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**

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**Agenda Summary**

Watch us live on our YouTube page:

https://www.youtube.com/channel/UC9wRzS6f2pHHZG3IgRk3OUQ

I. Call to Order - 5:00 pm

II. Roll Call - Corbitt/Floyd/Burdette/Deloach/Loper/Kieffer

III. Invocation – offered by Chairman Corbitt

IV. Pledge to the American Flag – sounded in unison

V. Agenda Approval - Consideration of a resolution to approve the agenda – approved with the addition of New Business# 16

VI. Minutes - Consideration to approve the November 15, 2022 regular commission meeting minutes – approved as read

VII. Public Comments - Comments shall pertain to the agenda items only. Should you wish to make remarks, clearly state your full name into the microphone before commencing to speak

VIII. Correspondence - Documents from this meeting are located in the Clerk's Office and on the Board of Commissioner’s website

IX. Presentation - 5:05 pm

1. Presentation of the Georgia Forestry Annual Report – by Billy Brown, Chief Ranger

X. Appearance - 5:15 pm

Residents of Old Tusculum Road to discuss the road condition – Jamie Bevill appeared
XI. **Consent Agenda** - This section shall include all routine items for which there will be no discussion. Should a need arise for a debate the item can be moved to the appropriate area of the agenda

1. **[2022-617 Agreement] (approved)**
   Consideration to approve renewal of the Solid Waste Collection and Recycling Services Agreement with Atlantic Waste Services, Inc.

2. **[2022-618 Agreement] (approved)**
   Consideration to approve renewal of an Agreement with Elevos to provide data hosting and billing records for Effingham County EMS

3. **[2022-619 Agreement] (approved)**
   Consideration to approve renewal of Agreement with i3 Verticals, LLC (dba CJT Software) for Effingham County Probate Court

4. **[2022-620 Agreement] (approved)**
   Consideration to approve to renew the Agreement with the City of Guyton for Probation Services

5. **[2022-621 Agreement] (approved)**
   Consideration to approve to renew the Agreement with the City of Springfield for Probation Services

6. **[2022-622 Agreement] (approved)**
   Consideration to approve to renew the Agreement with State Court for Probation Services

7. **[2022-623 Agreement] (approved)**
   Consideration to approve to renew the Agreement with the Superior Court for Probation Services

8. **[2022-624 Agreement] (approved)**
   Consideration to approve to renew a Lease Agreement between Effingham County and the City of Springfield for Fire Department Building

   Consideration to approve to renew a Hardware Warranty Agreement between Effingham County and Dominion Voting Systems, Inc. for Year 2

10. **[2022-626 Application] (approved)**
    Consideration to approve to ratify and affirm submittal of an Application for the 2023 ACCG Summer Internship Grants Program

    Consideration to approve an unpaid internship with Georgia Southern University’s Criminal Justice Department for the Probation Department

XII. **Unfinished Business** - contains items held from a previous agenda

1. **[2022-420 Resolution] Tim Callanan (withdrawn at the request of Staff)**

(Tentative) Board of Commissioners Regular Meeting Agenda – December 06, 2022
Second public hearing and approval of Resolution# 022-031 for permanent abandonment of maintenance of the section of Webb Road parallel to and on the right-of-way of the Norfolk Southern railroad tracks *(postponed 08/02/2022 and 09/06/2022)*

2. **[2022-520 Public Hearing] Teresa Concannon (approved w/ stipulations)**
   The Planning Board recommends denying an application by Cindy Howze as Agent for Ansgarhay, LLC to rezone 72.15 acres located at 108 Godley Road from AR-1 to I-1, to allow for future industrial use Road [Map# 419 Parcel# 1A] in the First & Second Districts *(this item was postponed 09/06/2022 and 11/01/2022)*

3. **[2022-521 Second Reading] (POSTPONED to 01/03/2023 due to added stipulation)**
   Consideration to approve the Second Reading of an application by Cindy Howze as Agent for Ansgarhay, LLC to rezone 72.15 acres located at 108 Godley Road from AR-1 to I-1, to allow for future industrial use Road [Map# 419 Parcel# 1A] in the First & Second Districts *(this item was postponed 09/06/2022 and 11/01/2022)*

4. **[2022-603 Public Hearing] Katie Dunnigan (approved w/ stipulations)**
   The Planning Board recommends approving an application by The McGraley Co. as Agent for Charles Layton to rezone 65.29 of 97.36 acres located on McCall Road and Racepath Road from AR-1 to I-1, to allow for a surface mine Map# 391 Parcels# 11C & 11F Map# 412 Parcel# 24 in the Fourth District *(postponed 11/01/2022 and 11/15/2022)*

