934

#### 2020 Millage Rate: 0.558

### CALCULATION OF ROLLBACK RATE

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>ABBREVIATION</th>
<th>AMOUNT</th>
<th>FORMULA</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019 Net Digest</td>
<td>PYD</td>
<td>1,616,875,728</td>
<td></td>
</tr>
<tr>
<td>Net Value Added-Reassessment of Existing Real Property</td>
<td>RVA</td>
<td>24,875,562</td>
<td>(PYD+RVA+ME)</td>
</tr>
<tr>
<td>Other Net Changes to Taxable Digest</td>
<td>NAG</td>
<td>(17,407,156)</td>
<td></td>
</tr>
<tr>
<td>2020 Net Digest</td>
<td>CYD</td>
<td>1,624,344,134</td>
<td>(PYD+RVA+ME)</td>
</tr>
<tr>
<td>Millage Equivalent of Reassessed Value Added</td>
<td>ME</td>
<td>0.934PYM</td>
<td>(RVA/CYD) * PYM</td>
</tr>
<tr>
<td>Rollback Millage Rate for 2020</td>
<td>RR - ROLLBACK RATE</td>
<td>0.920PYM</td>
<td>PYM - ME</td>
</tr>
</tbody>
</table>

### CALCULATION OF PERCENTAGE INCREASE IN PROPERTY TAXES

If the 2020 Proposed Millage Rate for this Taxing Jurisdiction exceeds Rollback Millage Rate computed above, this section will automatically calculate the amount of increase in property taxes that is part of the notice required in O.C.G.A. § 48-5-32.1 (c) (2)

<table>
<thead>
<tr>
<th>Rollback Millage Rate</th>
<th>2020 Millage Rate</th>
<th>Percentage Tax Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.920</td>
<td>0.558</td>
<td>-39.35%</td>
</tr>
</tbody>
</table>

### CERTIFICATIONS

I hereby certify that the amount indicated above is an accurate accounting of the total net assessed value added by the reassessment of existing real property for the tax year for which this rollback millage rate is being computed.

Chairman, Board of Tax Assessors

Date

I hereby certify that the values shown above are an accurate representation of the digest values and exemption amounts for the applicable tax years.

Tax Collector or Tax Commissioner

Date

I hereby certify that the above is a true and correct computation of the rollback millage rate in accordance with O.C.G.A. § 48-5-32.1 for the taxing jurisdiction for tax year 2020 and that the final millage rate set by the authority of this taxing jurisdiction for tax year 2020 is

CHECK THE APPROPRIATE PARAGRAPH BELOW THAT APPLIES TO THIS TAXING JURISDICTION

If the final millage rate set by the authority of the taxing jurisdiction for tax year 2020 exceeds the rollback rate, I certify that the required advertisements, notices, and public hearings have been conducted in accordance with O.C.G.A. §§ 48-5-32 and 48-5-32.1 as evidenced by the attached copies of the published "five year history and current digest" advertisement and the "Notice of Intent to Increase Taxes" showing the times and places when and where the required public hearings were held, and a copy of the press release provided to the local media.

If the final millage rate set by the authority of the taxing jurisdiction for tax year 2020 does not exceed the rollback rate, I certify that the required "five year history and current digest" advertisement has been published in accordance with O.C.G.A. § 48-5-32 as evidenced by the attached copy of such advertised report.

Responsible Party

Title

Date

08/13/2020
### Effingham County

#### Millage - 1st Public Hearing

**PT-32.1 - Computation of MILLAGE RATE ROLLBACK AND PERCENTAGE INCREASE IN PROPERTY TAXES - 2020**

**ENTER VALUES AND MILLAGE RATES FOR THE APPLICABLE TAX YEARS IN YELLOW HIGHLIGHTED BOXES BELOW**

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>2019 DIGEST</th>
<th>REASSESSMENT OF EXISTING REAL PROP</th>
<th>OTHER CHANGES TO TAXABLE DIGEST</th>
<th>2020 DIGEST</th>
</tr>
</thead>
<tbody>
<tr>
<td>REAL</td>
<td>2,011,722,902</td>
<td>42,984,435</td>
<td>41,688,911</td>
<td>2,096,396,248</td>
</tr>
<tr>
<td>PERSONAL</td>
<td>162,540,564</td>
<td></td>
<td>4,061,163</td>
<td>166,601,727</td>
</tr>
<tr>
<td>MOTOR VEHICLES</td>
<td>35,108,070</td>
<td></td>
<td>(3,878,670)</td>
<td>31,229,400</td>
</tr>
<tr>
<td>MOBILE HOMES</td>
<td>18,937,196</td>
<td></td>
<td>3,233,661</td>
<td>22,170,857</td>
</tr>
<tr>
<td>TIMBER -100%</td>
<td>10,842,021</td>
<td>(54,776)</td>
<td>10,787,245</td>
<td></td>
</tr>
<tr>
<td>HEAVY DUTY EQUIP</td>
<td>711,931</td>
<td></td>
<td>(93,479)</td>
<td>618,452</td>
</tr>
<tr>
<td>GROSS DIGEST</td>
<td>2,239,862,684</td>
<td>42,984,435</td>
<td>44,956,810</td>
<td>2,327,803,929</td>
</tr>
<tr>
<td>EXEMPTIONS</td>
<td>296,161,355</td>
<td>14,790,766</td>
<td>(530,704)</td>
<td>306,421,417</td>
</tr>
<tr>
<td>NET DIGEST</td>
<td>1,943,701,329</td>
<td>28,193,669</td>
<td>49,487,514</td>
<td>2,021,382,512</td>
</tr>
</tbody>
</table>

**2019 MILLAGE RATE: 1.977**

**2020 MILLAGE RATE: 1.710**

#### CALCULATION OF ROLLBACK RATE

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>ABBREVIATION</th>
<th>AMOUNT</th>
<th>FORMULA</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019 Net Digest</td>
<td>PTY</td>
<td>1,943,701,329</td>
<td>(PYD+RVA+NAG)</td>
</tr>
<tr>
<td>Net Value Added- Reassessment of Existing Real Property</td>
<td>RVA</td>
<td>28,193,669</td>
<td></td>
</tr>
<tr>
<td>Other Net Changes to Taxable Digest</td>
<td>NAG</td>
<td>49,487,514</td>
<td></td>
</tr>
<tr>
<td>2020 Net Digest</td>
<td>CYD</td>
<td>2,021,382,512</td>
<td>(PYD+RVA+NAG)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>ABBREVIATION</th>
<th>AMOUNT</th>
<th>FORMULA</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019 Millage Rate</td>
<td>PYM</td>
<td>1.977</td>
<td>PYM</td>
</tr>
<tr>
<td>Millage Equivalent of Reassessed Value Added</td>
<td>ME</td>
<td>0.028</td>
<td>(RVA/CYD) * PYM</td>
</tr>
<tr>
<td>Rollback Millage Rate for 2020</td>
<td>RR - ROLLBACK RATE</td>
<td>1.949</td>
<td>PYM - ME</td>
</tr>
</tbody>
</table>

#### CALCULATION OF PERCENTAGE INCREASE IN PROPERTY TAXES

If the 2020 Proposed Millage Rate for this Taxing Jurisdiction exceeds Rollback Millage Rate computed above, this section will automatically calculate the amount of increase in property taxes that is part of the notice required in O.C.G.A. § 48-5-32.1(c) (2)

- **Rollback Millage Rate**: 1.949
- **2020 Millage Rate**: 1.710
- **Percentage Tax Increase**: -12.26%

#### CERTIFICATIONS

- **I hereby certify that the amount indicated above is an accurate accounting of the total net assessed value added by the reassessment of existing real property for the tax year for which this rollback millage rate is being computed.**
  
  ---------------------------
  Chairman, Board of Tax Assessors  
  Date
  ---------------------------

- **I hereby certify that the values shown above are an accurate representation of the digest values and exemption amounts for the applicable tax years.**
  
  ---------------------------
  Tax Collector or Tax Commissioner  
  Date
  ---------------------------

- **I hereby certify that the above is a true and correct computation of the rollback millage rate in accordance with O.C.G.A. § 48-5-32.1 for the taxing jurisdiction for tax year 2020 and that the final millage rate set by the authority of this taxing jurisdiction for tax year 2020 is **

  ---------------------------
  CHECK THE APPROPRIATE PARAGRAPH BELOW THAT APPLIES TO THIS TAXING JURISDICTION
  ---------------------------

- **If the final millage rate set by the authority of the taxing jurisdiction for tax year 2020 exceeds the rollback rate, I certify that the required advertisements, notices, and public hearings have been conducted in accordance with O.C.G.A. §§ 48-5-32 and 48-5-32.1 as evidenced by the attached copies of the published "five year history and current digest" advertisement and the "Notice of Intent to Increase Taxes" showing the times and places when and where the required public hearings were held, and a copy of the press release provided to the local media.**

- **If the final millage rate set by the authority of the taxing jurisdiction for tax year 2020 does not exceed the rollback rate, I certify that the required "five year history and current digest" advertisement has been published in accordance with O.C.G.A. § 48-5-32 as evidenced by the attached copy of such advertised report.**

  ---------------------------
  Responsible Party  
  Title  
  Date
  ---------------------------
### PT-32.1 - Computation of MILLAGE RATE ROLLBACK AND PERCENTAGE INCREASE IN PROPERTY TAXES - 2020

**COUNTY:** Effingham  
**TAXING JURISDICTION:** 2020 County Wide

#### ENTER VALUES AND MILLAGE RATES FOR THE APPLICABLE TAX YEARS IN YELLOW HIGHLIGHTED BOXES BELOW

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<thead>
<tr>
<th>DESCRIPTION</th>
<th>2019 DIGEST</th>
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<td>2,096,396,248</td>
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<td>31,229,400</td>
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<tr>
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<td></td>
<td>3,233,661</td>
<td>22,170,857</td>
</tr>
<tr>
<td>TIMBER -100%</td>
<td>10,842,021</td>
<td></td>
<td>(54,776)</td>
<td>10,787,245</td>
</tr>
<tr>
<td>HEAVY DUTY EQUIP</td>
<td>711,931</td>
<td></td>
<td>(93,479)</td>
<td>618,452</td>
</tr>
<tr>
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<td>42,984,435</td>
<td>44,956,810</td>
<td>2,327,803,929</td>
</tr>
<tr>
<td>EXEMPTIONS</td>
<td>299,746,700</td>
<td>14,790,766</td>
<td>(8,116,049)</td>
<td>306,421,417</td>
</tr>
<tr>
<td>NET DIGEST</td>
<td>1,940,115,984</td>
<td>28,193,669</td>
<td>53,072,859</td>
<td>2,021,382,512</td>
</tr>
</tbody>
</table>

- **2019 MILLAGE RATE:** 6.558  
- **2020 MILLAGE RATE:** 7.528

#### CALCULATION OF ROLLBACK RATE

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>ABBREVIATION</th>
<th>AMOUNT</th>
<th>FORMULA</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019 Net Digest</td>
<td>PYM</td>
<td>1,940,115,984</td>
<td>(PYD+RVA+NAG)</td>
</tr>
<tr>
<td>Net Value Added-Reassessment of Existing Real Property</td>
<td>RVA</td>
<td>28,193,669</td>
<td>(RVA/CYD) * PYM</td>
</tr>
<tr>
<td>Other Net Changes to Taxable Digest</td>
<td>NAG</td>
<td>53,072,859</td>
<td>PYM - ME</td>
</tr>
<tr>
<td>2020 Net Digest</td>
<td>CYD</td>
<td>2,021,382,512</td>
<td>(PYM)</td>
</tr>
<tr>
<td>2019 Millage Rate</td>
<td>PYM</td>
<td>6.558</td>
<td>(PYM)</td>
</tr>
<tr>
<td>Millage Equivalent of Reassessed Value Added</td>
<td>ME</td>
<td>0.091</td>
<td>PYM</td>
</tr>
<tr>
<td>Rollback Millage Rate for 2020</td>
<td>RR - ROLLBACK RATE</td>
<td>6.467</td>
<td>PYM</td>
</tr>
</tbody>
</table>

#### CALCULATION OF PERCENTAGE INCREASE IN PROPERTY TAXES

If the 2020 Proposed Millage Rate for this Taxing Jurisdiction exceeds Rollback Millage Rate computed above, this section will automatically calculate the amount of increase in property taxes that is part of the notice required in O.C.G.A. § 48-5-32.1(c)(2)  

<table>
<thead>
<tr>
<th>Rollback Millage Rate</th>
<th>Percentage Tax Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.467</td>
<td>16.41%</td>
</tr>
</tbody>
</table>

#### CERTIFICATIONS

I hereby certify that the amount indicated above is an accurate accounting of the total net assessed value added by the reassessment of existing real property for the tax year for which this rollback millage rate is being computed.

Chairman, Board of Tax Assessors  
Date

I hereby certify that the values shown above are an accurate representation of the digest values and exemption amounts for the applicable tax years.

Tax Collector or Tax Commissioner  
Date

I hereby certify that the above is a true and correct computation of the rollback millage rate in accordance with O.C.G.A. § 48-5-32.1 for the taxing jurisdiction for tax year 2020 and that the final millage rate set by the authority of this taxing jurisdiction for tax year 2020 is __________

#### CHECK THE APPROPRIATE PARAGRAPH BELOW THAT APPLIES TO THIS TAXING JURISDICTION

- If the final millage rate set by the authority of the taxing jurisdiction for tax year 2020 exceeds the rollback rate, I certify that the required advertisements, notices, and public hearings have been conducted in accordance with O.C.G.A. §§ 48-5-32 and 48-5-32.1 as evidenced by the attached copies of the published “five year history and current digest” advertisement and the “Notice of Intent to Increase Taxes” showing the times and places when and where the required public hearings were held, and a copy of the press release provided to the local media.

- If the final millage rate set by the authority of the taxing jurisdiction for tax year 2020 does not exceed the rollback rate, I certify that the required “five year history and current digest” advertisement has been published in accordance with O.C.G.A. § 48-5-32 as evidenced by the attached copy of such advertised report.
Staff Report

Subject: Approve the MOU between Effingham County Board of Education and Effingham County Board of Commissioners for ambulance services at various Board of Education events
Author: Alison Bruton, Purchasing Tech., Wanda McDuffie, EMS Director
Department: Purchasing and EMS
Meeting Date: 8.18.2020
Item Description: MOU Renewal with BOE for Ambulance Services at BOE Events

Summary Recommendation: Approval to renew

Executive Summary/Background:
- The Board of Education needs ambulance coverage for home football games, band competitions and graduation. The County has provided coverage for these events since 1980. The BOE has a set rate that they pay the personnel. The County uses one of the spare ambulances at no charge. In the event that a patient is transported from one of the events, that patient is billed for the services.
- EC EMS agrees to provide two medics and one ambulance to cover all home football games at Effingham High and South High.
- EC EMS agrees to provide two medics and one ambulance to cover the Band Classic Competition.
- EC EMS agrees to provide two medics and one ambulance to be on stand-by for the graduation exercise at both high schools

Alternatives for Commission to Consider
1. Approve the MOU for the 2020-2021 school year.
2. Do not approve the MOU.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Purchasing and EMS
Funding Source: No funds required
Attachments: MOU
MEMORANDUM OF AGREEMENT

BETWEEN

EFFINGHAM COUNTY BOARD OF EDUCATION

AND

EFFINGHAM COUNTY BOARD OF COMMISSIONERS

This Agreement is made and entered into this 4th day of August, 2020, by and between Effingham County Board of Education and Effingham County Board of Commissioners for the provision of services below.

Responsibilities of Effingham County Board of Education:

1. “Home” Football Games at ECHS and SEHS

   a. The Effingham County Board of Education shall provide payment to EMS technicians for their presence at ECHS and SEHS “Home” football games. Two technicians shall be present at each home football game.
   
   b. Each technician will be paid at a rate of $85.00 for three (3) hours of work per game.

   c. The Effingham County Board of Education shall provide technicians with a timesheet to be completed and submitted to the Effingham County Board of Education Accounts Payable (Tammy Mongin) office on the Tuesday following each home football game in order for payment to be received within the same week. Timesheets submitted after Tuesday will result in payment the following week. New Employees must submit a completed W-9 with their timesheet.

2. Coastal Empire Classic (Marching Band Competition)

   a. The Effingham County Board of Education shall provide payment to two (2) EMS technicians for their presence at the Coastal Empire Classic.

   b. Each technician will be paid $190.00 for their work at the event.

   c. The Effingham County Board of Education shall provide technicians with a timesheet to be completed and submitted to the Effingham County Board of Education Accounts Payable (Tammy Mongin) office on the
Tuesday following the event in order for payment to be received within the same week. Timesheets submitted after Tuesday will result in payment the following week. New Employees must submit a completed W-9 with their timesheet.

**Responsibilities of Effingham County EMS:**

1. **“Home” Football Games at ECHS and SEHS**
   
a. Effingham County EMS technicians shall be available at ECHS and SEHS “Home” football games to provide emergency services, if needed. Two (2) EMS technicians with equipped vehicles shall be present at each school’s home football games.
   
b. Technicians shall begin work at 7:00 p.m. and end work at 10:00 p.m. Each technician will be paid $85.00 for three (3) hours work per home football game.
   
c. Technicians shall submit a completed timesheet, provided by the Board Office, to the Board of Education Accounts Payable (Tammy Mongin) in order to receive payment for their work. The timesheet will be submitted by the Tuesday following each home game in order to receive payment within the same week. Timesheets submitted later than Tuesday will result in payment the following week. New Employees must submit a completed W-9 with their timesheet.

2. **Coastal Empire Classic (Marching Band Competition)**
   
a. Effingham County EMS technicians shall be available at the Coastal Empire Classic to provide emergency services, if needed. Two (2) EMS technicians with equipped vehicles shall be present at the event.
   
b. Technicians shall work during the hours of the event and be paid accordingly. The approximate number of hours for the event is normally eight (8) to ten (10) hours. Each technician will be paid $190.00 for the event.
   
c. Technicians shall submit a completed timesheet, provided by the Board Office, to the Board of Education Accounts Payable (Tammy Mongin) in order to receive payment for their work. The timesheet will be submitted
by the Tuesday following the event in order to receive payment within the same week. Timesheets submitted later than Tuesday will result in payment the following week.

3. Graduation

Effingham County EMS technicians shall be available at South Effingham High School and Effingham County High School for graduation ceremonies to provide services, if needed. Two (2) EMS technicians with equipped vehicles shall be present at the event.

4. Liability

The Effingham County EMS shall cover all EMS employees working in the performance of their duties at the above events in the event of injury.

5. Termination of Agreement

The initial term of this agreement shall be for the 2020-21 school year. Unless the District notifies Effingham County EMS of non-renewal prior to March 30, 2021, this Agreement shall automatically renew for the 2021-22 school year, and if this Agreement has so renewed, unless the District notifies Effingham County EMS of non-renewal prior to March 30, 2022, this Agreement shall automatically renew for the 2022-23 school year.

Date

Effingham County Board of Commissioners

Date 8/4/2020

Effingham County School Superintendent
Staff Report

Subject:  (GDA) Dog and Cat Sterilization Grant Award
Author:  Christy Carpenter, Finance Director
Department:  Finance Department
Meeting Date:  08-18-2020

Item Description:  Consideration to accept a grant award from the Georgia Department of Agriculture (GDA) Dog and Cat Sterilization Grant Program

Summary Recommendation:
Staff is requesting approval to accept a grant award from the Georgia Department of Agriculture (GDA) Dog and Cat Sterilization Grant Program.

Executive Summary:
When funds are available, licensed municipal animal shelters located in Georgia, licensed nonprofit animal rescue organizations with 501(c)(3) status located in Georgia, and veterinary medical foundations with 501(c)(3) status located in Georgia may apply to the GDA for a grant to assist with sterilization procedures on dogs and cats. The purpose of the Dog and Cat Sterilization Grant Program is to provide financial assistance with sterilization procedures. GDA hopes that the grant funds will ease the burden of the cost of sterilization procedures and increase the number of dogs and cats sterilized in Georgia. The Effingham County Animal Shelter will use the funds to sterilize 50 dogs and 50 cats.

Background:
1. The awarded funding amount is $5,000.
2. There is no cost share requirement.

Alternatives for Commission to Consider:
   1. Approve GDA Dog and Cat Sterilization grant award.
   2. Do not approve GDA Dog and Cat Sterilization grant award.
   3. Provide Staff with Direction

Recommended Alternative:
Staff recommends Alternative number 1 – Approve GDA Dog and Cat Sterilization grant award.

Other Alternatives:  N/A

Department Review:  Effingham County Animal Shelter

Funding Source:  No cost share requirement

Attachments:  GDA Grant Award letter and information
Dear Grant Recipient,  

July 31, 2020

On behalf of Commissioner Gary Black and the Georgia Department of Agriculture, I want to congratulate your organization for receiving a grant from the Georgia Dog and Cat Sterilization program. Grants were awarded in amounts from $1000 - $10,000 depending on how your application was scored by the grant review committee.

It may take up to 45 days for our finance department to process your payment. Please ensure that your email of record is updated in our system if there is a change from the address that you submitted on the application. Prior to payment you will receive a "grant agreement" by email. Please sign, date and return the document. You can scan the signed document and submit it to DCSP@agr.georgia.gov or you can mail the document to:

Georgia Department of Agriculture DCSP Grant Program Room 112 19 Martin Luther King Jr. Dr., SW. Atlanta, Ga. 30334

You will receive your funds by direct deposit or by check. Please make sure detailed records are kept of each spay/neuter procedure that is performed with the grant funds. Each recipient is subject to audit by the state auditor for the purpose of confirming compliance with state law and the performance of the terms of the grant pursuant to § O.C.G.A. 28-5-125.

I thank each of you for participating in the Georgia Dog and Cat Sterilization Program. At $711,000, this is the largest grant ever offered from the program. Dog and cat overpopulation in Georgia remains a problem that deserves all the attention that each of us can provide. I affirm that this program is the best of its kind in the country, and I encourage each of you to reach out to your local media outlet to promote your award and the program.

Thanks Again,
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2020 DCSP Grant Recipients 7-29-2020

$10K (or 8amt requested if lower than $10K) for all scores of 99-100

$5K (or amount requested if lower than $5K) for all scoring 90-100

$3K for all scoring 80-90

$2K for scores 76-79

$1K for scores of 73-75

$0 below 70

Total qualified applicants: 108
Total Recipients = 97
Total amount = $548,116
GVMA award = $23,300
Total = $711,416
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<td>One Love Animal Rescue, Inc.</td>
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<td>Atlanta Humane Society and SPCA of Georgia</td>
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<td>98</td>
<td>Purr Nation Cat</td>
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**Total:** 711,000
Staff Report

Subject: Recommendation to Rescind Contract 21-21-006 with TCM General Contracting and Award of Contract 20-21-006 (2) – Replace Flooring at Central Learning Center Gymnasium with FloorCare Specialists

Author: Alison Bruton, Purchasing Tech

Department: Facilities Maintenance

Meeting Date: 8/18/2020

Item Description: Contract Approval

Summary Recommendation: Staff recommends rescinding of Contract 20-21-006 with TCM General Contracting and approval of Contract 20-21-006 (2) with FloorCare Specialists for the replacement of flooring at the Central Learning Center Gymnasium

Executive Summary/Background:

- RFQ 20-21-006 was posted on April 8, 2020 to solicit written quotations to replace damaged floors at the CLC Gymnasium
- Five (5) quotes were submitted:
  - Barry Sharpe $63,500.00
  - TCM General Contracting $24,150.00
  - RAM Enterprises $46,430.00
  - FloorCare Specialists $27,800.00
  - United Grounds Maint. $53,320.00
- TCM General Contracting was awarded the contract on May 19, 2020. On June 22, 2020, TCM contacted staff stating they were unable to complete the project for the bid amount due to confusion regarding the scope. TCM was going to submit additional quotes for repairs, but those were not received.
- Staff has spoken to the second low bidder, FloorCare Specialists. Their bid price still stands and they are aware of the full scope of the project.
- The contract has been reviewed and approved to form by the County Attorney.

Alternatives for Commission to Consider

1. Approval to rescind Contract 20-21-006 with TCM General Contracting and approval of Contract 20-21-006 (2) with TCM General Contracting to replace damaged floors at the CLC Gym for $27,800.00.
2. Rescind Contract 20-21-006 with TCM General Contracting and suspend the project until 2021.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Purchasing, Facilities Maintenance, County Engineer

Funding Source: There is no current funding for this project.

Attachments:

1. Service Contract
Services Contract

Between

Effingham County Board of Commissioners and FloorCare Specialists, Inc. dba GameDay Floors
601 North Laurel Street 4040 Nine McFarland Dr. Ste 1000
Springfield, GA 31329 Alphretta, GA. 30004

This Contract (hereinafter referred to as “Contract” or “Agreement”) is made and entered into by and between the Board of Commissioners of Effingham County, Georgia (hereinafter referred to as the "Board" and/or “County”) and FLOORCARE SPECIALISTS, INC. DBA GAMEDAY FLOORS (hereinafter called the "Contractor"). This Contract shall be effective and binding on the date that the last authorized signature is affixed.

WITNESSETH

WHEREAS, the Board desires to engage a qualified company as specified in 20-21-006 (2) - REPLACE FLOORING AT CENTRAL LEARNING CENTER GYM; and

WHEREAS, the Contractor has represented to the Board that it is experienced, licensed and qualified to provide the services contained herein, and the Board has relied upon such representation; and

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained, it is agreed by and between the Board and the Contractor as follows:

ARTICLE I
TERMS AND CONDITIONS OF THIS CONTRACT

SECTION I-1 TERMS OF SERVICE.
The scope of services and the terms and conditions of performance shall be as specified in this document and in 20-21-006 (2) - REPLACE FLOORING AT CENTRAL LEARNING CENTER GYM and related addenda which are hereby adopted and incorporated as if set forth fully herein.

SECTION I-2 CONTRACT.
This Contract will commence on DATE and terminate on DATE with automatic renewal options for three (3) additional one (1) year terms provided that the services to be provided, and the prices thereof, for the extension period, have been mutually agreed upon by the County and the Contractor or:
A. Unless otherwise directed by the Effingham County Board of Commissioners.
B. Unless budgeted funds are not appropriated.

OR

SECTION I-2 CONTRACT.
This Contract is one time lump sum in the amount of $27,800.00.

SECTION I-3 REQUIREMENT FOR MANDATORY PERFORMANCE.
The words "shall", "will" and "must" may be used interchangeably in this Contract and in any case will indicate mandatory.

SECTION I-4 PERSONNEL AND EQUIPMENT.
The Contractor represents that it has secured and will secure, at its own expense, all personnel and equipment necessary to perform the services of this Contract, none of whom shall be employees of, nor have any contractual relationship with Effingham County. All of the services required hereunder will be performed by the Contractor under its supervision, and all personnel engaged in the work shall be fully qualified and shall be authorized or permitted under law to perform such services.

SECTION I-5 CHANGES TO THIS CONTRACT.
The County may, at any time, request changes in the Scope of Services of the Contractor to be performed hereunder. Such changes, including any increase or decrease in term, rate, or amount of the Contractor’s compensation, as more fully described elsewhere herein, which are mutually agreed upon by and between the County and the Contractor shall be incorporated in written amendments to this Contract.
SECTION I-6 TERMINATION OF CONTRACT FOR CAUSE.
County may terminate this Contract for cause or Contractor’s persistent failure to perform the work in accordance with the Contract Documents. If County terminates the Contract for cause, Contractor shall not be entitled to any further payment from the effective date of the termination which shall be stated in the termination letter sent by the County.

SECTION I-7 TERMINATION OF CONTRACT WITHOUT CAUSE.
County may terminate without cause, upon seven (7) days written notice to Contractor. In such case, Contractor shall be paid for completed and acceptable work executed in accordance with this Contract prior to the effective date of termination. Contractor shall not be paid on account of loss of anticipated profits or revenue or other economic loss arising out of or resulting from such termination.

SECTION I-8 TERMINATION OF CONTRACT FOR LACK OF FUNDING.
The obligation of the County for payment to the Contractor is limited to the availability of funds appropriated in the current fiscal year by the Effingham County Board of Commissioners.

SECTION I-9 INDEMNIFICATION.
To the fullest extent permitted by law, the Contractor shall indemnify and hold harmless County and its officers, directors, partners, employees, agents, consultants, and subcontractors from and against all claims, costs, losses, and damages (including but not limited to all fees and charges of engineers, architects, attorneys, and other professionals and all court or arbitration or other dispute resolution costs) arising out or relating to the performance of the work, but only to the extent caused by any negligent or willful act or omission of Contractor, its subcontractors and suppliers, or any individual or entity directly or indirectly employed by them to perform any of the work or anyone for whose acts any of them may be liable.

The Contractor’s obligation to indemnify Effingham County under this Section shall not be limited in any way by the agreed upon contract price as shown in this Contract or by the scope and amount of insurance maintained by the Contractor.

SECTION I-10 COVENANT AGAINST CONTINGENT FEES.
The Contractor shall comply with the relevant requirements of all Federal, State, County or other local laws. The Contractor warrants this it has not employed or retained any company, person, other than a bona fide employee working solely for the Contractor, for any fee, commission, percentage, brokerage fee, gifts, or any consideration, contingent upon or resulting from the award or making of this contract.

For breach or violation of this warranty, the Board shall have the right to annul this Contract without liability or in its discretion to deduct from the Contract price or consideration, or otherwise recover, the full amount of such fee, commission, percentage, brokerage fee, gift or contingent fee.

SECTION I-11 PROHIBITED INTERESTS.
A. Conflict of Interest. The Contractor and its subcontractors warrant that they presently have no interest and shall acquire no interest, direct or indirect, that would conflict in any manner or degree with the performance of its services hereunder. The Contractor further agrees that, in the performance of the Contract no person having such interest shall be employed.

B. Statement of disclosure: Contractor must provide a statement of disclosure which will allow the County to evaluate possible conflicts of interest.

Interests of Public Officials.
Contractor warrants for itself and any subcontractor that no elected or appointed official or employee of Effingham County, Georgia, has any interest in their bid or the proceeds of any contract/agreement which may result thereof. In the event that an elected or appointed official or employee acquires any interest in any contract/agreement which may result from this bid, or the proceeds thereof, the vendor agrees to disclose such interest to the County immediately by written notice. For breach or violation of this clause, the County may annul any contract/agreement resulting from this bid without liability, terminate any contract/agreement resulting from this bid for default, or take other remedial measures. “Interest” as used herein means direct or indirect pecuniary or material benefit accruing to a county commissioner, official or employee as a result of a matter which is or which is expected to become the subject of an official action by or with the county, except for such actions which, by their terms and by the substance of their provisions, confer the opportunity and right to realize the accrual of similar benefits to all other persons and/or property similarly situated. The term “interest” shall not include any remote interest. For purposes of this bid, a county commissioner, official or employee shall be deemed to have an interest in the affairs of: (1) his or her family; (2) any business entity in which the county commissioner, official or employee is a member, officer, director,
employee, or prospective employee; and (3) any business entity as to which the stock, legal ownership, or beneficial ownership of a county commissioner, official or employee is in excess of five percent of the total stock or total legal and beneficial ownership, or which is controlled or owned directly or indirectly by the county commissioner, official or employee. Remote interest as used herein means the interest of (1) a volunteer director, officer, or employee of a nonprofit corporation; (2) a holder of less than 5 percent of the legal or beneficial ownership of the total shares of a business; (3) any person in a representative capacity, such as a receiver, trustee, or administrator. Family as used herein means the spouse, parents, children, and siblings, related by blood, marriage, or adoption, of a county official or employee.

SECTION I-12 AUDITS AND INSPECTIONS.
At any time during normal business hours and as often as the County may deem necessary, the Contractor and its subcontractors shall make available to the County and/or representatives of the County, examination all of its records with respect to all matters covered by this Contract. It shall also permit the County and/or representatives of the County to audit, inspect, examine and make copies, excerpts or transcripts from such records of personnel, conditions of employment and other data relating to all matters covered by this Contract. All documents to be audited shall be available for inspection at all reasonable times in the main offices of the County or at the offices of the Contractor as requested by the County.

SECTION I-13 INDEPENDENT CONTRACTOR.
Contractor hereby covenants and declares that it is an independent business and agrees to perform the Work as an independent contractor and not as the agent or employee of the County. The Contractor agrees to be solely responsible for its own matters relating to the time and place the services are performed; the instrumentalities, tools, supplies, and/or materials necessary to complete the Work; hiring of consultants, agents, or employees to complete the Work; and the payment of employees, including compliance with Social Security, withholding, and all other regulations governing such matters. The Contractor agrees to be solely responsible for its own acts and those of its subordinates and subcontractors during the life of this Agreement.

SECTION I-14 NOTICES.
All notices shall be in writing and any notices, demands, and other papers or documents to be delivered to Effingham County, Georgia, under this Contract shall be delivered in person or transmitted by certified mail, postage prepaid to 601 North Laurel Street, Springfield, Georgia 31329, or at any such other place as may be subsequently designated by written notice to the Contractor.

All written notices, demands, and other papers or documents to be delivered to the Contractor under this Contract shall be transmitted by certified mail, postage prepaid, to Mark Fitzpatrick, FloorCare Specialists, Inc. dba GameDay Floors, 4040 Nine McFarland Dr Ste 1000, Alpharetta, GA. 30004. It shall be Contractor’s responsibility to inform the County of any change to this contact address.

SECTION I-15 COMPLIANCE WITH LAWS.
The Contractor shall comply with all applicable Federal, State, and local laws, ordinances, rules, and regulations relating to the work, including by not limited to Effingham County building code and permitting requirements and other local requirements as applicable.

SECTION I-16 ASSIGNABILITY.
The Contractor shall not assign or transfer any of its rights, obligations, benefits, liabilities, or other interest under this Contract without written consent of the County.

SECTION I-17 GOVERNING LAW.
This Contract shall be governed by the laws of Georgia, with venue in Effingham County.

ARTICLE II
COMPENSATION, FINANCIAL ADMINISTRATION AND GUARANTEES

SECTION II-1. COMPENSATION FOR CONTRACTOR SERVICES.
The County shall pay the Contractor for his services as follows:
<table>
<thead>
<tr>
<th>Description</th>
<th>Bid Price</th>
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<tbody>
<tr>
<td>Replace floors – Central Learning Center Gymnasium - COMPLETE</td>
<td>$ 27,800.00</td>
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Warranty Offered on labor and materials: One year from date of final acceptance

**See Attachment A for signed bid document**

These rates and fees shall remain in effect until completion of the project, without exception.

All invoices shall contain the following:

- Date services performed
- Detailed account of services performed
- Name of employee providing said services

No work shall take place without advanced written approval of the County's engineering department. If the Contractor commences any work prior to receiving written approval, he does so at his own risk.

No work outside the scope of work contained in the RFQ will be performed without the advanced written approval of the County's engineering department.

Advance payments prior to any work shall not be granted unless specified in writing.

Progress payments or draw shall not be granted unless specified in writing.

Notwithstanding any other payment provisions of this contract, failure of the Contractor to submit required reports when due or failure to perform or deliver required work, supplies, or services, may result in the withholding of payment under this contract unless such failure arises out of causes beyond the control, and without the fault or negligence of the Contractor. The County will immediately notify the Contractor of its intention to withhold payment of any invoice or voucher submitted.

SECTION II-2. PAYMENT OF TAXES AND FEES.
The Contractor shall pay the cost of any taxes, permits, fees, or licenses required to complete and satisfy the requirements of this Contract.

SECTION II-3. QUANTITIES GUARANTEED.
The Contractor represents, understands and agrees that this is an "LUMP SUM" contract, to guarantee pricing for services contained herein.

ARTICLE III
INSURANCE REQUIREMENTS

SECTION III-1. INSURANCE PROVISIONS: Contractor shall be required to procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Contractor, its agents, representatives, employees or subcontractors. Contract work will not proceed unless Effingham County has in their possession, a current Certificate of Insurance. Effingham County invokes the defense of sovereign immunity. The County is not to be included as an additional insured on insurance contracts.

General Information that shall appear on a Certificate of Insurance:

A. Name of Producer (contractor's insurance Broker/Agent).
B. Companies affording coverage (there may be several).
C. Name and address of the Insured (this should be the Company or Parent of the firm Effingham County is contracting with).

D. A Summary of all current insurance for the insured (includes effective dates of coverage).

E. A brief description of the operations to be performed, the specific job to be performed, or contract number.

F. Certificate Holder (This is to always include Effingham County).

**Limits of Insurance:**

Effective coverage shall have the following limits:

A. Commercial General Liability of $1,000,000 (one million dollars) per occurrence and $2,000,000 (two million dollars) aggregate for bodily and personal injury, sickness, disease or death, injury to or destruction of property, including loss of use resulting therefrom. Excess or umbrella liability coverage shall be required for contracts pertaining to road construction or repairs, automotive or motor vehicle repairs, or for contracts over $1,000,000.00.

B. Commercial Automobile Liability (owned, non-owned, hired) of $1,000,000 (one million dollars) per occurrence for bodily and personal injury, sickness, disease or death, injury to or destruction of property, including loss of use resulting therefrom.

C. Workers’ Compensation limits as required by the State of Georgia and Employers Liability limits of $1,000,000 (one million dollars) per accident or disease.

**Special Requirements:**

A. **Claims-Made Coverage:** The limits of liability shall remain the same as the occurrence basis, however, the Retroactive date shall be prior to or coincident with the date of any contract, and the Certificate of Insurance shall state the retroactive date and the coverage is claims-made.

B. **Extended Reporting Periods:** The contractor shall provide the County with a notice of the election to initiate any Supplemental Extended Reporting Period and the reason(s) for invoking this option.

C. **Reporting Provisions:** Any failure to comply with reporting provisions of the policies shall not affect coverage.

D. **Cancellation/Non-Renewal Notification:** Each insurance policy shall be endorsed to state that it shall not be suspended, voided, or canceled, except after thirty (30) days prior to written notice by certified mail, return receipt, has been given to the County.

E. **Proof of Insurance:** Effingham County shall be furnished with certificates of insurance and original endorsements affecting coverage required by this invitation. The certificates and endorsements are to be signed by a person authorized by the insurer to bind coverage on its behalf. All certificates of insurance are to be submitted prior to, and approved by, the County before services are rendered. The CONTRACTOR must ensure Certificates of Insurance are updated for the entire term of the Contract.

F. **Insurer Acceptability:** Insurance is to be placed with an insurer having an A.M. Best's rating of A and a five (5) year average financial rating of not less than V. If an insurer does not qualify for averaging on a five year basis, the current total Best's rating will be used to evaluate insurer acceptability.

G. **Deductible and Self-Insured Retention:** Any deductibles or self-insured retention must be declared to, and approved by, the County.

H. **Lapse in Coverage:** A lapse in coverage shall constitute grounds for contract termination by Effingham County Board of Commissioners.

**Additional Coverage for Engineering, Architectural and Surveying Services:**

Professional Liability: Insure errors or omission on behalf of architects, engineers, attorneys, medical professionals, and consultants. Minimum Limits: $1,000,000 per claim/occurrence. Coverage Requirement: If “claims made,” retroactive date must precede or coincide with the contract effective date or the date of the Notice to Proceed. The professional must state if “tail” coverage has been purchased and the duration of the coverage.
ARTICLE IV
WAIVERS AND EXCEPTIONS

No failure by County to enforce any right or power granted under this Contract, or to insist upon strict compliance by Contractor with this Contract, and no custom or practice of County at variance with the terms and conditions of this Contract shall constitute a general waiver of any future breach or default or affect the County’s right to demand exact and strict compliance by Contractor with the terms and conditions of this Contract.

