The Board of Commissioners of Effingham County, Georgia, Mr. Wesley Corbitt, Mr. Forrest Floyd, Mr. Roger Burdette, Mr. Jamie Deloach, Reginald Loper and Phil Kieffer met in regular session at 5:00 pm on Tuesday, August 17, 2021 in the Commissioners Meeting Chambers at the Effingham County Administrative Complex located at 601 North Laurel Street Springfield, Georgia 31329.

STAFF PARTICIPATION
Mr. Tim Callanan – County Administrator, Mr. Edward Newberry – County Attorney, Ms. Stephanie Johnson – County Clerk, Mr. Eric Larson – Assistant County Manager, Mr. Clint Hodges – Fire Chief & EMA Director, Mr. Chris Reed – IT Director, Mrs. Teresa Concannon – County Planner, Mrs. Wanda McDuffie – EMS Director, Mrs. Vicki Dunn – Human Resources Director, Mrs. Christy Carpenter – Finance Director, Mrs. Alison Bruton – Purchasing Agent and Mrs. Sarah Mausolf – Assistant HR Director

CITIZEN PARTICIPATION
Mr. Tony Chiarello, Mr. Jack Garvin, Kathy & Stephen Gentry, Rebecca & Jeff Wasson, Keith & Donna Hellmann, Mr. Keith Johnson and Mr. Stephen Hayes

PARTICIPATION VIA TELECONFERENCE
None announced.

I- Roll Call
Wesley Corbitt, Chairman
Forrest Floyd
Roger Burdette, Vice Chair
Jamie Deloach
Reginald Loper
Phil Kieffer

II- CALL TO ORDER
Chairman Corbitt called the meeting to order at 5:04 pm.

III – INVOCATION
Vice Chair Burdette provided the invocation.

IV- PLEDGE TO THE AMERICAN FLAG
The pledge was sounded in unison.

V – AGENDA APPROVAL
Commissioner Deloach made a motion to approve the agenda with removal of Consent Agenda Item# 2 and addition of New Business Item# 12. Commissioner
VI - MINUTES
Commissioner Kieffer made a motion to approve the August 17, 2021 Commission meeting minutes. Commissioner Deloach seconded the motion. The motion carried unanimously.

VII - PUBLIC COMMENTS
Comments shall pertain to agenda items only, you must speak clearly into the microphone and state your full name for the record.

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

IX - CONSENT AGENDA
Vice Chair Burdette made a motion to approve the following Consent Agenda items: (1) Consideration to approve to renew the Fire Protection Services Agreement with the City of Guyton (2) Consideration to approve the revision of Section 2.12 - Conflict Resolution/Grievance Process the Human Resources Standard of Practice (3) Consideration to renew the Intergovernmental Agreement by and between the Georgia Department of Corrections and Effingham County Prison for Paper Based GED Testing for Offenders (4) Consideration to approve the ratification of award of Task Order 22-25-001 to Atlas foe engineering services for repair of the Old Louisville Road pipe collapse (5) Consideration to approve to submit a grant application to the Petco Foundation Animal Welfare Grant Program. Commissioner Kieffer seconded the motion. The motion carried unanimously.

X - OLD BUSINESS

CONSIDERATION TO APPROVE A TAX REFUND REQUEST SUBMITTED BY JACQUELINE SKAY RELATED TO A PROPERTY LOCATED AT 105 KUWE TRAIL, GUYTON MAP# 277A PARCEL# (01)
Chief Tax Appraiser Groover explained that the most recent plat recorded on file states this property is 5.75 acres. In the Tax Assessors system, Mrs. Skay was charged for 7.50. This error occurred back in 2006. The property owner did not file a return and did not appeal the property. By law of the State of Georgia, the Tax Office can only refund an error back three years.

County Manager Callanan read an email that was sent by County Attorney Newberry in his absence explaining why we cannot support the refund for more than three years. The County does not have the authority to go against the State statute, which only allows three years of refund.

Vice Chair Burdette made a motion to deny the Tax Refund Request submitted by Jacqueline Skay. Commissioner Loper seconded the motion. The motion carried unanimously.
CONSIDERATION TO APPROVE RESOLUTION# 021-039 FOR A CALL FOR REFERENDUM REGARDING THE REIMPOSITION OF THE COUNTYWIDE SPECIAL PURPOSE LOCAL OPTION SALES TAX (SPLOST) (02)
County Manager Callanan explained now that we have the Intergovernmental Agreement approved, this is the next step to initiate a referendum. If approved by the board, the document will be sent to the Supervisor of Elections who in turn submits to the Secretary of State to be submitted on the November ballot.