5. **[2022-604 Second Reading] (POSTPONED to 01/03/2023 due to added stipulation)**
   Consideration to approve the Second Reading of an application by The McGraley Co. as Agent for Charles Layton requests to rezone 65.29 of 97.36 acres located on McCall Road from AR-1 to I-1, to allow for a surface mine Map# 391 Parcels# 11C & 11F Map# 412 Parcel# 24 in the Fourth District *(postponed 11/012022 and 11/15/2022)*

   The Planning Board recommends approving an application by The McGraley Co. as Agent for Richard Hall to rezone 27.17 of 64.8 acres located on Horse Pen Road from AR-1 to I-1, to allow for a surface mine Map# 394 Parcels# 29 & 30 in the Fourth District *(postponed 11/01/2022 and 11/15/2022)*

7. **[2022-606 Second Reading] (POSTPONED to 01/03/2023 due to added stipulation)**
   Consideration to approve the Second Reading of an application by The McGraley Co. as Agent for Richard Hall to rezone 27.17 of 64.8 acres located on Horse Pen Road from AR-1 to I-1, to allow for a surface mine Map# 394 Parcels# 29 & 30 in the Fourth District *(postponed 11/01/2022 and 11/15/2022)*

XIII. New Business

1. **[2022-628 Resolution] Teresa Concannon (approved)**
   Consideration to approve to amend Resolution# 022-051 of the moratorium on rezoning for I-1 Industrial development

2. **[2022-629 Ordinance] Teresa Concannon (approved 1st Reading)**
   Consideration to approve the First Reading of an ordinance to amend Section 3.17 Excavation, mining, ponds, and fills of land and/or state/federal jurisdictional waters or
wetlands and Section 5.1 Agriculture Residential districts and add a new Section 5.15.7.9 Mining and Reclamation (PD-MR)

3. [2022-630 Ordinance] Teresa Concannon (approved 1st Reading)
   Consideration to approve the First Reading of an Ordinance to amend Article II - Definitions, Article III- Section 3.3 Accessory Structures in Residential Districts, Article V - Section 5.12. I-1 Industrial districts, and add a new Section 3.16A Shipping Container Facility

4. [2022-631 Quote] Chris Reed (approved)
   Consideration to approve to ratify and affirm a Quote from Motorola Mobile Communications America (MCA) for the replacement of the radio tower aircraft warning lights

5. [2022-632 Purchase] Sarah Mausolf (approved)
   Consideration to authorize the purchase of gift cards for County staff members/employees

   Consideration to authorize the upgrade of an Information Technology position

7. [2022-634 Form] Sarah Mausolf (approved)
   Consideration to approve to amend the Association of County Commissioners of Georgia (ACCG) Schedule B of the Fee Schedule

8. [2022-635 Change Order] Alison Bruton (approved)
   Consideration to approve Change Order #2 for DPR Architecture for Contract 20-006 for Architectural and Engineering Services for six county buildings

9. [2022-636 Purchase Order] Alison Bruton (approved)
   Consideration to approve award of Purchase Order 23-REQ-015 to Certified Stainless Services, LLC d/b/a West-Mark for the purchase of two tandem axle dump trucks for the Public Works Department

10. [2022-637 Task Order] Alison Bruton (approved)
    Consideration to approve award of Task Order 23-IDC RFP-017 to Pond & Company for design and construction management services of a Facility Renovation Package

11. [2022-638 Change Order] Alison Bruton (approved)
    Consideration to approve Change Order #4 for Agreement 22-25-010 with McLendon Enterprises, Inc. for the LMIG 2022 and other road work

12. [2022-639 Change Order] Alison Bruton (approved)
    Consideration to approve Change Order #2 for Contract 22-25-008-1 to Ranger Construction for the FDRE of Ash Roads

    Consideration to approve a Proposal for Audio-Visual Services from Stage Front for the CEM Gymnasium
   Consideration to approve the Year 2 Agreement for the Coastal Incentive Grant for stormwater master planning

15. [2022-642 Discussion] Clint Hodges (discussed, advised staff to move forward)
   Discussion regarding enforcing International Fire Code (IFC) Section 510 – Bi-Directional Amplifier (BDA) Requirements

**ADDITION TO THE AGENDA**

16. [2022-667 Deed/Plat/Agreement] Teresa Concannon (approved)
   Consideration to approve a Warranty Deed, Final Plat and Infrastructure Agreement submitted by Next Phase Development Company, LLC for Shadowbrook, Phase 5B located off of Log Landing Road Map# 428 Parcel# 21 in the Fourth District