ARTICLE V
GENERAL PROVISIONS

This Contract supersedes any and all agreements, both oral and written, between the parties with respect to the rendering of services by Contractor for County and contains all of the covenants and agreements between the parties with respect to the rendering of these services in any matter whatsoever. Each party acknowledges that no representations, inducements, promises, or agreements, written or oral, have been made by either party, or by anyone acting on behalf of either party, that are not embodied in this Contract. Any modification of this Contract will be effective only if set forth in writing and signed by the party to be charged.

Contractor warrants that it will not, in the performance of this Contract, illegally discriminate on the basis of race, color, sex, or national origin.

This Contract will be governed by and construed in accordance with the laws of the State of Georgia. If any provision in this Contract is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions will continue in full force and effect without being impaired or invalidated in any way.

If Contractor dies or is dissolved prior to the completion of this Contract, any moneys that may be due to Contractor from County for services rendered prior to the date of death or dissolution shall be paid to Contractor’s executors, administrators, heirs, personal representative, successors, or assigns.

INTENTIONALLY LEFT BLANK
ARTICLE VI
AUTHORITY TO EXECUTE AND ENTER AGREEMENT

By his, her, or their signature(s) below, the person or persons signing on behalf of Contractor warrant that (1) they are authorized to sign on behalf of Contractor; (2) that to the extent Contractor is an entity rather than an individual, the entity is currently in existence and is validly registered with appropriate government officials; and (3) that the individual and entity contracting herein are in compliance with all Georgia requirements related to federal and state immigration laws and the use of E-Verify and shall remain in compliance during the term of this Contract.

IN WITNESS WHEREOF, the parties hereto acting through their duly authorized agents have caused this Contract to be signed, sealed and delivered.

This ____ day of ____________________, 2020.

FLOORCARE SPECIALISTS, INC. DBA GAME DAY FLOORS

__________________________________________
Signature

__________________________________________
Title

Witness - Signature

Witness - Title

BOARD OF COMMISSIONERS OF EFFINGHAM COUNTY, GEORGIA

__________________________________________
WESLEY CORBITT, CHAIRMAN

Attest:

Stephanie Johnson, County Clerk

CONTRACT NO. 20-21-006 (2)

COMMISSION APPROVAL DATE:
RFQ No. 20-21-006 – Replace Floors – Central Learning Center Gymnasium

RFQ No. 20-21-006

Replace Floors – Central Learning Center Gymnasium

QUOTE

<table>
<thead>
<tr>
<th>Description</th>
<th>Bid Price</th>
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</thead>
<tbody>
<tr>
<td>Replace floors – Central Learning Center Gymnasium - COMPLETE</td>
<td>$27,800.00</td>
</tr>
</tbody>
</table>

Warranty Offered on labor and materials:
1 year on materials and labor

Proposing Company Contact Information:

<table>
<thead>
<tr>
<th>Company Name:</th>
<th>FloorCare Specialists, Inc. dba GameDay Floors</th>
</tr>
</thead>
<tbody>
<tr>
<td>Billing Address:</td>
<td>4040 Nine McFarland Dr Ste 1000 Alpharetta, GA 30004</td>
</tr>
<tr>
<td>Telephone:</td>
<td>678-802-6020 ex 106</td>
</tr>
<tr>
<td>Service Address:</td>
<td>Same</td>
</tr>
<tr>
<td>Telephone:</td>
<td>678-802-6020</td>
</tr>
<tr>
<td>Representative Name:</td>
<td>Mark Fitzpatrick</td>
</tr>
<tr>
<td>Representative Contact Address:</td>
<td>Same</td>
</tr>
<tr>
<td>Telephone:</td>
<td>770-733-7588</td>
</tr>
<tr>
<td>E-Mail:</td>
<td><a href="mailto:mfitzpatrick@gamedayfloors.com">mfitzpatrick@gamedayfloors.com</a></td>
</tr>
</tbody>
</table>

It is agreed by the undersigned offeror that the signature and submission of this proposal represents the vendor’s acceptance of all terms, conditions and requirements of specifications and, if awarded, the proposal will become part of the contract agreement between the parties.

Signed: (manually, in ink)

(Signature of Authorized Representative of the Company)

Name Printed: Mark Fitzpatrick Title: Sales Manager Date: 4/28/2020
EXCEPTION SHEET

If Commodity(s) and/or Service proposed in quote is in ANYWAY different from that contained in this proposal, the Bidder is responsible for clearly identifying all such differences in the space below. Otherwise, it will be assumed that the Bidder’s offer is in total compliance with all aspects of the proposal.

Below are the only differences between my offer and the County’s proposal:

Type text here

April 28, 2020

DATE

[Signature]

SIGNATURE/TITLE

[Company]

COMPANY
Staff Report - Old Business

Subject: Rezoning (First District)
Author: Diane Proudfoot, Zoning Administrator
Department Development Services – Planning & Zoning
Meeting Date: August 18, 2020

Item Description: Teramore Development requests to rezone 0.78-acres of 1.41-acres from AR-2 to B-3 (Highway Commercial) to combine with existing B-3 parcel 297-58, for a retail development on Midland Rd and S Hwy 17

Map# 297A Parcel #3

Staff Comments:
Planning Board and staff recommends alternative #1 approval with the stipulations listed in the staff report.

Summary Recommendation
Approve request to rezone .78-acres of 1.41-acres from AR-2 to B-3 (Highway Commercial) and combine it with 297-58 to allow for a retail development on Midland Rd and S Hwy 17, with the following stipulations:

1. The lot must meet the requirements of the B-3 zoning district.
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 be approved and permitted by USACE and a copy submitted to Development Services.
5. A recombination plat for the remaining .63-acres of 297A-3 and an adjacent AR-2 zoned parcel must be submitted to Development Services.

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.

Background
At the Planning Board meeting, Juanita Golden made a motion to approve request to rezone .78-acres of 1.41-acres from AR-2 to B-3 (Highway Commercial) and combine it with 297-58 to allow for a retail development on Midland Rd and S Hwy 17, with the following stipulations:

1. The lot must meet the requirements of the B-3 zoning district.
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 be approved and permitted by USACE and a copy submitted to Development Services.
5. A recombination plat for the remaining .63-acres of 297A-3 and an adjacent AR-2 zoned parcel must be submitted to Development Services.

Brad Smith seconded the motion. The motion carried unanimously.
At the Board of Commissioner's July 21, 2020 meeting, this item was tabled by request of applicant to August 18, 2020 meeting.
Alternatives

1. **Approve** request to rezone .78-acres of 1.41-acres from AR-2 to B-3 (Highway Commercial) and combine it with 297-58 to allow for a retail development on Midland Rd and S Hwy 17, with the following stipulations:
   1. The lot must meet the requirements of the B-3 zoning district.
   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 be approved and permitted by USACE and a copy submitted to Development Services.
   5. A recombination plat for the remaining .63 acres of 297A-3 and an adjacent AR-2 zoned parcel must be submitted to Development Services.

2. **Deny** the rezoning of .78-acres of 1.41-acres from AR-2 to B-3 (Highway Commercial).

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** Development Services

**FUNDING:** N/A

**Attachments:**
1. Rezoning checklist
2. Rezoning application
3. Ownership certificate/authorization
4. Deed
5. Plat
6. Aerial photograph
ATTACHMENT A

EFFINGHAM COUNTY REZONING AMENDMENT FORMS

Applicant: Teramore Development, LLC

Property owner(s): M. Alan Watson

Telephone Number(s): (912) 772-3608 and/or (912) 658-2219

Mailing Address: P.O. Box 213, Guyton, GA 31312

Property location: The 1.41-acre parcel is located at 1790 GA-17 in the unincorporated community of Pineora in Effingham County, GA. The property adjoins a larger tract to the north (Kasabian) which is zoned B-3 Highway Commercial and will also be a part of our intended development.

Present Zoning: AR-2

Proposed Zoning: B-3

*We would like to propose rezoning a portion (0.78 acres) of the 1.41-acre Watson parcel from AR-2 (Agricultural / Residential) to B-3 (Highway Commercial).

Present land-use: Vacant

Proposed land-use: Newly Constructed 9,100 SF Commercial Retail Development

Tax Map #:/Parcel #:/Lot #: Effingham County Tax Parcel ID: 0297A003

Total Acres: 1.41 acres Acres to be rezoned: 0.78 acres

Lot characteristics: Wooded / Vacant Land

Water/Sewer: We will install our own septic system pending Health Department Approval. Chatham Water Utility, LLC has a well located off the western boundary of our site that they have agreed to allow us to tap into for water services.

Proposed access: Full Access on Midland Rd. — preliminarily approved by Effingham County.

Justification: To construct a 9,100 SF Commercial Retail Development
List the zoning of the other property in the vicinity of the property you wish to rezone:

NORTH: **B-3 Highway Commercial** - Kasabian parcel – Vacant – this property will also be a part of our intended development and is currently under contract.

NORTH (Across Midland Rd.): **B-2 General Commercial** – Rang parcel – Marathon Gas Station

SOUTH: **AR-2 Agricultural / Residential** – Coursy parcel – Residence

EAST: **GA-17 (AR-1 across GA-17)**

WEST: **Pineora Estates Dr. (AR-1 across Pineora Estates Dr.)** – Upon a successful rezoning of the proposed 0.78 acres (a portion of the 1.41-acre Watson parcel), we will be deeding away the remaining 0.63 acres to neighboring property owners creating an AR-2 zoning classification for the western border the 0.78 acre property that we wish to be rezoned.
1. Describe the current use of the property you wish to rezone.

The 0.78-acre portion of the Watson parcel that we wish to rezone as well as the entire 1.41-acre parcel are currently unused at this time. The property is wooded but considered vacant land with no structures, businesses, homes, etc. on site – only trees and shrubbery.

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

No, the entire 1.41-acre parcel nor the 0.78 acres that we wish to rezone have any economic use at this time. The property is currently zoned AR-2 but does not serve as residential nor agricultural use. No structures on the property.

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

We are proposing a Commercial Retail Use / General Store being structured approximately 9,100 SF selling food, snacks, household items, health/beauty products, seasonal items, basic apparel, and cleaning supplies.

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

The Marathon gas station located north (across Midland Rd.) of our proposed site is zoned B-2 General Commercial and is currently used as a gas station / c-store selling commercial goods. The Kasabian parcel located directly north (adjacent) and being a part of our overall site is zoned B-3 Highway Commercial but currently serves no use as the property is vacant/wooded.

The property south (adjacent) is zoned AR-2 and contains a mobile home type structure which looks to be a residence. Pending a successful rezoning and construction of the 9,100 SF facility, we will install a 6' ft. wooden, shadow box privacy fence along the southern and western border of the 0.78-acre property being rezoned since the adjacent properties contain an AR-2 zoning classification.

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 goal is to provide a closer, cheaper, and more convenient shopping option to the local residents of the Effingham County and Pineora areas. The proposed site / 0.78 acres we wish to rezone is located directly across from one of the few commercial developments in Pineora, being known as the Marathon gas station/Handi-House. This location seemed to be the best commercial node in Pineora and made the most since for proposing a 9,100 SF Commercial Retail Development. Our overall site will consist of the Kasabian parcel (zoned appropriately as B-3) as well as the 0.78-acre portion of the Watson parcel that we wish to rezone. There would be a substantial increase in property tax only for our proposed site (not surrounding property owners) as well as a new sales tax revenue for Pineora and Effingham County that would benefit the local residents in this area as well as their municipal authorities and departments.
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. We are planning to construct this development at no direct cost to the community of Pinedora nor Effingham County. We will be installing and providing our own means of water and sewer (well and septic).
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

____5-4-2005______, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book _____1269_____ page _____108_____.

I hereby certify that I am the owner of the property being proposed for rezoning, and I have answered all of the questions contained herein and know the same to be true and correct. I hereby acknowledge that I have reviewed the application checklist, and further acknowledge that any omission of the items above will cause a delay in the review of my request.

Owner’s signature ___________________________ Print ___________________________

Owner’s signature ___________________________ Print ___________________________

Owner’s signature ___________________________ Print ___________________________

Sworn and subscribed before me this ______14th____ day of ______May____, ______2020____.

__________________________
Angelica E. Pittman

Notary Public, State of Georgia
AUTHORIZATION OF PROPERTY OWNER

I, M. Alan Watson, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states: That he/she is the owner of the property which is subject matter of the attached application, as is shown in the records of Effingham County, Georgia.

I authorize the person named below to act as applicant in the pursuit of a Rezoning application. I acknowledge and accept that I will be bound by the decision of the board of commissioners, including any conditions of the rezoning, if the application is approved.

Name of Applicant: Teramore Development, LLC Date: 5-14-2020

Address: P.O. Box 6460

City: Thomasville State: GA Zip Code: 31798

Telephone Number: (229) 516-4289 Email: odavis@teramore.net

M. Alan Watson Owners Name (Print)

Personally appeared before me M. Alan Watson (Owner print)

Who swears before that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

This Day 14th of May, 2020

Angelica E. Pittman
Notary Public
WARRANTY DEED

STATE OF GEORGIA
COUNTY OF EFFINGHAM

This instrument made on the 13th day of May, 1993, between Ellen Michelle Cooper, of the County of Effingham, State of Georgia, as Grantor, and Speedy Oil, Inc., of the County of Effingham, State of Georgia, as Grantee, for and in consideration of the sum of TEN AND 00/100 DOLLARS ($10.00) Delivered and other good and valuable considerations in hand paid and the Grantee hereby acknowledged, the Grantee, by these presents, for the covenants, agreements, conditions and covenants herein contained, agrees to take, receive, hold, have, enjoy, keep, and forever hold and have, the land described as follows:

The tract of land described as Lot 13, Rockford Estates Subdivision, Effingham County, Effingham County, Georgia, containing 1.42 acres, more or less, being more particularly described by the Plat of Survey made by Neil B. Ackerman, R.L.S. #1128, dated June 23, 1988, recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Cabinet A, Page 222-B, which is incorporated into this description by specific reference thereto.

The tract being the same property conveyed by Deborah McManus Reed to Ellen Michelle Cooper as evidenced by that certain Warranty Deed dated June 13, 2001, recorded in Deed Book 721, page 248, Effingham County.

SUBJECT HOWEVER to all restrictions, agreements, conditions and covenants of record.

TO HAVE AND TO HOLD the above described parcel of land, together with all and singular the appurtenant, easements and appurtenances thereof, to the same going, coming, and in general using, or in general appurtenance, to the full property set, benefits and burdens of the said Grantor known in Fee Simple.

AND THE GRANTOR and Vendor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of any persons whatsoever.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal this 13th day of May, 1993.

[Signature]
Ellen Michelle Cooper

[Seal]

Notary Public

[Seal]

Effingham County, Georgia

08/13/2020
June 18, 2020

Effingham County Zoning Board
Springfield, GA 31329

Re: Teramore Development, LLC
1790 GA Hwy 17 Guyton (Pineora), GA 31312
Pin #3297A-3
Total Acres: 1.41 Acres to be rezoned: 0.78

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-2 to B-3. This property will be serviced by Chatham Water Utility, LLC. 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
2. Engineered plans for the On-site sewage system.

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
LEGEND

- EXISTING ASPHALT -
- PROPOSED HS ASPHALT
- PROPOSED CONCRETE
- PROPOSED LD ASPHALT
- PROPOSED LANDSCAPING

GENERAL NOTES:

1. PRELIMINARY BOUNDARY IS BASED ON INFORMATION FROM PROPERTY APPRAISER AND SHALL BE USED FOR ILLUSTRATIVE PURPOSES ONLY. THIS PLAN SHALL NOT BE INTENDED TO CERTIFY THE ACCURACY OF EXISTING SURFACE OR SUBSURFACE CONDITIONS. ALL AREAS AND DIMENSIONS ARE APPROXIMATE AND SHOULD BE VERIFIED BY ACTUAL SURVEY.

2. PROPOSED ACCESS LOCATIONS SHALL BE APPROVED BY REGULATORY AGENCIES HAVING JURISDICTION.
Parcel ID: 0297A003
Class Code: Residential
Taxing District: 01-County
Acres: 1.41
(Note: Not to be used on legal documents)

Owner: WATSON M ALAN
Physical Address: 1790 S HWY 17
Assessed Value: Value $27400

Last 2 Sales:
- Date: 5/3/2005
- Price: $38900
- Reason: UV
- Qual: U
- r/a: 0
- n/a: n/a

Date created: 5/20/2020
Last Data Uploaded: 5/20/2020 12:52:10 AM

Developed by Schneider Geospatial
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 (Teramore Development, LLC for M. Alan Watson - Map# 297A-3) from AR-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

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CHECK LIST:

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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)  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 – June 22, 2020

08/13/2020

Page 16 of 20
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.

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL[Signature]     DISAPPROVAL

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

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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 – June 22, 2020
EFFINGHAM COUNTY REZONING CHECKLIST

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL  DISAPPROVAL

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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?
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   Yes  No

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EFFINGHAM COUNTY REZONING CHECKLIST

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[ ] APPROVAL

[ ] DISAPPROVAL

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Yes (No) 8. Do other conditions affect the property so as to support a decision against the proposal?
3. All wetland impacts be approved and permitted by USACE and a copy submitted to Development Services.
5. A recombination plat for the remaining .63 acres of 297A-3 and an adjacent AR-2 zoned parcel must be submitted to Development Services.

2. Deny the rezoning of .78-acres of 1.41-acres from AR-2 to B-3 (Highway Commercial).

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

Attachments:
  1. Rezoning checklist
  2. Rezoning application
  3. Ownership certificate/authorization
  4. Deed
  5. Plat
  6. Aerial photograph
Staff Report - Old Business

Subject: Rezoning (First District) 
2nd Reading Zoning Map Amendment

Author: Diane Proudfoot, Zoning Administrator
Department: Development Services – Planning & Zoning
Meeting Date: August 18, 2020
Item Description: Teramore Development requests to rezone 0.78-acres of 1.41-acres from AR-2 to B-3 (Highway Commercial) to combine with existing B-3 parcel 297-58, for a retail development on Midland Rd and S Hwy 17.  **Map# 297A Parcel #3**

**Staff Comments:**
Planning Board and staff recommends alternative #1 approval with the stipulations listed in the staff report.

**Summary Recommendation**
Approve request to rezone .78-acres of 1.41-acres from AR-2 to B-3 (Highway Commercial) and combine it with 297-58 to allow for a retail development on Midland Rd and S Hwy 17, with the following stipulations:
1. The lot must meet the requirements of the B-3 zoning district.
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**Executive Summary**
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**Background**
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5. A recombination plat for the remaining .63-acres of 297A-3 and an adjacent AR-2 zoned parcel must be submitted to Development Services.
Brad Smith seconded the motion. The motion carried unanimously.
At the Board of Commissioner’s July 21, 2020 meeting, this item was tabled by request of applicant to August 18, 2020 meeting.

Alternatives
1. **Approve** request to rezone .78-acres of 1.41-acres from AR-2 to B-3 (Highway Commercial) and combine it with 297-58 to allow for a retail development on Midland Rd and S Hwy 17, with the following stipulations:
   1. The lot must meet the requirements of the B-3 zoning district.
   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 be approved and permitted by USACE and a copy submitted to Development Services.
   5. A recombination plat for the remaining .63 acres of 297A-3 and an adjacent AR-2 zoned parcel must be submitted to Development Services.

2. **Deny** the rezoning of .78-acres of 1.41-acres from AR-2 to B-3 (Highway Commercial).

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** Development Services

**FUNDING:** N/A
STATE OF GEORGIA
EFFINGHAM COUNTY

AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.
297A-3
AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.
297A-3

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
decision thereof:

WHEREAS, TERAMORE DEVELOPMENT have filed an application to rezone seventy-eight hundredths (.78) +/- acres;
from AR-2 to B-3 for a retail development; map and parcel number 297A-3, located in the 1st commissioner district, and

WHEREAS, a public hearing was held on July 21, 2020 and notice of said hearing having been published in the Effingham
County Herald on July 1, 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 6/3/2020; and

IT IS HEREBY ORDAINED THAT seventy-eight hundredths (.78) +/- acres; map and parcel number 297A-3, located in the
1st commissioner district is rezoned from AR-2 to B-3 for a retail development with the following stipulations:

1. The lot shall meet the requirements of the B-3 zoning district.
2. Site development plans shall comply with the Effingham County Water Resources Protection Ordinance and the Stormwater
Management Local Design Manual.
3. All wetland impacts shall be approved and permitted by USACE and a copy submitted to Development Services.
5. A recombination plat for the remaining .63-acres of 297A-3 and an adjacent AR-2 zoned parcel shall be submitted to
Development Services.

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: ______________________________
STEPHANIE D. JOHNSON
COUNTY CLERK
Staff Report – Old Business

Subject: Rezoning (First District)
Author: Diane Proudfoot, Zoning Administrator
Department: Development Services – Planning & Zoning
Meeting Date: August 18, 2020
Item Description: Deborah Oetgen requests to rezone 27.68-acres from parcel 399-3S from AR-1 to I-1, rezone parcel 399-3A (20.58-acres) from R-4 to I-1, and combine the rezoned acreage at 504 Godley Road. Map# 399 Parcel #3A/3S

Staff Comments:
The petitioner is requesting to divide and rezone 27.68-acres from the 141.73-acre tract #399-3S, and rezone a 20.58-acre tract #399-3A to I-1 then combine together for a surface mine expansion. The remaining 114.05-acres of 399-3S will continue as AR-1. The proposed new pit will be accessed by the existing road serving the pit on the adjacent property. Trucks from the surface mine will access Godley Road/Stagecoach Road from Hwy 80. Planning Board and staff recommends alternative #1 approval with stipulations listed in the staff report.

Summary Recommendation
Approve request to rezone 27.68-acres from parcel 399-3S from AR-1 to I-1, and rezone parcel 399-3A (20.58 acres) from R-4 to I-1, and combine the rezoned acreage to allow for a surface mine, with the following stipulations:
1. This rezoning allows a surface mine only. No other I-1 uses are allowed.
2. Applicant meets the requirements of Section 3.17- Excavation, mining, ponds, and fills of land and/or state federal jurisdictional waters or wetlands.
3. Business operator meets the requirements of Chapter 74 – Traffic, Sec. 74-8 Designated Truck Routes.
4. Site development plans comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
5. All wetland impacts be approved and permitted by USACE and a copy submitted to Development Services.
6. The subdivision plat must be approved by the zoning office and health department.
7. The applicant shall notify the Zoning Administrator at the time of final reclamation of the borrow pit and close out of this mining operation and upon the determination of the Department of Natural Resources that the affected lands have been reclaimed in an acceptable manner, a minor recombination subdivision plat shall be submitted to the County and the zoning of the property shall revert to AR-1.

Executive Summary
Pursuant to Appendix C, Article III, Section 3.17.3 of the County’s Code of Ordinances, excavation activity that requires a state mining permit must be located within the I-1 zoning district.

Background
At the Planning Board meeting, Juanita Golden made a motion to approve request to rezone 27.68-acres from parcel 399-3S from AR-1 to I-1, and rezone parcel 399-3A (20.58 acres) from R-4 to I-1, and combine the rezoned acreage to allow for a surface mine with the following stipulations:
1. This rezoning allows a surface mine only. No other I-1 uses are allowed.
2. Applicant meets the requirements of Section 3.17- Excavation, mining, ponds, and fills of land and/or state federal jurisdictional waters or wetlands.
3. Business operator meets the requirements of Chapter 74 – Traffic, Sec. 74-8 Designated Truck Routes.
4. Site development plans comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
5. All wetland impacts be approved and permitted by USACE and a copy submitted to Development Services.
6. The subdivision plat must be approved by the zoning office and health department.
7. The applicant shall notify the Zoning Administrator at the time of final reclamation of the borrow pit and close out of this mining operation and upon the determination of the Department of Natural Resources that the affected lands have been reclaimed in an acceptable manner, a minor recombination subdivision plat shall be submitted to the County and the zoning of the property shall revert to AR-1.

Brad Smith seconded the motion. The motion carried unanimously.

At the Board of Commissioner’s July 21, 2020 meeting, this item was tabled to August 18, 2020 meeting.

Alternatives
1. Approve request to rezone 27.68-acres from parcel 399-3S from AR-1 to I-1, and rezone parcel 399-3A (20.58-acres) from R-4 to I-1, and combine the rezoned acreage to allow for a surface mine, with the following stipulations:
   1. This rezoning allows a surface mine only. No other I-1 uses are allowed.
   2. Applicant meets the requirements of Section 3.17- Excavation, mining, ponds, and fills of land and/or state federal jurisdictional waters or wetlands.
   3. Business operator meets the requirements of Chapter 74 – Traffic, Sec. 74-8 Designated Truck Routes.
   4. Site development plans comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
   5. All wetland impacts be approved and permitted by USACE and a copy submitted to Development Services.
   6. The subdivision plat must be approved by the zoning office and health department.
   7. The applicant shall notify the Zoning Administrator at the time of final reclamation of the borrow pit and close out of this mining operation and upon the determination of the Department of Natural Resources that the affected lands have been reclaimed in an acceptable manner, a minor recombination subdivision plat shall be submitted to the County and the zoning of the property shall revert to AR-1.

2. Deny the requests to rezone 27.68 acres from parcel 399-3S from AR-1 to I-1, and rezone parcel 399-3A (20.58-acres) from R-4 to I-1, and combine the rezoned acreage to allow for a surface mine

Recommended Alternative: 1
Other Alternatives: 2
Department Review: Development Services
FUNDING: N/A
Attachments:
1. Rezoning application and checklist
2. Ownership certificate
3. Deed
4. Plat
5. Health Department letter
6. Aerial photograph
EFFINGHAM COUNTY REZONING AMENDMENT FORMS

Applicant/Agent: Deborah A. DETGEN/Deborah Smith Date: 8-24-20
Applicant email address: Laredo 55 & AOL.com Phone #: 912-661-3447
Property owner(s): Deborah A. DETGEN email
Telephone Number: (912) 661-3447 / 912-657-4590
Mailing Address: 664 Godley Rd., Bloomingdale, GA. 31302
Property location: 504 Godley Rd., Bloomingdale, GA. 31302
Present zoning: R1, A1, 2 TRACTS TO BECOME I 1
Proposed zoning: I 1, Light Industrial
Present land-use: Mobile Home Park (closed) All Mobile Homes have been removed.
Proposed land-use: Surface Mine
Tax Map #: 399 Parcel #: 3A1 SS Lot #
Total Acres: 162.31 Acres to be rezoned: 48.26
Lot characteristics: Adjacent to existing Surface Mine
Water: Public, Private Sewer: Public, Private
Proposed access: Godley Rd.
Justification: Expand existing Surface Mine

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

North: A1 South: A1
East: A1 West: A1
1. Describe the current use of the property you wish to rezone.

   **Mobile Home Park which is closed and all Mobile Homes have been removed**

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

   **N/A**

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

   **Surface Mine**

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

   **Agriculture / Existing Surface Mine**

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?

   **No Affect**

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

12/21/2018

on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 28 page 293.

I hereby certify that I am the owner of the property being proposed for rezoning, and I have answered all of the questions contained herein and know the same to be true and correct. I hereby acknowledge that I have reviewed the application checklist, and further acknowledge that any omission of the items above will cause a delay in the review of my request.

Owner's signature ___________________________ x Print ___________________________
Deborah H Dotey

Owner's signature ___________________________ x Print ___________________________
Deborah H Dotey

Owner's signature ___________________________ x Print ___________________________
Deborah H Dotey

Sworn and subscribed before me this 20 day of May, 2020.

Peggy A. Love
Notary Public, State of Georgia

Peggy A. Love
NOTARY PUBLIC
Effingham County, Georgia
My Commission Expires
March 27, 2023
AUTHORIZATION OF PROPERTY OWNER

I, _________________, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states; That he/she is the owner of the property which is subject matter of the attached application, as is shown in the records of Effingham County, Georgia.

I authorize the person named below to act as applicant in the pursuit of a Rezoning application. I acknowledge and accept that I will be bound by the decision of the board of commissioners, including any conditions of the rezoning, if the application is approved.

Name of Applicant: _________________ / _________________ Date: _________________

Address: _________________

City: _________________ State: _________________ Zip Code: _________________

Telephone Number: _________________ Email: _________________

Signature of Owner: _________________

Owners Name (Print): _________________

Personally appeared before me _________________ (Owner print)

Who swears before that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

This Day _________________ of _________________, 2020

(Notary Seal)

Peggy A. Love
NOTARY PUBLIC
Effingham County, Georgia
My Commission Expires
March 27, 2023

08/13/2020
RETURN TO:
REDDICK & EXLEY
ATTORNEYS AT LAW
P. O. BOX 385
SPRINGFIELD, GA 31329

STATE OF GEORGIA
ADMINISTRATOR'S DEED

COUNTY OF EFFINGHAM

THIS INDENTURE, made the 19th day of December, 2018, between DEBORAH A. OETGEN, as Administrator of the Estate of JAMES NELSON OETGEN of the FIRST PARTY, and DEBORAH A. OETGEN of the SECOND PARTY,

WHEREAS, DEBORAH A. OETGEN is the duly court appointed Administrator of the Estate of JAMES NELSON OETGEN, by Order of the Probate Court of Effingham County, Georgia, and;

WHEREAS, all debts have been paid, and;

WHEREAS, pursuant to her authority as Administrator, the said DEBORAH A. OETGEN, as Administrator, does hereby convey all land hereinafter described to DEBORAH A. OETGEN, her heirs and assigns, to wit:

All that certain lots, tracts or parcels of land situate, lying and being in Effingham County, State of Georgia, being that portion of the property known as "Oetgen's Ranch, or Whooping Island" which lies north of Oetgen Road.

The Oetgen Ranch, or Whooping Island Tract, which was owned by Frank E. Oetgen, Sr., at the time of his death, is composed of 716.4 acres, more or less, and is shown as the property of Frank E. Oetgen, Sr., on a "Map showing a Division of a Part of the Whooping Island Tract" by Robert D. Gignilliant, Jr., date November 1901, and recorded in the Office of the Clerk of Superior Court of Chatham County, Georgia, in Plat Record Book N, Page 6.

Of the 716.4 acres, more or less, 211.79 acres is hereby conveyed to The Estate of James N. Oetgen. Said 211.79 acres, more or less, lying and being in the 1559th G.M.D. of Effingham County, and being shown and depicted on that plat of tracts titled "A Plat of Tract "A1" (141.73 Acres), Tract "B" (13.53 Acres), Tract "B1" (27.76 Acres), Tract "C" (8.19 Acres), Tract "D" (20.56 Acres), 211.79 acres surveyed for the Frank Oetgen Tract Trust" made by Jeffrey M. Horne, R.L.S. #131, dated October 23, 2017 and recorded in the Office of the Clerk of Superior Court of Effingham County in Plat Book 28, Page 293.

Said map or plat or parcels being incorporated herein by specific reference hereto for better determining the metes and bounds of said parcels herein conveyed.

This being the same property conveyed by Trustees Deed from Frank E. Oetgen, Jr. and Ernest J. Oetgen to The Estate of James N. Oetgen dated November 15, 2018 and recorded in the Office of the Clerk of Superior Court of Effingham County, Georgia, in Deed Book 2501, Page 192-194.

TO HAVE AND TO HOLD the said described property to the said DEBORAH A. OETGEN, her heirs and assigns in fee simple.

IN WITNESS WHEREOF, DEBORAH A. OETGEN, as Administrator of the Estate of JAMES NELSON OETGEN has hereunto set her hand and affixed her seal and delivered these presents, the day and year first above written.

DEBORAH A. OETGEN, as Administrator of the Estate of JAMES NELSON OETGEN AKA JAMES N. OETGEN

[SEAL]

Signed, sealed and delivered
in the presence of:

BRENDA POLLETT - Unofficial Witness
ED REDDICK - Notary Public

08/13/2020
May 12, 2020

Effingham County Zoning Board
Springfield, GA 31329

Re: Deborah A. Oetgen
504 Godley Road Bloomingdale GA 31302
Pin #399-3 & 3A
Total Acres: 162.31 Acres to be rezoned: 48.26

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 R-5 & A-1 to I-1. 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,

Darrell M. O'Neal, MPA
Environmental Health County Manager
Effingham County Health Department
January 18, 2017

James Oetgen
664 Godley Road
Bloomingdale, GA 31302

To whom it may concern:

At the regular meeting of the Effingham County Board of Commissioners on January 17, 2017 the board approved your request to rezone 22.62 acres for (Map # 399 Parcels # 3) located on Godley Road from AR-1 to I-1 to allow for a surface mine.

A copy of the approved zoning map amendment is attached for your convenience. If you have any questions feel free to give me a call.

Thank you,

Kayla Phillips
Executive Assistant
Effingham County
912-754-2128
kcauley@effinghamcounty.org
STATE OF GEORGIA
EFFINGHAM COUNTY

AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 399-3

AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 399-3

AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITHE.

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

WHEREAS, JAMES N. OETGEN has filed an application to rezone twenty two and sixty two hundredths (22.62) acres; from AR-1 to I-1; map and parcel number 399-3, located in the 1st commissioner district, and

WHEREAS, a public hearing was held on January 17, 2017 and notice of said hearing having been published in the Effingham County Herald on 12/28/2016; 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 11/30/2016; and

IT IS HEREBY ORDAINED THAT twenty two and sixty two hundredths (22.62) acre; Map and Parcel number 399-3, located in the 1st commissioner district is rezoned from AR-1 to I-1 with the following stipulations:

1. Lot shall meet the requirements of the I-1 zoning district.
2. Shall meet the requirements of 3.17 - Excavation, mining, ponds, and fills of land and/or state/federal jurisdictional waters or wetlands
3. Site development plans shall comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
4. All wetland impacts shall be permitted by USACE.
5. Subdivision plat shall be approved by the Health Department and the Zoning Office.

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

This 17th day of January, 2017

BOARD OF COMMISSIONERS
EFFINGHAM COUNTY, GEORGIA

BY: Wesley M. Corbitt, Chairman

ATTEST:

STEPHANIE JOHNSON
COUNTY CLERK

FIRST/SECOND READING: 1/17/2017
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 (Deborah Oetgen - Map# 399-3A/3S) from R-4/SPLIT to I-1 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 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.

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL  DISAPPROVAL

Of the rezoning request by applicant (Deborah Oetgen - Map# 399-3A/3S) from R-4/SPLIT to L-1 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 – June 22, 2020

08/13/2020  6/22/2020

Page 14 of 17
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 (Deborah Oetgen - Map# 399-3A/3S) from R-4/SPLIT to I-1 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?
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 (Deborah Oetgen - Map# 399-3A/3S) from R-4/SPLIT to I-1 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 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 (Deborah Oetgen - Map# 399-3A/3S) from R-4/SPLIT to L-1 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?
Staff Report – Old Business

Subject: Rezoning (First District) 2nd Reading Zoning Map Amendment

Author: Diane Proudfoot, Zoning Administrator
Department: Development Services – Planning & Zoning
Meeting Date: August 18, 2020

Item Description: Deborah Oetgen requests to rezone 27.68-acres from parcel 399-3S from AR-1 to I-1, rezone parcel 399-3A (20.58-acres) from R-4 to I-1, and combine the rezoned acreage at 504 Godley Road. Map# 399 Parcel #3A/3S

Staff Comments:
The petitioner is requesting to divide and rezone 27.68-acres from the 141.73-acre tract #399-3S, and rezone a 20.58-acre tract #399-3A to I-1 then combine together for a surface mine expansion. The remaining 114.05-acres of 399-3S will continue as AR-1. The proposed new pit will be accessed by the existing road serving the pit on the adjacent property. Trucks from the surface mine will access Godley Road/Stagecoach Road from Hwy 80. Planning Board and staff recommends alternative #1 approval with stipulations listed in the staff report.

Summary Recommendation
Approve request to rezone 27.68-acres from parcel 399-3S from AR-1 to I-1, and rezone parcel 399-3A (20.58 acres) from R-4 to I-1, and combine the rezoned acreage to allow for a surface mine, with the following stipulations:
1. This rezoning allows a surface mine only. No other I-1 uses are allowed.
2. Applicant meets the requirements of Section 3.17- Excavation, mining, ponds, and fills of land and/or state federal jurisdictional waters or wetlands.
3. Business operator meets the requirements of Chapter 74 – Traffic, Sec. 74-8 Designated Truck Routes.
4. Site development plans comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
5. All wetland impacts be approved and permitted by USACE and a copy submitted to Development Services.
6. The subdivision plat must be approved by the zoning office and health department.
7. The applicant shall notify the Zoning Administrator at the time of final reclamation of the borrow pit and close out of this mining operation and upon the determination of the Department of Natural Resources that the affected lands have been reclaimed in an acceptable manner, a minor recombination subdivision plat shall be submitted to the County and the zoning of the property shall revert to AR-1.

Executive Summary
Pursuant to Appendix C, Article III, Section 3.17.3 of the County’s Code of Ordinances, excavation activity that requires a state mining permit must be located within the I-1 zoning district.

Background
At the Planning Board meeting, Juanita Golden made a motion to approve request to rezone 27.68-acres from parcel 399-3S from AR-1 to I-1, and rezone parcel 399-3A (20.58 acres) from R-4 to I-1, and combine the rezoned acreage to allow for a surface mine with the following stipulations:
1. This rezoning allows a surface mine only. No other I-1 uses are allowed.
2. Applicant meets the requirements of Section 3.17- Excavation, mining, ponds, and fills of land and/or state federal jurisdictional waters or wetlands.
3. Business operator meets the requirements of Chapter 74 – Traffic, Sec. 74-8 Designated Truck Routes.
4. Site development plans comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
5. All wetland impacts be approved and permitted by USACE and a copy submitted to Development Services.
6. The subdivision plat must be approved by the zoning office and health department.
7. The applicant shall notify the Zoning Administrator at the time of final reclamation of the borrow pit and close out of this mining operation and upon the determination of the Department of Natural Resources that the affected lands have been reclaimed in an acceptable manner, a minor recombination subdivision plat shall be submitted to the County and the zoning of the property shall revert to AR-1.

Brad Smith seconded the motion. The motion carried unanimously.

At the Board of Commissioner’s July 21, 2020 meeting, this item was tabled to August 18, 2020 meeting.

Alternatives

1. **Approve** request to rezone 27.68-acres from parcel 399-3S from AR-1 to I-1, and rezone parcel 399-3A (20.58-acres) from R-4 to I-1, and combine the rezoned acreage to allow for a surface mine, with the following stipulations:
   
   1. This rezoning allows a surface mine only. No other I-1 uses are allowed.
   2. Applicant meets the requirements of Section 3.17- Excavation, mining, ponds, and fills of land and/or state federal jurisdictional waters or wetlands.
   3. Business operator meets the requirements of Chapter 74 – Traffic, Sec. 74-8 Designated Truck Routes.
   4. Site development plans comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
   5. All wetland impacts be approved and permitted by USACE and a copy submitted to Development Services.
   6. The subdivision plat must be approved by the zoning office and health department.
   7. The applicant shall notify the Zoning Administrator at the time of final reclamation of the borrow pit and close out of this mining operation and upon the determination of the Department of Natural Resources that the affected lands have been reclaimed in an acceptable manner, a minor recombination subdivision plat shall be submitted to the County and the zoning of the property shall revert to AR-1.