Commissioner Deloach made a motion to approve Resolution# 021-039 for a call of Referendum regarding the reimposition of the Countywide Special Purpose Local Option Sales Tax. Commissioner Loper seconded the motion. The motion carried unanimously.

XI – NEW BUSINESS

PUBLIC HEARING FOR THE ADOPTION OF THE 2021-2022 MILLAGE (01)
Deputy Director Barnes explained the Staff Report covers agenda items 1-4. Resolution to Levy taxes, county government purposes M&O first rate 7.337. The medical indigent rate is 1.600, the Industrial Development Authority (IDA) at 2.00, the Board of Education at 15.810 and the State of Georgia at zero. County Public Works and Roads are at 1.250, County recreation at 0.650 and County parks at 0.100. This brings the total to 28.747. Last year that total was higher at 30.494. This is the entirety of the millage rates, all which fell under the 3% threshold.

County Manager, Callanan stated this year incorporates the service delivery agreement agree to by all three cities in the county. We institute a rollback of municipalities having special tax district millage as part of the agreement with the cities. We can keep the rollback at 2 mills. The county Public Works and Roads and Park have asked us to create a separate millage line, mostly from Springfield to Guyton. If you live in unincorporated areas, you will have that 2 mills from county recreation and parks. If you are in Springfield and Guyton, then you are only paying the recreation portion of that which is .65. The county was not receiving this last year even though we were providing recreation services for those two cities and county.

Chairman Corbitt opened the public hearing. There were no comments from the public. The public hearing was closed.

CONSIDERATION TO APPROVE RESOLUTION (021-40) TO LEVY THE 2021 TAXES (02)
Commissioner Loper made a motion to approve Resolution (021-40) to Levy the 2021 taxes. Commissioner Deloach seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE COUNTY MILLAGE RATE FORM FOR TAX YEAR 2021 (PT-35) (03)
Commissioner Deloach made a motion to approve the County millage rate for tax
CONSIDERATION TO APPROVE THE COMPUTATION OF MILLAGE RATE ROLLBACK FORM FOR TAX YEAR 2020 (PT 32.1) (4)

Commissioner Deloach made a motion to approve the Computation of Millage Rate Rollback Form for Tax Year 2020 (PT 32.1). Commissioner Floyd seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE TO SUBMIT AN APPLICATION TO THE GOVERNOR’S OFFICE OF PLANNING AND BUDGET (OPB) STATE FISCAL RECOVERY FUND FOR A BROADBAND INFRASTRUCTURE PROJECT (5)

Deputy Director Barnes explained the state has funds from the American Rescue Plan Act to cover unserved and underserved areas of Georgia. Staff is currently working on a plan and an application for these funds. The deadline for applications is August 31st. If awarded, the funds and the plans would come back to the board for approval.

County Manager Callanan stated a private partner will have to be located with this project. The County will enter into a contact to bill out this particular section and then come to an agreement with a private partner to actually run the Broadband network. A lot of the areas needing coverage the most, private companies cannot create a business case so this is our only way to get coverage for those areas. The County will participate for the construction and development, and then will transfer the assets over.

Vice Chair Burdette made a motion to approve to submit an application to the Governor’s office of planning and budget (OPB) state fiscal recovery fund for a Broadband Infrastructure project. Commissioner Floyd seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE COASTAL REGIONAL COMMISSION (CRC) AREA AGENCY ON AGING (AAA) CONTRACT #2022-08 FOR FY22 (6)

Deputy Director Barnes explained this is the normal annual contract we have with the CRC every year for our meals. Total funding from all sources this year is approximately $230,000, a little up from last year’s total of $224,000. The contract covers approximately 14,000 congregate meals and 20,000 home congregate meals. The County’s match is $14,791, which we budget for every year.