**XIV. Reports from Commissioners & Administrative Staff – Burdette/Deloach**

**XV. Executive Session** - Discussion of Personnel, Property and Pending Litigation - 8:29 pm

**XVI. Executive Session Minutes** - No executive session was held, no minutes to be approved.

**XVII. Planning Board - 6:00 pm**

1. [2022-643 Sketch Plan] Teresa Concannon (approved w/ stipulations)
   The Planning Board recommends approving an application by Ashley Mosley as Agent for Victor Vanderlugt of a sketch plan for “Savannah Marine Terminal Bloomingdale Transloading Facility” located at 1054 Old River Road, zoned I-1. Map# 304 Parcel# 9, in the First District

2. [2022-644 Sketch Plan] Teresa Concannon (approved w/ stipulations)
   The Planning Board recommends approving an application by Daniel Ben-Yisrael as Agent for Claude M. & Elizabeth E. Kicklighter of a sketch plan for “Parker’s Convenience Store – Old Augusta Road” located on Old Augusta Road, zoned B-3. Map# 478 Parcel# 2B, in the Fifth District

3. [2022-645 Public Hearing] Katie Dunnigan (approved w/ stipulations)
   The Planning Board recommends approving an application by Yuval Bartal as Agent for Andrea L. Allsbrook for a conditional use, located at 1800 McCall Road to allow for an event venue, zoned AR-1. Map# 391 Parcel# 3 in the Fourth District.

4. [2022-646 Second Reading] (approved 2nd Reading)
   Consideration to approve the Second Reading of an application by Yuval Bartal as Agent for Andrea L. Allsbrook for a conditional use, located at 1800 McCall Road to allow for an event venue, zoned AR-1. Map# 391 Parcel# 3 in the Fourth District.

5. [2022-647 Public Hearing] [Katie Dunnigan (approved w/ stipulations)
   The Planning Board recommends approving an application by Kevin Shuman & Terry Cook to rezone 14.83 acres located at 5575 Old Dixie Highway from AR-1 to AR-2 to allow for a 3-lot subdivision Map# 263 Parcel# 32B located in the Third District
6. [2022-648 Second Reading] *(approved 2nd Reading)*
Consideration to approve the Second Reading of an application by Kevin Shuman & Terry Cook to rezone 14.83 acres located at 5575 Old Dixie Highway from AR-1 to AR-2 to allow for a 3-lot subdivision Map# 263 Parcel# 32B located in the Third District

7. [2022-649 Public Hearing] Katie Dunnigan *(approved w/ stipulations)*
The Planning Board recommends approving an application by Jimmy McDuffie as Agent for Jimmy & Wanda McDuffie, & Frankie Edwards to rezone 6.67 acres located on Highway 119 North from AR-1 to AR-2 to allow for a recombination of parcels Map# 406 Parcels# 19,20,21,22 in the Third District

8. [2022-650 Second Reading] *(approved 2nd Reading)*
Consideration to approve the Second Reading of an application by Jimmy McDuffie as Agent for Jimmy & Wanda McDuffie, & Frankie Edwards to rezone 6.67 acres located on Highway 119 North from AR-1 to AR-2 to allow for a recombination of parcels Map# 406 Parcels# 19,20,21,22 in the Third District

9. [2022-651 Public Hearing] Katie Dunnigan *(approved w/ stipulations)*
The Planning Board recommends approving an application by Sheldon Tebeau as Agent for Randal Tebeau & the Estate of Patricia Tebeau to rezone 1.46 of 82.84 acres located at 1271 & 1273 Highway 21 from AR-1 to AR-2 to allow for a recombination of parcels Map# 389 Parcels# 34 & 35 in the Fourth District

10. [2022-652 Second Reading] *(approved 2nd Reading)*
Consideration to approve the Second Reading of an application by Sheldon Tebeau as Agent for Randal Tebeau & the Estate of Patricia Tebeau to rezone 1.46 of 82.84 acres located at 1271 & 1273 Highway 21 from AR-1 to AR-2 to allow for a recombination of parcels Map# 389 Parcels# 34 & 35 in the Fourth District

11. [2022-653 Public Hearing] Katie Dunnigan *(approved w/ stipulations)*
The Planning Board recommends approving an application by Ernest Zipperer to rezone 14.82 acres located at 1796 Blue Jay Road from AR-1 to AR-2 to allow for combination with an adjacent parcel Map# 394 Parcel# 12 in the Fourth District