2. **Deny** the requests to rezone 27.68 acres from parcel 399-3S from AR-1 to I-1, and rezone parcel 399-3A (20.58-acres) from R-4 to I-1, and combine the rezoned acreage to allow for a surface mine

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** Development Services

**FUNDING:** N/A
AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 399-3A/3S
AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 399-3A/3S
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, DEBORAH OETGEN, has filed an application to rezone forty-eight and twenty-six hundredths (48.26) +/- acres; from R-4 & AR-1 to I-1 for surface mining; map and parcel number 399-3A/3S, located in the 1st commissioner district, and

WHEREAS, a public hearing was held on July 21, 2020 and notice of said hearing having been published in the Effingham County Herald on July 1, 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 6/1/2020; and

IT IS HEREBY ORDAINED THAT forty-eight and twenty-six hundredths (48.26) +/- acres; map and parcel number 399-3A/3S, located in the 1st commissioner district is rezoned from R-4 & AR-1 to I-1 for surface mining, with the following stipulations:

1. This rezoning allows a surface mine only. No other I-1 uses are allowed.
2. Applicant meets the requirements of Section 3.17- Excavation, mining, ponds, and fills of land and/or state federal jurisdictional waters or wetlands.
3. Business operator meets the requirements of Chapter 74 – Traffic, Sec. 74-8 Designated Truck Routes.
4. Site development plans comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
5. All wetland impacts be approved and permitted by USACE and a copy submitted to Development Services.
6. The subdivision plat must be approved by the zoning office and health department.
7. The applicant shall notify the Zoning Administrator at the time of final reclamation of the borrow pit and close out of this mining operation and upon the determination of the Department of Natural Resources that the affected lands have been reclaimed in an acceptable manner, a minor recombination subdivision plat shall be submitted to the County and the zoning of the property shall revert to AR-1.

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: Fire Service Agreement Rincon-Effingham County
Author: Clint Hodges, Fire Chief & EMA Director
Department: 55-FIRE
Meeting Date: 08/04/2020
Item Description: Consideration of an Agreement for Fire Services Between Effingham County and the City of Rincon

Summary Recommendation: Consideration to approve a three-year agreement for fire services for a portion of the unincorporated area surrounding the City of Rincon

Executive Summary/Background: In September of 2019, the Board of Commissioners voted to send a letter of 12 month termination to the City of Rincon, in accordance with the Fire Service Delivery Strategy.

In negotiations with City/County staff, a proposed agreement is being presented that would be outside of Service Delivery.

The current SDS allows for a floating funding scale. The new agreement proposes a set fee, which will aid in the annual budgeting process. The 2020 payment to the City of Rincon is $625,000. The new agreement continues this payment annually from FY 2021-FY2023.

The new agreement does adjust the fire protection response boundaries to account for the new Hodgeville station that will be coming online, as well as amending stipulations to better allow the efficient delivery of services.

The proposed agreement will terminate on June 30th, 2023.

Alternatives for Commission to Consider:

Recommended Alternative 1: Approve an agreement for Fire Services Between Effingham County and the City of Rincon

Other Alternative 2: Deny an agreement for Fire Services Between Effingham County and the City of Rincon

Department Review: Fire-Rescue, Finance, Administration

Funding Source: Dept. 55 – FIRE, $625,000/year

Attachments: Fire Services Agreement
STATE OF GEORGIA
EFFINGHAM COUNTY

INTERGOVERNMENTAL AGREEMENT
FOR FIRE PROTECTION SERVICES

This agreement made and entered into this 1st day of July, 2020 by and between the Board of Commissioners of Effingham County, Georgia, a political subdivision of the State of Georgia, hereinafter referred to as "County", and the City of Rincon, Georgia, a municipal corporation, hereinafter referred to as "Rincon":

WHEREAS, the County and Rincon are parties to a service delivery strategy created pursuant to the Georgia Service Delivery Act (O.C.G.A. § 36-70-20 et. seq.) and entered into on the 1st Day of July, 2020; and

WHEREAS, the County and Rincon wish to agree upon how fire protection services will be provided within the unincorporated areas of Effingham County, and how provisions of such services will be funded; and

WHEREAS, the County desires to protect the safety and welfare of its citizens and to assist its citizens in obtaining economical and adequate fire protection services; and

WHEREAS, Rincon’s Fire Department is a municipal fire department, organized under the laws of Georgia for the purpose of preserving and protecting lives and property of citizens of various response areas from loss or damage by fire; and

WHEREAS, Rincon’s Fire Department has a Certificate of Compliance, which authorizes it to operate as a legally organized fire department in the State of Georgia and to exercise the general and emergency powers as set forth in Title 25, Chapter 3, Article I of the Official Code of Georgia Annotated; and

WHEREAS, the County and Rincon desire to enter into an agreement under which the Rincon will provide personnel and resources to operate certain county- owned fire stations to provide proper fire protection and rescue services for the citizens; and

WHEREAS, this Agreement is authorized by the 1983 Constitution of the State of Georgia Article IX, Section 3, Paragraph 1, and Article IX, Section 2, paragraph 3; House Bill 489 (i.e. OCGA section 36-70-20 et seq.) and the Georgia Mutual Aid Act (OCGA section 36-69-1 et seq.); and

NOW, THEREFORE, in consideration of the foregoing recitals and the mutual covenants and promises hereinafter set forth, the parties hereto have agreed, and do hereby agree as follows:
SECTION 1. SCOPE OF SERVICES

1.1 Definitions
   1.1.1 Fire apparatus or apparatus means those vehicles and integral equipment as defined by NFPA 1901 Standard for Automotive Fire Apparatus
   1.1.2 ISO means Insurance Services Office, Inc.
   1.1.3 NFPA means National Fire Protection Association

1.2 The City of Rincon Fire Department shall perform all such services as may be provided by law or necessarily pertaining thereto, including:
   1.2.1 Provide personnel and personal gear and equipment to operate fire stations in the unincorporated area of Effingham County as set forth more specifically herein;
   1.2.2 Respond to all fire and rescue alarms as expeditiously as possible upon being dispatched;
   1.2.3 Conduct public programs on fire safety education. Nothing in this agreement would preclude Effingham County from providing additional educational services to schools within the unincorporated limits upon the request of the Board of Education;
   1.2.4 Maintain an ISO Class 3/3X (or Class 3/3Y);
   1.2.5 Provide, or make available, an annual financial audit;
   1.2.6 Provide pre-fire planning on all commercial/industrial/religious facilities;
   1.2.7 Provide, or make available upon request, evidence that all firefighters have attained the minimum number of training hours annually, as required by the State of Georgia;
   1.2.8 Provide detection and preservation of evidence in suspected arson cases;
   1.2.9 Perform annual inspection of fire protection water sources;
   1.2.10 Maintain at least one City-owned in-service NPFA Class A fire engine at each station in the unincorporated area, to include associated NFPA required equipment.

SECTION 2. AREA TO BE SERVED

- Primary Service Map Exhibit A
- Auto-Aid Map Exhibit B

The City of Rincon shall not establish any station, sub-station, or other facility in the unincorporated area of Effingham County without the written consent of the Board of Commissioners.
SECTION 3. CONSIDERATION

3.1 The amounts to be disbursed from the County to the City of Rincon annually are agreed upon as below:

<table>
<thead>
<tr>
<th>Period</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 1, 2020 to June 30, 2021</td>
<td>$625,000</td>
</tr>
<tr>
<td>July 1, 2021 to June 30, 2022</td>
<td>$625,000</td>
</tr>
<tr>
<td>July 1, 2022 to June 30, 2023</td>
<td>$625,000</td>
</tr>
</tbody>
</table>

Disbursement to the City shall be made monthly by the County in equal installments no later than the fifteenth (15th) day of the month.

SECTION 4 FIRE DEPARTMENTS RELATION TO THE COUNTY

1.4.1 It is expressly agreed and understood that Rincon’s Fire Department is in all respects an independent contractor as its duties and obligations under this Agreement and is in no respect an agency or agent of the County, nor are its employees to be considered employees of the County. This Agreement specifies the general scope of work to be done by Rincon’s Fire Department, however, the method(s) to be utilized and the manpower employed to accomplish the work shall be the complete responsibility and under the complete control of Rincon’s Fire Department.

1.4.2 Fire protection services to be performed under this Agreement may not be subcontracted or sublet without the express written consent of the County. Any sublease must be renewed with consent annually. Rincon’s Fire Department must agree to provide mutual aid services to the County and vice versa.

SECTION 5 FIRE DEPARTMENT STAFF

5.1.1 All Fire Officers, Firefighters, First Responders, and other personnel, whether paid or volunteer are under the direct control of Rincon Fire Department and are not employees or volunteers of the County.

5.1.2 Rincon Fire Department agrees that they will ensure that their firefighters and first responders shall have satisfactorily completed the relevant and required training needed to perform their duties.

5.1.3 Rincon Fire Department shall not employ or use as a volunteer any Person who has been convicted of a felony or crime involving moral turpitude within seven years prior to his/her commencement of employment or service, or who has been convicted of a violation of the Georgia Controlled Substance Act or any statute regulating the use of narcotics or other drugs. No volunteer under the age of 18 shall drive or operate an
“Emergency “vehicle.

5.1.4 Rincon Fire Department will regulate personnel with a disciplinary procedure for policy violations during the employment or service period via department bylaws or municipal personnel policies, whichever are applicable, excepting for (1) felony convictions and (2) violations of the Georgia Controlled Substances Act, which both require immediate dismissal from duty.

5.1.5 To the extent applicable, Rincon Fire Department agrees that their employees and volunteers shall be solely dependent upon them for compensation and all other fringe benefits that might arise from such employment or service either by contact or by law. Rincon Fire Department shall provide all insurance and employer contributions as may be required by laws and/or as agreed upon at the time of employment or service.

5.1.6 New volunteers should be directed to the nearest fire station nearest their residence. If the volunteer declines service, the neighboring jurisdiction may, at their discretion, accept the volunteer for service.

SECTION 6 RECORDS AND REPORTS

6.1.1 Rincon Fire Department shall maintain such records and reports in respect to the subject matter hereof as are required under the laws and regulations of the State of Georgia and NFPA. The fire reports must meet the requirement of the Insurance Commissioner of the State of Georgia, and must be submitted to the proper department at the Insurance Commissioner’s Office annually.

6.1.2 If requested, an annual audit shall be provided to the County Manager, the number of fires, number of fire incidents by type, losses if known, personal injuries, suspected fire causes, number of firefighters and description of equipment responding to fires and the response times for each emergency, within the unincorporated areas of the County.

SECTION 7 AID AGREEMENTS

7.1.1 Effingham County Fire Rescue and Rincon’s Fire Department agree to respond to all incidents as directed by Effingham County E-911 or by either entity directly; provided, however, that in the event of any conflict or perceived conflict involving simultaneous calls, the Dispatcher, as supervised by the respective Fire Chief or Fire Officer in charge, shall use discretion in making every reasonable effort to respond to every request considering the available fire protection resources and all circumstances.

7.1.2 Effingham County Fire Rescue and Rincon Fire Department must reciprocally provide automatic aid on structural fires incidents within the geographical area defined in Exhibit D. This aid being provided to the primary provider shall consist of a minimum of one (1) Class A fire engine and two personnel.
SECTION 8        INDEMNIFICATION

8.1 It is the intent of the parties to be covered under the auspices of any applicable immunity granted by law. Only to the extent permitted by law, shall the City defend, indemnify and hold harmless the County and its officers, employees, or agents from any and all liability, losses or damages, including attorneys’ fees and costs of defense, which the County or its officers, employees, or agents may incur as a result of any claim, demand, suit, or cause of action or proceeding of any kind or nature arising out of, relating to, or resulting from the negligent performance of this Agreement by the City, its employees, officers and agents. The County shall promptly notify the City of each claim, cooperate with the City in the defense and resolution of each claim and not settle or otherwise dispose of the claim without the City’s participation.

8.2 It is the intent of the parties to be covered under the auspices of any applicable immunity granted by law. Only to the extent permitted by law, shall the County defend, indemnify and hold harmless the City and its officers, employees, or agents from any and all liability, losses or damages, including attorneys’ fees and costs of defense, which the City or its officers, employees, or agents may incur as a result of any claim, demand, suit, or cause of action or proceeding of any kind or nature arising out of, relating to, or resulting from the negligent performance of this Agreement by the County, its employees, officers, and agents. The City shall promptly notify the County of each claim, cooperate with the County in the defense and resolution of each claim and not settle or otherwise dispose of the claim without the County participation.

8.3 The indemnification provisions of this Agreement shall survive termination of this Agreement for any claims that may be filed after the termination date of the Agreement provided the claims are based upon actions that occurred during the term of this Agreement.

SECTION 9        DISCRIMINATION IN PERSONNEL AND SERVICES

9.1 The parties agree that they shall not discriminate against any person in the provision of any services or in terms or conditions of employment on the basis of race, color, religion, national origin, gender, age, or handicap and will comply with all applicable Federal, State, ad local laws, regulations, and guidelines prohibiting discrimination.

SECTION 10        TERM, TERMINATION, AND REMEDIES

10.1 The term of this Agreement shall begin on July 1, 2020 and end on June 30, 2024, unless term shall sooner terminate as herein provided.

10.2 Blank

10.3 This Agreement may be terminated at any time, with less than twelve month notice, if agreed in writing by both parties.
10.4 The parties reserve all available remedies afforded by law to enforce any term of this Agreement.

10.5 At the termination of this agreement Effingham County agrees to purchase the Ebenezer fire station building at a price determined by a GA licensed appraiser. It is expressly understood that the parcel this station is located upon (Tax Assessor Map # 429 Parcel # 13) is under the ownership of the Effingham County Board of Commissioners.

SECTION 11 ANNEXATION

11.1 Should the situation arise where the City of Rincon annexes property including or surrounding a County owned fire station, the County may compel the City to purchase the fire station to the extent authorized by the applicable statutory framework governing annexation of county-owned facilities.

SECTION 12 GOVERNING LAW AND VENUE

This Agreement shall be governed by the laws of the State of Georgia, and proper venue for any actions arising out of this Agreement shall be in the Superior Court of Effingham County.

SECTION 13 MISCELLANEOUS

13.1 NON-WAIVER. Any Party’s failure to seek redress for a violation or to insist upon strict performance of any Agreement provision will not prevent a subsequent act, which would originally have constituted a violation, from having the effect of an original violation.

13.2 COUNTERPARTS. This Agreement may be executed in any number of counterparts with the same effect as if all Parties hereto had all signed the same document. All counterparts will be construed together and will constitute one (1) Agreement.

13.3 GENDER AND NUMBER. Unless the context requires otherwise, the use of a masculine pronoun includes the feminine and the neuter, and vice versa, and the use of the singular includes the plural, and vice versa.

13.4 COMPLETE AGREEMENT. This Agreement constitutes the complete and exclusive statement of the agreement between the Parties. It supersedes all prior written and oral statements, including any prior representation, statement, condition or warranty. Except as expressly provided otherwise herein, this Agreement may not be amended without the written consent of all the Parties.

13.5 TIME OF ESSENCE. Time is of the essence of this Agreement.

13.6 NON-ASSIGNABILITY. Neither Party shall assign any of the obligations or benefits of this Agreement.

13.7 AUTHORITY TO CONTRACT. Each Party declares that it has obtained all necessary approvals of its governing authority to execute and bind the Party to the terms of this Agreement. Ratification of the Agreement by a majority of the governing authority shall be authority for the chairman or mayor (as applicable) to execute on behalf of the governing authority but shall not preclude execution by the full board or council (as applicable).

13.8 NO THIRD PARTY RIGHTS. This Agreement shall be exclusively for the benefit of the Parties and shall not provide any third parties with any remedy, claim, liability, reimbursement,
cause of action or other right.

13.9 SEVERABILITY. In the event that any part or provision of this Agreement is held to be invalid, the remainder of this Agreement shall not be affected thereby and shall remain in full force and effect.

13.10 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 14 NOTICE

Any notice required by this Agreement shall be given in writing by either Party or its attorney or Agent herein named and shall be deemed received, and shall be effective, when (1) personally delivered, or (2) on the third day after the postmark date when mailed by certified mail, postage prepaid, return receipt requested, or (3) upon actual delivery when sent via national overnight commercial carrier to the Parties at the address given below, or at a substitute address previously furnished to the other Party by written notice in accordance herewith:

If to Effingham County:
Timothy Callanan, County Manager
601 N. Laurel Street
Springfield, Georgia 31329

With a Copy to the counsel for Effingham County
Edward L. Newberry, Jr., Esq.
The Newberry Law Firm, P.C.
Post Office Box 790/129 N. Laurel Street
Springfield, Georgia 31329

If to City of Rincon:
John Klimm, City Manager
302 S. Columbia Avenue
Rincon, Georgia 31326

With a Copy to counsel for the City of Rincon:
J. Raymond Dickey, Esq.
Post Office Box 1099
217 W. 8th Street
Rincon, Georgia 31326
IN WITNESS WHEREOF, the County and Rincon have executed this Agreement through their duly authorized officers on the day and year first above written.

BOARD OF COMMISSIONERS OF EFFINGHAM COUNTY

________________________
Wesley M. Corbitt, Chairman

ATTEST:

________________________
Stephanie D. Johnson, County Clerk

CITY OF RINCON, GEORGIA

________________________
Ken Lee, Mayor

ATTEST:

________________________
Dulcia King, City Clerk
EXHIBIT A-B

[ATTACHED HERETO]
Staff Report
Subject: Payment to Ogeechee Judicial Circuit Mental Health/Drug Court
Author: Alison Bruton, Purchasing Tech
Department: Court Services
Meeting Date: August 18, 2020
Item Description: Approval of Payment to the Ogeechee Judicial Circuit for Mental Health/Drug Court

Summary Recommendation: Staff recommends Approval of the requested payment amounts for the Ogeechee Judicial Circuit for Mental Health/Drug Court

Executive Summary/Background:
• Drug Court was Awarded a Total of $161,628 ($145,465 CACJ/State funds and $16,163 Cash Match to be shared between Bulloch, Effingham, Jenkins, and Screven). The per county match breakdown is as follows:
  o Jenkins 6% = $970
  o Bulloch 47% = $7,596
  o Effingham 38% = $6,142
  o Screven 9% = 1,455

• Mental Health Court was Awarded a Total of $104,041 ($93,637 CACJ/State funds and $10,404 Cash Match to be shared between Bulloch, Effingham, Jenkins, and Screven). The per county match breakdown is as follows:
  o Jenkins 6% = $624
  o Bulloch 47% = $4,890
  o Effingham 38% = $3,954
  o Screven 9% = $936
• Effingham County currently has $8,500.00 budgeted for Drug Court for FY21. A budget amendment will be necessary to generate a GL code for Mental Health Court and provide funding.

Alternatives for Commission to Consider
1. Approval of the requested payments of $6,142 and $3,954 for the Ogeechee Judicial Circuit for Mental Health/Drug Court
2. Take no action.

Recommended Alternative: 1
Other Alternatives: 2
Department Review: Purchasing, Finance, Admin
Funding Source: Current Operating Budget
Attachments:
1. 2018 Mental Health/Drug Court Intergovernmental Agreement
2. Subgrant Award information for Mental Health Court/Drug Court
INTERGOVERNMENTAL AGREEMENT FOR THE MENTAL HEALTH/DRUG COURT FOR THE OGEECHEE JUDICIAL CIRCUIT

This INTERGOVERNMENTAL AGREEMENT ("Agreement") is made and entered into as of the ___ day of ________, 20___, by and between BULLOCH COUNTY, a political subdivision of the State of Georgia, acting by and through its governing authority, the BOARD OF COMMISSIONERS OF BULLOCH COUNTY, GEORGIA (hereinafter referred to as "Bulloch County"); EFFINGHAM COUNTY, a political subdivision of the State of Georgia, acting by and through its governing authority, the BOARD OF COMMISSIONERS OF EFFINGHAM COUNTY, GEORGIA (hereinafter referred to as "Effingham County"); JENKINS COUNTY, a political subdivision of the State of Georgia, acting by and through its governing authority, the BOARD OF COMMISSIONERS OF JENKINS COUNTY, GEORGIA (hereinafter referred to as "Jenkins County"); SCREVEN COUNTY, a political subdivision of the State of Georgia acting by and through its governing authority, the BOARD OF COMMISSIONERS OF SCREVEN COUNTY, GEORGIA (hereinafter referred to as "Screven County"); and the SUPERIOR COURTS OF THE OGEECHEE JUDICIAL CIRCUIT (hereinafter collectively referred to as the "Court").

WITNESSETH:

WHEREAS, all of the above parties are concerned about the impact of mental health in the criminal justice system and the frequency of illegal drug use and the related criminal activity which is occurring in our local communities; and

WHEREAS, all of the above parties have declared that pro-active intervention is an appropriate recognized means of curtailing the problem of related mental health impacts and drug abuse in our local communities and criminal justice systems; and

WHEREAS, O.C.G.A. § 15-1-15 provides that any court that has jurisdiction over any criminal case which arises from the use, sale, possession, delivery, distribution, purchase, or manufacture of a controlled substance, noncontrolled substance, dangerous drug, or other drug may establish a drug court division to provide an alternative to the traditional judicial system for disposition of such cases; and

WHEREAS, O.C.G.A. § 15-1-16 provides that to achieve a reduction in recidivism and symptoms of mental illness among mentally ill offenders in criminal cases and to increase their likelihood of successful rehabilitation through early, continuous, and intense judicially supervised treatment, any court that has jurisdiction over a criminal case in which a defendant has a mental illness or developmental disability, or a co-occurring mental illness and substance abuse disorder, may establish a mental health court division to provide an alternative to the traditional judicial system for disposition of such cases; and

WHEREAS, pursuant to O.C.G.A. §§ 15-1-15 and 15-1-16 the Court has established a Drug and Mental Health Court Division (hereinafter referred to as the “Drug/Mental Health Court”) for the Superior Courts in the Ogeechee Judicial Circuit; and
WHEREAS, Bulloch County, as subgrantee, has requested and received One Hundred Sixty-Six Thousand Six Hundred and Forty-Seven and 00/100 Dollars ($166,647.00) in State Fiscal Year (hereinafter referred to as “SFY”) 2019 for the operation of the Drug/Mental Health Court pursuant to Grant Number #J-19-8-057 from the Georgia Criminal Justice Coordinating Council; and

WHEREAS, Grant Number #J-19-8-057 from the Georgia Criminal Justice Coordinating Council requires a cash match of ten percent (10%) in the amount of Eighteen Thousand Five Hundred Sixteen and 00/100 Dollars ($18,516.00) out of a cumulative grant budget of One Hundred Eighty-Five Thousand One Hundred Sixty-Three and 00/100 Dollars ($185,163.00); and

WHEREAS, Bulloch County as subgrantee has requested supplemental grant funding in the amount of Forty Thousand Three Hundred Twenty-Six and 00/100 Dollars ($40,326.00) in SFY 2019 for expanding the operation of the Drug/Mental Health Court to Effingham County, Jenkins County and Screven County, with the award yet to be determined by the Georgia Criminal Justice Coordinating Council; and

WHEREAS, the yet-to-be determined grant award from the Georgia Criminal Justice Coordinating Council requires a cash match of ten percent (10%) in the amount of Four Thousand Four Hundred Eighty and 00/100 Dollars ($4,480.00) out of a cumulative grant budget of Forty-Four Thousand Eight Hundred Six and 00/100 Dollars ($44,806.00); and

WHEREAS, all of the parties desire to participate in the funding and operation of the Drug/Mental Health Court on the terms and conditions set forth herein; and

WHEREAS, all of the parties are authorized to enter into this Agreement in accordance with the provisions of Article IX, Section III, Paragraph 1 of the Constitution of the State of Georgia;

NOW, THEREFORE, for and in consideration of the mutual promises, covenants, and obligations set forth herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Bulloch County, Effingham County, Jenkins County, and Screven County hereby agree as follows:

ARTICLE I  DEFINITIONS

1.1 “Council of Accountability Court Judges” (hereinafter referred to as “CACJ”) means the council established pursuant to O.C.G.A. § 15-1-18.

1.2 “Criminal Justice Coordinating Council” (hereinafter referred to as “CJCC”) means the council established pursuant to O.C.G.A. § 35-6A-1 et seq.

1.3 “Drug/Mental Health Court Coordinator” means the person funded by the CJCC grant and employed by Bulloch County to provide non-judicial program oversight for the Drug/Mental Health Court and to adhere to CJCC/CACJ policies and procedures.
1.4 "Drug/Mental Health Court Judge" means the person responsible for the Drug/Mental Health Court.

1.5 "Fiscal Quarter" means each three-month period beginning on July 1, October 1, January 1 and April 1.

1.6 Ogeechee Judicial Circuit Mental Health/Drug Court (hereinafter referred to as "Drug/Mental Health Court") means that certain Drug/Mental Health Court division established pursuant to O.C.G.A. §§ 15-1-15 and 15-1-16 to provide an alternative sentencing program for eligible participants who have criminal charges relating to either drug use or possession or mental health issues under the jurisdiction of the Superior Courts of the Ogeechee Judicial Circuit operating in Bulloch County, Effingham County, Jenkins County, and Screven County, Georgia.

1.7 "Participant" means clients who are eligible to receive services from the Drug/Mental Health Court.

1.8 "Participant Agreement" means an agreement between a Participant and the Drug/Mental Health Court that requires the Participant to abide by certain terms and conditions to complete the program successfully.

1.9 "Service Provider" means entities who are qualified to provide services that are relevant and useful to Participants to successfully complete the Drug/Mental Health Court program.

1.10 "State Fiscal Year" means July 1 through June 30 on a recurrent basis.

ARTICLE II
SCOPE AND AUTHORITY

2.1 Court’s Duties and Obligations. Without in any way limiting the inherent authority of the Court over judicial proceedings and functions, the Court’s duties and obligations under this Agreement shall be as follows.


2.1.2 Assigning, as appropriate and at its discretion, judges to preside over cases involving the Drug/Mental Health Court, and serving as the final authority for adjudication and management of the Drug/Mental Health Court.

2.1.3 Determining the venue for adjudication of cases involving Participants in the Drug/Mental Health Court.
2.1.4. As appropriate or necessary, entering into contracts or memoranda of understanding with qualified Service Providers for Participant counseling, treatment or care.

2.2 **Bullock County’s Duties and Obligations as Fiscal Agent.** Bulloch County shall act as the fiscal agent for the Drug/Mental Health Court and shall have the following duties and obligations with regard thereto.

2.2.1 Bulloch County shall be responsible for ongoing fiscal oversight and financial reporting of the Drug/Mental Health Court.

2.2.2 Bulloch County shall receive and be responsible for proper accounting, management, and expenditure of any funds received for operation of the Drug/Mental Health Court. Such funds may include but are not necessarily limited to: (i) any grant funds received from the Criminal Justice Coordinating Council; (ii) any funds received from Effingham County, Jenkins County, or Screven County pursuant to this Agreement; (iii) Participant fees; and (iv) funds from any other federal, state, local, or private sources that are restricted to or intended for operation of the Drug/Mental Health Court. Disbursement and allocation of funds shall be at the direction of the Drug/Mental Health Court Coordinator and/or Judge, and in accordance with CJCC and CACJ policies and procedures and the annual budget adopted by the governing authority of Bulloch County.

2.2.3 The Drug/Mental Health Court Coordinator and any other personnel serving under his or her supervision shall be employees of Bulloch County and shall be eligible for the same benefits and subject to the same personnel and other policies as all other Bulloch County employees. The Drug/Mental Health Court Coordinator shall be supervised, evaluated, disciplined, and/or terminated by the Drug/Mental Health Court Judge.

2.2.4 Bulloch County shall ensure that the Drug/Mental Health Court Coordinator prepares and submits all proposed annual plans, grant applications, requests for financial reimbursement, budget proposals, and amendments or modifications thereof for approval and authorization by the Court, Bulloch County, Effingham County, Jenkins County, Screven County, the Criminal Justice Coordinating Council, the Council of Accountability Court Judges, and/or other appropriate agencies.

2.2.5 Bulloch County shall develop and maintain financial accounts and records for the Drug/Mental Health Court according to the Uniform Chart of Accounts as administered by the Georgia Department of Community Affairs.

2.2.6 Bulloch County shall authorize and execute such contracts, expenditure authorizations, purchase orders and/or other financial documents as are necessary for the operation of the Drug/Mental Health Court, consistent with federal and
state laws, regulations or guidelines and with Bulloch County’s personnel, financial and administrative policies and procedures.

2.2.7 Title to all equipment and other personal property purchased, operated, and/or maintained with funds from grants, cash matches or other sources shall vest in Bulloch County and be used for Drug/Mental Health Court related purposes. If the Drug/Mental Health Court ceases operation, or if any such equipment or other personal property can no longer be used for its grant-funded purpose, the CJCC and CACJ will be informed of the available equipment and determine its future use to assure it is utilized in furtherance of the goals and objectives of the grant program and the State of Georgia. Bulloch County will execute a bill of sale or any other necessary documentation to convey title as directed by CJCC and/or CACJ. In the event that CJCC and/or CACJ has no use for the available equipment, Bulloch County may dispose of the equipment in accordance with its policies.

ARTICLE III
FUNDING AND COST REIMBURSEMENT

3.1 **Duties and Obligations of Bulloch County, Effingham County, Jenkins County, and Screven County for Funding and Cost Reimbursement.** Bulloch County, Effingham County, Jenkins County, and Screven County (the “Counties”) hereby agree to the following terms and conditions for funding and cost reimbursement for the Drug/Mental Health Court.

3.1.1 Matching cost requirements for grants awarded by the CJCC for the Drug/Mental Health Court, or any other grantor agency with similar requirements, shall be apportioned among the Counties by the population distribution of the most recent official decennial enumeration by the United States Census Bureau for Bulloch County, Effingham County, Jenkins County, and Screven County.

3.1.2 Direct expenses that are paid for by Bulloch County that support the Drug/Mental Health Court, but are not reimbursed by grant funds, including but not limited to personnel, liability insurance, utilities, office space, cell phones or allowances, information technology services and maintenance, and/or furniture, fixtures or equipment as identified in Bulloch County’s annual General Appropriations Budget, shall be apportioned among the Counties by the population distribution of the most recent official decennial enumeration by the United States Census Bureau for Bulloch County, Effingham County, Jenkins County, and Screven County.

3.1.3 While the percentage distribution may change in the future, the parties acknowledge that for the fiscal year ending June 30, 2019, the population distribution of the most recent official decennial enumeration by the United States Census Bureau results in the following percentages for the financial obligations in
Sections 3.1.1 and 3.1.2: Bulloch County – 47%; Effingham County – 38%; Jenkins County – 6%; and Screven County – 9%.

3.1.4. Any Participant fees assessed by the Court for participation in the Drug/Mental Health Court shall be transmitted to Bulloch County and deposited into a restricted fund, and shall only be expended for non-personnel costs for the sole use and benefit of the Participants, including but not necessarily limited to educational and training materials, care and treatment, transportation to receive services, drug testing expenses, and counseling services. Participant Agreements shall include a certification that such fees are for a legitimate expense for the use and/or benefit of the Participants. Bulloch County shall not be obligated to reduce or credit such expenses toward matching cost requirements for grants, referenced in Section 3.1.1, or for other direct expenses referenced in Section 3.1.2 of this Article.

3.1.5. Bulloch County shall submit requests for reimbursement pursuant to Sections 3.1.1 and 3.1.2 to Effingham County, Jenkins County, and Screven County on a quarterly basis within twenty (20) calendar days of the close of each Fiscal Quarter. Such requests for reimbursement will include the amount due from each county with supporting documentation including revenue and expense reports with cash balances for fees from Participants.

3.1.6. Effingham County, Jenkins County and Screven County shall then have twenty-five (25) calendar days upon the receipt of the reimbursement request to tender appropriate funds to Bulloch County.

ARTICLE IV
TERM AND TERMINATION

4.1 Initial Term and Automatic Renewal. The initial term of this Agreement shall be for one year commencing on July 1, 2018 and ending on June 30, 2019. Thereafter, this Agreement shall automatically renew for additional one-year terms commencing each July 1 unless any of the parties notifies the other parties of its intention not to renew at least ninety (90) days prior to the expiration of the then-current term.

4.2 Termination. Notwithstanding the provisions of Section 4.1, any party may terminate this Agreement at any time upon providing at least ninety (90) days’ notice to the other parties.

4.3 Survival of Accrued Financial Obligations. Any financial obligations of the parties pursuant to this Agreement that have accrued upon termination or nonrenewal of this Agreement shall survive such termination or nonrenewal and shall be promptly paid.

ARTICLE V
MISCELLANEOUS PROVISIONS
5.1 Default or Breach; Dispute Resolution; Remedies.

5.1.1 In the event that any party to this Agreement alleges that any other party is in default or breach of any of the terms, conditions or covenants of this Agreement, the party alleging default or breach may give the other party written notice that specifies the alleged default or breach. The party alleging default or breach shall also send a copy of such notice to the other parties that are not alleged to be in default or breach. The party allegedly in default or breach shall have thirty (30) days to cure the alleged default or breach before the other party may pursue dispute resolution as set forth herein.

5.1.2 In the event the party allegedly in default or breach of this Agreement fails to cure the alleged default or breach within thirty (30) days after receiving written notice of same, the party alleging default or breach may send a written demand for mediation to the party allegedly in default or breach. The party alleging default or breach shall also send a copy of such written demand to the other parties that are not alleged to be in default or breach. The parties agree that in the event one party makes a written demand for mediation upon another party in accordance with the provisions of this Agreement, all parties shall participate in good faith in such mediation in an attempt to resolve their dispute or disputes. The parties further agree to share equally the cost of such mediation. Participation in such mediation shall be a condition precedent to the initiation of litigation pursuant to Section 5.1.3.

5.1.3 In the event the parties cannot resolve their dispute or disputes through mediation, any party alleging a default or breach of this Agreement by any other party may pursue litigation against the other party, and the other parties shall join the litigation if they are deemed necessary parties. The parties agree that jurisdiction and venue for any litigation initiated pursuant to this Agreement shall exclusively be in the Superior Court of Bulloch County, Georgia. The parties also consent to the assignment of a judge from outside the Ogeechee Judicial Circuit for such litigation to avoid any real or perceived conflict of interest. The parties further agree that, in addition to any other legal or equitable remedies, the prevailing party or parties may recover attorneys' fees and court costs from the non-prevailing party or parties.

5.1.4 The rights and remedies provided in this Agreement are cumulative and not exclusive and are in addition to any other rights and remedies the parties may have at law or equity.

5.2 Entire Agreement. This Agreement contains the entire agreement of the parties hereto and all understandings, representations, and agreements between them. Each party warrants to the other that no agent, officer, employee, attorney or other representative of any party has made any representation or statement, nor are there any other agreements or understandings between or among any of the parties or their representatives, upon which any party relies that are not expressed and set forth in writing herein. Any prior
agreements between the parties involving the subject matter of this Agreement are
superseded in their entirety by this Agreement.

5.3 **Notices: Other Documents.**

5.3.1 Except as otherwise specifically provided herein, any notices, demands, approvals, consents, requests or other communications hereunder shall be in writing and shall be deemed as given (i) when the writing is delivered in person; (ii) one business day after being sent by reputable overnight registered delivery service, charges prepaid; or (iii) three business days after being sent by certified mail with sufficient postage affixed thereon, to any of the parties at the addresses shown below, or at such other addresses as may be furnished by the parties from time to time:

If to Bulloch County:

Thomas M. Couch, County Manager (or the then-current County Manager)
115 North Main Street
Statesboro, Georgia 30458
Phone: (912) 764-6245

If to Effingham County:
Chris Hutchings, Interim County Administrator (or then the current County Administrator)
601 North Laurel Street
Springfield, Georgia 31329
(912) 754-2123

If to Jenkins County:
Grady Saxon, County Manager (or then the current County Manager)
Post Office Box 797
Millen, Georgia 30442
(478) 982-2563

If to Screven County:
Rick Jordan, County Manager (or then the current County Manager)
Post Office Box 159
Sylvania, Georgia 30467
(912) 564-7535

If to The Ogeechee Judicial Circuit:
Michael T. Muldrew, Judge (or then the current Accountability Court Judge)
20 Siebald Street
Statesboro, Georgia 30458
(912) 764-9607
5.3.2 The parties shall execute such other and further documents as may be deemed necessary by either party to fulfill the intent of the parties to this Agreement.

5.4 **Time of the Essence.** Time is of the essence of each and every term, provision and covenant of this Agreement.

5.5 **Governing Law.** This Agreement is made and shall be construed under and in accordance with the laws of the State of Georgia.

5.6 **Counterparts.** This Agreement may be executed in several counterparts, each of which shall be deemed an original.

5.7 **Amendments.** This Agreement may only be amended, supplemented or otherwise modified by a document in writing duly executed and delivered with the same formality of this Agreement by all of the parties. No waiver, release or similar modification of this Agreement shall be established by conduct, custom, or course of dealing.

5.8 **Severability.** This Agreement is intended to be performed in accordance with, and only to the extent permitted by, all applicable laws, ordinances, rules and regulations. If any provision of this Agreement, or the application thereof to any person or circumstance, shall be held invalid or unenforceable by a court of competent jurisdiction, the remainder of this Agreement and the application of such provision to other persons or circumstances shall not be affected thereby but rather shall be enforced to the greatest extent permitted by law.

**IN WITNESS WHEREOF,** the parties hereto, acting by and through their duly authorized officers, have caused this Agreement to be executed under their respective seals as of the day and year first above written.

[**SIGNATURES BEGIN ON NEXT PAGE**]
I affirm that this Agreement was duly authorized by the Governing Body at a public meeting with such approval placed on the public record.

By: ________________________________
    Roy Thompson, Chairman

Attest: ______________________________
    Olympia Gaines, Clerk of the Board

[SEAL]

I affirm that this Agreement was duly authorized by the Governing Body at a public meeting with such approval placed on the public record.

By: ________________________________
    Wesley Corbitt, Chairman

Attest: ______________________________
    Stephanie Johnson, Clerk of the Board

[SEAL]

I affirm that this Agreement was duly authorized by the Governing Body at a public meeting with such approval placed on the public record.

By: ________________________________
    Hiller Spann, Chairman

Attest: ______________________________
    Brittany Shaw, Clerk of the Board

[SEAL]

I affirm that this Agreement was duly authorized
by the Governing Body at a public meeting with such approval placed on the public record.

By: _______________________________
    Will Boyd, Chairman

Attest: ____________________________
    Lori Boulineau, Clerk of the Board
[SEAL]

By: _______________________________
    F. Gates Peed, Chief Judge

By: _______________________________
    Michael T. Muldrew, Judge

By: _______________________________
    Lovett Bennett, Jr., Judge
OFFICE OF THE GOVERNOR
CRIMINAL JUSTICE COORDINATING COUNCIL

SUBGRANT AWARD

SUBGRANTEE: Bulloch County Board of Commissioners

IMPLEMENTING AGENCY: Bulloch County

PROJECT NAME: Mental Health Court

SUBGRANT NUMBER: J21-8-077

FEDERAL FUNDS: $ 93,637
MATCHING FUNDS: $ 10,404
TOTAL FUNDS: $ 104,041
GRANT PERIOD: 07/01/20-06/30/21

This award is made under the Council of Accountability Courts Judges State of Georgia grant program. The purpose of the Accountability Court Grants program is to make grants to local courts and judicial circuits to establish specialty courts or dockets to address offenders arrested for drug charges or mental health issues. This grant program is subject to the administrative rules established by the Criminal Justice Coordinating Council.

This Subgrant shall become effective on the beginning date of the grant period, provided that a properly executed original of this "Subgrant Award" is returned to the Criminal Justice Coordinating Council by July 30, 2020.