Vice Chair Burdette made a motion to approve the coastal Regional Commission (CRC) Area Agency on Aging (AAA) contract #2022-08 for FY22. Commissioner Floyd seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE RESOLUTION# 021-041 TO AMEND THE FISCAL YEAR 2021-2022 BUDGET (7)

Deputy Director Barnes explained this amendment mainly brings the budget that we already have for the Senior Citizens’ meals in line with the CRC contract that was previously mentioned. Also, we have some miscellaneous items, including
Commissioner Floyd made a motion to approve Resolution # 021-041 to amend the Fiscal Year 2021-2022 Budget. Vice Chair Burdette seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE TO SUBMIT AN APPLICATION TO THE GOVERNOR’S OFFICE OF PLANNING AND BUDGET (OPB) STATE FISCAL RECOVERY FUND FOR A WATER & SEWER INFRASTRUCTURE PROJECT (8)

Deputy Director Barnes explained as mentioned with the Broadband project previously, this will be drawing from some of the same funds the state has with the American Rescue Plan Act. This also has a deadline of August 31st and any funds rewarded will come back to the board for approval. The County shares can be used as a match for this project. Potentially, a great deal of this project could be covered by shares.

Commissioner Loper made a motion to approve to submit an application to the Governor’s office of planning and budget (OPB) State fiscal Recovery Fund for a Water & Sewer Infrastructure project. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A REVISED FINAL PLAT FOR CLYDE ROAD SUBDIVISION LOCATED OFF OF COURTHOUSE ROAD IN THE FOURTH DISTRICT (9)

Planning and Zoning Manager Concannon explained last September the board approved of the final plat for Clyde Road Subdivision on Clyde Road and Courthouse Road. The owner, Mr. Pauk wants to reconfigure Lot 5 by splitting off a triangular section, not to be resold until the adjacent land comes out of CUVA. In order to proceed with the land swap, Mr. Pauk will need the Board to approve of the revised final plat. The Health Department has approved of the plan and the County Attorney has approved. The approval from the Board will set his plan in motion to create an additional lot, once the CUVA expires in the adjacent property and the land swap is completed.

Commissioner Loper made a motion to approve a revised final plat for Clyde Road Subdivision located off of Courthouse Road in the Fourth District. Vice Chair Burdette seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN ASSEMBLAGE PERMIT FOR VALKYRIE WEBB TO HOLD A POKER RUN TO BENEFIT THE TINY HOUSE PROJECT FOR HOMELESS VETERANS ON AUGUST 21, 2021, AT THE COUNTY-OWNED VETERANS MEMORIAL PARK, IN SPRINGFIELD (10)

Planning and Zoning Manager Concannon explained Ms. Valkyrie Webb contacted Planning and Zoning about an assemblage permit to authorize use of the Veterans’ Memorial Park on August 21, 2021. The Poker Run will begin in Savannah but Springfield will be one of the steps along the way. The Poker Run will benefit the Tiny House Project in Savannah.
Vice Chair Burdette stated because of the state of COVID-19 in the City of Springfield, he is opposed to approving an assemblage permit for the Poker Run.

Commissioner Floyd made a motion to approve an assemblage permit for Valkyrie Webb to hold a Poker Run to benefit the Tiny House Project for homeless Veterans on August 21, 2021, at the county-owned Veterans Memorial Park, in Springfield. Commissioner Kieffer seconded the motion. Vice Chair Burdette opposed.

CONSIDERATION TO APPROVE THE FIRST READING OF AN ORDINANCE TO AMEND APPENDIX C, ARTICLE VII - PLANNING BOARD SECTION 7.1.2 MEETINGS OF THE EFFINGHAM COUNTY CODE OF ORDINANCES (11)
Planning and Zoning Manager Concannon explained Planning and Zoning have been discussing for a while the option of decreasing the amount of time it takes a project to get rezoned. Georgia Zoning Procedures Act requires that we meet the advertise requirements 15-45 days in advance to the Public Hearing. Between the Planning Board meetings, which is currently the fourth Monday of the month and the next available commissioner's meeting of the month. It's almost a month long wait.

So, the only way to shorten this time frame is to bring forward the planning board meeting by one week, which will allow enough time to turn around Staff Reports and will shorten the wait time by at least two weeks. It will be standard that every Planning Board item can come to the next Board of Commissioners meeting. The only change required is to change the Planning Board meeting day, which is dictated by ordinance, to the third Monday. The Planning Board staff has looked at the calendar and worked it out for the next year or so.

Vice Chair Burdette made a motion to approve the first reading of an ordinance to amend Appendix C, Article VII- Planning Board Section 7.1.2 meetings of the Effingham County Code of Ordinances. Commissioner Loper seconded the motion. The motion carried unanimously.