12. [2022-654 Second Reading] *(approved 2nd Reading)*
Consideration to approve the Second Reading of an application by Ernest Zipperer to rezone 14.82 acres located at 1796 Blue Jay Road from AR-1 to AR-2 to allow for combination with an adjacent parcel Map# 394 Parcel# 12 in the Fourth District

13. [2022-655 Public Hearing] Katie Dunnigan *(approved w/ stipulations)*
The Planning Board recommends approving an application made by Ernest Zipperer to rezone 80.90 acres located at 835 Horsepen Road from R-1 to AR-1 to allow for combination with an adjacent parcel Map# 394 Parcel# 15 in the Fourth District

14. [2022-656 Second Reading] *(approved 2nd Reading)*
Consideration to approve the Second Reading of an application by Ernest Zipperer to rezone 80.90 acres located at 835 Horsepen Road from R-1 to AR-1 to allow for combination with an adjacent parcel Map# 394 Parcel# 15 in the Fourth District
15. [2022-657 Public Hearing] Katie Dunnigan (approved w/ stipulations)
   The Planning Board recommends approving an application made by Gregory Edward Smith for a conditional use for a rural business located at 631 Ebenezer Road, zoned AR-2. Map# 446 Parcel# 45 in the Fifth District

16. [2022-658 Second Reading] (approved 2\textsuperscript{nd} Reading)
   Consideration to approve the Second Reading of an application by Gregory Edward Smith for a conditional use for a rural business located at 631 Ebenezer Road, zoned AR-2. Map# 446 Parcel# 45 in the Fifth District

17. [2022-659 Public Hearing] Katie Dunnigan (approved w/ stipulations)
   The Planning Board recommends approving an application made by Kaitlin Rapp for a variance from Section 3.20 - Minimum Living Area located at 4302 Old Dixie Highway, zoned AR-2. Map# 313 Parcel# 12 in the Third District

18. [2022-660 Second Reading] (approved 2\textsuperscript{nd} Reading)
   Consideration to approve the Second Reading of an application by Kaitlin Rapp for a variance from Section 3.20 - Minimum Living Area located at 4302 Old Dixie Highway, zoned AR-2. Map# 313 Parcel# 12 in the Third District

19. [2022-661 Public Hearing] Katie Dunnigan (approved w/ stipulations)
   The Planning Board recommends approving an application by Jeffrey Hardin as Agent for Harrison Clark Ale Jr., Trustee to rezone 11+/- of 106.35 acres located on Lowground Road from AR-1 to I-1 to allow for the expansion of an existing permitted surface mine Map# 373 Parcel# 38 in the First District

20. [2022-662 Second Reading] (POSTPONED to 01/03/2023 due to added stipulation)
   Consideration to approve the Second Reading of an application by Jeffrey Hardin as Agent for Harrison Clark Ale Jr., Trustee to rezone 11+/- of 106.35 acres located on Lowground Road from AR-1 to I-1 to allow for the expansion of an existing permitted surface mine Map# 373 Parcel# 38 in the First District

21. [2022-663 Public Hearing] Katie Dunnigan (approved w/ stipulations)
   The Planning Board recommends approving an application by Jeffrey Hardin as Agent for Donald R. Shrum & Donna A. Shrum to rezone 11+/- of 91.83 acres located on Lowground Road from AR-1 to I-1 to allow for the expansion of a surface mine Map# 373 Parcel# 39 in the First District

22. [2022-664 Second Reading] (POSTPONED to 01/03/2023 due to added stipulation)
   Consideration to approve the Second Reading of an application by Jeffrey Hardin as Agent for Donald R. Shrum & Donna A. Shrum to rezone 11+/- of 91.83 acres located on Lowground Road from AR-1 to I-1 to allow for the expansion of a surface mine Map# 373 Parcel# 39 in the First District

23. [2022-665 Public Hearing] Katie Dunnigan (approved w/ stipulations)
   The Planning Board recommends approving an application by Cindy Howze as Agent for Lisa E. Phillips et al. to rezone 39.27 acres located on Old Augusta Road and Abercorn Road from AR-1 to I-1, for future industrial use Map# 477 Parcels# 6,7 Map# 477A Parcels# 2,3,4,5 in the Fifth District

(Tentative) Board of Commissioners Regular Meeting Agenda – December 06, 2022
24.  [2022-666 Second Reading] *(approved 2nd Reading)*

Consideration to approve the Second Reading of an application by Cindy Howze as Agent for Lisa E. Phillips et al. to rezone 39.27 acres located on Old Augusta Road and Abercorn Road from AR-1 to I-1, for future industrial use Map# 477 Parcels# 6,7 Map# 477A Parcels# 2,3,4,5 in the Fifth District

XVIII. Adjournment – 8:57 pm