AGENCY APPROVAL

Jay Neal
Jay Neal, Director
Criminal Justice Coordinating Council

Date Executed: 07/01/20

SUBGRANTEE APPROVAL

Roy Thompson
Roy Thompson, Chairman Bulloch Co BOC

58-6000789-001
Employer Tax Identification Number (EIN)

**

INTERNAL USE ONLY

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FY'21 Budget Detail Worksheet

Court Name
Ogeechee Judicial Circuit Mental Health Court

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Match: $10,404

Funding Committee Notes:
CRIMINAL JUSTICE COORDINATING COUNCIL  
State of Georgia – Accountability Courts

SPECIAL CONDITIONS

1. All project costs not exclusively related to activities of the funded accountability court must be approved with a Subgrant Adjustment Request, and only the costs of approved project-related activities will be reimbursable under the Subgrant Award.

   Initials

2. The subgrantee must submit Subgrant Adjustment Request #1 with the completed award package. The adjustment request is accompanied by a detailed project budget that itemizes all projected expenditures as approved by the Council of Accountability Court Judges (CACJ) Funding Committee. This initial SAR is part of the grant activation process and enables the CICC to initiate the grant. The project budget and summary will not be established, or officially approved, until the subgrantee receives a written approval notice from the Criminal Justice Coordinating Council. All project costs and project activities must coincide with the approved budget, summary, and implementation plan unless subsequent revisions are approved by the Criminal Justice Coordinating Council.

   Initials

3. The subgrantee must submit subsequent Subgrant Adjustment Requests to revise the budget, project summary, and implementation plan prior to any substantial changes, but no later than 30 days prior to the end of the subgrant period.

   Initials

4. The subgrantee agrees that no funds shall be expensed outside of the approved budget. In addition, any funds spent under this subgrant award must be expended by the grant end date and not encumbered.

   Initials

5. The subgrantee agrees that at least 25% of the awarded funds will be spent in the first quarter, 50% in the second quarter and 75% in the third quarter. If this condition is not met, any unused remaining funds from that quarter will be retained by the Council to be managed by the CACJ Funding Committee.

   Initials

6. Waivers for the above 25% expenditure requirement may be granted at the committee’s discretion for the 1st and 2nd quarters only. If a waiver is granted, the funds held over to the next quarter must be spent in the next quarter.

   Initials

7. This is a reimbursement grant. Requests for reimbursement must be made on a quarterly basis. Subgrant Expenditure Reports are due 15 days after the end of the reporting period. SERs may be submitted monthly.

   Initials

8. The subgrantee certifies that state funds will not be used to supplant funds that would otherwise be made available for grant-funded initiatives. State funds must be used to supplement existing funds for program activities and not replace funds appropriated for the same purpose. Potential supplanting will be the subject of application review, as well as pre-award review, post-award monitoring, and audit. If there is a potential presence of supplanting, the subgrantee will be required to document that the reduction in non-state resources occurred for reasons other than the receipt or anticipated receipt of state funds.

   Initials
9. Statistical and/or evaluation data describing project performance must be submitted to Council of Accountability Court Judges (CACJ) on a quarterly basis using the prescribed format provided to the Subgrantee. Failure to submit all requested data on a timely basis will result in the withholding of grant funds on this subgrant and/or any other subgrant administered by CJCC until compliance is achieved. If reports are not received, funds for subsequent quarters may be rescinded.

Initials

10. The subgrantee certifies that 1) title to all equipment and/or supplies purchased with funds under this subgrant shall vest in the agency that purchased the property; 2) equipment and/or supplies will be maintained in accordance with established local or state procedures as long as the equipment and/or supplies are used for program-related purposes; and 3) once the project concludes and/or equipment is no longer utilized for its grant-funded purpose, the Criminal Justice Coordinating Council and the Council of Accountability Court Judges will be informed of the available equipment and determine its future use to assure it is utilized in furtherance of the goals and objectives of the grant program and the State of Georgia.

Initials

11. If your court uses a CSB/DBHDD enrolled provider for treatment and receives specific contracted funds for mental health and/or addictive disease treatment court services, these funds have been awarded provisionally. Prior to use, the court must meet with the CSB/DBHDD enrolled provider to determine what services are billable and are not being provided. These funds should only be applied to services that are not billable by the CSB/DBHDD enrolled provider. The court should work to enter into agreement with the CSB/DBHDD enrolled provider that outlines billable and non-billable services.

Initials

12. All drug, veteran, mental health, family, and DUI courts must use a validated assessment tool approved by the Council of Accountability Court Judges. All courts are required to use evidence-based treatment modalities.

Initials

13. Subgrantees must comply with the training requirements as determined by the Council of Accountability Court Judges. All evidence-based training attendees will be required to sign and submit the Evidence-Based Training MOU upon registering for CACJ supported training sessions. The court shall implement the evidence-based treatment within 60 days of the training attendee achieving certification.

Initials

14. All evidence-based training attendees that achieve certification are subject to fidelity monitoring by the CACJ Treatment Support Fidelity Specialist and/or by comparable assigned staff. Subgrantees shall provide treatment scheduling documentation to CACJ to support the fidelity visit.

Initials

15. Subgrantees in receipt of funds to support participant treatment are subject to fidelity monitoring by the CACJ Treatment Support Fidelity Specialist and/or by comparable assigned staff. Subgrantees shall provide treatment scheduling documentation to CACJ to support the fidelity visit.

Initials

16. Subgrantees in receipt of funds to support internally provided, grant supported, evidence-based trainings must comply with the following: notify the CACJ of scheduled training sessions; enter into agreements with qualified
SUBGRANT NUMBER:  

SPECIAL CONDITIONS  

(PAGE 3)

evidence-based facilitators; submit an evidence-based MOU for each attendee to the CACJ prior to the start of training session; and provide the CACJ with documentation of each attendee achieved certification.

Initials ____________________________

17. CACJ may designate preferred vendors or suppliers of products or services that are either on state contract or with which the CACJ has an agreement or contract in place. Subgrantees may be required to utilize such contracts or agreements for designated products or services or be required to justify that their purchases are less costly.

Initials ____________________________

18. Non-compliance with any of the special conditions contained within this document, by the authorized official, project officials and/or employees of this grant, will result in a recommendation to the CACJ Funding Committee that the award be rescinded.

Initials ____________________________

19. Subgrantees must follow all accountability court standards as approved by the Council of Accountability Court Judges.

Initials ____________________________

20. Subgrantees must abide by the Rules of the Council of Accountability Court Judges. Subgrantees are responsible for obtaining the current version of the Rules and ensuring that program activities operate in compliance with the Rules. The Rules, in their entirety, are incorporated herein by reference and compliance with the Rules is a condition of this grant. A failure to comply with the Rules may result in immediate rescission of a grant award. The CACJ is not required to follow the procedures outlined in Article 8 of the Rules (decertification procedures) when the subgrantee has failed to comply with these grant conditions.

Initials ____________________________

21. Subgrantees must create and maintain a pandemic policy that outlines how the program will manage operations during a pandemic. This pandemic policy must include provisions for management of a second spike in disease prevalence, such as that anticipated by health experts later this year resulting from the spread of the novel coronavirus. Subgrantees must submit their pandemic policy to the CACJ no later than September 30, 2020. Instructions for submission will be circulated by the CACJ to subgrantees by August 1, 2020. The CACJ may distribute and/or publicly publish a program’s pandemic policy as a sample policy to assist other programs across the state; however, the CACJ will contact the program for permission to publish before doing so.

Initials ____________________________

Please be advised that failure to comply with any of the Special Conditions will result in material noncompliance with the Subgrant Agreement, thus subjecting the Subgrant Agreement to possible termination by the Criminal Justice Coordinating Council.

Authorized Official Signature  

Date  

07.08.2020

Thomas M. Couch  
County Manager

Print Authorized Official Name  

Title

08/13/2020

Page 17 of 21
SUBGRANTEE: Bulloch County Board of Commissioners
PROJECT NAME: Ogeechee JC Mental Health Court

NATURE OF ADJUSTMENT:

X REvised budget

Project period and/or extension

Project officials/addresses

Project personnel

Goals and objectives

Other

Adjustments of each type shown should be entered in the section indicated.

MUST BE JUSTIFIED AND EXPLAINED THOROUGHLY IN SECTION IV.

SECTION I. REQUEST FOR BUDGET CHANGE - JUSTIFY IN SECTION IV.

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Federal $93,637

Match $10,404

SECTION II. REQUEST FOR CHANGE IN PROJECT PERIOD - JUSTIFY IN SECTION IV.

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NOTE: The maximum extension request cannot exceed 12 months.

SECTION III. REQUESTS FOR REVISIONS TO PROJECT OFFICIALS/ADDRESSES, PROJECT PERSONNEL, GOALS AND OBJECTIVES, AND/OR OTHER NON-BUDGET, NON-PERIOD CHANGES (JUSTIFY IN SECTION IV.)

CONTINUED ON NEXT PAGE
**SECTION IV. JUSTIFICATION OF ALL REQUESTED ADJUSTMENTS, REVISIONS, AND/OR CHANGES**

All requested adjustments in Sections I, II & III (page 1) must be justified in detail in this Section. Include item costs, descriptions, equipment lists, detailed explanations, and any other information that would further clarify and support your request for adjustment. Attach additional pages as needed.

---

**SUBMITTED BY:**

**Whitney Richardson**
Signature of Financial Officer or Project Director

**CFO**
Title

7/18/20
Date

**CJCC ROUTING AND APPROVALS:**

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SUBGRANT AWARD

SUBGRANTEE: Bulloch County Board of Commissioners

IMPLEMENTING AGENCY: Bulloch County

PROJECT NAME: Adult Felony Drug Courts

SUBGRANT NUMBER: J21-8-129

FEDERAL FUNDS: $ 145,465
MATCHING FUNDS: $ 16,163
TOTAL FUNDS: $ 161,628
GRANT PERIOD: 07/01/20-06/30/21

This award is made under the Council of Accountability Courts Judges State of Georgia grant program. The purpose of the Accountability Court Grants program is to make grants to local courts and judicial circuits to establish specialty courts or dockets to address offenders arrested for drug charges or mental health issues. This grant program is subject to the administrative rules established by the Criminal Justice Coordinating Council.

This Subgrant shall become effective on the beginning date of the grant period, provided that a properly executed original of this "Subgrant Award" is returned to the Criminal Justice Coordinating Council by July 30, 2020.

AGENCY APPROVAL

Jay Neal
Jay Neal, Director
Criminal Justice Coordinating Council
Date Executed: 07/01/20

SUBGRANTEE APPROVAL

Signature of Authorized Official: ____________________________
Date: ____________________________

Roy Thompson, Chairman-Bulloch Co BOC
Typed Name & Title of Authorized Official

58-6000789-001
Employer Tax Identification Number (EIN)

*****************************************************************
INTERNAL USE ONLY

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Match: $16,163

CACJ Funding Committee Notes:
Staff Report

Subject: SCADA System Upgrades
Author: EOM Operations
Department: Engineering
Meeting Date: August 18, 2020
Item Description: Approval of Task Order 1 for the design build contract with C2i Control Instruments, Inc. for a SCADA System upgrade for the Effingham County Waste Water Treatment plant.

Summary Recommendation: EOM staff is recommending a change order be issued to C2i for the work outlined on the attached Task Order 1 to begin the design build process of the SCADA System upgrades. Task Order 1 would involve onsite evaluation of the existing networking and devices to determine what can be reused. This task order also includes a complete backup of the existing Wonderware SCADA software. C2i will perform Task Order 1 at the hourly rates included in the contract with a not to exceed value of $11,700. Task Order 1 is required to continue with the SCADA system upgrades. A second task order will be submitted once the evaluation of the existing networking and devices is completed.

Executive Summary/Background:
1. The Supervisory Control and Data Acquisition (SCADA) System at the Waste Water Treatment Plant (WWTP) is outdated and operating on computers and software that are no longer supported. A new system is needed to be installed with new computers, software and data loggers in order to be able to operate the plant at peak efficiency.
2. Effingham County Board of Commissioners approved bond funds for SCADA system upgrades. The current estimate for this project is $150,000.
3. In June, a contract was awarded to C2i for the equipment and software portion only which totalled $33,361.00.
4. Due to the complexity of the design build project and in an effort to keep cost down, EOM staff requested C2i split the project into task orders. The first task order would involve onsite evaluation of the existing networking and devices to determine what can be reused.

Alternatives for Commission to Consider
1. Approve Task Order 1 of the design build SCADA System project with C2i Control Instruments, Inc.
2. Do not approve alternative 1.

Recommended Alternative: Approve Alternative #1
Other Alternatives: Do not approve alternative.
Department Review: Engineering
Funding Source: Wastewater Treatment Plant Bond Funds
Attachments: Task Order 1
EOM Operations
480 Edsel Dr
Richmond Hill, GA 31324

Attn: Ms. Kristen Achtziger, Chief Operating Officer

PROJECT: SCADA SYSTEM DESIGN BUILD SERVICES AGREEMENT Dated 6/5/2020
OWNER: EFFINGHAM COUNTY, GEORGIA

PROPOSAL – TASK ORDER # 1 – SCADA Hardware and Software Field Survey

Control Instruments, Inc. (C2i) is pleased to provide the following services as discussed at the Project Kick-Off Meeting July 7, 2020 at EOM Richmond Hill.

SCOPE OF WORK:

1. Provide Onsite Engineering and Onsite Programming services to survey the existing SCADA hardware network, identify and document all nodes and communicating devices.
   Deliverables: 1) Current SCADA System Network Diagram.

2. Export SCADA database to assist in identifying all connected field instrumentation and control panels. Document all field instruments and control panels (photos and condition data) for SCADA system inventory to be used for SCADA system asset management.
   Deliverables: 1) Table of Existing Instruments and Control Panels with Condition Information

3. Back-up the existing Wonderware SCADA software application, and make a copy to assist C2i in quantifying the work associated with engineering and programming the conversion to the new VT SCADA software that is being provided under the base scope of work.
   Deliverables: 1) Wonderware APP Back-Up  2) Proposal for Conversion of existing to VTSCADA.

PROPOSAL ESTIMATE, TERMS & RATES:

1. Please see attached Project Task List for estimate of hours included in above Scope of Work.

2. This proposal is provided as a Not-To-Exceed estimate of hours required to complete the tasks and deliverables identified in Scope of Work above. Immediately upon learning of any unforeseen circumstances affecting our estimates, or when C2i reaches 75% hours complete on a Task Order, we will advise customer of current budget status, and any changes required to complete task order scope of work.
3. C2i rates are as per approved Service Agreement dated June 5, 2020.

If you have any questions, please contact us anytime.

Sincerely,

Mark G. Healey
CONTROL INSTRUMENTS, INC./C2i
MGH/jw

Attachments:
1) Project Task List – Task Order # 1 SCADA Hardware and Software Field Survey
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Total Days/Hours: 13.5 / 108.0 / 11,700 / 11,700

Task Order(s) % Complete: 0.0%
Staff Report

Subject: Change Order Request for Bunyan Kessler, Courthouse Road, and Elections Office Parking Lot Addition - Removal of Unusable Stone Material

Author: Charles George, P.E., County Engineer

Department: Engineering

Meeting Date: August 18, 2020

Item Description: Consideration to approval a Change Order for Reeves Construction for the off-site disposal of existing gravel/stone material at Elections Office Parking Lot.

The Contract had specified the contractor stockpile the existing gravel/stone mix on site for possible re-use as a portion of the base material for the pavement which could have provided a small reduction in the base material price if the stone has been suitable for re-use. After further inspection of the existing material it is not suitable for re-use and needs to be removed off-site.

To remove and dispose of the material off-site will cost $3,402.00 (21 loads @ $162/load.

Summary Recommendation: County Engineering recommends approval of the Change order to dispose the material off-site.

Executive Summary/Background: None

Alternatives for Commission to Consider
  1. Approve Change Order Request for $3,402.00

Recommended Alternative: Approve Alternate 1.

Other Alternatives: None

Department Review: Engineering

Funding Source: General

Attachments:
  1. Change Order Request from Contractor
# Change Order # 1

**Project:** BUNYAN KESSLER, COURTHOUSE RD, ELECTIONS OFFICE PARKING LOT ADDITION  

**Contract Date:** July 7, 2020  
**Change Order Effective Date:** August 18, 2020  
**Change Order Issued to:** Reeves Construction  
100 Morgan Industrial Blvd  
Garden City, GA 31408

You are directed to make the following changes to this Contract.

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The original Contract Sum was...........................................................................................................$ 153,432.50

Net change by previously authorized Change Orders..........................................................$ 0.00

The Contract Sum prior to this Change Order was.................................................................................$ 153,432.50

The Contract Sum will be increased by this Change Order.................................................................$ 3,402.00

The new Contract Sum including this Change Order will be.................................................................$ 156,834.50

The Contract Time will be increased by 0 days

The Time allowed for completion is therefore _January 23, 2021_

---

**Owner**  
Effingham County Board of Commissioners  
601 N. Laurel Street  
Springfield, GA 31329

By: ___________________________  
Date: ___________________________

**Contractor**  
Reeves Construction  
100 Morgan Industrial Blvd  
Garden City, GA 31408

By: ___________________________  
Date: August 6, 2020
Staff Report

Subject: Contract renewal with Spatial Engineering, Inc.
Author: Chris Reed, I.T. Director
Department: Information Technology / GIS
Meeting Date: 08-18-2020
Item Description: Consideration to approve contract renewal with Spatial Engineering, Inc. for GIS Services.

Summary Recommendation:
In November 2019 the board approved a contract with Spatial Engineering for GIS services. This would be to renew the contract for this budget year with Spatial Engineering for GIS services.

Executive Summary/Background:
Last year Spatial Engineering setup and hosted a copy of our data on their servers and made it available with the Right Spot App. They also completed the projects that we had delivered to them to work on. There is still a backlog of data for water, sewer, and storm water projects that we need to send to them to work on. This contract would cover our data hosting and Right Spot access for this year along with project work up to the budgeted amount.

Alternatives for Commission to Consider:
1. Board approve the renewal contract with Spatial Engineering.
2. Do not approve renewal contract with Spatial Engineering.

Recommended Alternative:
Staff recommends Alternative number 1

Other Alternatives: N/A

Department Review: Information Technology / GIS / County Manager

Funding Source:
Total: $4,800 plus any project work up to $25,854. This has been budgeted in the 2021 budget.

Attachments:
1. Spatial Engineering Proposal
Renewal

RightSpot GIS Services
Effingham County, Georgia
PID No. 20017

June 15, 2020

Spatial Engineering, Inc.
Attn: Richard L Truluck
613 Towne Park West Drive, Suite 202
Rincon, Georgia 31326
Office. 912.826.6688
www.spatialengineering.com
1 Background
Effingham County (COUNTY) is a Tier 2 coastal Georgia county bounded on the south by Chatham County, on the east by the Savannah River, on the north by Screven County, and on the west by Bryan County. This is a renewal proposal for continued 12-month support for COUNTY’s RightSpot GIS Services.

2 Points of Contact:

<table>
<thead>
<tr>
<th>Spatial Engineering, Inc.</th>
<th>Effingham County, Georgia</th>
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<tr>
<td>Business Development:</td>
<td>County Administrator:</td>
</tr>
<tr>
<td>Brett Bennett</td>
<td>Tim Callanan</td>
</tr>
<tr>
<td><a href="mailto:bbennett@laurelstreetconsulting.com">bbennett@laurelstreetconsulting.com</a></td>
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<td></td>
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<tr>
<td>Project Manager:</td>
<td><a href="mailto:tcallanan@effinghamcounty.org">tcallanan@effinghamcounty.org</a></td>
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<tr>
<td>Paula Edwards, PMP, GISP</td>
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<tr>
<td>613 Towne Park West Dr., Ste. 202</td>
<td>O: 912-754-2111</td>
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<tr>
<td>Rincon, GA 31326</td>
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<td><a href="mailto:pedwards@spateng.com">pedwards@spateng.com</a></td>
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<tr>
<td>O: 912-826-6688</td>
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3 Task 1 – RightSpot Data Access

**Approach:** SPATIAL will maintain a RightSpot web site based on COUNTY GIS data. SPATIAL will coordinate with the COUNTY to determine what data to load into RightSpot. SPATIAL will not edit or change COUNTY data as part of this task. The GIS data will be available to authorized users ONLY. The data will be READ ONLY. The intent is for RightSpot to be the internal viewer for COUNTY GIS data.

3.1 Cost Breakdown:
1. RightSpot set-up fee: $0 (waived for renewals)
2. 12-months data access: $4,800

3.2 Scope of Work:
1. Provide COUNTY access to their GIS data via RightSpot.
2. Provide battery backup for power outages.
3. Provide system monitoring and support.
4. Provide secure HTTPS encryption.
5. Provide user management and password control.
6. Provide 20 unique RightSpot users.
7. Provide mobile GIS viewer using HTML5. (Tablet and Smartphone, requires internet access)
8. Provide RightSpot tools and workflows including:
   - Simple Search (available on all data layers except raster (imagery))
   - Advanced Query (detail search)
• Mailing Labels (dependent on County Parcel and Address Point data)
• Field Notes (with Attachments)
• Redline Markup (with Attachments)
• Project As-built data (if data is available)
• Water Break Isolation (dependent on quality of water data)
• Sewer Trace (dependent on quality of sewer data)
• Stormwater Trace (dependent on quality of stormwater data)
• Flood Zone Report (dependent on flood zoning data)
• Property Zoning Report

3.3 Deliverables:

1. RightSpot access
2. Monthly updates (based on data changes)
3. CDROM of all GIS data and linked documents upon request

3.4 Travel:

1. None.

3.5 Schedule:

1. RightSpot Access: NTP + 12 months
2. NTP assumed to be 7/1/2020

3.6 Assumptions:

1. Standard RightSpot set-up procedures apply.
2. All data maintenance will be performed under On-Call Services.
3. SPATIAL does not guarantee access against natural disaster, national disaster, and forces outside our control.
4. SPATIAL does not guarantee internet connectivity between SPATIAL’s network demarcation point (DP) and the COUNTY’s network DP. To ensure system health and a rapid recovery in the event of hardware failure, Spatial Engineering maintains a backup and disaster recovery plan that includes redundant network providers, emergency backup servers, and remote data backup outside the southeastern US using SPATIAL owned and managed devices.

4 Task 2 – On-Call Services (OCS)

Approach: On-Call Services (OCS) provides the COUNTY the ability to request data updates, analysis, maps, field collection, application development, etc. on an as needed basis. The County Manager, or their designee, must approve the OCS prior to beginning work.

4.1 Cost Breakdown:

1. Cost will be estimated and approved per task.
2. SPATIAL will use the current commercial rate schedule. See Attachment A.
3. SPATIAL will estimate and execute with the appropriate skill level.
4. Work requests are billed monthly.

4.2 Scope of Work:
1. SPATIAL will provide services as requested.
2. The COUNTY may request services using email or telephone.
3. OCS may include, but are not limited to:
   a. Data extraction from as-builds and updates
   b. Scanning and vectorising services
   c. Field data collection, drone aerial collection, and GPS survey
   d. Custom workflows and application development
   e. GIS analysis and products
   f. Map production
   g. Basic GIS technical “help desk” support

4.3 Deliverables:
1. SPATIAL will incorporate resulting OCS products into the COUNTY’s RightSpot database, where appropriate.
2. SPATIAL will provide OCS products in an Esri geodatabase format per specified requirement.

4.4 Travel:
1. Local travel.

4.5 Schedule:
1. The schedule of each request is specific to the request.

4.6 Assumptions:
1. The County Manager or their designee assigns/approves request.
2. SPATIAL will not bill unless tasked.
3. On-Call Services will be estimated when requested.
5  Cost Summary

<table>
<thead>
<tr>
<th>Task</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Task 1 - RightSpot(1)</td>
<td></td>
</tr>
<tr>
<td>Annual Fee (Prorated for December – June)</td>
<td>$4,800</td>
</tr>
<tr>
<td>One-time setup fee</td>
<td>$0</td>
</tr>
<tr>
<td>Task 2 – On-Call Services(2)</td>
<td>$0</td>
</tr>
<tr>
<td>Total</td>
<td>$4,800</td>
</tr>
</tbody>
</table>

Acceptance: $4,800

(1) The cost for RightSpot (Task 1) is fixed for the contract period. The payment for Task 1 is due at Notice to Proceed. SPATIAL has the right to adjust the data management fee at the anniversary of the contract. SPATIAL will provide 90-day notice to the COUNTY of any change to the fee.

(2) On-Call Services are estimated when requested; and are not included in this proposal. The COUNTY will be fund On-Call Services separately.

6  Renewal and Cancellation Policy

The contract period for the services presented herein begin at Notice to Proceed (full execution of this proposal) and continue to June 30, 2021. The contract will automatically renew on the anniversary date for an additional one-year term. The COUNTY and SPATIAL may terminate services provided the receiving party is given, in writing, a 30-day notice. Upon termination, SPATIAL will return all COUNTY data in Esri ArcGIS format within 15 calendar days.

7  Proposal Acceptance

If the tasks, schedule, and cost presented in this proposal are acceptable, please sign, date, and return a copy to Spatial Engineering, Inc.

For: Spatial Engineering, Inc.                                   For: Effingham County, GA

Date: 6/16/2020                                                  Date: __________________________

Richard Truluck, P.E.                                          Name: __________________________
President                                                      Title: __________________________
O: 912-826-6688                                                 rtruluck@spateng.com
Attachment A – Spatial Engineering Rate Schedule (Effective 1/1/2020)

<table>
<thead>
<tr>
<th>ITEM#</th>
<th>SIN#</th>
<th>Labor Category</th>
<th>Fully Burden Rate(^{(1)})</th>
</tr>
</thead>
<tbody>
<tr>
<td>001</td>
<td>132-51</td>
<td>Project Manager</td>
<td>$150.20</td>
</tr>
<tr>
<td>002</td>
<td>132-51</td>
<td>Geospatial Analyst III</td>
<td>$131.12</td>
</tr>
<tr>
<td>003</td>
<td>132-51</td>
<td>Geospatial Analyst II(^{(2)})</td>
<td>$88.34</td>
</tr>
<tr>
<td>004</td>
<td>132-51</td>
<td>Geospatial Analyst I</td>
<td>$75.46</td>
</tr>
<tr>
<td>005</td>
<td>132-51</td>
<td>Database Manager</td>
<td>$112.04</td>
</tr>
<tr>
<td>006</td>
<td>132-51</td>
<td>System Administrator</td>
<td>$89.12</td>
</tr>
<tr>
<td>007</td>
<td>132-51</td>
<td>Software Developer III</td>
<td>$139.06</td>
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<tr>
<td>008</td>
<td>132-51</td>
<td>Software Developer II</td>
<td>$86.80</td>
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<tr>
<td>009</td>
<td>132-51</td>
<td>Software Developer I</td>
<td>$74.36</td>
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<tr>
<td>010</td>
<td>132-51</td>
<td>Technician III</td>
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</tr>
<tr>
<td>011</td>
<td>132-51</td>
<td>Technician II</td>
<td>$80.01</td>
</tr>
<tr>
<td>012</td>
<td>132-51</td>
<td>Technician I</td>
<td>$67.29</td>
</tr>
<tr>
<td>013</td>
<td>132-51</td>
<td>System Architect</td>
<td>$138.90</td>
</tr>
<tr>
<td>014</td>
<td>132-51</td>
<td>Business Analyst III</td>
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<td>015</td>
<td>132-51</td>
<td>Business Analyst II</td>
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<tr>
<td>016</td>
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<td>Business Analyst I</td>
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</tr>
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<td>Data Analyst III</td>
<td>$99.75</td>
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<td>019</td>
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<td>020</td>
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<td>021</td>
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<tr>
<td>000</td>
<td>000-00</td>
<td>Mileage Rate(^{(3)})</td>
<td>$0.58/mi</td>
</tr>
</tbody>
</table>

Notes:
1. Fully burden rates include fee.
2. Labor category includes FAA certified Remote Pilot for Small UAF (drones).
Staff Report

Subject: CARES Act Coronavirus Relief Fund Award
Author: Christy Carpenter, Finance Director
Department: Finance Department
Meeting Date: 08-18-2020

Item Description: Consideration of approval to accept a CARES Act Coronavirus Relief Fund (CRF) award for Phase I for 30% in the amount of $747,917.57 and approval to submit a reimbursement request for the remaining 70% in the amount of $1,745,141.43.

Summary Recommendation:
Staff is requesting approval to accept a CARES Act Coronavirus Relief Fund (CRF) award for Phase I for 30% in the amount of $747,917.57 and approval to submit a reimbursement request for the remaining 70% in the amount of $1,745,141.43.

Executive Summary:
Congress passed the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) on March 27, 2020 to provide vital resources to governments, businesses, and individuals in combating COVID-19. President Trump signed the Act into law, and his administration continues to provide guidance on the many federal funding streams included in the legislation.

Title V of the CARES Act created the Coronavirus Relief Fund ("CRF") to provide financial resources to state and local governments. The U.S. Treasury (Treasury) provided Georgia approximately $4.1 billion for coronavirus-related expenses based on the funding formula provided in the CARES Act. Treasury provided that up to 45% of Georgia’s funding could be transferred to local governments if the transfer qualifies as a necessary expenditure incurred due to the public health emergency.

The U.S. Treasury Department after making the corresponding distribution based on the estimates of the Federal Census for the year 2019 determined that Effingham County would receive funds per the following:

<table>
<thead>
<tr>
<th>Effingham County</th>
<th>Population</th>
<th>Phase 1</th>
<th>Phase 1-30%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Effingham County</td>
<td>47,625</td>
<td>$2,493,059</td>
<td>$747,918</td>
</tr>
<tr>
<td>Guyton city</td>
<td>2,226</td>
<td>$116,526</td>
<td>$34,958</td>
</tr>
<tr>
<td>Rincon city</td>
<td>10,361</td>
<td>$542,374</td>
<td>$162,712</td>
</tr>
<tr>
<td>Springfield city</td>
<td>4,084</td>
<td>$213,788</td>
<td>$64,136</td>
</tr>
</tbody>
</table>
**Background:**
1. The total Phase I fiscal impact for Effingham County is $2,493,059. The first phase of funding will allocate 30% (EC portion $747,917.57) of the $1.23 billion to local governments that did not receive a direct allocation and are not located in a county that received a direct allocation established on a per capita basis using U.S. Census Bureau’s vintage 2019 sub-county population (Phase One). These cities and counties will have access to and be able to request 30% of Phase One funding immediately once the application portal is available. The remaining 70% ($1,745,141.43) will be available on a reimbursement basis. Phase One funding should be used by September 1, 2020, or it may be recalled and reallocated for other uses.

2. There is no cost share requirement.

**Alternatives for Commission to Consider:**
1. Approve to accept a CARES Act Coronavirus Relief Fund (CRF) award for Phase I for 30% in the amount of $747,917.57 and approval to submit a reimbursement request for the remaining 70% in the amount of $1,745,141.43.
2. Do not approve to accept a CARES Act Coronavirus Relief Fund (CRF) award for Phase I for 30% in the amount of $747,917.57 and approval to submit a reimbursement request for the remaining 70% in the amount of $1,745,141.43.
3. Provide Staff with Direction

**Recommended Alternative:**
Staff recommends Alternative number 1 – Approve to accept a CARES Act Coronavirus Relief Fund (CRF) award for Phase I for 30% in the amount of $747,917.57 and approval to submit a reimbursement request for the remaining 70% in the amount of $1,745,141.43.

**Other Alternatives:** N/A

**Department Review:** Effingham County Board of Commissioners

**Funding Source:** No cost share requirement

**Attachments:**
1. CRF Georgia Phase 1 Allocation Award
2. Guidance on CARES Act Funding
From: Duesler, Kailyn <Kailyn.Duesler@house.ga.gov>
Sent: Tuesday, June 30, 2020 10:43 AM
To: Timothy Callanan <TCallanan@EffinghamCounty.org>
Subject: EXTERNAL:CARES Act Information - Effingham County

Good morning,

On behalf of Leader Jon Burns, thank you for your leadership during these challenging times. Governor Kemp has recently released a document relating to the CARES Act funds process per the US Treasury instructions.

The totals below are for your county and respective cities/towns:

<table>
<thead>
<tr>
<th>Effingham County</th>
<th>Population</th>
<th>Phase 1 Allocation</th>
<th>Phase 1 – 30% Adv.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Effingham County unincorporated</td>
<td>47,625</td>
<td>$2,493,059</td>
<td>$747,918</td>
</tr>
<tr>
<td>Guyton city</td>
<td>2,226</td>
<td>$116,526</td>
<td>$34,958</td>
</tr>
<tr>
<td>Rincon city</td>
<td>10,361</td>
<td>$542,374</td>
<td>$162,712</td>
</tr>
<tr>
<td>Springfield city</td>
<td>4,084</td>
<td>$213,788</td>
<td>$64,136</td>
</tr>
</tbody>
</table>

Also attached, is the complete Georgia Phase 1 Allocations document for your review. Should you have any questions, please let us know.

Thank you for your service,

Kailyn Mikulsky Duesler
Office of the Majority Leader
State Capitol, Suite 338
Atlanta, Georgia 30334
404.656.5052 (office)
404.656.5902 (fax)
kailyn.duesler@house.ga.gov
June 29, 2020

Dear City and County Leaders:

These are indeed unprecedented times. Thank you for your continued hard work in protecting the health and safety of the citizens of this state. Responding to and mitigating the COVID-19 pandemic have required close collaboration between all levels of government, our healthcare system, and the many private companies that have dedicated time and resources to defeating the virus. As we continue our fight, we must also look towards recovery.

As you know, Congress passed the Coronavirus Aid, Relief, and Economic Security Act (“CARES” Act) on March 27, 2020 to provide vital resources to governments, businesses, and individuals in combating COVID-19. President Trump signed the Act into law, and his administration continues to provide guidance on the many federal funding streams included in the legislation.

Title V of the CARES Act created the Coronavirus Relief Fund (“CRF”) to provide financial resources to state and local governments. The U.S. Treasury (Treasury) provided Georgia approximately $4.1 billion for coronavirus-related expenses based on the funding formula provided in the CARES Act. Treasury provided that up to 45% of Georgia’s funding could be transferred to local governments if the transfer qualifies as a necessary expenditure incurred due to the public health emergency.

The Governor’s Office, in conjunction with several partners such as the Governor’s Office of Planning and Budget and the State Accounting Office, will manage the disbursement process for the CRF. The plan for CRF allocations and disbursements is a phased, measured approach. It is critical that funding be released to cities and counties experiencing an immediate need as quickly as possible. It is also important that funding be disbursed equitably, but with the knowledge that some of our hardest-hit communities will need more assistance than others. I encourage cities and counties to work together to address expenses or challenges that cross jurisdictional lines.

The local government maximum share of funding is approximately $1.8 billion. Five local governments with populations over 500,000 received direct allocations, leaving approximately $1.23 billion remaining for additional allocations.

The first phase of funding will allocate 30% of the $1.23 billion to local governments that did not receive a direct allocation and are not located in a county that received a direct allocation established on a per capita basis using U.S. Census Bureau’s vintage 2019 sub-county population (“Phase One”). These cities and
counties will have access to and be able to request 30% of Phase One funding immediately once the application portal is available. The remaining 70% will be available on a reimbursement basis. Phase One funding should be used by September 1, 2020, or it may be recalled and reallocated for other uses. Please note that funding can only be used for eligible expenses.

Cities in one of the four counties that received direct funding from Treasury—Cobb, DeKalb, Fulton, and Gwinnett—will be required to go to their county for funding. Treasury made their calculations based on population, and the populations of those cities were accounted for in the Treasury disbursement. Accordingly, these counties are encouraged to allocate funds to the cities within their county borders on the same per capita basis.

As Phase One funding is exhausted, additional program and disbursement criteria for the remainder of the $1.23 billion will be developed and evaluated to ensure that there is flexibility to respond to the ongoing impact of the COVID-19 pandemic.

**Phase One** will require local governments to apply for the Phase One allocated funds (30% of $1.23 billion). 30% of this allocation will be available for immediate advancement once the application and certifications are processed. Once the advance is received, local governments must begin providing documentation to support qualified expenditures.

The Treasury has provided strict guidelines for funding. States can transfer funds to local governments “provided that the transfer qualifies as a necessary expenditure incurred due to the public health emergency and meets the other criteria of section 601(d) of the Social Security Act,” but “such funds would be subject to recoupment by the Treasury Department if they have not been used in a manner consistent with section 601(d) of the Social Security Act.”

Additionally, the Treasury has instructed that “funds may not be used to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify as an eligible expenditure.” All costs must be incurred before December 30, 2020 to qualify for funding. Additional details on eligible expenses and the timeline for submitting documentation will be provided.

**How to Apply:**
The state, working with our partners, will launch a portal for local governments which did not receive a direct allocation to apply. The designee in each local government will receive an email invitation allowing them to establish logon credentials and to apply. This portal will also be used to submit expenses in support of Phase One funding. This portal information, as well as additional information related to the process, program guidelines, and frequently asked questions, will be shared as soon as it becomes available. The Phase 1 allocations by city and county are attached.

Thank you for your tireless work for the residents in your communities. Georgia is committed to working together to address this recovery phase. We are committed to working through this process with you and our partners. We remain in this fight together.

Sincerely,

[Signature]

Governor Brian P. Kemp
Staff Report – July 27, 2020 PB

Subject: Rezoning (First District)
Author: Diane Proudfoot, Zoning Administrator
Department: Development Services – Planning & Zoning
Meeting Date: August 18, 2020
Item Description: Garland Caleb Vandiver requests to rezone 1-acre from AR-1 to AR-2 to split out for a home site at 2995 Hwy 17 S. Map# 324 Parcel #60A

Staff Comments:
Planning Board and staff recommends alternative #1 approval with the stipulations listed in the staff report.

Summary Recommendation
Approve request to rezone 1-acre of 44.91-acres from AR-1 to AR-2 for a home site at 2995 Hwy 17 S, with the following stipulations:

1. The lot must meet the requirements of the AR-2 zoning district.
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 be approved and permitted by USACE and a copy submitted to Development Services.
4. Subdivision plat must show an access easement to the parcel, and 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 divide 1-acre for a home site and therefore must rezone to AR-2.

Background
At the Planning Board meeting, Alan Zipperer made a motion to approve request to rezone 1-acre of 44.91-acres from AR-1 to AR-2 for a home site at 2995 Hwy 17 S, with the following stipulations:

1. The lot must meet the requirements of the AR-2 zoning district.
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 be approved and permitted by USACE and a copy submitted to Development Services.
4. Subdivision plat must show an access easement to the parcel, and be approved by the Health Department and the Zoning Administrator.

Juanita Golden seconded the motion. The motion carried unanimously.

Alternatives
1. Approve request to rezone 1-acre of 44.91-acres from AR-1 to AR-2 for a home site at 2995 Hwy 17 S, with the following stipulations:

   1. The lot must meet the requirements of the AR-2 zoning district.
   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 be approved and permitted by USACE and a copy submitted to Development Services.
   4. Subdivision plat must show an access easement to the parcel, and be approved by the Health Department and the Zoning Administrator.
2. **Deny** the rezoning of 1-acre of 44.91-acres from AR-1 to AR-2 for a home site at 2995 Hwy 17 S).

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** Development Services

**FUNDING:** N/A

**Attachments:**
1. Rezoning checklist
2. Rezoning application
3. Ownership certificate/authorization
4. Deed
5. Plat
6. Aerial photograph
ATTACHMENT A

EFFINGHAM COUNTY REZONING AMENDMENT FORMS

Applicant: Garland Caleb Vandiver
Property owner(s): William Vandiver
Telephone Number (912) 414-0379 / 912-675-1856
Mailing Address: 3001 Hwy 17 S. Guyton, Ga 31312
Property location: 2995 Hwy 17 S. Guyton, Ga 31312
Present zoning: AR-1
Proposed zoning: AR-2
Present land-use: agriculture / residential
Proposed land-use: agriculture / residential
Tax Map #: Parcel #: 324-40A Lot #: 1
Total Acres: 44.91 Acres to be rezoned: 1
Lot characteristics: agriculture / residential (open field)
Water: private (well) Sewer: private (septic)
Proposed access: 20' access easement
Justification: Splitting off one acre for homesite

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

North: AR-1
East: AR-1

South: AR-1
West: AR-1
1. Describe the current use of the property you wish to rezone.