Addition to Agenda

CONSIDERATION TO APPROVE A REVISED INTERGOVERNMENTAL AGREEMENT BETWEEN EFFINGHAM COUNTY AND THE CITIES OF SPRINGFIELD, GUYTON AND RINCON RELATED TO THE UPCOMING SPECIAL PURPOSE LOCAL OPTION SALES TAX (SPLOST) REFERENDUM (12)
County Manager Callanan explained there were a couple of grammatical errors that have been corrected. There were also some numerical errors which were corrected in one area and not the other. It shows project for county and municipalities, Effingham County numbers $47,622,933 and it should show $47,622,400, for a total of $64,000,000.

Exhibit F has been added, which is the wording of the referendum, a requirement of the intergovernmental agreement. With the exception of the calculation error, all three municipalities have approved. This will allow us to move forward after we pass
the call for referendum. The $47,622,400 is the unincorporated portion based on population and it's also based on previous Census numbers in 2010.

We will be referring to this project as a Countywide Project not Tier Two project, reason being is that Tier Two is only used when there is not an IGA and we have an IGA. As a bonus, we received an extra sixth year out of it, which we wouldn’t have gotten if the other cities had not agreed. The Countywide project has a cap of 16,000,000.

Commissioner Deloach made a motion to approve a revised Intergovernmental agreement between Effingham County and the cities of Springfield, Guyton, and Rincon related to the upcoming Special Purpose local option sales Tax (SPLOST) Referendum. Commissioner Loper seconded the motion. The motion carried unanimously.

XII- REPORTS FROM ADMINISTRATIVE STAFF & COMMISSIONERS

County Manager Callanan
1. Manna House Letter of Support for ARPA funds
   • The Manna House and the American Second Harvest has requested the Chairman sign a letter of support for their organization to support an application for ARPA funds. There is also a similar request by the City of Springfield for funding for sewer to the Ebenezer retreat area.

2. COVID-19 Update
   • Numbers are climbing again in our area. We are at 35.6 average cases per day.
   • Most of the calls we have with EMS are respiratory related.
   • The hospital has requested resources through the County with regards to staffing, supplies, and security.

3. Census 2020 Update
   • The County’s population went up 24 percent since 2010 to 64,769. We will see an increase in TSPLOST and NSPLOST by 1 percent in unincorporated areas.

County Clerk Johnson
1. EOM Monthly Report
   • Information has been provided.

Commissioner Loper
1. Ash Road Status
   • Per County Manager Callanan, Timber Gate Road should be completed by the end of this month.

Vice Chair Burdette
1. Banning RFQ
   • Finance is gathering information on RFQ process.

2. Grievance Policy
   • Add notification of the board
3. Tax break for fixed incomes
   - Carter Burns exemption. Homestead value cannot go up no more than 3 percent or the actual appraised value, whichever is lesser.

Chairman Corbitt
1. Retreat Planning – August 27-28, 2021
   - Best to meet at the office, so we can better control the environment.

XIII – EXECUTIVE SESSION
No executive session was held at this meeting.

XIV – EXECUTIVE SESSION MINUTES
No executive session was held at the August 3, 2021 commission meeting. No minutes to be approved.

XV – PLANNING BOARD

KATHY SHEAROUSE – PUBLIC HEARING (01): The Planning Board recommends approving an application by Kathy Shearouse for a Variance located at 1882 Noel C. Conaway Road to waive the 3-acre minimum requirement for a rural business use Map# 398A Parcel# 49 in the Second District

Planning and Zoning Manager Concannon explained after Mrs. Shearouse applied for a business license, after some investigation, it was determined she wishes to start a silk floral arrangement business. Given that her property is zoned AR-1, we immediately recommended a rural business, then we could authorize a business license. However, her property does not meet the three-acre minimum requirement for a rural business. The first application on our behalf is a variance from three-acre minimum requirement for a rural of business. Mrs. Shearouse will be using a small accessory building on her property which consist of 1 ½ acre. There will be no impact on neighbors and no customers will come the property.

Vice Chair Burdette made a motion to approve the variance to waive the minimum acreage requirement and allow for a rural business on 1.49 acres. Commissioner Floyd seconded the motion. The motion carried unanimously

KATHY SHEAROUSE – SECOND READING (02): Consideration to approve the Second Reading of an application by Kathy Shearouse for a Variance located at 1882 Noel C. Conaway Road to waive the 3-acre minimum requirement for a rural business use Map# 398A Parcel# 49 in the Second District

Vice Chair Burdette made a motion to approve the Second Reading. Commissioner Floyd seconded the motion. The motion carried unanimously

KATHY SHEAROUSE – PUBLIC HEARING (03): The Planning Board recommends approving an application by Kathy Shearouse for a Conditional Use for a Rural Business located at 1882 Noel C. Conaway Road to allow for a silk floral arranging business Map# 398A Parcel# 49 in the Second District
Vice Chair Burdette made a motion to approve the Conditional Use for a rural business to operate Kat-Tails, with the following conditions:

1. The business operations shall meet the requirements of Section 3.15B – Rural Business.
2. The applicant must obtain an Occupational Tax Certificate.