Agriculture - Open Field

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.

Home Site

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

Open Field / Residential

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?

No change

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 Dec 17, 2018, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2302 page 546.

I hereby certify that I am the owner of the property being proposed for rezoning, and I have answered all of the questions contained herein and know the same to be true and correct. I hereby acknowledge that I have reviewed the application checklist, and further acknowledge that any omission of the items above will cause a delay in the review of my request.

Owner's signature: ___________________________ Print: ___________________________

Owner's signature: ___________________________ Print: ___________________________

Owner's signature: ___________________________ Print: ___________________________

Sworn and subscribed before me this 26th day of June, 2020.

Notary Public, State of Georgia
AUTHORIZATION OF PROPERTY OWNER

I, William Vandiver, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states; That he/she is the owner of the property which is subject matter of the attached application, as is shown in the records of Effingham County, Georgia.

I authorize the person named below to act as applicant in the pursuit of a Rezoning application. I acknowledge and accept that I will be bound by the decision of the board of commissioners, including any conditions of the rezoning, if the application is approved.

Name of Applicant: Garland Caleb Vandiver  Date: 6/26/20

Address: 3001 Hvy 17 S.

City: Guyton  State: GA  Zip Code: 31312

Telephone Number: 912-414-0379  Email: CK3853@gmail.com

Signature of Owner  Owners Name (Print)

Personally appeared before me William Vandiver (Owner print)

Who swears before that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

This Day 26 of June

Notary Public
STATE OF GEORGIA

COUNTY OF EFFINGHAM

The undersigned, MARGARET YVONNE HAWKINS and MARVIN K. VANDIVER, the duly qualified Executors of the last will and testament of LUVERN M. VANDIVER, deceased, of said county, does hereby assent to the devise made by Item Four (4) of the will of the said LUVERN M. VANDIVER, deceased, the same being duly probated in the office of the Probate Court of Effingham County, Georgia, which item of said will reads as follows, to-wit:

ITEM (4)

I give, bequeath and devise unto my Two (2) children, MARGARET YVONNE HAWKINS and G. WILLIAM VANDIVER, the remainder of my home parcel of land which containing approximately One Hundred Ten (110) acres [less and except the Ten (10) acres above-bequeathed to my daughter MELINDA L. VANDIVER]. Said home place tract of land shall be theirs, in equal parts, share and share alike, absolutely and in fee simple. In the division of said lands, it is my desire for G. WILLIAM VANDIVER to have the portion where my house is.

DESCRIPTION OF PROPERTY FOR G. WILLIAM VANDIVER

ALL that certain tract or parcel of land situate, lying and being in the 10th G.M. District of Effingham County, Georgia, containing Forty-Six and Ninety-One Hundredths (45.91) acres, more or less, and being known and designated as Parcel One (1) as shown on the plat thereof hereinafter referred to. Said parcel of land being bounded on the Northwest by lands of Greenbrier Subdivision; on the Northeast by lands now or formerly of Millen Timber Company; on the Southeast by lands of Richard Ulmer and by lands Melinda V. Moser (formerly Vandiver) and by Parcel Two (2), and on the Southwest by Georgia State Highway 71.

Express reference is hereby made to the plat of said lands made by Adolph N. Michells, R.L.S. #1523, dated October 1, 2018 and recorded in the office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Book 28, Page 406 for better determining the metes and bounds of said lands herein conveyed.

SUBJECT, to restrictive covenants and easements of record.

This assent is made under the provisions of Section §53-8-15, of the Code of Georgia to pass the title to the devisee, GARLAND WILLIAM VANDIVER a/k/a G. WILLIAM VANDIVER, named in said will. There is a sufficient amount of property in said estate in addition to the above described property to pay the indebtedness of said estate.

Given under my hand and seal this 12th day of December, 2018.

Signed, sealed and delivered in the presence of:

Margaret Yvonne Hawkins
MARGARET YVONNE HAWKINS, EXECUTOR

Unofficial Witness

Official Witness - Notary Public

Marvin K. Vandiver
MARVIN K. VANDIVER, EXECUTOR

GARLAND WILLIAM VANDIVER

08/13/2020
July 23, 2020

Effingham County Zoning Board
Springfield, GA 31329

Re: Garland Caleb Vandiver
   2995 Hwy 17 South, Guyton GA 31312
   Pin #324-60A
   Total Acres: 44.91 Acres to be rezoned: 1.0

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. The proposed rezoning request is preliminarily approved based on the following supporting documents and does not meet the requirements for a proposed subdivision as defined by Rules of the Department of Public Health, Chapter 511-3-1.

- Completed Effingham County Rezoning Request Packet.

A follow up review of the final plat will be conducted prior to signing. The following items must be submitted.

1. Completed Plat Review Application.
2. Level III soils overlay signed and stamped by the soil classifier on the Final Plat with Soil Suitability Description.
3. The following signature block should be used on all plats that require Health Department approval

Based upon the representations of the engineer/surveyor whose seal is affixed hereto and supplementary information provided, a review of the plat as represented by the said engineer/surveyor finds that this plat complies with the OSSMS regulations for a typical size residence of 3 or 4 bedrooms with basic appurtenances. Each lot must be reviewed and approved for On-Site Sewage Management System placement prior to the issuance of a construction permit. Modifications or changes in site designation may void this approval.

<table>
<thead>
<tr>
<th>Signing Authority</th>
<th>Title</th>
<th>Date</th>
</tr>
</thead>
</table>
The plans and supporting documentation were not reviewed for general conformance with Rules of the Department of Public Health, Chapter 511-3-1. This review and subsequent approval do not relieve the owner, designer, and or contractor, nor their representatives, from their individual or collective responsibility to comply with the applicable code provisions of Rules of the Department of Public Health, Chapter 511-3-1. The review should not be construed as a check of every item in the plans or the construction. Failure of this office to note any conflict with said requirements does not relieve any entities from compliance. Additional requirements must be met for subdivisions.

This letter does not constitute a final approval, any matters overlooked or matters which arise after the date of this letter may result in additional conditions being applied or the proposed division of land being denied. The review is valid for one year from the date of this letter. If the survey plan has not been approved within this time, application must be made for an extension of the Preliminary Approval.

If you have any additional questions, please contact the Effingham County Health Department, Environmental Health Division, at (912) 754-6850.

Sincerely,

Darrell M. O'Neal, MPA
Environmental Health County Manager
Effingham County Health Department
July 23, 2020

Effingham County Zoning Board
Springfield, GA 31329

Re: Garland Caleb Vandiver
2995 Hwy 17 South, Guyton GA 31312
Pin #324-60A
Total Acres: 44.91 Acres to be rezoned: 1.0

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. The proposed rezoning request is preliminarily approved based on the following supporting documents and does not meet the requirements for a proposed subdivision as defined by Rules of the Department of Public Health, Chapter 511-3-1.

- Completed Effingham County Rezoning Request Packet.

A follow up review of the final plat will be conducted prior to signing. The following items must be submitted.

1. Completed Plat Review Application.
2. Level III soils overlay signed and stamped by the soil classifier on the Final Plat with Soil Suitability Description.
3. The following signature block should be used on all plats that require Health Department approval

   Based upon the representations of the engineer/surveyor whose seal is affixed hereto and supplementary information provided, a review of the plat as represented by the said engineer/surveyor finds that this plat complies with the OSSMS regulations for a typical size residence of 3 or 4 bedrooms with basic appurtenances. Each lot must be reviewed and approved for On-Site Sewage Management System placement prior to the issuance of a construction permit. Modifications or changes in site designation may void this approval.

   ______________________________________________________
   Signing Authority                               Title                           Date
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:

[Signature]  [Signature]

APPROVAL  DISAPPROVAL

Of the rezoning request by applicant (Garland Caleb Vandiver- Map# 324-60A) 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?
9.5 **EFFINGHAM COUNTY REZONING CHECKLIST**

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**CHECK LIST:**

The Effingham County Planning Commission recommends:

**APPROVAL**

**DISAPPROVAL**

Of the rezoning request by applicant (Garland Caleb Vandiver- Map# 324-60A) 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?

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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

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL____ DISAPPROVAL____

Of the rezoning request by applicant (Garland Caleb Vandiver- Map# 324-60A) 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?

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EFFINGHAM COUNTY REZONING CHECKLIST

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL  X  DISAPPROVAL  ____

Of the rezoning request by applicant (Garland Caleb Vandiver- Map# 324-60A) 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) 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 – July 27, 2020
08/13/2020

BKS 7/27/20
Subject: Rezoning (First District)  
2nd Reading Zoning Map Amendment

Author: Diane Proudfoot, Zoning Administrator
Department Development Services – Planning & Zoning
Meeting Date: August 18, 2020

Item Description: Garland Caleb Vandiver requests to rezone 1-acre from AR-1 to AR-2 to split out for a home site at 2995 Hwy 17 S. Map# 324 Parcel #60A

Staff Comments:
Planning Board and staff recommends alternative #1 approval with the stipulations listed in the staff report.

Summary Recommendation
Approve request to rezone 1-acre of 44.91-acres from AR-1 to AR-2 for a home site at 2995 Hwy 17 S, with the following stipulations:

1. The lot must meet the requirements of the AR-2 zoning district.
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 be approved and permitted by USACE and a copy submitted to Development Services.
4. Subdivision plat must show an access easement to the parcel, and 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 divide 1-acre for a home site and therefore must rezone to AR-2.

Background
At the Planning Board meeting, Alan Zipperer made a motion to approve request to rezone 1-acre of 44.91-acres from AR-1 to AR-2 for a home site at 2995 Hwy 17 S, with the following stipulations:

1. The lot must meet the requirements of the AR-2 zoning district.
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 be approved and permitted by USACE and a copy submitted to Development Services.
4. Subdivision plat must show an access easement to the parcel, and be approved by the Health Department and the Zoning Administrator.

Juanita Golden seconded the motion. The motion carried unanimously.

Alternatives
1. Approve request to rezone 1-acre of 44.91-acres from AR-1 to AR-2 for a home site at 2995 Hwy 17 S, with the following stipulations:
   1. The lot must meet the requirements of the AR-2 zoning district.
   2. Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.

08/13/2020 Page 1 of 3
3. All wetland impacts be approved and permitted by USACE and a copy submitted to Development Services.
4. Subdivision plat must show an access easement to the parcel, and be approved by the Health Department and the Zoning Administrator.

2. Deny the rezoning of 1-acre of 44.91-acres from AR-1 to AR-2 for a home site at 2995 Hwy 17 S).

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A
AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 324-60A
AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 324-60A
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, GARLAND CALEB VANDIVER, have filed an application to rezone one acre (1) +/- acres; from AR-1 to AR-2 for a home site; map and parcel number 324-60A, located in the 1st commissioner district, and

WHEREAS, a public hearing was held on August 18, 2020 and notice of said hearing having been published in the Effingham County Herald on July 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 7/8/2020; and

IT IS HEREBY ORDAINED THAT one acre (1) +/- acres; map and parcel number 324-60A, located in the 1st commissioner district is rezoned from AR-1 to AR-2 with the following stipulations:

1. The lot must meet the requirements of the AR-2 zoning district.
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 be approved and permitted by USACE and a copy submitted to Development Services.
4. Subdivision plat must show an access easement to the parcel, and 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 CORBITT, CHAIRMAN

ATTEST: ________________________________
FIRST/SECOND READING: ________________

STEPHANIE JOHNSON
COUNTY CLERK
Subject: Variance (First District)
Author: Diane Proudfoot, Zoning Administrator
Department Development Services – Planning & Zoning
Meeting Date: August 18, 2020
Item Description: Michael Wedincamp requests to rezone 5-acres from AR-1 to B-3 for a commercial parking and storage business at 2301 US Hwy 80.
Map # 354 Parcel # 22

Staff Comments:
Planning Board and staff recommends alternative #1 approval with the stipulations listed in the staff report.

Summary Recommendation
Approve requests to rezone 5-acres from AR-1 to B-3 for a conditional use for commercial parking area, with the following stipulations:
1. The lot 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.
4. All wetland impacts be approved and permitted by USACE and a copy submitted to Development Services.

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. Commercial Parking areas are allowed in B-3.

Background
At the Planning Board meeting, Juanita Golden made a motion to approve rezone 5-acres from AR-1 to B-3 for a conditional use for commercial parking area, with the following stipulations:
1. The lot 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.
4. All wetland impacts be approved and permitted by USACE and a copy submitted to Development Services.

Alternatives
1. Approve rezoning 5-acres from AR-1 to B-3 for a conditional use for commercial parking area, with the following stipulations:
   1. The lot 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.
   4. All wetland impacts be approved and permitted by USACE and a copy submitted to Development Services.
2. Deny rezoning 5-acres from AR-1 to B-3 for a conditional use for commercial parking area.
Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

Attachments:
1. Rezoning checklist
2. Rezoning application
3. Ownership certificate/authorization
4. Deed
5. Survey plat
6. Aerial photograph
ATTACHMENT A

EFFINGHAM COUNTY REZONING AMENDMENT FORMS

Applicant/Agent: Michael L. Wedincamp  
Date: __________________________
Applicant email address: michael@wedincamp.com  
Phone #: (912) 657-8319
Property owner(s): Michael Wedincamp
Email: same as above
Telephone Number: (912) 657-8319
Mailing Address: 2301 US Hwy 80 Bloomington, GA 31302
Property location: 2301 US Hwy 80 Bloomington, GA 31302
Present zoning: AR-1

Proposed zoning: B2
Present land-use: Residential
Proposed land-use: Commercial-Vehicle Parking/Storage
Tax Map #: Parcel #: 03540022  Lot #: __________
Total Acres: 5  Acres to be rezoned: 5
Lot characteristics:

Water: Public  Private  Sewer: Public  Private

Proposed access: Same as current - entrance on Hwy 80.
Justification: On Hwy 80 in Industrial area.

List the zoning of the other property in the vicinity of the property you wish to rezone:
North: Residential/Agri  South: Commercial
East: Residential/Agri  West: Industrial
1. Describe the current use of the property you wish to rezone.

   Residential/Agricultural RA-1

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.

   Commercial Vehicle Storage

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

   Industrial sawmill, Industrial concrete mill, Industrial dirt pit, Commercial garage

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?

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

MAY 5, 2011

on file in the office of the Clerk of the Superior Court of

Effingham County, in Deed Book 0207 page 0378.

I hereby certify that I am the owner of the property being proposed for rezoning, and I have answered all of the questions contained herein and know the same to be true and correct. I hereby acknowledge that I have reviewed the application checklist, and further acknowledge that any omission of the items above will cause a delay in the review of my request.

Owner's signature

Print

Owner's signature

Print

Owner's signature

Print

Sworn and subscribed before me this 17th day of June, 2020

Notary Public, State of Georgia

08/13/2020
AUTHORIZATION OF PROPERTY OWNER

I, Michael L. Wedincamp, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states; That he/she is the owner of the property which is subject matter of the attached application, as is shown in the records of Effingham County, Georgia.

I authorize the person named below to act as applicant in the pursuit of a Rezoning application. I acknowledge and accept that I will be bound by the decision of the board of commissioners, including any conditions of the rezoning, if the application is approved.

Name of Applicant: Michael L. Wedincamp
Date: 09/17/20
Address: 2301 US Hwy 80
City: Bloomingdale State: GA Zip Code: 31302
Telephone Number: (912) 657-8319 Email: michael.wedincamp@evanssoutheast.com

Signature of Owner Owners Name (Print)
Personally appeared before me (Owner print)

08/13/2020
Who swears before that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

This Day ________ of June, 2020

(Notary Seal)

Notary Public
SALYnda P CARTER WALTER
NOTARY PUBLIC
CHATHAM COUNTY, GEORGIA

4

ATTACHMENT C

EFFINGHAM COUNTY SITE PLAN REQUIREMENTS

All rezoning submissions shall be accompanied by a site plan. This site plan shall be made on a scale in conformance with appropriate County Tax Maps and contain the following elements.

A. Dimensions of the property involved
B. Location and dimensions of existing and/or proposed structures with the type of usage designated
C. Access drives
D. Setbacks
E. Easements
F. Rights-of-way
G. Proposed or existing water, sewer and drainage facilities
H. Buffers
I. Off-street parking
J. Watercourses, lakes or swamps acres
K. Loading areas, signage and outdoor lighting (in case of commercial and industrial development)
L. Recreational areas (in case of residential development)
M. Proposed number of dwelling units and net acres available for building (in case of residential development).
SPECIAL WARRANTY DEED

STATE OF GEORGIA  
COUNTY OF FULTON

THIS INDENTURE, made this 28th day of March, 2011 between Federal Home Loan Mortgage Corporation as party or parties of the first part, hereinafter called Grantor, and Michael Lee Wedincamp 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 the said party of the first part, 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 the said party of the second part, and assigns:

All that tract or parcel of land described on Exhibit "A" attached hereto and incorporated herein by reference.
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 behalf of the said party of the second part, and assigns, forever, IN FEES SIMILAR.

AND the said party of the first part, for its successors and assigns, will warrant and forever defend the right and title to the above described property unto the said party of the second part, and assigns, against the lawful claims of all persons claiming by, through or under the party of the first part, but not otherwise.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and affixed its seal the day and year first above written.

Signed, sealed and delivered in the presence of

Witness (Seal)

Grantor:
Federal Home Loan Mortgage Corporation
by McCalla Raymer LLC, their atty-in-fact,
pursuant to Power of Attorney recorded in
Deed Book 1924, Page 305, Effingham
County, Georgia Records

By: 
Name: Jayaun E. Tru
Title: Attorney

Notary Public
My Commission Expires 2-2011
(Notary Seal)
All that certain lot tract or parcel of land situate lying and being in the 155th District Effingham Georgia described as 10.1 acres on a map thereof made by Paul Weitman County Surveyor dated March 7 1897 recorded in the Office of the Clerk of the Superior Court of Effingham County Georgia in plat record Book 15 Page 34.

File#: 53117709
Property Address: 2301 US Highway 80, Bloomingdale, GA 31302
July 23, 2020

Effingham County Zoning Board
Springfield, GA 31329

Re: Michael L. Wedincamp
2301 Us Hwy 80 Bloomingdale GA 31302
Pin #354-22
Total Acres: 5.0 Acres to be rezoned: 5.0

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. The proposed rezoning request is preliminarily approved based on the following supporting documents and does not meet the requirements for a proposed subdivision as defined by Rules of the Department of Public Health, Chapter 511-3-1.

- Completed Effingham County Rezoning Request Packet.

A follow up review of the final plat will be conducted prior to signing. The following items must be submitted.

1. Completed Plat Review Application.
2. Level III soils overlay signed and stamped by the soil classifier on the Final Plat with Soil Suitability Description.
3. The following signature block should be used on all plats that require Health Department approval

   Based upon the representations of the engineer/surveyor whose seal is affixed hereto and supplementary information provided, a review of the plat as represented by the said engineer/surveyor finds that this plat complies with the OSSMS regulations for a typical size residence of 3 or 4 bedrooms with basic appurtenances. Each lot must be reviewed and approved for On-Site Sewage Management System placement prior to the issuance of a construction permit. Modifications or changes in site designation may void this approval.

   ____________________________  ____________________________  ____________________________
   Signing Authority             Title                     Date
Effingham County, GA

**Parcel ID** 03540022
**Class Code** Residential
**Taxing District** 01-County

**Acres** 10
(Note: Not to be used on legal documents)

**Owner** WEDINCAMP MICHAEL LEE

- **Physical Address** 2301 US HWY 80
  - **Date** 8/3/2011
  - **Price** $302,244
  - **Reason** K
  - **Qual** U

- **Physical Address** 2301 US HWY 80
  - **Date** 3/28/2011
  - **Price** $187,000
  - **Reason** G
  - **Qual** U

**Assessed Value** Value $352,956

Date created: 6/19/2020
Last Data Uploaded: 6/19/2020 3:03:39 AM

Developed by Schneider Geospatial
EFFINGHAM COUNTY REZONING CHECKLIST

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL__ DISAPPROVAL__

Of the rezoning request by applicant (Michael L. Wedincamp - Map# 354-22) from AR-1 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 – July 27, 2020
EFFINGHAM COUNTY REZONING CHECKLIST

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APPROVAL  
DISAPPROVAL

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The Effingham County Planning Commission recommends:

APPROVAL. DISAPPROVAL.

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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 (Michael L. Wedencamp - Map# 354-22) from AR-1 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?
Subject: Variance (First District)  
2nd Reading Zoning Map Amendment  
Author: Diane Proudfoot, Zoning Administrator  
Department: Development Services – Planning & Zoning  
Meeting Date: August 18, 2020  
Item Description: Michael Wedincamp requests to rezone 5-acres from AR-1 to B-3 for a commercial parking and storage business at 2301 US Hwy 80. Map # 354 Parcel # 22

Staff Comments: Planning Board and staff recommends alternative #1 approval with the stipulations listed in the staff report.

Summary Recommendation
Approve requests to rezone 5-acres from AR-1 to B-3 for a conditional use for commercial parking area, with the following stipulations:

1. The lot 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.  
4. All wetland impacts be approved and permitted by USACE and a copy submitted to Development Services.

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. Commercial Parking areas are allowed in B-3.

Background
At the Planning Board meeting, Juanita Golden made a motion to approve rezone 5-acres from AR-1 to B-3 for a conditional use for commercial parking area, with the following stipulations:

1. The lot 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.  
4. All wetland impacts be approved and permitted by USACE and a copy submitted to Development Services.

Alternatives
1. Approve rezoning 5-acres from AR-1 to B-3 for a conditional use for commercial parking area, with the following stipulations:

   1. The lot 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.  
   4. All wetland impacts be approved and permitted by USACE and a copy submitted to Development Services.

2. Deny rezoning 5-acres from AR-1 to B-3 for a conditional use for commercial parking area.

Recommended Alternative:  1  
Other Alternatives:  2
Department Review: Development Services  
FUNDING: N/A
AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 354-22
AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 354-22
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, MICHAEL L. WEDINCAMP, have filed an application to rezone five acres (5) +/- acres; from AR-1 to B-3; map and parcel number 354-22, located in the 1st commissioner district, and

WHEREAS, a public hearing was held on August 18, 2020 and notice of said hearing having been published in the Effingham County Herald on July 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 7/8/2020; and

IT IS HEREBY ORDAINED THAT five acres (5) +/- acres; map and parcel number 354-22, located in the 1st commissioner district is rezoned from AR-1 to B-3 with the following stipulations:

1. The lot 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.
4. All wetland impacts be approved and permitted by USACE and a copy submitted to Development Services.

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
Subject: Rezoning (Third District)
Author: Diane Proudfoot, Zoning Administrator
Department: Development Services – Planning & Zoning
Meeting Date: August 18, 2020
Item Description: Verizon Wireless / Karyn Acevedo requests a Conditional Use Rezoning of .23 acres from AR-1 to I-1 for a 250’ tall self-support (lattice) cell tower lease area at Shearwood Road.
Map # 221 Parcel # 4

Staff Comments:
Planning Board and staff recommends alternative #1 approval with stipulations listed in the staff report.

Summary Recommendation
Approve request for a Conditional Use Rezoning of .23 acres from AR-1 to I-1 for a self-support (lattice) 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 be approved and permitted by USACE and a copy submitted to Development Services.

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 (3) Guyed and lattice towers and tower farms shall be permitted within 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, Brad Smith made a motion to approve request for a Conditional Use Rezoning of .23 acres from AR-1 to I-1 for a self-support (lattice) 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 be approved and permitted by USACE and a copy submitted to Development Services.

Alan Zipperer seconded the motion. The motion carried unanimously.

Alternatives
1. Approve request for a Conditional Use Rezoning of .23 acres from AR-1 to I-1 for a self-support (lattice) 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 be approved and permitted by USACE and a copy submitted to Development Services.

**2. Deny** request for a Conditional Use Rezoning of .23 acres from AR-1 to I-1 for a self-support (lattice) cell tower lease area.

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** Development Services

**FUNDING:** N/A

**Attachments:**
1. Rezoning checklist
2. Rezoning application
3. Ownership certificate/authorization
4. Cell tower location information
5. Site plan
6. Aerial photograph
ATTACHMENT A

EFFINGHAM COUNTY REZONING AMENDMENT FORMS

Applicant/Agent_ Verizon Wireless / Karyn Acevedo_ Date: 6/25/2020

Applicant email address_ kobrien@techscapewireless.com_ Phone #: 952-288-8130

Property owner(s) Mary Randolph_ email_ mmrcatcapers@yahoo.com

Telephone Number ( 423) 914-0052

Mailing Address_ 285 Rock Springs Road, Kingsport, TN 37663

Property location_ Along Shearwood Road / Parcel 2210004

Present zoning_ A-1

Proposed zoning_ X_ 1-1 for a lattice tower

Present land-use_ Agricultural

Proposed land-use_ Agricultural - cell tower

Tax Map #_ Parcel #_ 2210004_ Lot #_

Total Acres 119_ Acres to be rezoned_ 100' x 100' (23)

Lot characteristics_ agricultural field

Water Public Private_ Sewer Public Private

Proposed access_ along Shearwood Road

Justification_ small area needed for wireless communications tower

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

North__ Ag___ South __ Ag___

East __ Ag___ West __ Ag___
1. Describe the current use of the property you wish to rezone.
   Agricultural

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.
   Wireless communications tower

4. Describe the uses of the other property in the vicinity of the property you wish to rezone?
   Agricultural & Rural Residential

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?
   The surrounding properties will not be precluded from continuing to operate or function as they have been. The proposed wireless tower will not interfere with the enjoyment of surrounding properties.

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?
   Only the construction phase of the wireless tower could possibly create noise from loud trucks and dirt-moving activities. But construction is a quick process. Once the tower is up, there is very little activity to the site—approximately 1-3 vehicle visits monthly by operations personnel.
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_ December 21, 2005_, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book _1383_ page _115_.

Owner’s signature_ Mary Randolph_

Owner’s signature_ (if applicable)

Owner’s signature_ (if applicable)

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

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/agent in the pursuit of a variance, conditional use, or rezoning of my property.

Name of Applicant/Agent: Karyn Acevedo

Address: 10300 Old Alabama Rd. Conn., Alpharetta, GA 30022

Telephone #: 952-288-8130 email: kobrien@techscapewireless.com

Personally appeared before me_ Mary Randolph_ who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Notary: ______________________________ Seal

Date: 6/15/2020
State Licensing Board for Residential and General Contractors

Authorized Permit Agent Form
License verification by permitting office should be completed by visiting sos.ga.gov/plb/

Licensed Contractor: _____Individual ______Qualifying Agent X

Name of licensed person _ Karyn O'Brien - Verizon representative for landowner __________
*Please attach a copy of Individual license or Company License (Reflects company and qualifying agent license number)

License number of individual or qualifying agent: ___Not Applicable - consultant only____

Name of licensed company (if applicable) ___Not Applicable - consultant only____

License number of company (if applicable): ___Not Applicable - consultant only________

I, _______Mary Randolph __________________________, hereby designate Licensed Individual or Qualifying Agent

Karyn O'Brien ___________________________ to apply for and obtain the permit(s) for the project at:

Unassigned Address / Parcel 2210004 / Along Shearwood Road
Street address ________________________________________________

Apartment or Suite Number ________________________________________________________________

City ___________________________ Zip Code ______________________________

I, the undersigned, being the contractor as either an individual or a qualifying agent, do hereby affirm and swear, under oath, that all information on this form and on accompanying documents are true and correct.

Signature of individual or qualifying agent __________Mary Randolph__________________________

State of ________Tennessee_________ County of __________Sullivan________

Subscribed and sworn to before me this __15__ day of __June__ 2020

Signature of Notary Public ___________________________ (Seal)

237 Coliseum Drive • Macon, Georgia 31217 • (478) 207-2440
www.sos.ga.gov

08/13/2020
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Effingham County, GA

Parcel ID: 02210004
Class Code: Consv Use
Taxing District: 01-County

Owner: RANDOLPH MARY M
285 ROCK SPRINGS RD
KINGSPORT TN 376633028

Physical Address: SHEARWOOD RD
Assessed Value: Value $229580

Last 2 Sales
Date: 12/1/2005
Price: 0
Reason: UV
Qual: U

Date created: 6/24/2020
Last Data Uploaded: 6/24/2020 2:21:13 AM

Developed by Schneider Geospatial
EFFINGHAM COUNTY REZONING CHECKLIST

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CHECK LIST:

The Effingham County Planning Commission recommends:

[Signature]

[Signature]

APPROVAL               DISAPPROVAL

Of the rezoning request by applicant (Karyn Acevedo (Verizon Wireless) for Mary Rudolph - Map# 221-4) 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 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 – July 27, 2020

08/13/2020
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.

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APPROVAL ✓ DISAPPROVAL

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Yes ☑ No ? 8. Do other conditions affect the property so as to support a decision against the proposal?
EFFINGHAM COUNTY REZONING CHECKLIST

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL  DISAPPROVAL

Of the rezoning request by applicant (Karyn Acevedo (Verizon Wireless) for Mary Rudolph - Map# 221-4) 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?

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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 – July 27, 2020
EFFINGHAM COUNTY REZONING CHECKLIST

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CHECK LIST:

The Effingham County Planning Commission recommends:

□ APPROVAL [X] DISAPPROVAL ______

Of the rezoning request by applicant (Karyn Acevedo (Verizon Wireless) for Mary Rudolph - Map# 221-4) 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 – July 27, 2020

BKS 7/27/2020
Subject: Rezoning (Third District)  
2nd Reading Zoning Map Amendment

Author: Diane Proudfoot, Zoning Administrator  
Department: Development Services – Planning & Zoning

Meeting Date: August 18, 2020

Item Description: Verizon Wireless / Karyn Acevedo requests a Conditional Use Rezoning of .23 acres from AR-1 to I-1 for a 250’ tall self-support (lattice) cell tower lease area at Shearwood Road.  
Map # 221 Parcel # 4

Staff Comments: Planning Board and staff recommends alternative #1 approval with stipulations listed in the staff report.

Summary Recommendation
Approve request for a Conditional Use Rezoning of .23 acres from AR-1 to I-1 for a self-support (lattice) 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 be approved and permitted by USACE and a copy submitted to Development Services.

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 (3) Guyed and lattice towers and tower farms shall be permitted within 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, Brad Smith made a motion to approve request for a Conditional Use Rezoning of .23 acres from AR-1 to I-1 for a self-support (lattice) 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 be approved and permitted by USACE and a copy submitted to Development Services.

Alan Zipperer seconded the motion. The motion carried unanimously.
Alternatives

1. **Approve** request for a Conditional Use Rezoning of .23 acres from AR-1 to I-1 for a self-support (lattice) 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 be approved and permitted by USACE and a copy submitted to Development Services.

2. **Deny** request for a Conditional Use Rezoning of .23 acres from AR-1 to I-1 for a self-support (lattice) cell tower lease area.

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** Development Services

FUNDING: N/A
STATE OF GEORGIA  
EFFINGHAM COUNTY  

AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.  
221-4  
AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.  
221-4  

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, MARY RANDOLPH, have filed an application to rezone twenty three hundredths (.23) +/- acres; from AR-1 to I-1 (Cell Tower); map and parcel number 221-4, located in the 3rd commissioner district, and  

WHEREAS, a public hearing was held on August 18, 2020 and notice of said hearing having been published in the Effingham County Herald on July 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 7/8/2020; and  

IT IS HEREBY ORDAINED THAT twenty three hundredths (.23) +/- acres; map and parcel number 221-4, located in the 3rd commissioner district is rezoned from AR-1 to I-1 (Cell Tower) 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 be approved and permitted by USACE and a copy submitted to Development Services.  

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
Subject: Rezoning (Third District)
Author: Diane Proudfoot, Zoning Administrator
Department: Development Services – Planning & Zoning
Meeting Date: August 18, 2020
Item Description: Dianne Exley requests to rezone 1.0 acre from AR-1 to AR-2 to reduce her home site at 4121 Hwy 119 N. The remaining 4-acres will be split into two 2-acre parcels and combined into her children’s parcels on each side. (405-28 and 406-39).

Map# 406 Parcel #38

Staff Comments:
Planning Board and staff recommends alternative #1 approval with stipulations listed in the staff report.

Summary Recommendation
Approve request to rezone 1.0 acre from AR-1 to AR-2 for a home site, with the following stipulations:
1. The 1-acre lot must meet the requirements of the AR-2 zoning district.
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 be approved and permitted by USACE and a copy submitted to Development Services.
4. The plat showing the recombination of the two 2-acre lots with parcels 405-28 and 406-39 must be approved by the Zoning Administrator.

Executive Summary
Pursuant to Appendix C, Article III, Section 3.17.3 of the County’s Code of Ordinances, excavation activity that requires a state mining permit must be located within the I-1 zoning district.

Background
At the Planning Board meeting, Alan Zipperer made a motion to approve request to rezone 1.0 acre from AR-1 to AR-2 for a home site, with the following stipulations:
1. The 1-acre lot must meet the requirements of the AR-2 zoning district.
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 be approved and permitted by USACE and a copy submitted to Development Services.
4. The plat showing the recombination of the two 2-acre lots with parcels 405-28 and 406-39 must be approved by the Zoning Administrator.
Juanita Golden seconded the motion. The motion carried unanimously.

Alternatives
1. **Approve** request to rezone 1.0 acre from AR-1 to AR-2 for a home site, with the following stipulations:
   1. The 1-acre lot must meet the requirements of the AR-2 zoning district.
   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 be approved and permitted by USACE and a copy submitted to Development Services.
4. The plat showing the recombination of the two 2-acre lots with parcels 405-28 and 406-39 must be approved by the Zoning Administrator.

2. **Deny** the requests to rezone 1.0 acre from AR-1 to AR-2 for a home site.

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** Development Services

**FUNDING:** N/A

**Attachments:**
1. Rezoning application and checklist
2. Ownership certificate
3. Power of Attorney
4. Deed
5. Plat
6. Aerial photograph
ATTACHMENT A

EFFINGHAM COUNTY REZONING AMENDMENT FORMS

Applicant/Agent: Dianne Exley Date: June 11, 2020
Applicant email address: dpxley@yahoo.com Phone #: 912-657-3234
Property owner(s): Winston / Dianne Exley
Telephone Number: (912) 657-3234
Mailing Address: 4121 Hwy 119 N, Clyo GA 31303
Property location: 4121 Hwy 119 N, Clyo GA

Present zoning: AR1

Proposed zoning: AR2

Present land-use: residential

Proposed land-use: residential

Tax Map #: 406-36 Parcel #: 0406-036 Lot #: 406-38

Total Acres: 5 Acres to be rezoned: 1 acre

Lot characteristics: residential

Water: Public / Private Sewer: Public / Private

Proposed access: existing Hwy 19

Justification: Lane for parent, remaining 4 acres to be combined with adjoining family land

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

North: AR1 South: AR1

East: AR1 West: AR1
1. Describe the current use of the property you wish to rezone.

Residential

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

Will not change

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

Continue residential

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

Residential - no change

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?

Will not change

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, there will be no change in the use of any property. We are simply keeping 1 acre for home, and giving 2 acres of hay field to each of our two children who already have 5 acres adjoining their new 2 acres. Nothing will change on home acre.
Zoning Board
4121 Hwy 119 N, Clyo

Dianne Exley
912-657-3254

We currently live on a 5 acre plot with our house on it, AR1.

We wish to deed 4 of the acres behind our home to 2 of our children (Lisa Woods & Wally Exley) leaving 1 acre and our house in the front. See newly surveyed plat attached.

Nothing will change - House still stays as it is. No borders will change.

1 acre with house = AR2 rezone.
AUTHORIZATION OF PROPERTY OWNER

I, Dianne Exley, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states; That he/she is the owner of the property which is subject matter of the attached application, as is shown in the records of Effingham County, Georgia.

I authorize the person named below to act as applicant in the pursuit of a Rezoning application. I acknowledge and accept that I will be bound by the decision of the board of commissioners, including any conditions of the rezoning, if the application is approved.

Name of Applicant: Angela Lord
Date: June 24, 2020

Address: 247 Jasper Ln

City: Rincon State: GA Zip Code: 31326

Telephone Number: 912-654-0121 Email: sglord2003@yahoo.com

Signature of Owner: Angela Lord
Owners Name (Print): Dianne P. Exley

Personally appeared before me Angela Lord (Owner print)

Who swears before that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

This Day 9th of July, 2020

(Notary Seal)

Kathleen Erin Dunnigan
Notary Public

Effingham County Development Services
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 Jan. 19, 1946, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 634 page 301.

I hereby certify that I am the owner of the property being proposed for rezoning, and I have answered all of the questions contained herein and know the same to be true and correct. I hereby acknowledge that I have reviewed the application checklist, and further acknowledge that any omission of the items above will cause a delay in the review of my request.

Owner’s signature

Print

Owner’s signature

Print

Owner’s signature

Print

Sworn and subscribed before me this 9th day of July, 2020.

Notary Public, State of Georgia

08/13/2020
Page 7 of 22
STATE OF GEORGIA

COUNTY OF EFFINGHAM

DURABLE GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That I, Dianne P. Exley, have made, constituted and appointed, and by these presents do make, constitute and appoint Sarah Angela Lord, my true and lawful attorney(s), for me from time to time and in my name, place and stead to do any and all acts which I could do if personally present, hereby intending to give to my said attorney the fullest and broadest powers to act for me.

It is not my intention by setting out specific powers and authorizations to limit or cut down the broad powers given herein but to clarify and support such gifts of power by expressly giving and granting unto my said attorney full power:

(1) To make, draw, sign, accept, endorse for any purpose, deposit, discount, deliver notes, checks, drafts and other instruments for the payment of money, including specifically to my attorney's own credit or account; to sign receipts for canceled checks, vouchers, statements of account or of any property in which I may have an interest, and to acknowledge the correctness of any statement of any account; whether owing to or by me or relating to any property held for me;

(2) To ask, demand, sue for, recover, receive, collect and give receipts, releases and discharges for, all sums of money, debts, dues, accounts, dividends on stocks, interest on bonds or mortgages, rents, bequests, legacies, trust moneys, tax or other refunds, and other obligations
or property which are or shall become due, owing and payable to me;

(3) To institute, prosecute, defend, compromise, settle, arbitrate or otherwise dispose of any and all actions or proceedings, either at law or in equity, including actions for the foreclosure or enforcement otherwise of any mortgage or lease, upon any real or personal property; and to execute and deliver any bonds, undertakings or recognizances that my said attorney may approve in any such or other actions or proceedings, whether the same be given under statutory requirements or otherwise, including such bonds or undertakings as may be necessary or desirable for the purpose of perfecting a compromise of or an appeal from any judgment or decree in any such actions or proceedings; to appear generally or specially in any action or proceedings which in any way may concern me or my property, or my right, title or interest therein; to compel accountings and fillings of inventories; to employ and compensate attorneys to appear for and represent me in any action or proceeding instituted in my behalf or against me; to substitute any other attorney or attorneys and to appoint associate attorneys;

(4) To represent me in any and all proceedings now pending or hereafter arising between me and the Treasury Department of the United States Government or any other Governmental authorities relative to my income, gift, estate or other tax liability for all years, granting unto my said attorney full power in my name and on my behalf to appear before proper officials of the Treasury Department or any other government officials, to adjust, settle, compromise or otherwise dispose of all questions relative to any of the said tax liabilities, to receive copies of my tax returns and any papers, letters or other communications concerning the said tax liabilities, to sign any waivers of the statute of limitations or any other waivers, to sign closing agreements for final determination of tax liability, to prepare, sign and file with any and all governmental
authorities tax returns or other returns, protests, appeals and other documents, to execute and file refund claims or any other claims, and to receive, to endorse and collect, checks in settlement of any refund, to execute and file petitions to the Tax Court of the United States and all other papers in connection with such proceedings, to substitute in the place and stead of said attorney and other attorney or attorneys and to appoint associate attorneys;

(5) To obtain credit or borrow money in any currency, (including all manner of credits and letters of credit); to renew any loan or extension of credit and to lend money to my spouse and/or descendants (if any), including any descendant who serves as my attorney hereunder, on any terms deemed appropriate by my attorney;

(6) To sell or agree to sell at private or public sale, convey by warranty, quit claim or other kind of deed, grant, transfer, lease and rent for such periods as my attorney may deem proper, though exceeding five years, exchange, pledge, hypothecate, mortgage, lend, possess, occupy, use, insure and make repairs upon any property, real or personal, or any interest in such property, which may now or in the future belong to me, upon such terms and conditions as my attorney may deem best; to erect, tear down or make repairs upon any building;

(7) To buy, or agree to buy or to lease any property, real or personal, or any interest therein, and to execute and deliver a purchase money mortgage as part of the purchase price thereof;

(8) To buy, sell, exchange, pledge, hypothecate, mortgage, endorse for transfer or for any other purpose, register or cause to be registered in the name of any nominee, deliver, assign, transfer and execute all necessary instruments of assignment and transfer, dispose of, provide for the safekeeping of, and otherwise deal with any stocks, bonds or other securities or any real or
personal property whatsoever;

(9) To buy, sell, transfer or dispose of for present or future delivery American or foreign moneys, credits or exchange, on deposit or otherwise, and all manner of instruments representative thereof, by endorsement or otherwise; to open, maintain, deposit in, operate, withdraw from, close and reopen accounts of every manner and description in American or foreign currencies with any banks, bankers, or trust companies, national banks, savings banks, stock brokers, fiduciaries or other depositories or institutions, American or foreign, wheresoever situate;

(10) To invest and reinvest any funds that may now be in or later come into my said attorney's hands with full discretion in him to select the investments and reinvestments; and this discretion shall not be limited to those investments and reinvestments of the character authorized by the laws of any state for trust investments; to deposit any stocks, bonds or other securities with any broker and to authorize him to buy, sell, pledge, or exchange any stocks, bonds or other securities on a margin or otherwise; to loan any sum of money with or without interest;

(11) To consent to, join in or oppose any condemnation or other proceeding, or any action brought to acquire any of my real or personal property or any interest therein;

(12) To apply for, effect and inquire into the status of any and all kinds of insurance including, without limitation, fire, burglary, theft, life, health, accident and war risk insurance; to pay any and all premiums thereon, to cancel and terminate any insurance and to receive payments in connection therewith, whether such payments are policy proceeds, a loan from the policy or otherwise;

(13) To execute and deliver agreements, instruments or documents of any kind and for
any purpose deemed necessary or proper by my attorney to carry out the acts herein authorized, including agreements for the extension of time for the payment of any sum of money due me and agreements for the release of any obligation for the payment of any sum of money due me.

(14) To have access to and to remove the contents of any or all safe deposit boxes which I now or hereafter may have with any bank, safe deposit company or other organization;

(15) To pay, renew, secure, settle or compromise any debts, claim or other liability due from me; to collect, renew, accept security for, settle, or compromise any debt, claim or other liability due to me;

(16) To attend and vote as my proxy or to authorize any other persons to attend and vote as my proxy at any meetings of stockholders or bondholders of any corporation or company, or on any occasion that voting by proxy is permitted; to take part in any stockholders', bondholders', or creditors' reorganization plan, and to give any consents and waivers in connection with such meetings or plan; to consent to or oppose any merger or consolidation of any corporation and company, or any sale or lease of its property or any part thereof; to deposit securities under protective agreements of with protective committees with or without discretion thereby being delegated; to pay all assessments, subscriptions and other sums of money as my attorney may deem expedient for the protection of my interests as holder of any stocks, bonds, or other securities; to exercise any option contained in any stocks, bonds or other securities, for the conversion of the same into any right to subscribe for additional stocks, bonds or other securities, and to make any and all necessary payments therefore;

(17) To delegate any or all powers herein granted to a sub-attorney or sub-attorneys and to revoke any such delegations; but notwithstanding any such delegation my attorney shall retain
full authority to act alone hereunder;

(18) The attorney is expressly authorized and shall have the power to transfer any or all of my assets or rights to receive income to the Trustee of any trust established by me or on my behalf at any time, taking into account my financial position at the time and the advisability of my qualification for government needs-based benefits, including a "Miller Trust", as that term is defined under federal Medicaid law and, to the extent relevant, the law of the State of Georgia;

(19) To make any gifts to any person or entity, including, without limitation one or more of my spouse and my descendants (if any) of whatever degree, family members of any relationship and any one or more of my said attorneys, regardless of whether said attorney is a spouse or descendant of mine, in any amounts deemed appropriate by my attorney, taking into account inter alia, my financial position at the time and the advisability of my qualification for government needs-based benefits;

Any banks, bankers, trust companies, national banks, savings banks, safe deposit companies, stock brokers, fiduciaries, depositories or other institutions, persons, firms or corporations may act in reliance hereon and shall be fully protected even though the said attorney, substitute or associate may be dealing with himself or herself, as it is contemplated that such may be the case.

I hereby expressly revoke any power of attorney heretofore given covering the authority and powers herein granted, without prejudice, however, to anything lawfully done or caused to be done under any power of attorney heretofore given, and I hereby ratify and confirm all previous acts of my attorney with the same force as if such acts had been done after the execution and delivery of this power of attorney.
IN WITNESS WHEREOF, I have hereunto set my hand and seal this 1st day of May, 2020. This power of attorney expressly shall not be revoked by my incapacity.

Signed, sealed and delivered in the presence of:

Craig S. Bonnell
Unofficial Witness

Pam P. Exley

Cynthia Brunet
Notary Public, State of Georgia
Commission Expires: 8-4-23
EDWARD REDDICK
ATTORNEY AT LAW
P. O. BOX 314
SPRINGFIELD, GA 31329

STATE OF GEORGIA

COUNTY OF EFFINGHAM

THIS INDENTURE, made the 9th day of May, 2000, between WINSTON W. EKLEY of the FIRST PART, and WINSTON W. EKLEY, SR. and DIANNES P. EKLEY of the SECOND PART,

WITNESSETH, That the said party of the FIRST PART, for and in consideration of the sum of Ten 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, aliened, conveyed and confirmed and by these presents does grant, bargain, sell, alien, convey and confirm unto the said parties of the SECOND PART, and upon the death of either of them, then to the survivor of them in FEE-SIMPLE, together with every contingent remainder and right of reversion, and to the heirs and assigns of such survivor, all of 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 Five and no/100 (5.0) acres, more or less, and being known and designated as Tract B. Said parcel of land is bounded on the north by Tract A; on the east by Highway 119; on the south by Tract C-1, C-2 and C-3 and on the west by lands of George S. Easley and Itzy S. Easley.

Express reference is hereby made to a plat of said lands made by Paul D. Wilder, R.L.S. #1559, dated January 19, 1998 and recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat B, ylide 007-C, for better determining the metes and bounds of said lands herein conveyed.

TO HAVE AND TO HOLD the said above granted and described property, with all and singular the rights, members and appurtenances thereto appertaining to the only proper use, benefit and behoof of the said parties of the SECOND PART, and upon the death of either of them, then to the survivor of them in FEE-SIMPLE, together with every contingent remainder and right of reversion, and to the heirs and assigns of such survivor, in FEE-SIMPLE, and the said party of the FIRST PART the said bargained property above described unto the said parties of the SECOND PART, their heirs, executors, administrators and assigns, against the said party of the FIRST PART, his heirs, executors, administrators and assigns, and against all and every other person or persons, shall and will and does hereby warrant and forever defend by virtue of these presents.

IN WITNESS WHEREOF, the said party of the FIRST PART has hereunto set his hand, affixed his seal, and delivered these presents, the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
Winston W. Easley

[Notary Public]
Date: 08/13/2020

R. Edward Reddick, Clerk
NOTE: SUBJECT PROPERTY IS A DIVISION OF MAP & PARCEL 405-38 INTO 3 PARCELS, RECOMBINING PARCEL 2 WITH 405-28 AND PARCEL 3 WITH 405-38 OF THE EFFINGHAM COUNTY TAX ASSESSORS FILE.

NOTE: BASED UPON REVIEW OF THE F.E.M.A FLOOD INSURANCE RATE MAP, EFFINGHAM COUNTY, GEORGIA, REFERENCING THE CURRENT EFFECTIVE SPECIAL FLOOD HAZARD AREA (SFHA) DATED 3/18/2015, THIS PROPERTY IS LOCATED IN "ZONE A", INSIDE THE 100 YEAR FLOOD ZONE. THE REMAINDER OF THIS PROPERTY LOCATED IN "ZONE X", OUTSIDE THE 500 YEAR FLOODPLAIN.

APPROVED FOR RECORDING BY THE EFFINGHAM COUNTY ZONING ADMINISTRATOR.

ZONING ADMINISTRATOR

DATE

REFERENCES:
PCAB 87 C
PCAB A336 F
PCAB DB E-1

MINOR SUBDIVISION WITH RECOMBINATION

SURVEY FOR
WINSTON EXLEY

SURVEY TO DIVIDE 5.0 ACRES INTO 3 PARCELS (SEE NOTES)
LOCATED IN THE 11TH G.M.D.
EFFINGHAM COUNTY, GEORGIA
SURVEYED 09 JUNE 2020
PLAT DRAWN 09 JUNE 2020
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**Owner**

EXLEY WINSTON W SR & DIANNE P

4121 HIGHWAY 119 N

CLYO GA 31303

**Physical Address**

4121 HWY 119 N

**Assessed Value**

Value $80105

**Last 2 Sales**

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<td>0</td>
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(Note: Not to be used on legal documents)

Date created: 7/8/2020
Last Data Uploaded: 7/8/2020 1:01:34 AM

Developed by: Schneider Geospatial
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 (Diane Exley - Map# 406-38) 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?
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 (Diane Exley - Map# 406-38) 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?
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.

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL [ ] DISAPPROVAL [ ]

Of the rezoning request by applicant (Diane Exley - Map# 406-38) 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 – July 27, 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 (Diane Exley - Map# 406-38) 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 – July 27, 2020

BKS 7/27/2020
Staff Report – July 27, 2020 PB

Subject: Rezoning (Third District)
2nd Reading Zoning Map Amendment

Author: Diane Proudfoot, Zoning Administrator

Department Development Services – Planning & Zoning

Meeting Date: August 18, 2020

Item Description: Dianne Exley requests to rezone 1.0 acre from AR-1 to AR-2 to reduce her home site at 4121 Hwy 119 N. The remaining 4-acres will be split into two 2-acre parcels and combined into her children’s parcels on each side. (405-28 and 406-39).

Map# 406 Parcel #38

Staff Comments: Planning Board and staff recommends alternative #1 approval with stipulations listed in the staff report.

Summary Recommendation
Approve request to rezone 1.0 acre from AR-1 to AR-2 for a home site, with the following stipulations:

1. The 1-acre lot must meet the requirements of the AR-2 zoning district.
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 be approved and permitted by USACE and a copy submitted to Development Services.
4. The plat showing the recombination of the two 2-acre lots with parcels 405-28 and 406-39 must be approved by the Zoning Administrator.

Executive Summary
Pursuant to Appendix C, Article III, Section 3.17.3 of the County’s Code of Ordinances, excavation activity that requires a state mining permit must be located within the I-1 zoning district.

Background
At the Planning Board meeting, Alan Zipperer made a motion to approve request to rezone 1.0 acre from AR-1 to AR-2 for a home site, with the following stipulations:

1. The 1-acre lot must meet the requirements of the AR-2 zoning district.
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 be approved and permitted by USACE and a copy submitted to Development Services.
4. The plat showing the recombination of the two 2-acre lots with parcels 405-28 and 406-39 must be approved by the Zoning Administrator.

Juanita Golden seconded the motion. The motion carried unanimously.

Alternatives

1. Approve request to rezone 1.0 acre from AR-1 to AR-2 for a home site, with the following stipulations:
   1. The 1-acre lot must meet the requirements of the AR-2 zoning district.
   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 be approved and permitted by USACE and a copy submitted to Development Services.
4. The plat showing the recombination of the two 2-acre lots with parcels 405-28 and 406-39 must be approved by the Zoning Administrator.

2. Deny the requests to rezone 1.0 acre from AR-1 to AR-2 for a home site.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A
Staff Report – July 27, 2020 PB

Subject: Rezoning (Third District)
Author: Diane Proudfoot, Zoning Administrator
Department: Development Services – Planning & Zoning
Meeting Date: August 18, 2020
Item Description: Kathryn Roberts requests to rezone 3.38 acres from AR-1 to AR-2 to sale the parcel.

Map #424 Parcel #66

Staff Comments:
Planning Board and staff recommends alternative #1 approval with stipulations listed in the staff report.

Summary Recommendation
Approve requests to rezone 3.38 acres from AR-1 to AR-2 for a home site, with the following stipulations:

1. The lot must meet the requirements of the AR-2 zoning district.
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 be approved and permitted by USACE and a copy submitted to Development Services.
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.

Background
At the Planning Board meeting, Alan Zipperer made a motion to approve requests to rezone 3.38 acres from AR-1 to AR-2 for a home site, with the following stipulations:

1. The lot must meet the requirements of the AR-2 zoning district.
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 be approved and permitted by USACE and a copy submitted to Development Services.
4. Subdivision plat must be approved by the Health Department and the Zoning Administrator.

Peter Higgins seconded the motion. The motion passed unanimously.

Alternatives
1. Approve request to rezone 3.38 acres from AR-1 to AR-2 for a home site, with the following stipulations:

   1. The lot must meet the requirements of the AR-2 zoning district.
   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 be approved and permitted by USACE and a copy submitted to Development Services.
   4. Subdivision plat must be approved by the Health Department and the Zoning Administrator.
2. Deny the requests to rezone 3.38 acres from AR-1 to AR-2 for a home site.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

Attachments:
1. Rezoning checklist
2. Rezoning application
3. Ownership certificate/authorization
4. Deed
5. Health Department Letter
6. Survey plat
7. Aerial photograph
ATTACHMENT A

EFFINGHAM COUNTY REZONING AMENDMENT FORMS

Applicant: Kathryn H. Roberts

Property owner(s): Kathryn H. Roberts

Telephone Number: (912) 398-4883 - (912) 531-4239 - E. Dickerson POC for questions

Mailing Address: 1677 Berryville Rd., Clyo, GA 31305

Property location: 105 Union Springs Rd, Clyo, GA 31303

Present zoning: Home AR-1

Proposed zoning: Home AR-2

Present land-use: Home

Proposed land-use: To be able to sell the property

Tax Map #: 424 Parcel #: 160 Lot #

Total Acres: 9.22 Acres to be rezoned: 3.38

Lot characteristics: mobile home, pond

Water: well (exist @ 109-7 Berryville, will be putting septic on)

Sewer: Septic

Proposed access: Union Springs Church Rd.

Justification: to sell as home site

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
1. Describe the current use of the property you wish to rezone.

**Single home resident**

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.

**Resident**

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

**Homesites and wooded acreage**

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 property already has a mobile home on it.**

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**
Quitclaim Deed

This Quitclaim Deed is made on July 6, 2012, between Jesse M. Roberts, JR. and Kathryn H. Roberts, of 1097 Berryville Rd, City of Clyo, GA 31303, and Kathryn H. Roberts, of 1097 Berryville Rd, City of Clyo, GA 31303.

For valuable consideration, the Grantor hereby quitclaims and transfers all right, title, and interest held by the Grantor in the following described real estate and improvements to the Grantee, and his or her heirs and assigns, to have and hold forever, located at 1097 Berryville Rd, City of Clyo, GA 31303:

Subject to all easements, rights of way, protective covenants, and mineral reservations of record, if any. Taxes for the tax year of 2012 shall be prorated between the Grantor and Grantee as of the date of recording of this deed.

Subject to all easements, rights of way, protective covenants, and mineral reservations of record, if any. Taxes for the tax year of 2012 shall be prorated between the Grantor and Grantee as of the date of recording of this deed.

GEORGIA, EFFINGHAM COUNTY

A True and Correct Copy as same appears of record in this Office.

This 11 day of June, 2020

*NOVA Quitclaim Deed Pg 1 (07-09)
Dated: July 6, 2012

Jesse M. Roberts, Jr. & Wynonna D. Roberts
Name of Grantor

Jule A. Newton   Carla N. Newton
Signature of Witness #1   Printed Name of Witness #1

Tabitha R. Brown   Tabitha R. Brown
Signature of Witness #2   Printed Name of Witness #2

State of GA County of Effingham
On July 6, 2012, the Grantor, Jesse M. Roberts, Jr. & Wynonna D. Roberts personally came before me and, being duly sworn, did state and prove that he/she is the person described in the above document and that he/she signed the above document in my presence.

Sandra Daniels
Notary Signature

Notary Public,
In and for the County of Effingham  State of Georgia
My commission expires: Seal

Send all tax statements to Grantee.
Quitclaim Deed

This Quitclaim Deed is made on July 6, 2012, between Jesse M. Roberts, Jr. and Hermione Roberts, Grantor, of 115 Cold Branch Lane, City of Eatonton, State of Ga, 31034, and Kathryn H. Roberts, Grantee, of 1097 Berryville Rd, City of Clyo, State of Ga, 31303.

For valuable consideration, the Grantor hereby quitclaims and transfers all right, title, and interest held by the Grantor in the following described real estate and improvements to the Grantee, and his or her heirs and assigns, to have and hold forever, located at 1097 Berryville Rd, City of Clyo, State of Ga, 31303.

ALL that certain lot, tract or parcel of land described hereinabove, and more particularly described by the plat of survey dated by Carla R. Ware, R.R. #425, dated May 30, 1994, recorded in the office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Record Book 17, page 260, which is incorporated into this description by specific reference thereto.

SUBJECT, HOWEVER, to all restrictive covenants, easements and rights-of-way of record.

This being the same property conveyed by Warranty Deed from Dennis C. Wright and Leda A. Wright to William E. Roberts and Kathryn H. Roberts, dated June 11, 1996, recorded in said Clerk's office in Deed Book 409, page 463.

Subject to all easements, rights of way, protective covenants, and mineral reservations of record, if any. Taxes for the tax year of 2012 shall be prorated between the Grantor and Grantee as of the date of recording of this deed.

☆NOVA Quitclaim Deed Pg.1 (07-00)

GEORGIA, EFFINGHAM COUNTY

A True and Correct Copy as same appears of record in this Office.

This ___ day of June, 2020.

Clerk Superior Court
Dated: July 6, 2012

Jesse M. Roberts, Jr. + Wynonna D. Roberts
Name of Grantor

Carla N. Newton
Printed Name of Witness #1
Tabitha R. Brown
Printed Name of Witness #2

State of GA. County of Effingham
On July 6, 2012, the Grantor, Jesse M. Roberts, Jr. + Wynonna D. Roberts personally came before me and, being duly sworn, did state and prove that he/she is the person described in the above document and that he/she signed the above document in my presence.

Sandra Daniels
Notary Signature

Notary Public,
In and for the County of Effingham State of Georgia.
My commission expires: Seal

Send all tax statements to Grantee.
SURVEY OF 9.22 ACRES OF LAND, LOCATED IN THE 11th G.M.D., EFFINGHAM COUNTY, STATE OF GEORGIA.

SURVEYED FOR: NINA T. O'BRIEN & MICHAEL J. O'BRIEN

EQUIPMENT USED: TOPCON GT3 2'-06.
ANGLAR ERROR PER "3" = 05
ADJUSTED BY COMPASS RULE.
LINEAR ERROR OF CLOSURE: 1' in 29,247'

THIS IS TO CERTIFY THAT THE ABOVE DESCRIBED PROPERTY IS NOT WITHIN THE 100 YEAR FLOODBORDARY AS DETERMINED BY FIRM FLOOD INS. MAPS.

JOHN S. KERN P.E., PGC.
CONSULTING ENGINEERS AND LAND SURVEYORS
P.O. BOX 13454 SAVANNAH GEORGIA
(912) 236-0783

SCALE: 1" = 200'
DATE: MAY 30, 1984
FILE: 58487
July 23, 2020

Effingham County Zoning Board
Springfield, GA 31329

Re: Kathryn H. Roberts
105 Union Springs Road, Clyo GA 31303
Pin #420-66
Total Acres: 9.22 Acres to be rezoned: 3.38

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. The proposed rezoning request is preliminarily approved based on the following supporting documents and does not meet the requirements for a proposed subdivision as defined by Rules of the Department of Public Health, Chapter 511-3-1.

- Completed Effingham County Rezoning Request Packet.

A follow up review of the final plat will be conducted prior to signing. The following items must be submitted.

1. Completed Plat Review Application.
2. Level III soils overlay signed and stamped by the soil classifier on the Final Plat with Soil Suitability Description.
3. The following signature block should be used on all plats that require Health Department approval

   Based upon the representations of the engineer/surveyor whose seal is affixed hereto and supplementary information provided, a review of the plat as represented by the said engineer/surveyor finds that this plat complies with the OSSMS regulations for a typical size residence of 3 or 4 bedrooms with basic appurtenances. Each lot must be reviewed and approved for On-Site Sewage Management System placement prior to the issuance of a construction permit. Modifications or changes in site designation may void this approval.

__________________________  __________________  ________________
Signing Authority          Title                  Date
The plans and supporting documentation were not reviewed for general conformance with Rules of the Department of Public Health, Chapter 511-3-1. This review and subsequent approval do not relieve the owner, designer, and or contractor, nor their representatives, from their individual or collective responsibility to comply with the applicable code provisions of Rules of the Department of Public Health, Chapter 511-3-1. The review should not be construed as a check of every item in the plans or the construction. Failure of this office to note any conflict with said requirements does not relieve any entities from compliance. Additional requirements must be met for subdivisions.

This letter does not constitute a final approval, any matters overlooked or matters which arise after the date of this letter may result in additional conditions being applied or the proposed division of land being denied. The review is valid for one year from the date of this letter. If the survey plan has not been approved within this time, application must be made for an extension of the Preliminary Approval.

If you have any additional questions, please contact the Effingham County Health Department, Environmental Health Division, at (912) 754-6850.

Sincerely,

Darrell M. O’Neal
Darrell M. O’Neal, MPA
Environmental Health County Manager
Effingham County Health Department
qPublic.net™ Effingham County, GA

Parcel ID: 04240066
Class Code: Residential
Taxing District: 01-County

Acres: 9.22
(Note: Not to be used on legal documents)

Owner: ROBERTS KATHRYN
1097 BERRYVILLE ROAD
CLYO GA 31303

Physical Address: 1097 BERRYVILLE RD
Assessed Value: Value $165847

Last 2 Sales:
Date       Price  Reason  Qual
7/6/2012    0       U       U
1/28/2011   $192200  L       U

Date created: 6/12/2020
Last Data Uploaded: 6/12/2020 12:42:17 AM
Developed by Schneider Geospatial
Effingham County

This map is a user-generated static output from rightspoil mapping site and is for reference use only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

This map is NOT TO BE USED FOR NAVIGATION

12 Jun 2020

500 ft

08/13/2020

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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 (Kathryn Roberts - Map# 424-66) 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?
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 (Kathryn Roberts - Map# 424-66) 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?
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 thereto, 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 (Kathryn Roberts - Map# 424-66) 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?
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 (Kathryn Roberts - Map# 424-66) from AR-1 to AR-2 zoning.

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

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

Yes [X] 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 [X] 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?

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

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

Yes [X] No [ ] 8. Do other conditions affect the property so as to support a decision against the proposal?
Staff Report – July 27, 2020 PB

Subject: Rezoning (Third District)

2nd Reading Zoning Map Amendment

Author: Diane Proudfoot, Zoning Administrator

Department Development Services – Planning & Zoning

Meeting Date: August 18, 2020

Item Description: Kathryn Roberts requests to rezone 3.38 acres from AR-1 to AR-2 to sale the parcel. Map #424 Parcel #66

Staff Comments:
Planning Board and staff recommends alternative #1 approval with stipulations listed in the staff report.

Summary Recommendation
Approve requests to rezone 3.38 acres from AR-1 to AR-2 for a home site, with the following stipulations:

1. The lot must meet the requirements of the AR-2 zoning district.
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 be approved and permitted by USACE and a copy submitted to Development Services.
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.

Background
At the Planning Board meeting, Alan Zipperer made a motion to approve requests to rezone 3.38 acres from AR-1 to AR-2 for a home site, with the following stipulations:

1. The lot must meet the requirements of the AR-2 zoning district.
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 be approved and permitted by USACE and a copy submitted to Development Services.
4. Subdivision plat must be approved by the Health Department and the Zoning Administrator.

Peter Higgins seconded the motion. The motion passed unanimously.

Alternatives
1. Approve request to rezone 3.38 acres from AR-1 to AR-2 for a home site, with the following stipulations:

   1. The lot must meet the requirements of the AR-2 zoning district.
   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 be approved and permitted by USACE and a copy submitted to Development Services.
4. Subdivision plat must be approved by the Health Department and the Zoning Administrator.

2. Deny the requests to rezone 3.38 acres from AR-1 to AR-2 for a home site.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A
STATE OF GEORGIA
EFFINGHAM COUNTY

AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 424-66
AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 424-66

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, KATHRYN ROBERTS, have filed an application to rezone three and thirty-eight hundredths (3.38) +/- acres; from AR-1 to AR-2; map and parcel number 424-66, located in the 3rd commissioner district, and

WHEREAS, a public hearing was held on August 18, 2020 and notice of said hearing having been published in the Effingham County Herald on July 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 7/8/2020; and

IT IS HEREBY ORDAINED THAT three and thirty-eight hundredths (3.38); map and parcel number 424-66, located in the 3rd commissioner district is rezoned from AR-1 to AR-2 with the following stipulations:

1. The lot must meet the requirements of the AR-2 zoning district.
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 be approved and permitted by USACE and a copy submitted to Development Services.
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 CORBITT, CHAIRMAN

ATTEST: ____________________________
FIRST/SECOND READING: ____________

STEPHANIE JOHNSON
COUNTY CLERK
Subject: Rezoning (Third District)
Author: Diane Proudfoot, Zoning Administrator
Department: Development Services – Planning & Zoning
Meeting Date: August 18, 2020
Item Description: Katherine Young Barnes requests to rezone 3.2 acres from AR-1 to AR-2 to allow for a realignment of the property lines to accommodate existing homes. Map #441 Parcel # 44 & 45

Staff Comments:
Planning Board and staff recommends alternative #1 approval with stipulations listed in the staff report.

Summary Recommendation
Approve requests to rezone 3.2 acres from AR-1 to AR-2 to allow for a realignment of the property lines to accommodate existing homes, with the following stipulations:
1. The lots must meet the requirements of the AR-2 zoning district.
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 be approved and permitted by USACE and a copy submitted to Development Services.
4. Combination plat must be approved by 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.

Background
At the Planning Board meeting, Alan Zipperer made a motion to approve request to rezone 3.2 acres from AR-1 to AR-2 to allow for a realignment of the property lines to accommodate existing homes, with the following stipulations:
1. The lots must meet the requirements of the AR-2 zoning district.
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 be approved and permitted by USACE and a copy submitted to Development Services.
4. Combination plat must be approved by the Zoning Administrator.
Brad Smith seconded the motion. The motion carried unanimously.

Alternatives
1. Approve requests to rezone 3.2 acres from AR-1 to AR-2 to allow for a realignment of the property lines to accommodate existing homes, with the following stipulations:
   1. The lots must meet the requirements of the AR-2 zoning district.
   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 be approved and permitted by USACE and a copy submitted to Development Services.
   4. Combination plat must be approved by the Zoning Administrator.

Deny request to rezone 3.2 acres from AR-1 to AR-2 to allow for a realignment of the property lines to accommodate existing homes.
Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

Attachments:
1. Rezoning checklist
2. Rezoning application
3. Ownership certificate
4. Deed
5. Plat
6. Aerial photograph
ATTACHMENT A

EFFINGHAM COUNTY REZONING AMENDMENT FORMS

Applicant/Agent: Katherine Young Barnes
Date: 6/13/20

Applicant email address: barnesmarybear@yahoo

Phone #: (912) 346-2993

Property owner(s): Jerry L Young & Katherine Barnes

same

Telephone Number: (912) 346-2993

Mailing Address: 199 Dry Branch Rd, Sylvania, Ga. 30467

Property location: Whitaker Rd, 311 + 335

Present zoning: 441-44 AR L 441-45 AR 1

Proposed zoning: 441-44 AR 2 441-45 AR 2

Present land-use: Residential Dwelling

Proposed land-use: Residential Dwelling

Tax Map #: 441
Parcel #: 44 4-45
Lot #: 4

Total Acres: 3.2

Acres to be rezoned: 3.2

Lot characteristics: Residence

Water: Public  Private
Sewer: Public  Private

Proposed access: Whitaker Rd

Justification:

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

North: AR - 3

South: AR - 1

East: AR - 1

West: AR - 2
1. Describe the current use of the property you wish to rezone.

Dwellings with a single wide Mobile Home

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

No change

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

Dwellings with corrected property lines

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

Dwellings

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?

Realignment of property line so structure will be on separate parcels/current structure cross property line

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 change
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 11/29/2018, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2500 page 228 - 228.

I hereby certify that I am the owner of the property being proposed for rezoning, and I have answered all of the questions contained herein and know the same to be true and correct. I hereby acknowledge that I have reviewed the application checklist, and further acknowledge that any omission of the items above will cause a delay in the review of my request.

Owner's signature Katherine Y. Barnes Print Katherine Y. Barnes
Owner's signature Jerry Young Print Jerry Young
Owner's signature

Sworn and subscribed before me this 18th day of June, 2020.

Notary Public, State of Georgia

BELINDA M. POLLET
NOTARY
EXPIRES GEORGIA November 16, 2021
AUTHORIZATION OF PROPERTY OWNER

I, ________________, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states; That he/she is the owner of the property which is subject matter of the attached application, as is shown in the records of Effingham County, Georgia.

I authorize the person named below to act as applicant in the pursuit of a Rezoning application. I acknowledge and accept that I will be bound by the decision of the board of commissioners, including any conditions of the rezoning, if the application is approved.

Name of Applicant: Katherine L Barnes  Date: 6/18/20
Address: 199 Dry Branch Rd
City: Sylvania  State: GA  Zip Code: 30467
Telephone Number: (912)  863-5430  Email: barnesmamabear@yahoo

Signature of Owner

Jerry Young  Owners Name (Print)

Personally appeared before me  Jerry Young  (Owner print)

Who swears before that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

This Day _______ of ________, 2020  (Notary Seal)

Notary Public
RETURN TO:
REDDICK & EXLEY
ATTORNEYS AT LAW
PO BOX 385
SPRINGFIELD, GA 31329

COUNTY OF EFFINGHAM

STATE OF GEORGIA

THIS INDENTURE, Made the 28th day of November, 2018, between JERRY L. YOUNG of the FIRST PART, and KATHERINE Y. BARNES of the SECOND PART,

WITNESSETH: FIRST PARTY, for and in consideration of the sum of Ten and no/100 ($10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, does hereby bargain, sell, and by these presents remise, release, and forever QUITCLAIM to the SECOND PARTY, her heirs, executors, administrators and assigns, all the right, title, interest, claim, options and demands, which the said FIRST PARTY has or may have in and to the following real estate, to-wit:

ALL that certain lot or parcel of land situate, lying and being in the 11th G.M. District of Effingham County, Georgia, and being known and designated as Lot Four (4), containing 1.102 acres, more or less, and being bounded on the Northwest by lands formerly of Wallace, now Young; on the Northeast by Lot Three (3) as shown on the plat herein referred to; on the Southeast by a county public road, and on the Southwest by Lot Five (5) as shown on the plat thereof herein referred to.

Express reference is hereby made to a plat of said lands made by Charles F. Truett, Jr., R.L.S. #1926, dated July 21, 1986 and recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Record Book 21, Page 122, for better determining the metes and bounds of said lands herein conveyed.

This being the same property conveyed by deed from Jane Elizabeth Young to Jerry L. Young dated September 30, 1997 and recorded in said Clerk’s Office in Deed Book 447, Page 671.

SCRIVENER HAS NOT EXAMINED TITLE AND DOES NOT CERTIFY SAME.

TO HAVE AND TO HOLD the said described real estate to the said SECOND PARTY so that neither the FIRST PARTY nor his heirs, executors, administrators or assigns, nor any person claiming under them shall at any time, by any means, have claim or demand or right or title to the aforesaid real estate or appurtenances, or right thereof.

IN WITNESS WHEREOF, FIRST PARTY has hereunto set his hand and affixed his seal and delivered these presents, the day and year first above written.

Signed, sealed and delivered
in the presence of:

[Signature]

Unofficial Witness

[Signature]

Official Witness - Notary Public

08/13/2020
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 (Katherine Young Barnes - Map# 441-44 & 45) 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 – July 27, 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 (Katherine Young Barnes - Map# 441-44 & 45) 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?
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 (Katherine Young Barnes - Map# 441-44 & 45) 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 – July 27, 2020

08/13/2020

Page 13 of 14
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 X DISAPPROVAL ______

Of the rezoning request by applicant (Katherine Young Barnes - Map# 441-44 & 45) 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 – July 27, 2020

BKS 7/27/2020
Subject: Rezoning (Third District)
2nd Reading Zoning Map Amendment
Author: Diane Proudfoot, Zoning Administrator
Department Development Services – Planning & Zoning
Meeting Date: August 18, 2020
Item Description: Katherine Young Barnes requests to rezone 3.2 acres from AR-1 to AR-2 to allow for a realignment of the property lines to accommodate existing homes.
Map #441 Parcel # 44 & 45

Staff Comments:
Planning Board and staff recommends alternative #1 approval with stipulations listed in the staff report.

Summary Recommendation
Approve requests to rezone 3.2 acres from AR-1 to AR-2 to allow for a realignment of the property lines to accommodate existing homes, with the following stipulations:
1. The lots must meet the requirements of the AR-2 zoning district.
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 be approved and permitted by USACE and a copy submitted to Development Services.
4. Combination plat must be approved by 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.

Background
At the Planning Board meeting, Alan Zipperer made a motion to approve request to rezone 3.2 acres from AR-1 to AR-2 to allow for a realignment of the property lines to accommodate existing homes, with the following stipulations:
1. The lots must meet the requirements of the AR-2 zoning district.
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 be approved and permitted by USACE and a copy submitted to Development Services.
4. Combination plat must be approved by the Zoning Administrator.
Brad Smith seconded the motion. The motion carried unanimously.

Alternatives
1. Approve requests to rezone 3.2 acres from AR-1 to AR-2 to allow for a realignment of the property lines to accommodate existing homes, with the following stipulations:
   1. The lots must meet the requirements of the AR-2 zoning district.
   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 be approved and permitted by USACE and a copy submitted to Development Services.
   4. Combination plat must be approved by the Zoning Administrator.
Deny request to rezone 3.2 acres from AR-1 to AR-2 to allow for a realignment of the property lines to accommodate existing homes.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A
AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 441-44, 441-45
AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 441-44, 441-45

AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWIHT.

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

WHEREAS, KATHERINE YOUNG BARNES, have filed an application to rezone three and twenty hundredths (3.20) +/- acres; from AR-1 to AR-2; map and parcel number 441-44, 441-45, located in the 3rd commissioner district, and

WHEREAS, a public hearing was held on August 18, 2020 and notice of said hearing having been published in the Effingham County Herald on July 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 7/8/2020; and

IT IS HEREBY ORDAINED THAT three and twenty hundredths (3.20); map and parcel number 441-44, 441-45, located in the 3rd commissioner district is rezoned from AR-1 to AR-2 with the following stipulations:

1. The lots must meet the requirements of the AR-2 zoning district.
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 be approved and permitted by USACE and a copy submitted to Development Services.
4. Combination plat must be approved by 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: ____________________________
WESEL CORBITT, CHAIRMAN

ATTEST: ____________________________
FIRST/SECOND READING: ____________

STEPHANIE JOHNSON
COUNTY CLERK
Subject: Rezoning (Fourth District)  
Author: Diane Proudfoot, Zoning Administrator  
Department: Development Services – Planning & Zoning  
Meeting Date: August 18, 2020  
Item Description: Aaron Jordan requests to rezone two 1-acre parcels from AR-1 to AR-2 to create two home sites.  
Map #390 Parcel 12

Staff Comments:  
Planning Board and staff recommends alternative #1 approval with stipulations listed in the staff report.

Summary Recommendation  
Approve request to rezone two 1-acre parcels from AR-1 to AR-2 for two home sites, with the following stipulations:  
1. The lots must meet the requirements of the AR-2 zoning district.  
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 be approved and permitted by USACE and a copy submitted to Development Services.  
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.

Background  
At the Planning Board meeting, Brad Smith made a motion to approve the requests to two 1-acre parcels from AR-1 to AR-2 for two home sites, with the following stipulations:  
1. The lots must meet the requirements of the AR-2 zoning district.  
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 be approved and permitted by USACE and a copy submitted to Development Services.  
4. Subdivision plat must be approved by the Health Department and the Zoning Administrator.  
Juanita Golden seconded the motion. The motion carried unanimously.

Alternatives:  
1. Approve requests to rezone two 1-acre parcels from AR-1 to AR-2 for two home sites, with the following stipulations:  
   1. The lots must meet the requirements of the AR-2 zoning district.  
   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 be approved and permitted by USACE and a copy submitted to Development Services.  
   4. Subdivision plat must be approved by the Health Department and the Zoning Administrator.

2. Deny request to rezone two 1-acre parcels from AR-1 to AR-2 for two home sites.
Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

Attachments:
1. Rezoning checklist
2. Rezoning application
3. Ownership certificate/authorization
4. Deed
5. Health Department letter
6. Survey plat
7. Aerial photograph
ATTACHMENT A

EFFINGHAM COUNTY REZONING AMENDMENT FORMS

Applicant/Agent Aaron Jordan Date 7/1/20
Applicant email address ajordan7478@gmail.com Phone # 912-547-7678
Property owner(s) Aaron Jordan email
Telephone Number
Mailing Address 1510 McCall
Property location McCall Road
Present zoning AR-1
Proposed zoning AR-2
Present land-use vacant
Proposed land-use homesites
Tax Map # 390 Parcel # 13C Lot #
Total Acres 22.5 Acres to be rezoned
Lot characteristics vacant/field
Water Public V Private Sewer Public V Private
Proposed access easement to McCall Rd
Justification

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

North AR-1 South AR-2
East AR-1 West AR-1
1. Describe the current use of the property you wish to rezone.
   
   vacant

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.
   Creating a homesite for son + daughter

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

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?
   In keeping with surrounding land use

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 March 6, 2018, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 28 page 282.

I hereby certify that I am the owner of the property being proposed for rezoning, and I have answered all of the questions contained herein and know the same to be true and correct. I hereby acknowledge that I have reviewed the application checklist, and further acknowledge that any omission of the items above will cause a delay in the review of my request.

Owner’s signature ________________ Print ________________ Crysta Jorden
Owner’s signature ________________ Print ________________ Crysta Jorden
Owner’s signature ________________ Print ________________

Sworn and subscribed before me this _____ day of July, 2020.