Commissioner Kieffer seconded the motion. The motion carried unanimously.

**KATHY SHEARouse – SECOND READING (04):** Consideration to approve the Second Reading of an application by Kathy Shearouse for a Conditional Use for a Rural Business located at 1882 Noel C. Conaway Road to operate a silk floral arranging business Map# 398A Parcel# 49 in the Second District

Vice Chair Burdette made a motion to approve Second Reading. Commissioner Floyd seconded the motion. The motion carried unanimously.

**ALLEN LAND INVESTORS, LLC – PUBLIC HEARING (05):** The Planning Board recommends approving an application by Allen Land Investors, LLC to rezone 5.50 acres located on Early Street from AR-1 to R-1 Map# 388 Parcel# 4 in the Fourth District

*Commissioner Loper recused himself voting on this item due to family relations.*

Planning and Zoning Manager Concannon explained this parcel is currently zoned AR-1, at the edge of Springfield city limits, next to Hawk Hammock subdivision which is zoned R-3 but has been developed as a single family subdivision. The request is to rezone the 5.50 parcel to R-1 to allow for subdivision into possibly six lots. This is just a rezoning application; we are not looking at sketch plans. However, a pre-sketch plan has been provided to give Staff an idea of what is being proposed. If approved, a sketch plan will be required at the pre-application meeting to discuss any ordinance requirements and to ensure the sketch plan meets all requirements and addresses any concerns the board might have.

Cathy Gentry of 151 Early Street offered the comments, before anything gets approved the residences of Hawk Hammock should be notified. The neighboring residences have an independent percolation test because she feels this is a flood zone. She also stated that she would like for the property to remain as AR-1.

Rebecca Wasson of 170 Hawk Hammock Drive offered that she has the only house in Hawk Hammock Subdivision that is not in a flood zone and the only house that does not require flood insurance by a mortgage company. Since the cutting of the trees on this property, every time it rains, her yard floods. This has never happened before but because all of the trees are gone, the water is not being absorbed. The lots in Hawk Hammock are low and there are two creeks that meet at the end of Hawk Hammock which forms Ebenezer Creek.
Planning and Zoning Manager Concannon explained this is just a rezoning, the first step of many. The next step will be the sketch plan, then engineers will review any of the plans for the subdivision. The applicant will also have to apply for a land disturbing permit and follow storm water retention guidelines.

Resident Stephon Hayes stated in the Code of Ordinances, section 7:1, Trees says that "As many trees as possible shall remain during the initial clearing and grading and all healthy trees as determined by an arborist or other tree professional having a trunk of six inches or more measured four feet above the ground shall remain unless they lie within a planned public right-of-way, building side or within the necessary paved areas surrounding or adjacent to the primary structure".

Planning and Zoning Manager Concannon explained when we receive timber permit applications the county doesn’t have any jurisdiction to dictate terms. It’s more of a State permit. It is in the ordinance but we have never been able to dictate what happens with the trees.

Commissioner Deloach made a motion to approve the request with the following Staff and Planning Board recommendations:
1. The lots must meet the requirements of the R-1 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 must be approved and permitted by USACE.
4. Major subdivision final plat must be approved by the Board of Commissioners.

Vice Chair Burdette seconded the motion. The motion carried unanimously

**ALLEN LAND INVESTORS, LLC – SECOND READING (06):** Consideration to approve the Second Reading of an application by Allen Land Investors, LLC to rezone 5.50 acres located on Early Street from AR-1 to R-1 Map# 388 Parcel# 4 in the Fourth District

*Commissioner Loper recused himself voting on this item due to family relations.*

Commissioner Deloach made a motion to approve the Second Reading. Vice Chair Burdette seconded the motion. The motion carried unanimously

**XVI - ADJOURNMENT**

At 7:10 pm, there being no further business, Commissioner Deloach made a motion to adjourn the meeting. Vice Chair Burdette seconded the motion. The motion carried unanimously.

---

Wesley M. Corbitt, Chairman
Stephanie D. Johnson, County Clerk