Notary Public, State of Georgia
RETURN TO:
REDDICK & EXLEY
ATTORNEYS AT LAW
P. O. BOX 385
SPRINGFIELD, GA 31339

STATE OF GEORGIA

COUNTRY OF EFFINGHAM

THIS INDENTURE, Made the 6th day of March, 2018, between SHIRLEY D. PALMER of the FIRST PART, and AARON A. JORDAN of the SECOND PART,

WITNESSETH: FIRST PARTY, for and in consideration of the sum of Ten and no/100 ($10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, does 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 partly in the 9th, 10th, and 11th Q.M. Districts of Effingham County, Georgia, containing Twenty-Two and Five Tenths (22.50) acres, more or less, being triangular in shape and being bounded on the northeast by lands of Kent Parson, by lands of Thomas Nettles, and by lands of Charles R. Nettles; on the east by McCall Road, known as County Road 176; on the south by lands now or formerly of William Jordan and by lands of Aaron Jordan; and on the southwest by lands now or formerly of Newton.

Express reference hereby made to the plat of said lands made by Adolph N. Michelis, R.L.S. #1323, dated February 11, 2018, recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Plat Book 28, page 282, for better determining the metes and bounds of said lands herein conveyed.

SUBJECT to restrictive covenants and easements of record.

SCRIVENER HAS NOT EXAMINED TITLE AND DOES NOT CERTIFY SAME.

TO HAVE AND TO HOLD said property, together with all and singular the rights, members, hereditaments, improvements, easements, and appurtenances thereunto belonging or in any wise appertaining unto SECOND PARTY, his heirs and assigns, FOREVER IN FEES SIMPE with full WARRANTY OF TITLE to said property against the claims of all persons whomsoever.

IN WITNESS WHEREOF, FIRST PARTY has hereunto set her hand and affixed her seal and delivered these presents, the day and year first above written.

Signed, sealed and delivered
in the presence of:

Shirley D. Palmer

Unofficial Witness

Official Witness - Notary Public

08/13/2020
July 23, 2020

Effingham County Zoning Board
Springfield, GA 31329

Re: Aaron Jordan
    McCall Road Springfield GA 31329
    Pin #390-13C
    Total Acres: 22.5 Acres to be rezoned: 2.0

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. The proposed rezoning request is preliminarily approved based on the following supporting documents and does not meet the requirements for a proposed subdivision as defined by Rules of the Department of Public Health, Chapter 511-3-1.

- Completed Effingham County Rezoning Request Packet.

A follow up review of the final plat will be conducted prior to signing. The following items must be submitted.

1. Completed Plat Review Application.
2. Level III soils overlay signed and stamped by the soil classifier on the Final Plat with Soil Suitability Description.
3. The following signature block should be used on all plats that require Health Department approval
   Based upon the representations of the engineer/surveyor whose seal is affixed hereto and supplementary information provided, a review of the plat as represented by the said engineer/surveyor finds that this plat complies with the OSSMS regulations for a typical size residence of 3 or 4 bedrooms with basic appurtenances. Each lot must be reviewed and approved for On-Site Sewage Management System placement prior to the issuance of a construction permit. Modifications or changes in site designation may void this approval.

<table>
<thead>
<tr>
<th>Signing Authority</th>
<th>Title</th>
<th>Date</th>
</tr>
</thead>
</table>
The plans and supporting documentation were not reviewed for general conformance with Rules of the Department of Public Health, Chapter 511-3-1. This review and subsequent approval do not relieve the owner, designer, and or contractor, nor their representatives, from their individual or collective responsibility to comply with the applicable code provisions of Rules of the Department of Public Health, Chapter 511-3-1. The review should not be construed as a check of every item in the plans or the construction. Failure of this office to note any conflict with said requirements does not relieve any entities from compliance. Additional requirements must be met for subdivisions.

This letter does not constitute a final approval, any matters overlooked or matters which arise after the date of this letter may result in additional conditions being applied or the proposed division of land being denied. The review is valid for one year from the date of this letter. If the survey plan has not been approved within this time, application must be made for an extension of the Preliminary Approval.

If you have any additional questions, please contact the Effingham County Health Department, Environmental Health Division, at (912) 754-6850.

Sincerely,

Darrell M. O’Neal, MPA
Environmental Health County Manager
Effingham County Health Department
NOTE: BASED UPON REVIEW OF THE F.E.A.A., FLOOD INSURANCE RATE MAP, EFFINGHAM COUNTY, GEORGIA, REFERENCE THE CURRENT EFFECTIVE SPECIAL FLOOD HAZARD AREA (SFHA) DATED 3/19/2015. THIS PROPERTY IS LOCATED IN "ZONE X" (OUTSIDE THE 500 YEAR FLOODPLAIN)

This/these lot or lots is/are served by a private road not to be maintained by Effingham County nor accepted as a public road unless such road, at the property owner's expense, is brought in compliance with county standards as specified by Effingham City, including, but not limited to paving. This/these lot or lots may not be re-subdivided unless sold, at the subdividers expense is brought into compliance with county road standards to be accepted as a public road by the Effingham City Board of Commissioners.

If the road remains private, compliance with the right-of-way or easement, including drainage and road surface, shall be the responsibility of the adjoining property owner. The road surface shall be no less than 10 feet wide. Further, I/We understand that it shall be my/our responsibility to properly grade the easement shown on this plat by deed or separate easement agreement to any transferee of the property. The easement may serve no more than three (3) lots. The original remaining parcel(s) shall be vacated from all of the three lots. If location of easement or plat changes, I/We understand that this subdivision and any easements are subject to all applicable ordinances and rules and regulations adopted by Effingham County.

THS day of 2020

Owner

NOTE: SUBJECT PROPERTY IS A PORTION OF MAP & PARCEL 390-13 OF THE EFFINGHAM COUNTY TAX ASSESSORS FILE. THE METES AND BOUNDS THEREOF ARE FROM A PLAT BY MICHAEL STONE, AND PLAT DB: D136 C-1

SURVEYORS CERTIFICATION

TETR PH REBAR FOUND
TR 5B, REBAR SET
PLX PROPERTY LINE
CMF CONC MON. FOUND
NYF NOW OR FORMERLY
PP POWER POLE
EUP: USED TOTAL STATION
TIDC: 323
ERANS OF CLOSURE
154,005 PLAT NOT ADJUSTED
ADLPH N. MICHELS & ASSO.
730 SANDY RIDGE ROAD
SYLVANIA, GEORGIA 30467
TEL: (912) 268-3972

REFERENCES:

93-19 PAGE 232
PCAB D136 C-1
PCAB C135 B-2
PCAB C127 C-1
P/AB C314 E
PCAB C198 E-1
PCAB 8192 D

SCALE: 1’ = 300’
0’ 300’ 300’

APPROVED FOR RECORDING BY THE ELLINGTON COUNTY ZONING ADMINISTRATION.

ZONING ADMINISTRATOR
DATE

SURVEY FOR
AARON A JORDAN
SURVEY OF 22.50 ACRES DIVIDED INTO 3 PARCELS FROM MAP & PARCEL 390-13C LOCATED IN THE 9-10TH, G.M.D., ELLINGTON COUNTY, GEORGIA SURVEYED 24 JUNE 2020 PLAT DRAWN 24 JUNE 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 (Aaron Jordan - Map# 390-13C) 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?
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.

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL    DISAPPROVAL

Of the rezoning request by applicant (Aaron Jordan - Map# 390-13C) 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?
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.

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APPROVAL _____ DISAPPROVAL _____

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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?
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.

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL [x] DISAPPROVAL [ ]

Of the rezoning request by applicant (Aaron Jordan - Map# 390-13C) from AR-1 to AR-2 zoning.

Yes [x] 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?

BKS 7/27/2020
Staff Report – July 27, 2020 PB

Subject: Rezoning (Fourth District)  
2nd Reading Zoning Map Amendment

Author: Diane Proudfoot, Zoning Administrator
Department Development Services – Planning & Zoning
Meeting Date: August 18, 2020
Item Description: Aaron Jordan requests to rezone two 1-acre parcels from AR-1 to AR-2 to create two home sites. 
Map #390 Parcel 12

Staff Comments:
Planning Board and staff recommends alternative #1 approval with stipulations listed in the staff report.

Summary Recommendation
Approve request to rezone two 1-acre parcels from AR-1 to AR-2 for two home sites, with the following stipulations:
1. The lots must meet the requirements of the AR-2 zoning district.
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 be approved and permitted by USACE and a copy submitted to Development Services.
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.

Background
At the Planning Board meeting, Brad Smith made a motion to approve the requests to two 1-acre parcels from AR-1 to AR-2 for two home sites, with the following stipulations:
1. The lots must meet the requirements of the AR-2 zoning district.
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 be approved and permitted by USACE and a copy submitted to Development Services.
4. Subdivision plat must be approved by the Health Department and the Zoning Administrator.
Juanita Golden seconded the motion. The motion carried unanimously.

Alternatives:
1. Approve requests to rezone two 1-acre parcels from AR-1 to AR-2 for two home sites, with the following stipulations:
   1. The lots must meet the requirements of the AR-2 zoning district.
   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 be approved and permitted by USACE and a copy submitted to Development Services.
   4. Subdivision plat must be approved by the Health Department and the Zoning Administrator.
2. Deny request to rezone two 1-acre parcels from AR-1 to AR-2 for two home sites.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A
STATE OF GEORGIA
EFFINGHAM COUNTY

AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.
390-13C
AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.
390-13C

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, AARON JORDAN, have filed an application to rezone two (2) +/- acres; from AR-1 to AR-2; map and parcel number 390-13C, located in the 4th commissioner district, and

WHEREAS, a public hearing was held on August 18, 2020 and notice of said hearing having been published in the Effingham County Herald on July 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 7/8/2020; and

IT IS HEREBY ORDAINED THAT two (2) +/- acres; map and parcel number 390-13C, located in the 4th commissioner district is rezoned from AR-1 to AR-2 with the following stipulations:

1. The lots must meet the requirements of the AR-2 zoning district.
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 be approved and permitted by USACE and a copy submitted to Development Services.
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 CORBITT, CHAIRMAN

ATTEST:  
FIRST/SECOND READING: ______________

STEPHANIE JOHNSON
COUNTY CLERK
Staff Report – July 27, 2020 PB

Subject: Rezoning (Fifth District)
Author: Teresa Concannon, Planner
Department: Development Services – Planning & Zoning
Meeting Date: August 18, 2020
Item Description: Kern & Co., LLC for old Pines LLC requests to rezone 267.41 acres from R-1 to I-1 (Heavy Industrial), and 473.42 acres from AR-1 to I-1 (Heavy Industrial), to allow for a warehouse development.
Map #465 Parcel #6 / Map #477 Parcel #15

Staff Comments:
Planning Board recommends denial, staff recommends alternative #1 approval with stipulations listed in the staff report.

Summary Recommendation
Approve requests to rezone 267.41 acres from R-1 to I-1 (Heavy Industrial), and 473.42 acres from AR-1 to I-1 (Heavy Industrial), to allow for a warehouse development, with the following stipulations:

1. Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual, and Chapter 34 - Flood Damage Prevention.
2. All wetland impacts must be approved and permitted by USACE, and the ApprovedJurisdictional Determination must be submitted during the development plan review process.
3. Development plans must meet the requirements of Section 5.12 I-1 Industrial Districts.
4. A traffic study must be submitted during the development plan review process, per Effingham County Traffic Study Requirements.
5. A site plan must be submitted before construction, showing the final layout of all buildings and roads, and the distance from all buildings to neighboring subdivisions.
6. Businesses operating in the development must comply with Section 30-37 Sound Level Limitations
7. All trucks serving businesses in the development must comply with Section 74-8 Designated Truck Routes.
8. Access to Goshen Road Extension is restricted for use only as a temporary construction entrance, until the main road is in place.
9. The 300’ buffer between industrial and residential zoning districts must maintain existing trees and shrubs, include additional landscaping required by Section 3.4 Buffers, and include a berm or fence to screen neighboring residential areas from directional light generated inside the development.
10. No operating traffic resulting from this development is permitted onto Chimney Road or Goshen Road Extension.

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. Warehousing is a permitted use in I-1 (Heavy Industrial).

The scale of the warehouse development exceeds the threshold to be considered a Development of Regional Impact (DRI). Project information was submitted for review on the DRI submissions website. The Coastal Regional Commission determined that the project warranted regional review; requested comments from neighboring jurisdictions and relevant organizations and state agencies; and completed a report of findings.
According to the DRI report, the project is consistent with the Regional Future Development Map, which shows the project site area as “developing”

CRC recommendations include: use of green building strategies and reuse water line infrastructure for the development site; development practices that minimize impacts to wetlands and habitats, and limitations on impervious coverage.

Background
At the Planning Board meeting, after multiple comments from citizens, Brad Smith made a motion to deny requests to rezone 267.41 acres from R-1 to I-1 (Heavy Industrial), and 473.42 acres from AR-1 to I-1 (Heavy Industrial), to allow for a warehouse development. Alan Zipperer seconded the motion. The motion carried unanimously.

Alternatives
1. **Approve** requests to rezone 267.41 acres from R-1 to I-1 (Heavy Industrial), and 473.42 acres from AR-1 to I-1 (Heavy Industrial), to allow for a warehouse development, with the following stipulations:
   1. Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual, and **Chapter 34 - Flood Damage Prevention**.
   2. All wetland impacts must be approved and permitted by USACE, and the Approved Jurisdictional Determination must be submitted during the development plan review process.
   3. Development plans must meet the requirements of **Section 5.12 I-1 Industrial Districts**.
   4. A traffic study must be submitted during the development plan review process, per **Effingham County Traffic Study Requirements**.
   5. A site plan must be submitted before construction, showing the final layout of all buildings and roads, and the distance from all buildings to neighboring subdivisions.
   6. Businesses operating in the development must comply with **Section 30-37 Sound Level Limitations**.
   7. All trucks serving businesses in the development must comply with **Section 74-8 Designated Truck Routes**.
   8. Access to Goshen Road Extension is restricted for use only as a temporary construction entrance, until the main road is in place.
   9. The 300’ buffer between industrial and residential zoning districts must maintain existing trees and shrubs, include additional landscaping required by **Section 3.4 Buffers**, and include a berm or fence to screen neighboring residential areas from directional light generated inside the development.
   10. No operating traffic resulting from this development is permitted onto Chimney Road or Goshen Road Extension.

2. **Deny** requests to rezone 267.41 acres from R-1 to I-1 (Heavy Industrial), and 473.42 acres from AR-1 to I-1 (Heavy Industrial), to allow for a warehouse development.

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** Development Services

**FUNDING:** N/A

**Attachments:**
1. Rezoning checklist
2. Rezoning application
3. Ownership certificate/authorization
4. Deed
5. Conceptual Site Plan
6. Zoning Districts Map
7. DRI submittal forms
8. Aerial photograph
ATTACHMENT A

EFFINGHAM COUNTY REZONING AMENDMENT FORMS

Applicant Kern & Co., LLC - Chad Zitrouer

Property owner(s) Old Pines, LLC

Telephone Number (912) 354-8400

Mailing Address P O Box 15179 - Savannah, GA 31416

Property location Old Augusta Road

Present zoning AR-1 / R-1

Proposed zoning I-1

Present land-use Agricultural / Forestry

Proposed land-use Warehouse / Distribution

Tax Map # 465-6 / 477-15 Parcel # Lot #

Total Acres 741.6 Acres to be rezoned 741.6

Lot characteristics

Water Effingham County Sewer Effingham County

Proposed access Old Augusta Road

Justification Similar uses south and east of the property, restricted to Old Augusta truck access.

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

North AR-1 South I-1

East AR-1 West PD
1. Describe the current use of the property you wish to rezone.

   Agricultural / Forestry

2. Does the property you wish to rezone have a reasonable economic use as it is currently zoned?
   
   No, industrial growth is occurring in the nearby area and the adjacent Old Augusta Road has been improved for industrial traffic

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

   Warehouse/Distribution

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

   Agricultural / Forestry

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?

   Substantial buffers and preservation areas along with access to Old Augusta Road

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?

   Old Augusta Road was constructed with the intent of industrial development along the roadway. Minimal water-sewer demand and minimal impact on schools.
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

1/7/2019

on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2505 page 602-604.

Owner's signature

Owner's signature

Owner's signature
STATE OF GEORGIA

COUNTY OF EFFINGHAM

LIMITED WARRANTY DEED

(NO TITLE SEARCH PERFORMED)

KNOW ALL MEN BY THESE PRESENTS THAT, NECKENIG LAND COMPANY, LLC, herein referred to as Grantor, for and in consideration of the sum of FIVE AND 00/100 ($5.00) DOLLARS AND NO OTHER CONSIDERATION to it paid by OLD PINES, LLC, a South Carolina limited liability company, hereinafter referred to as Grantee, in the State aforesaid, the receipt of which is hereby acknowledged, has granted, bargained, sold and released, subject to the rights, easements and restrictions hereafter set out or reserved in the deed unto OLD PINES, LLC, its successors and assigns forever, the following described property:

SEE EXHIBIT "A" ATTACHED HERETO

AND INCORPORATED HEREIN BY REFERENCE

Less and excepting: All that certain lot, tract or parcel of land containing 49.60 acres, more or less, being conveyed to Coastal Water Company, Inc. by Deed recorded April 27, 1993 with the Effingham County Clerk's Office In Book 331 at Page 113.

This being the identical property conveyed to Neckeny Land Company, LLC by deed of Hansjoachin Neckenig as Trustee of Trust under agreement with Hansjoachin Neckenig as Grantor dated April 16, 1999, as amended (also known as the “Qualified Domestic Trust Agreement”), recorded August 18, 2016 in the Office of the Clerk of Superior Court for Effingham County in Book 2362 at Page 314.

Parcel Number: 04650006

Grantee Address: C. Lamar Comalender
    c/o Milliken Forestry Company, Inc.
    245 Stoneridge Drive
    Columbia, SC 29210

This conveyance is made subject to any and all existing reservations, easements, rights of way, zoning ordinances, setback lines, and restrictions or protective covenants that may appear of record, on the recorded plat(s), or on the premises.

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging or in anywise incident or appertaining; to have and to hold all and singular the premises before mentioned unto OLD PINES, LLC, its successors or assigns forever. The Grantor's successors and assigns do warrant and forever defend all and singular said premises unto the said Grantee, its successors or assigns, against Grantor and Grantor's successors or assigns lawfully claiming or to claim the same or any part thereof, but to no others.
WITNESS Hand and Seal this 13 day of December, in the year of our Lord 2018.

Signed, Sealed and Delivered in the Presence of:

Witness 1
Witness 2/Notary

NECKENIG LAND COMPANY, LLC

By:

COUNTRY/STATE OF SC

COUNTY/PROVINCE OF Lexington ACKNOWLEDGMENT

I, the undersigned Notary Public for the aforesaid State, do hereby certify that the within named Grantor(s) personally appeared before me, and having satisfactorily proven to be the person(s) whose name(s) is/are subscribed above, has/have acknowledged the due execution of the within Deed.

SWORN to before me this 13 day of December, 2018

Notary Public
My Commission Expires: 7/18/20
GOSHAN TRACT:

All that certain lot, tract or parcel of land situated, lying and being in the 8th O. R. District, Effingham County, Georgia, containing 830.0 acres, more or less, being irregular in shape to more particularly described as follows:

Commencing at a point formed by the intersection of the Southern right-of-way line of the North bound line of Georgia Highway No. 21 with the Southeastern right-of-way line of Cherry Road, then proceeding Northeastwardly along the Southeastern right-of-way line of Cherry Road to a point formed by its intersection with the Western boundary line of Old Augusta Road, then proceeding Southwesterly along the Western right-of-way line of Old Augusta Road to a point formed by its intersection with the Northern corner of lands now or formerly owned by Union Camp Corporation; then proceeding Northwestwardly along the Northern boundary line of lands now or formerly owned by Union Camp Corporation to its Northeastern corner formed by its intersection with lands owned by the Grantor, then proceeding Southwesterly along the Western boundary line of lands now or formerly owned by Union Camp Corporation to its Southeastern corner formed by its intersection with the Southern boundary line of lands now or formerly owned by Union Camp Corporation, then proceeding Northeastwardly along the Southern boundary line of lands now or formerly owned by Union Camp Corporation to a corner formed by its intersection with the Western boundary line of lands now or formerly owned by Roma Alkins, then proceeding Southwesterly along the Western boundary line of lands now or formerly owned by Roma Alkins to a corner formed by its intersection with the Southern boundary line of lands now or formerly owned by Roma Alkins, then proceeding Southwesterly along the Western boundary line of lands now or formerly owned by Roma Alkins to a corner formed by its intersection with the Southern boundary line of lands now or formerly owned by Twenty-One Centre, a General Partnership, then proceeding North 57 degrees 30 minutes 30 seconds West along a line being the Northern boundary line of lands owned by Twenty-One Centre, a General Partnership and unto the Grantor a distance of 1956.01 to a corner formed by its intersection with the Southern boundary line of lands now or formerly owned by Twenty-One Centre, a General Partnership, then proceeding North 59 degrees 59 minutes 13 seconds West along a line a distance to a point on that line for therefrom from said point in a Northwest direction to the Southeastern corner of Parcel 2 of the John W. Chandler Trust shall cause the property herein described to contain 830.0 acres, then proceeding from said point Northwestwardly to a point formed by its intersection with the Southeastern corner of Parcel 2 of the John W. Chandler Trust, then proceeding Northwestwardly along the Northern boundary line of Parcels 1 and 2 of the John W. Chandler Trust to the point of beginning.

The property herein described containing 830.0 acres, more or less, is bounded on the East by Old Augusta Road, by lands now or formerly owned by Union Camp Corporation and by lands now or formerly owned by Roma Alkins and further on the East by Old Augusta Road, on the South by Tracts 2 and 4 of the O. C. Bailey Estate, and further, on the South by lands now or formerly owned by Twenty-One Centre, a General Partnership, by lands of the Grantor and by Tracts 1 and 2 of the John W. Chandler Trust, and on the South by Cherry Road.

EXHIBIT "A"
STATE OF GEORGIA
COUNTY OF EFFINGHAM

LIMITED WARRANTY DEED
(NO TITLE SEARCH PERFORMED)

KNOW ALL MEN BY THESE PRESENTS THAT, NECKENIG LAND COMPANY, LLC, herein referred to as Grantor, for and in consideration of the sum of FIVE AND 00/100 ($5.00) DOLLARS AND NO OTHER CONSIDERATION to it paid by OLD PINES, LLC, a South Carolina limited liability company, hereinafter referred to as Grantee, in the State aforesaid, the receipt of which is hereby acknowledged, has granted, bargained, sold and released, subject to the rights, easements and restrictions hereinafter set out or reserved in the deed unto OLD PINES, LLC, its successors and assigns forever, the following described property:

SEE EXHIBIT “A” ATTACHED HERETO
AND INCORPORATED HEREBY BY REFERENCE

Less and excepting: All that certain lot, tract or parcel of land containing 49.60 acres, more or less, being conveyed to Coastal Water Company, Inc. by Deed recorded April 27, 1993 with the Effingham County Clerk’s Office in Book 331 at Page 113.

This being the identical property conveyed to Neckenig Land Company, LLC by deed of Hansjoachim Neckenig as Trustee of Trust under agreement with Hansjoachim Neckenig as Grantor dated April 10, 1998, as amended (also known as the “Qualified Domestic Trust Agreement”), recorded August 18, 2016 in the Office of the Clerk of Superior Court for Effingham County in Book 2362 at Page 314.

Parcel Number: 04650006

Grantee Address:   C. Lamar Comalender
                  c/o Milliken Forestry Company, Inc.
                  245 Stoneridge Drive
                  Columbia, SC 29210

This conveyance is made subject to any and all existing reservations, easements, rights of way, zoning ordinances, setback lines, and restrictions or protective covenants that may appear of record, on the recorded plat(s), or on the premises.

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging or in anywise incident or appertaining; to have and to hold all and singular the premises before mentioned unto OLD PINES, LLC, its successors or assigns forever. The Grantor’s successors and assigns do warrant and forever defend all and singular said premises unto the said Grantee, its successors or assigns, against Grantor and Grantor’s successors or assigns lawfully claiming or to claim the same or any part thereof, but to no others.
WITNESS Hand and Seal this 13 day of December, in the year of our Lord 2018.

Signed, Sealed and Delivered in the Presence of:

Witness 1

NECKENIG LAND COMPANY, LLC

By:

Witness 2/Notary

COUNTRY/STATE OF SC

COUNTY/PROVINCE OF Lexington

ACKNOWLEDGMENT

I, the undersigned Notary Public for the aforementioned State, do hereby certify that the within named Grantor(s) personally appeared before me, and having satisfactorily proven to be the person(s) whose name(s) is/are subscribed above, has/have acknowledged the due execution of the within Deed.

SWORN to before me this 13 day of December, 2018

Notary Public
My Commission Expires: 7/18/20
GOSHAN TRACT:

All that certain lot, piece or parcel of land situate, lying and being in the 9th O. M. District, Effingham County, Georgia, containing 850.0 acres, more or less, being irregular in shape more particularly described as follows:

Commencing at a point formed by the intersection of the Northern right-of-way line of the North bound lane of Georgia Highway No. 21 with the Southeastern right-of-way line of Chimney Road, then proceeding Northwesterly along the Southeastern right-of-way line of Chimney Road to a point formed by its intersection with the Northern boundary line of the John W. Chandler Tract which is the point of beginning, then proceeding Northwesterly along the Southeastern right-of-way line of Chimney Road to a point formed by its intersection with the Western boundary line of Old Augusta Road, then proceeding Northwesterly along the Western right-of-way line of Old Augusta Road to a point formed by its intersection with the Northern corner of lands now or formerly owned by Union Camp Corporation, then proceeding westwardly along the Northern boundary line of lands now or formerly owned by Union Camp Corporation to its Northeastern corner formed by its intersection with lands owned by the Granter, then proceeding Southwesterly along the Western boundary line of lands now or formerly owned by Union Camp Corporation to its Southeastern corner formed by its intersection with the Southern boundary line of lands now or formerly owned by Union Camp Corporation, then proceeding Southwesterly along the Southern boundary line of lands now or formerly owned by Union Camp Corporation to a corner formed by its intersection with the Western boundary line of lands now or formerly owned by Rama Alkons, then proceeding Southwesterly along the Western boundary line of lands now or formerly owned by Rama Alkons to a corner formed by its intersection with the Southern boundary line of lands now or formerly owned by Rama Alkons, then proceeding Southwesterly along the boundary line of lands now or formerly owned by Rama Alkons to a corner formed by its intersection with the Western right-of-way line of Old Augusta Road, then proceeding Southwesterly along the Western right-of-way line of Old Augusta Road to a point formed by its intersection with the Northern boundary line of Tract 4 of the G. C. Kelly Estate, then proceeding Northwesterly along the Southeastern boundary line of Tract 4 of the G. C. Kelly Estate, then proceeding Northwesterly along the Southeastern boundary line of Tract 3 of the G. C. Kelly Estate to a corner formed by its intersection with the Northeastern boundary line of property owned by Twenty-One Centre, a General Partnership, then proceeding East 90 degrees 30 minutes 30 seconds West along a line being the Northeastern boundary line of lands owned by Twenty-One Centre, a General Partnership, and lands of the Granter a distance of 1990.01 to a corner formed by its intersection with a point on lands owned by the Granter, then proceeding North 49 degrees 15 minutes 13 seconds East along a line a distance to a point so that an extension thereof from said point in a Northwest direction to the Southeastern corner of Parcel 2 of the John W. Chandler Tract shall cause the property herein described to contain 850.0 acres, then proceeding from said point Northwesterly to a point formed by its intersection with the Southeastern corner of Parcel 2 of the John W. Chandler Tract, then proceeding Northwesterly along the Northeastern boundary line of Parcels 1 and 2 of the John W. Chandler Tract, and on the Northwest by Chimney Road.

The property hereinbefore described containing 850.0 acres, more or less, is bounded on the East by Old Augusta Road, by lands now or formerly owned by Union Camp Corporation and by lands now or formerly owned by Rama Alkons and further on the East by Old Augusta Road, on the Northwest by Tracts 2 and 4 of the G. C. Kelly Estate, and further, on the Southeast by lands now or formerly owned by Twenty-One Centre, a General Partnership, by lands of the Granter and by Parcels 1 and 2 of the John W. Chandler Tract, and on the Northwest by Chimney Road.

EXHIBIT "A"
### Developments of Regional Impact

**DRI #3130**

**DEVELOPMENT OF REGIONAL IMPACT**

Initial DRI Information

This form is to be completed by the city or county government to provide basic project information that will allow the REDC to determine if the project appears to meet or exceed applicable DRI thresholds. Refer to both the DRI Process and the DRI Tiers and Thresholds for more information.

---

**Local Government Information**

- **Submitting Local Government:** Effingham
- **Individual completing form:** Teresa Conknon
- **Telephone:** 912-764-0963
- **E-mail:** tconknon@efinghamco.org

*Note: The local government representative completing this form is responsible for the accuracy of the information contained herein. If a project is to be located in more than one jurisdiction and, in total, the project meets or exceeds a DRI threshold, the local government in which the largest portion of the project is to be located is responsible for initiating the DRI review process.*

---

**Proposed Project Information**

- **Name of Proposed Project:** Old Augusta Industrial Park
- **Location (Street Address, City, State, Zip):** 320 13th St, Augusta, GA 30901
- **GCS Coordinates, or Legal Land Lot Description:**
- **Brief Description of Project:** Approximately 4,500,000 SF Warehouse Development with associated infrastructure improvements

---

**Development Type:**

- [ ] Hotels
- [ ] Wastewater Treatment Facilities
- [ ] Office
- [ ] Mixed Use
- [ ] Petroleum Storage Facilities
- [ ] Commercial
- [ ] Airports
- [ ] Water Supply Intakes/Reservoirs
- [ ] Wholesale & Distribution
- [ ] Mergers & Recreational Facilities
- [ ] Intermodal Terminals
- [ ] Hospitals and Health Care Facilities
- [ ] Post-Secondary Schools
- [ ] Truck Stops
- [ ] Housing
- [ ] Waste Handling Facilities
- [ ] Any other development types
- [ ] Industrial
- [ ] Quarries, Ashpals & Cement Plants

If other development type, describe:

---

**Project Size (± of units, feet, area, etc.):** Approximately 4,500,000 SF Warehouse / Distribution

**Developer:** Old Augusta Land Company, LLC

**Mailing Address:** PO Box 1628

**Address:**

- **City:** Springfield, State: GA, Zip: 31332

**Telephone:** 912-657-7377

**Email:** wilson@georgiaseaportcompany.com

**Is property owner different from developer/owner?** [ ] Yes

**If yes, property owner:** Old Pines, LLC

**Is proposed project entirely located within your local government’s jurisdiction?** [ ] Yes

**If not located, in what additional jurisdictions is the project located?** [ ] Yes

---

**08/13/2020**
Developments of Regional Impact

DRI #3130

DEVELOPMENT OF REGIONAL IMPACT
Additional DRI Information

This form is to be completed by the city or county government to provide information needed by the RDC for its review of the proposed DRI. Refer to both the Rules for the DRI Process and the DRI Tiers and Thresholds for more information.

Local Government Information

Submitting Local Government: Effingham
Individual completing form: Teresa Condon
Telephone: 912-754-4063
Email: tcondon@effinghamcounty.org

Project Information

Name of Proposed Project: Old Augusta Industrial Park
DRI ID Number: 3130
Developer/Owner: Old Augusta Land Company, LLC
Telephone: 912-857-7377
Email(s): wilson@georgiaportscompany.com

Additional Information Requested

Has the RDC identified any additional information required in order to proceed with the official regional review process? (If yes, proceed to Economic Impacts.)

If yes, has the additional information been provided to your RDC and, if applicable, GRITA?

If no, the official review process cannot start until this additional information is provided.

Economic Development

Estimated Value at Build-Out: $400,000,000
Estimated annual local tax revenues (i.e., property tax, sales tax) likely to be generated by the proposed development: $4,846,000

Is the regional work force sufficient to fill the demand created by the proposed project?

Will this development displace any existing uses?

If yes, please describe (including number of units, square feet, etc.):

Water Supply

Name of water supply provider for this site: Effingham Co

What is the estimated water supply demand to be generated by the project, measured in Millions of Gallons Per Day (MGD)? 0.075
DRI Additional Information Form

Is sufficient water supply capacity available to serve the proposed project?  [ ] Yes  [ ] No

If no, describe any plans to expand the existing water supply capacity.

Is a water line extension required to serve this project?  [ ] Yes  [ ] No

If yes, how much additional line (in miles) will be required?

Wastewater Disposal

Name of wastewater treatment provider for this site:  [ ] Effingham County

What is the estimated sewage flow to be generated by the project measured in Millions of Gallons Per Day (MGD)?  0.075

Is sufficient wastewater treatment capacity available to serve this proposed project?  [ ] Yes  [ ] No

If no, describe any plans to expand existing wastewater treatment capacity.

Is a sewer line extension required to serve this project?  [ ] Yes  [ ] No

If yes, how much additional line (in miles) will be required? 0.5 miles

Land Transportation

How much traffic volume is expected to be generated by the proposed development in peak hour vehicle trips per day? [ ] AM Peak - 4,500; PM Peak 4,650

Has a traffic study been performed to determine whether or not transportation or access improvements will be needed to serve this project?  [ ] Yes  [ ] No

Are transportation improvements needed to serve this project?  [ ] Yes  [ ] No

If yes, please describe below: Access & Dedicated Left Turn Lane

Solid Waste Disposal

How much solid waste is the project expected to generate annually (in tons)?  [ ] 69,000 tons

Is sufficient landfill capacity available to serve this proposed project?  [ ] Yes  [ ] No

If no, describe any plans to expand existing landfill capacity.

Will any hazardous waste be generated by the development?  [ ] Yes  [ ] No

If yes, please explain:

Stormwater Management

What percentage of the site is projected to be impervious surface once the proposed development has been constructed?

Describe any measures proposed (such as buffers, detention or retention ponds, pervious parking areas) to mitigate the project's impacts on stormwater management. Preserved buffers and wetlands areas, as well as stormwater detention facilities.

Environmental Quality

Is the development located within, or likely to affect any of the following:

08/13/2020

http://apps.dca.ga.gov/DRI/AdditionalForm.aspx?driid=3130

7/22/2020
1. Water supply watershed?  | Yes|No
2. Significant groundwater recharge areas?  | Yes|No
3. Wetlands?  | Yes|No
4. Protected mountains?  | Yes|No
5. Protected river corridors?  | Yes|No
6. Floodplains?  | Yes|No
7. Historic resources?  | Yes|No
8. Other environmentally sensitive resources?  | Yes|No

If you answered yes to any question above, describe how the identified resource(s) may be affected.
County ordinances for Flood Damage Prevention, as well as Wetlands Protection, will be followed to mitigate any impact to the affected wetlands and floodplains.

Back to Top
Dear Mayor, Council, Zoning Commissioners and County Officials,

My name is Scott MacPherson, I am a long time Resident at 349 Chimney Road. The purpose of this email is to express the effects of the re-zoning of 741.6 acres from R-1 to I-1 (residential to Industrial).

First and foremost, I am not opposed to the re-zoning, in fact I personally think this is a safe alternative to the unknown product of a residential neighborhood. I am respectfully requesting that Effingham County Planners and elected official help protect and preserve Chimney Road during the approval process.

After review of the concept;

1. Please set conditions on the 300’ buffer to mandate that the buffer remains UNDISTURBED to preserve the natural tree buffer and it’s undergrowth. (this will help with noise, appearance and maintain Chimney Road’s natural and attractive road.
2. Also please consider setting conditions that traffic will NEVER be permitted to have access to Chimney Road in the future.

Additionally;

1. I recommend Chimney Road’s GVWR (gross vehicle weight rating) be limited to prohibit tractor trailer travel and signage posted (Chimney and 21 intersection is not safe for additional traffic).
2. Please consider limiting the warehouse use to "storage / shipping & receiving only" vs "manufacturing" (manufacturing is a whole different product that is also industrial but that is not the type of development that Effingham needs... manufacturing is more noise, odor, smoke discharge etc... we don’t need to smell like Garden City).

I personally feel that this proposed development is the best case scenario for Chimney Road residents and also for Effingham County. A potential residential development would generate the need for additional County employees, budget, benefits and first responder’s, vehicles and equipment. The crime, medical calls and nuisance complaints will far exceed that of an Industrial development.

Finally, I respectfully request this re-zoning to be APPROVED with the conditions listed above and protections put in place to segregate and protect the existing residential, safe, family surroundings of Chimney Road and other neighborhoods affected.

Thank you for your consideration and feel free to share and distribute this email. If needed, I can be contacted at 912-414-2419.

Respectfully,

Scott MacPherson
349 Chimney Road
Rincon Ga, 31326

On Thursday, July 16, 2020, 01:20:26 PM EDT, Scott MacPherson <inspector151s@yahoo.com> wrote:
Received, thank you!

I will look it over and send you an email that maybe you can attach for planning and counsel to consider.

Thanks again, you've been very informative and helpful 😊

Sent from my iPhone

On Jul 16, 2020, at 11:30 AM, Teresa Concannon <TConcannon@effinghamcounty.org> wrote:

Here is the rezoning application, location map, and concept drawing. Please let me know if you have additional questions.

Teresa

<image001.png>

This e-mail is for the sole use of the intended recipient(s) and may contain confidential or privileged information. Any unauthorized review, use, distribution or disclosure is prohibited. If you are not the intended recipient, please reply to the sender and destroy all original copies of this message.

<11a. Kern - Property Exhibit 7-1-20.pdf>

**** 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. ****
DEVELOPMENT OF REGIONAL IMPACT REPORT

Prepared for
Effingham County, Georgia
DRI #3130
Old Augusta Industrial Park
July 23, 2020

Prepared by:
Coastal Regional Commission
1181 Coastal Dr. SW
Darien, GA
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1. APPLICATION INFORMATION

1.1 Jurisdiction
Effingham County, Georgia
DRI # 3130
Old Augusta Industrial Park

1.2 Applicant
Old Augusta Land Company, LLC
P.O. Box 1628, Springfield, GA 31329
wilson@georgiaexportscompany.com
912-657-7377

2. PROJECT DESCRIPTION

2.1 Summary
The DRI submittal involves the construction of nine warehouse facilities, totaling approximately 4.5 million square foot of warehouse space. The proposed project also includes associated infrastructure improvements.

According to the DRI submittal, the estimated value at build out is $400 million. The project is projected to generate $4,848,000 in estimated annual local tax revenues.

3. PARCEL DATA

3.1 Size of Property
The project size has a total site acreage of 740.76.

3.2 General Location
The property is located in the Southeast Georgia region, referred to as the Coastal Region, consisting of ten counties and thirty-five communities. Effingham County is in the northern part of the coastal region, northwest of Savannah.

The DRI project is located along Old August Road, east of GA-21 in Effingham County, GA.

The subject property is located in the Effingham County, Georgia.

According to the United States Census Bureau, the 2019 population of Effingham County was estimated to be 64,296.
4. LAND USE INFORMATION

4.1 Site Map
The site plan for use of the property is attached.

4.2 Built Features
The project site is currently vacant.

4.3 Future Development Map Designation (Character Area)
According to the Effingham County Future Land Use Map from their Comprehensive Plan, the project site is currently located in an Agriculture area. The project site is transitioning to Industrial.

The DRI area to be transitioned to Industrial, shown in purple, is within close proximity to the GA-21/I-95 Interchange.

The Industrial area category in Effingham County, GA is for land dedicated to manufacturing facilities, processing plants, factories, warehousing and wholesale trade facilities, mining or mineral extraction activities, or other similar uses.

Future Zoning Consideration: I-1 – Heavy Industrial

4.4 Zoning District
According to Effingham County, the property is currently zoned AR-1 Agriculture for parcel 477-15 (east side of project area at Old Augusta Road) and zoned R-1 Residential for parcel 465-6 (west side of project area at Chimney Road). The proposed zoning for the DRI site is I-1 for Heavy Industrial.

5. CONSISTENCY AND COMPATIBILITY ANALYSIS

5.1 Consistency with the Comprehensive Plan
The Effingham County Comprehensive Plan was adopted in 2019. The Future Land Use Map designates the DRI property for Agriculture.

The proposed development type for the DRI site is designated as Industrial.

The applicant’s DRI submittal for the Old Augusta Industrial Park differs from the Future Land Use Map as defined by the Comprehensive Plan. However, the proposal is in line with the proposed zoning consideration of I-1 – Heavy Industrial as the initial action being requested of the local government for this project is rezoning.
6. CONSISTENCY WITH REGIONAL PLAN OF COASTAL GEORGIA

6.1 Regional Development Map and Defining Narrative

The Regional Development Map illustrates the desired future land use patterns from the regions' Areas Requiring Special Attention and the regions' Projected Development Patterns using the following categories:

a. Conservation  c. Developed
b. Rural       d. Developing

The Regional Future Development Map illustrates the area as Developing which is consistent with the proposed DRI development.

6.2 Guiding Principles of the Regional Plan

Guiding Principles identify those overarching values which are to be utilized and evaluated for all decisions within the region. This section provides the analysis of the consistency between the proposed DRI and the Guiding Principles in the Regional Plan.

6.3 Guiding Principles for Water and Wastewater

Seven guiding principles are identified in the Regional Plan for water and wastewater:

1. Require the use of green building strategies to minimize water demand.
2. Promote the use of a standardized protocol to forecast water needs to meet reasonable future water needs throughout region.
3. Promote use of purple pipe and grey water techniques and use of surface water in addition to groundwater where appropriate.
4. Promote water conservation through use of a tiered rate system.
5. Promote the use of the best available technology, dependent on soil type, for wastewater treatment.
6. Large areas of Coastal Georgia are beyond the reach of urban wastewater infrastructure, or centralized wastewater treatment facilities. To ensure sustainable communities, require proper siting, design, construction, use, and maintenance of decentralized wastewater treatment, or ISTS (Individual Sewage Treatment Systems).
7. Pursue regional coordination in provision of water and wastewater facilities.

6.4 Guiding Principles for Stormwater Management

Five guiding principles are identified in the Regional Plan for Stormwater Management:
1. Encourage development practices and sitings that do not significantly impact wetlands and habitat areas or allow for the preservation and conservation of wetlands and habitat areas through appropriate land use practices.

2. Promote the use of coast-specific quality growth principles and programs, such as the Green Growth Guidelines, Earthcraft Coastal Communities and the Coastal Supplement to the Georgia Stormwater Management Manual, to guide site planning and development.

3. Minimize impervious coverage wherever possible. The level of impervious cover in a development, rather than population density, is the best predictor of whether development will affect the quality of water resource.

4. Develop stormwater programs across the region.

5. Pursue State-level funding for regional water quality monitoring activities due to the statewide importance of coastal waters and estuaries.

6.5 Guiding Principles for Transportation

Seven guiding principles are identified in the Regional Plan for Transportation:

1. Provide the forum and the support to coordinate regional multi-modal transportation, including rail, airports, and public transportation, and also the planning and development of street connectivity and transit-oriented developments.

2. Promote the establishment of regional transportation compact(s) to provide a forum for local governments and MPO’s to communicate and discuss transportation issues and decisions in the Coastal Region. These compacts do not replace the existing federal and State processes mandated in law, but provide a forum to communicate issues, ideas and discussions.

3. Promote coordination among agencies and jurisdictions in development of a region-wide, multi-modal transportation network, including transit, where applicable.

4. Encourage the coordination of transportation network improvements and land use planning.

5. Promote coordinated public infrastructure and school location planning with land use planning.

6. Maintain a human scale environment with context sensitive design practices.

7. Work to establish dedicated revenue source(s) for transportation improvements.
6.6 Guiding Principles for Historic and Cultural Resources

Eleven guiding principles are identified in the Regional Plan for Historic and Cultural Resources:

1. Encourage local governments to examine proposed development areas prior to development approval and require mitigation to significant resources.
2. Encourage development practices and sitings that do not significantly impact cultural and historical areas.
3. Maintain viewsheds of significant cultural and historic assets.
4. Maintain a range of landscapes and environments that provide diversity of habitats, species, resources and opportunities for recreation, commerce, community enjoyment and cultural practices.
5. Designate culturally and/or archaeological and/or historically significant resource management areas for potential acquisition and/or protection.
6. Educate residents and visitors regarding the statewide importance of this region’s cultural and historic resources.
7. Encourage utilization and cooperation of museums, universities, foundations, non-government organizations, professional associations, and private firms to advise and monitor management.
8. Promote the establishment of partnerships for the development and utilization of incentives to restore, remediate or reuse cultural resources as appropriate.
9. Compile the traditional lore and knowledge of local people and integrate their understandings and practices into planning and development.
10. Encourage coordination among agencies and jurisdictions in developing and funding heritage conservation land uses and ensuring public access to publicly held and supported conservation areas.
11. Promote designation of Main Street and Better Home Town Communities.

6.7 Guiding Principles for Natural Resources

Twenty guiding principles are identified in the Regional Plan for Natural Resources:

1. Promote the protection, restoration, enhancement and management of natural resources.
2. Continue the traditional use of land and water (such as farming, forestry, fishing, etc.) as feasible, provided that any significant impacts on resources can be prevented or effectively mitigated.
3. Protect and enhance Coastal Georgia’s water resources, including surface water, groundwater, and wetlands and ground water recharge areas.
4. Protect and enhance water quality, quantity and flow regimes.
5. Commit to investing in the protection of natural resources before any restoration and/or remediation is needed.
6. Encourage the restoration and protection of wetlands to provide flooding, storm and habitat protection.
7. Maintain viewsheds of significant natural resources.
8. Enhance access to natural resources for recreation, public education, and tourist attractions as appropriate within the protection mission.
9. Encourage utilization of universities, foundations, and non-government organizations to advise, monitor, and enhance management.
10. Promote the establishment of partnerships and funding mechanisms for the development and utilization of incentives to restore, rehabilitate, protect or reuse natural resources as appropriate.
11. Encourage development practices and sitings that do not significantly impact environmentally sensitive areas.
12. Promote low impact design practices that protect natural resources.
13. Promote to local governments a program of monitoring installation and impacts of individual and community docks along the coast.
14. Promote the monitoring of cumulative impacts of waterfront development along the coast.
15. Maintain a range of landscapes and environments that provide diversity of habitats, species, resources and opportunities for recreation, commerce, community enjoyment and cultural practices.
16. Encourage the development and use of a method to place a value on ecosystem services.
17. Promote the identification of innovative funding sources and development of ecosystem services markets (e.g. carbon, storm buffers, traditional land and water uses).
18. Promote the Adopt-a-Wetland program in areas that can be used as reference sites and that are within projected development areas.
19. Encourage coordination among agencies and jurisdictions in developing and funding conservation land uses and ensuring public access to publicly held and supported conservation areas.
20. Encourage coordination among agencies in studying the impacts of climate change and sea level rising.

6.8 Guiding Principles for Regional Growth Management

Twenty-three guiding principles are identified in the Regional Plan for Growth Management:

1. Encourage development that enhances the desired character of each of the region’s cities and towns.
2. Avoid establishment of new land uses which may be incompatible with existing adjacent land uses.
3. Protect our military installations from land use changes that jeopardize their mission through creation or implementation of Joint Land Use Studies (JLUS).
4. Promote growth in those areas that can be efficiently served by infrastructure, such as water, wastewater and transportation.
5. Encourage infill development as an alternative to expansion.
6. Focus new development in compact nodes that can be served by public or community infrastructure providers.
7. Maintain and enhance the scenic character of our rural highways and county roads.
8. Encourage clustered developments, particularly in areas that are suitable and proposed for development, that maximize open spaces, protect natural, cultural and historic resources, preserve wildlife habitat, and include green, low impact development strategies.
9. Encourage local governments to allow green, low impact developments as an alternative to traditional development standards and develop incentives encouraging their use.
10. Limit development in sensitive areas located near marshes and waterways, to low impact development that maintains our coastal character, while recognizing and protecting the sensitive environment.
11. Strongly encourage that new developments have minimal impacts on vital wetlands, coastal hammocks, marshes, and waterways.
12. Discourage lot-by-lot water and wastewater treatment systems for multiple lot developments.
13. Promote green building techniques to maximize energy efficiency and water conservation and minimize post construction impacts on the environment.
14. Encourage the development of a “transfer of development rights” (TDR) program.
15. Encourage development and compliance with minimum uniform land use and development standards for all local governments to adopt within the region.
16. Encourage coordination among agencies and jurisdictions in land use planning, regulation, review and permitting.
17. Promote affordable housing options.
18. Encourage the placement of new schools near existing infrastructure.
19. Partner with state, federal, non-governmental organizations and local governments to provide guidance on critical natural areas, land conservation efforts, and land use practices within each jurisdiction. Provide assistance in all outreach efforts forthcoming from this initiative.
20. Pursue opportunities for continuing education as it relates to regional issues.
21. Encourage enactment of impact fees to defray costs of new development.
22. Consider planning and/or managing a catastrophic event.
23. Promote reduction, reuse and recycle practices.

6.9 **Guiding Principles on Business and Industry**

Fourteen guiding principles are identified in the Regional Plan for Business and Industry.

1. Promote strategic distributions of business and industry across the region consistent with natural, cultural, historic and industrial resource strategies and encourage partnerships and collaboration between economic development agencies.
2. Investigate ways to share costs and benefits across jurisdictional lines for both regional marketing and project support.
3. Incorporate community plans for the strategic use of land for manufacturing, distribution, etc., while recognizing and respecting natural resources and the unique differences between communities.
4. Coordinate with the Georgia Ports Authority (GPA) to identify their needs and identify mechanisms for the economic development industry to strengthen the GPA and its presence in logistics, distribution, and workforce development.
5. Leverage and incorporate the region’s military installations (Fort Stewart Army Base, Hunter Army Airfield and Kings Bay Naval Base) and the Federal Law Enforcement Training Center to recruit economic development projects.
6. Incorporate Herty Advanced Materials Development Center’s experience and position as a development center for the commercialization of materials and create incentives to retain a portion of pilot plant opportunities as new Georgia industries and to assist development authorities in increasing recruitment win rates.
7. Promote the historic nature, natural beauty and successful past and present performance of Coastal Georgia as a location site for film and clean high-tech industry and as a recruitment tool for opportunities.
8. Incorporate the Center of Innovation’s (COI) statewide logistics plan into a regional strategy to assist in the recruitment of companies and leverage as support for industry.
9. Coordinate federal, State and local economic development funding programs and initiatives that affect the coast.
10. Enhance workforce development by collaborating with business, industry, and planning of educational entities that provide necessary workforce skills.
11. Increase existing industry retention and expansion rates.
12. Promote downtown revitalization efforts to enhance job creation and location of business and offices within downtown areas.
13. Incorporate current and future needs for housing, infrastructure, and natural resource protection into economic development initiatives.
14. Encourage international economic developments that support strategic industry sectors.
15. Enhance economic development and tourism opportunities by increasing cross functional communication.

6.10 Guiding Principles for Agricultural Lands

Ten guiding principles are identified in the Regional Plan for Agricultural Lands.
1. Strongly discourage the conversion of prime farmland to urban uses as it represents a loss to the region’s landscape.
2. Wise use and protection of basic soil and water resources helps to achieve practical water quality goals and maintain viable agriculture.
3. Viable agriculture is the backbone of a functioning network of agriculture, open space, and natural areas and a range of strategies should be used to ensure the value of agricultural land.
4. Promote learning about culinary traditions and culture.
5. Encourage agricultural biodiversity.
6. Promote local food traditions and provide opportunity for education of where food comes and how our food choices affect the rest of the world.
7. Promote connecting producers of foods with consumers through events and farmers markets.
8. Promote biodiversity through educational events and public outreach, promoting consumption of seasonal and local foods.
9. Promote community gardens within urban settings.
10. Encourage regional tasting events of local foods, music, talks, forums, workshops, and exhibitions in favor of local agricultural products.

6.11 Guiding Principles for Communities for a Lifetime - Livable Communities

Twelve guiding principles are identified in the Regional Plan for Communities for a Lifetime/Livable Communities:

1. The CRC promotes the concept of Lifelong Communities – places where people of all ages and abilities have access to the public landscape and services which enable them to live healthy and independent lives.
2. For a Lifelong Community to be truly successful it must be a complete community. Complete communities include the direct characteristics that at a minimum meet the needs of the user population, but also provided for a greater civic good by including elements that are beneficial to the environment, sensitive to a broad population and embrace economic/financially feasible regimes.
3. The region will encourage and promote the underlying issues that must be included in a Lifelong Community. The seven (7) basic tenets of a Lifelong Community are:
   a. Connectivity – the physical connection of streets, pedestrian networks and public spaces that promote ease of access, a direct coexistence with the existing urban fabric and barrier free mobility for all.
   b. Pedestrian access and transit – focuses on the access to public or privately supported methods of mass transit-oriented forms of mobility and focuses on pedestrian forms of mobility as a primary or equal method of transportation when compared to conventional vehicular modes.
   c. Neighborhood retail and services – proximity to vital and relevant supporting uses and services are necessary for a successful Lifelong Community. Mixture of uses, walkable streets and services oriented to a range of population needs is the context of this issue.
   d. Social interaction – social interaction with the full range of the population is a proven requirement of lifelong communities. Pedestrian accessible streets and dwellings, a full stratum of dwelling types, community programming elements and careful placement of improvements are key components in creating a socially vibrant community.
e. Dwelling types – a range of dwelling types within a walkable range is crucial to meet the social, economic and physical goals of a lifelong community. Creative architectural and planning solutions, a strong but flexible regulatory framework and policies that promote efficient and sustainable methods of construction are among the crucial requirements of this issue.

f. Healthy living – accessibility to fitness, education, cultural and health maintenance programming elements are vital to a successful lifelong community and are the primary concerns of this issue.

g. Environmental and Sustainable Solutions – the creation of a complete community includes provisions for the appropriate preservation of natural and cultural resources. Promotion of sustainable construction techniques, preservation of natural and cultural resources, innovative methods of power generation and integrated food production are among some of primary components related to successfully executing this issue.

4. The region will determine its “aging readiness” to provide programs, policies and services that address the needs of older adults.

5. The region will determine its “aging readiness” to ensure that communities are “livable” for persons of all ages.

6. The region will harness the talent and experience of older adults

7. To determine “age readiness,” local comprehensive plans should review:
   a. Demographics;
   b. Quantity, quality, and type of existing housing stock;
   c. Land use patterns; and
   d. Quantity, quality, and type of recreational needs.

8. Comprehensive plans will promote development patterns and design features to meet the needs of seniors.

9. Comprehensive plans and ordinances will promote Universal Design/Accessible Building Standards for buildings as well as recreational areas.

10. Comprehensive plans will include goals and objectives that specifically address the aging population.

11. Consider seniors and the elderly when reviewing site plans for new construction and/or renovations.

12. The region will ensure comprehensive plans permit basic services within walking distance recognizing it is a great convenience for all residents but an absolute necessity for an aging population.

6.12 Guiding Principles for Coastal Vulnerability and Resilience

Three guiding principles are identified in the Regional Plan for Coastal Vulnerability and Resilience.

1. The region believes that a community’s resilience is measured by its sustained ability to prepare for, respond to, and fully bounce back from crises.

2. The region’s strength is in our community’s resilience and in understanding the region’s vulnerabilities, and in taking positive collective actions to
limit the impact of a disruptive crisis, and recovering rapidly from disasters.

3. The region believes in collaborating with a wide range of community resilience experts, community leaders and private sector partners to work together to increase collective capacities to respond to adversity with increased resources, competence, and connectedness to one another.

7. REGIONAL RESOURCE PLAN AND RIR

7.1 The Regional Resource Plan

The Regional Resource Plan (RIR) identifies Cultural and Historic and Natural Resources of regional importance. The Regional Resource Plan provides recommended best development practices, protective measures and policies for local governments to use within one mile of a regionally important resource. The proposed site is within RIR area related to wetlands and floodplains.

7.2 Area Requiring Special Attention

The ARSA identifies areas requiring special attention, including:

Areas where rapid development or change of land uses are likely to occur, especially where the pace of development has and/or may outpace the availability of community facilities and services, including transportation.

The DRI site includes areas designated as floodplains. From the inspection of the effective Flood Insurance Rate Maps (FIRMs) developed by the Federal Emergency Management Agency (FEMA), a portion of the site is located inside Zone A, an area of high risk. Zone A, high risk, is inundated by the 1% annual chance flood, often referred to as the 100-year flood. A Floodplain Snapshot Map showing the designated floodplain impacts in the vicinity of the project location, accompanied by the relevant extract of FEMA’s FIRMs are attached.

7.3 Natural Resources

Green Infrastructure

The U.S. Environmental Protection Agency defines Green Infrastructure as management approaches and technologies that utilize enhance and/or mimic the natural hydrologic cycle processes of infiltration, evapotranspiration and reuse. This management approach attempts to keep stormwater on site. It incorporates vegetation and natural resources as much as possible in development and redevelopment.

Green Infrastructure has a number of benefits, including reduced runoff, groundwater recharge, higher air quality, better aesthetics, reduces costs, lowers impacts on climate change, and provides environmental benefits that surpass improved water quality.

Coastal Georgia’s Green Infrastructure network is defined as a natural life support system of parks and preserves, woodlands and wildlife areas, wetlands and waterways, greenways, cultural, historic and recreational sites and other natural
areas all with conservation value. A potential impact as a result of premature or poorly planned conversion of land to other uses is the failure to adequately protect and conserve natural resources such as wetlands, flood plains, native vegetation, lakes, streams, rivers, natural groundwater aquifer recharge areas, and other significant natural systems. The river corridors, floodplains and tributary streams are considered to be critical green infrastructure components, as they supply key social, economic and environmental benefits for local communities and provide important habitats for wildlife.

Green infrastructure planning provides an alternative to what is common practice in many communities: conserving land on a piecemeal basis without the benefit of a large framework plan that allows a comprehensive approach to land conservation. Areas of protected open space should follow natural features for recreation and conservation purposes, including greenways that link ecological, cultural and recreational amenities.

Green Infrastructure shall be considered first in the planning process and in reviewing comprehensive plans, zoning, development review processes and performance standards.

Principles for green infrastructure include identifying what is to be protected in advance of development; providing for linkage between natural areas; and designing a system that operates at different functional scales, across political jurisdictions, and through diverse landscapes. Additional principles include sound scientific and land use planning practices, providing funding upfront as a primary public investment (for example, through a dedicated tax or other funding mechanism), emphasizing the benefits to people and nature, and using the green infrastructure as the planning framework for conservation and development. The concept of green infrastructure planning is based on a strategic approach to ensuring environmental assets of natural and cultural value are integrated with land development, growth management and built infrastructure planning at the earliest stage.

Greenspace or greenway land needs to be set aside for pedestrian, equestrian, and bicycle connections between schools, churches, recreation areas, city centers, residential neighborhoods, and commercial areas. Open-space, parks, trails, greenways, and natural undeveloped land are not individual but an integrated and organized system. Green infrastructure is as an interconnected system. Key physical, natural, ecological, landscape, historical, access and recreational assets contribute to the functionality of the green infrastructure network. The green infrastructure network weaves together a network of recreational and nature areas. Properly planned greenways provide efficient pedestrian linkages that can serve as alternative transportation to and from work, to services and other daily destinations. Greenway linkages serve as outdoor recreation for biking, walking, and jogging. Green infrastructure encourages the creation of transportation corridors and connections, which can foster ecotourism, tourism and outdoor recreation.
7.4 Wetlands

According to the additional information form for DRI #3130, the applicant does indicate the presence of wetlands on the site.

8. COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY (CEDS)

8.1 Population and Employment Trends

<table>
<thead>
<tr>
<th>County</th>
<th>2000</th>
<th>2010</th>
<th>2020</th>
<th>2030</th>
</tr>
</thead>
<tbody>
<tr>
<td>Effingham</td>
<td>37,535</td>
<td>52,250</td>
<td>80,563</td>
<td>112,062</td>
</tr>
</tbody>
</table>

*Source: U.S. Census; Georgia Office of Planning and Budget*

The county’s population is expected to grow from its 2000 level of 37,535 to 112,062 by 2030, according to the US Census and the Governor’s Office of Planning and Budget. The Coastal Region’s population in 2030 is projected to be 962,956, which is an increase from the 2000 level of 558,350.

Effingham County, is a growing county in the region and had a 2019 population estimate of 64,296 according to the US Census. The 2010 Census population of Effingham County in 2000 was 37,535.

The Coastal Georgia region supported 312,400 jobs in 2000, and is expected to support 435,050 jobs in 2030. The Effingham County unemployment rate in 2017 was 4.1 percent.

9. CRC Resources

9.1 Coastal Stormwater Supplement

The CRC applauds Effingham County for adopting the CSS Ordinance and/or ensuring the Coastal Stormwater Supplement (CSS) is implemented for stormwater management.

9.2 Regional Design Guidelines

The CRC recommends that the Effingham County ensure that new development creates an environment that contributes to the region’s character. Regional Design Guidelines for the development are appropriate to implement quality growth.

Character Region Area for this area is *Rural Ridge* and may utilize the Character Key for *Industrial Areas*.

For technical assistance contact Eric Landon, Director of Planning at elandon@crc.ga.gov or Russell Oliver, Senior Planner II at roliver@crc.ga.gov.
LOCATION MAP AND CONCEPT PLAN PROVIDED BY THE APPLICANT

DRI #3130

Old Augusta Industrial Park
EFFINGHAM COUNTY
FUTURE LAND USE MAP
& ZONING DISTRICTS MAP

DRI #3130

Old Augusta Industrial Park
PUBLIC COMMENTS

DRI #3130

Old Augusta Industrial Park
DRI #3130 Request for Review

Elizabeth Backe <ebacke@sgrc.us>
Russell Oliver; Sherry Davidson
Wednesday, July 8, 2020 at 10:16 AM
Show Details

Unsubscribe

Dear Mr. Oliver:

The planning staff of the Southern Georgia Regional Commission (SGRC) have reviewed the application for DRI# 3130 Old Augusta Industrial Park. Thank you for forwarding this submittal to us. We have no adverse comments.

Sincerely,
Elizabeth Backe

Elizabeth Backe, AICP
Planning Director
SGRC SOUTHERN GEORGIA REGIONAL COMMISSION
327 W Savannah Ave
Valdosta, GA 31601
229-333-5277 ext. 123
Fax 229-333-5312
ebacke@sgrc.us

The Southern Georgia Regional Commission is here to help our local governments – with Planning, Zoning, IT, GIS, Grants, Economic Development, and more. How can we assist your local government? Contact us today!
EFFINGHAM COUNTY
FLOOD MAP

DRI #3130

Old Augusta Industrial Park
July 27, 2020
Mr. Dave Burns
Chairman, Effingham County Planning Board
601 N. Laurel Street
Springfield, GA 31329

Dear Mr. Chairman,
The residents of south Rincon in the vicinity of Chimney Road are opposed to the pending Kern & Company and Mr. Chad Zittrouer’s rezoning request of property along Chimney Road. The present R1 is most in keeping with the surrounding neighborhoods and will ensure best use with the most positive economic impact to our community at large. Please retain the present R1 zoning status.

The residential developments along Chimney Road include Silverwood Plantation, Mill Creek Subdivision and Ridgecrest subdivision in addition to the apartments located on the southeastern corner of the proposed property will be negatively impacted by adjacent heavy industrial encroachment. Please reject the proposed rezoning and protect our community’s welfare.

The nearby homeowners object to the proposed rezoning action and encourage rejection of the application due to the following concerns:

- Decreased property value – industry moving into a residential area.
- I-1 zoning allows for many types of development that are completely averse to the present residential property. The proposed area will be surrounded by residences on all sides except for the one side – including a daycare.
- Traffic – the amount of traffic will increase, condition of roads and SAFETY.
- Safety – These warehouses will bring in lots of trucks and unfamiliar people to our residential areas. The safety of our children who travel this road daily and the safety of the school buses that travel this road are also a concern.
- Noise pollution will be increased greatly and hurt our community. Heavy truck traffic at these facilities will be 24 hours a day 7 days a week 365 days a year. The noise from this facility will affect all the homes of all the residents in this area.
- Light output from this heavy industrial site will be incomprehensible. Even with a 300 foot barrier during the fall and winter months the high intensity of the needed lighting will greatly affect the neighboring areas.
- Economic impact to the community will be negative. Keeping this area a residential development with the present R1 standard would greatly increase the overall economic activity in Effingham County.

In consideration of the above issues including risk to life, property, development and overall well-being, I recommend that the Effingham County Planning Board reject this application and retain the present R-1 zoning of the property under consideration along Chimney Road.

Respectfully,

Signature: [Signature]
Name: [Name]
Address: 107 Mt. Mill Creek Dr, Rincon
Email contact: billwhit712@gmail.com
Ridgecrest Subdivision Concerns:

1. Nighttime disturbance - Increased noise levels at all hours.
2. Safety - A lot of concern with buses stopping on Chimney to pick up students and increased traffic due to warehouse; also bringing in strangers to the area that don’t value our neighborhoods and our county.
3. Decreased property value and increased taxes to maintain roads -- Industry is moving into a residential area. We don’t want our residents to be forced out by industry and then not be able to sell; therefore, forcing the property to become rentals.
4. Increased traffic - Roads were not made to handle this much traffic.
5. Sewer and water concerns - Where is the run-off going to be when all the concrete gets poured? Chimney Road already has flooding issues during heavy rainfall.
6. What is Effingham County’s master plan for Old Augusta Road/Chimney road area? This is important for residents to know.

**We are a residential area and NOT an industrial park - We don’t want these warehouses.**
July 27, 2020

Mr. Dave Burns
Chairman, Effingham County Planning Board
601 N. Laurel Street
Springfield, GA 31329

Dear Mr Chairman,

The residents of south Rincon in the vicinity of Chimney Road are opposed to the pending Kern & Company and Mr. Chad Zitrouer’s rezoning request of property along Chimney Road. The present R1 designation is most in keeping with the surrounding neighborhoods and will ensure best use with the most positive economic impact to our community at large. Please retain the present R1 zoning status.

The residential developments impacted along Chimney Road include Silverwood Plantation, Mill Creek Subdivision and Ridgecrest subdivision in addition to the Apartments located on the Southeastern corner of the property proposed for I-1 development. All these communities will be negatively impacted by adjacent heavy industrial encroachment. Please reject the proposed rezoning and protect our community’s welfare.

In 2015, Rincon was voted Georgia’s best small town for young families. Heavy industrial development right next to homes is not compatible with this award. The proposed industrial use so close to homes will degrade the overall standard of living and reduce the overall economic well-being of south Effingham County.

The nearby homeowners object to the proposed rezoning action and encourage rejection of the application due to the following concerns:

- I-1 Zoning allows many types of development that are completely averse to the present adjacent residential property use.
- The property under consideration was previously denied multi-family housing zoning-a much less intensive use than the requested I-1 zoning.
- Noise Pollution will hurt our community. Heavy truck traffic will be 24/7/365 at these facilities. Noise levels of 107 Db is expected at an industrial site. Please note that 85 Db is the OSHA limit for hearing protection requirement. This noise can be expected to travel up to a mile affecting hundreds of homes and thousands of resident’s quality of life.
- Diesel exhaust from 24/7/365 truck movement at the proposed site will have long lasting health consequences for children and adults with compromised health. Should heavy manufacturing take place there will likely be significant risk from toxic materials kept on site.
- Heavy Truck Traffic is already a concern along Business 21. I-1 Zoning for the property along Chimney Road will add significantly to an existing problem.
• Light Pollution inherent with a heavy industry site is incompatible with nearby homes. The proposed 300’ barrier will not be an effective visual barrier during the fall and winter months. And high intensity lighting at heights required for large truck clearance will be too high to be mitigated year-round.

• Overall economic impact to the community will be negative if developed as warehouse space. Residential development in keeping with the present R1 standard will greatly increase overall economic activity in Southeastern Effingham County. Four to five hundred homes developed at this site will generate much greater economic impact that is well beyond the jobs created during the construction phase and have lasting positive affect.

• The proposed warehouses will create relatively low paying jobs and at a very low density compared to homeownership. Warehouse workers average less than $12.00 hour in Georgia whereas average household income in Effingham County is nearly $70,994.00.

In consideration of the above issues including risk to life, property, development and overall well-being, I encourage the Effingham County Planning Board to reject this application and retain the present R-1 zoning of the property under consideration along Chimney Road.

Respectfully,

Wade L. Britt

117 Lake Tomacheechee Drive

Rincon, GA 31326

cc: Ms. Jaunita Golden, Mr. Alan Zipperer, Mr. Brad Smith, Mr. Peter Higgins, Mr. Welsey Corbitt, Mr. Forrest Floyd, Mr. Roger Burdette, Mr. Jamie DeLoach, Mr. Reggie Loper, Mr. Phil Keiffer
Dear Mayor, Council, Zoning Commissioners and County Officials,

My name is Scott MacPherson, I am a long time Resident at 349 Chimney Road. The purpose of this email is to express the effects of the re-zoning of 741.6 acres from R-1 to I-1 (residential to Industrial).

First and foremost, I am not opposed to the re-zoning, in fact I personally think this is a safe alternative to the unknown product of a residential neighborhood. I am respectfully requesting that Effingham County Planners and elected official help protect and preserve Chimney Road during the approval process.

After review of the concept;

1. Please set conditions on the 300' buffer to mandate that the buffer remains UNDISTURBED to preserve the natural tree buffer and it's undergrowth. (this will help with noise, appearance and maintain Chimney Road's natural and attractive road.
2. Also please consider setting conditions that traffic will NEVER be permitted to have access to Chimney Road in the future.

Additionally;

1. I recommend Chimney Road's GVWR (gross vehicle weight rating) be limited to prohibit tractor trailer travel and signage posted (Chimney and 21 intersection is not safe for additional traffic).
2. Please consider limiting the warehouse use to "storage / shipping & receiving only" vs "manufacturing" (manufacturing is a whole different product that is also industrial but that is not the type of development that Effingham needs... manufacturing is more noise, odor, smoke discahrge etc... we don't need to smell like Garden City).

I personally feel that this proposed development is the best case scenario for Chimney Road residents and also for Effingham County. A potential residential development would generate the need for additional County employees, budget, benefits and first responder's, vehicles and equipment. The crime, medial calls and nuisance complaints will far exceed that of an Industrial development.

Finally, I respectfully request this re-zoning to be APPROVED with the conditions listed above and protections put in place to segregate and protect the existing residential, safe, family surroundings of Chimney Road and other neighborhoods affected.

Thank you for your consideration and feel free to share and distribute this email. If neeced, I can be contacted at 912-414-2419.

Respectfully,

Scott MacPherson
349 Chimney Road
Rincon Ga, 31326

On Thursday, July 16, 2020, 01:20:26 PM EDT, Scott MacPherson <inspector151s@yahoo.com> wrote:
Received, thank you!

I will look it over and send you an email that maybe you can attach for planning and counsel to consider.

Thanks again, you've been very informative and helpful 😊

Sent from my iPhone

On Jul 16, 2020, at 11:30 AM, Teresa Concannon <TConcannon@effinghamcounty.org> wrote:

Here is the rezoning application, location map, and concept drawing. Please let me know if you have additional questions.

Teresa

<![if !vml]><![endif>]

This e-mail is for the sole use of the intended recipient(s) and may contain confidential or privileged information. Any unauthorized review, use, distribution or disclosure is prohibited. If you are not the intended recipient, please reply to the sender and destroy all original copies of this message.

<11a. Kern - Property Exhibit 7-1-20.pdf>

**** 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. *****
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 (Kern & Co. for Old Pines, LLC - Map# 465-6 & 477-15) from AR-1 & R-1 to L-1 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 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.

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL ___  DISAPPROVAL ___

Of the rezoning request by applicant (Kern & Co. for Old Pines, LLC - Map# 465-6 & 477-15) from AR-1 & R-1 to I-1 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?
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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL______ DISAPPROVAL______

Of the rezoning request by applicant (Kern & Co. for Old Pines, LLC - Map# 465-6 & 477-15) from AR-1 & R-1 to I-1 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 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.

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CHECK LIST:

The Effingham County Planning Commission recommends: CROSSED OUT

APPROVAL    DISAPPROVAL

Of the rezoning request by applicant (Kern & Co. for Old Pines, LLC – Map# 465-6 & 477-15) from AR-1 & R-1 to I-1 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?

BKS 7/27/2020

Planning Board Meeting – July 27, 2020

08/13/2020
Subject: Rezoning (Fifth District)  

2nd Reading Zoning Map Amendment

Author: Teresa Concannon, Planner

Department: Development Services – Planning & Zoning

Meeting Date: August 18, 2020

Item Description: Kern & Co., LLC for old Pines LLC requests to rezone 267.41 acres from R-1 to I-1 (Heavy Industrial), and 473.42 acres from AR-1 to I-1 (Heavy Industrial), to allow for a warehouse development.

Map #465 Parcel #6 / Map #477 Parcel #15

Staff Comments:

Planning Board recommends denial, staff recommends alternative #1 approval with stipulations listed in the staff report.

Summary Recommendation

Approve requests to rezone 267.41 acres from R-1 to I-1 (Heavy Industrial), and 473.42 acres from AR-1 to I-1 (Heavy Industrial), to allow for a warehouse development, with the following stipulations:

1. Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual, and Chapter 34 - Flood Damage Prevention.
2. All wetland impacts must be approved and permitted by USACE, and the Approved Jurisdictional Determination must be submitted during the development plan review process.
3. Development plans must meet the requirements of Section 5.12 I-1 Industrial Districts.
4. A traffic study must be submitted during the development plan review process, per Effingham County Traffic Study Requirements.
5. A site plan must be submitted before construction, showing the final layout of all buildings and roads, and the distance from all buildings to neighboring subdivisions.
6. Businesses operating in the development must comply with Section 30-37 Sound Level Limitations.
7. All trucks serving businesses in the development must comply with Section 74-8 Designated truck routes.
8. Access to Goshen Road Extension is restricted for use only as a temporary construction entrance, until the main road is in place.
9. The 300’ buffer between industrial and residential zoning districts must maintain existing trees and shrubs, include additional landscaping required by Section 3.4 Buffers, and include a berm or fence to screen neighboring residential areas from directional light generated inside the development.
10. No operating traffic resulting from this development is permitted onto Chimney Road or Goshen Road Extension.

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. Warehousing is a permitted use in I-1 (Heavy Industrial).

The scale of the warehouse development exceeds the threshold to be considered a Development of Regional Impact (DRI). Project information was submitted for review on the DRI submissions website. The Coastal Regional Commission determined that the project warranted regional review; requested comments from neighboring jurisdictions and relevant organizations and state agencies; and completed a report of findings.
According to the DRI report, the project is consistent with the Regional Future Development Map, which shows the project site area as “developing”

CRC recommendations include: use of green building strategies and reuse water line infrastructure for the development site; development practices that minimize impacts to wetlands and habitats, and limitations on impervious coverage.

Background
At the Planning Board meeting, after multiple comments from citizens, Brad Smith made a motion to deny the requests to rezone 267.41 acres from R-1 to I-1 (Heavy Industrial), and 473.42 acres from AR-1 to I-1 (Heavy Industrial), to allow for a warehouse development. Alan Zipperer seconded the motion. The motion carried unanimously.

Alternatives
1. **Approve** requests to rezone 267.41 acres from R-1 to I-1 (Heavy Industrial), and 473.42 acres from AR-1 to I-1 (Heavy Industrial), to allow for a warehouse development, with the following stipulations:
   1. Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual, and Chapter 34 - Flood Damage Prevention.
   2. All wetland impacts must be approved and permitted by USACE, and the Approved Jurisdictional Determination must be submitted during the development plan review process.
   3. Development plans must meet the requirements of Section 5.12 I-1 Industrial Districts.
   4. A traffic study must be submitted during the development plan review process, per Effingham County Traffic Study Requirements.
   5. A site plan must be submitted before construction, showing the final layout of all buildings and roads, and the distance from all buildings to neighboring subdivisions.
   6. Businesses operating in the development must comply with Section 30-37 Sound Level Limitations.
   7. All trucks serving businesses in the development must comply with Section 74-8 Designated truck routes.
   8. Access to Goshen Road Extension is restricted for use only as a temporary construction entrance, until the main road is in place.
   9. The 300’ buffer between industrial and residential zoning districts must maintain existing trees and shrubs, include additional landscaping required by Section 3.4 Buffers, and include a berm or fence to screen neighboring residential areas from directional light generated inside the development.
   10. No operating traffic resulting from this development is permitted onto Chimney Road or Goshen Road Extension.

2. **Deny** requests to rezone 267.41 acres from R-1 to I-1 (Heavy Industrial), and 473.42 acres from AR-1 to I-1 (Heavy Industrial), to allow for a warehouse development.

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** Development Services

**FUNDING:** N/A
AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 465-6 & 477-15

AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO. 465-6 & 477-15

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, KERN & Co., LLC for OLD PINES, LLC, has filed an application to rezone two hundred-sixty-seven and forty-one hundredths (267.41) +/- acres from R-1 to I-1, and four hundred-seventy-three and forty-two hundredths (473.42) +/- acres from AR-1 to I-1, for a warehouse development; map and parcel number 465-6 & 477-15, located in the 5th commissioner district; and

WHEREAS, a public hearing was held on August 18, 2020 and notice of said hearing having been published in the Effingham County Herald on July 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 7/8/2020; and

IT IS HEREBY ORDAINED THAT two hundred-sixty-seven and forty-one hundredths (267.41) +/- acres, zoned R-1; and four hundred-seventy-three and forty-two hundredths (473.42) +/- acres; zoned AR-1; map and parcel number 465-6 & 477-15, located in the 5th commissioner district; is rezoned to I-1, for a warehouse development, with the following stipulations:

1. Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual, and Chapter 34 - Flood Damage Prevention.
2. All wetland impacts must be approved and permitted by USACE, and the Approved Jurisdictional Determination must be submitted during the development plan review process.
3. Development plans must meet the requirements of Section 5.12 I-1 Industrial Districts.
4. A traffic study must be submitted during the development plan review process, per Effingham County Traffic Study Requirements.
5. A site plan must be submitted before construction, showing the final layout of all buildings and roads, and the distance from all buildings to neighboring subdivisions.
6. Businesses operating in the development must comply with Section 30-37 Sound Level Limitations
7. All trucks serving businesses in the development must comply with Section 74-8 Designated truck routes.
8. Access to Goshen Road Extension is restricted for use only as a temporary construction entrance, until the main road is in place.
9. The 300’ buffer between industrial and residential zoning districts must maintain existing trees and shrubs, include additional landscaping required by Section 3.4 Buffers, and include a berm or fence to screen neighboring residential areas from directional light generated inside the development.
10. No operating traffic resulting from this development is permitted onto Chimney Road or Goshen Road Extension.

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

This ______ day of ____________________, 20___

BOARD OF COMMISSIONERS
EFFINGHAM COUNTY, GEORGIA

BY: ________________________________
ATTEST:

___________________________
STEPHANIE JOHNSON
COUNTY CLERK

FIRST/SECOND READING: ____________