EFFINGHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES

September 15, 2020

The Board of Commissioners of Effingham County, Georgia, Mr. Wesley Corbett, Mr. Forrest Floyd, Mr. Roger Burdette, Mr. Jamie Deloach, Mr. Reginald Loper and Mr. Phil Kieffer were present for the regular Commission meeting at 5:00 pm on Tuesday, September 15, 2020 in the Commissioners Meeting Room at the Effingham County Administrative Complex.

STAFF ATTENDING THE MEETING
Mr. Tim Callanan – County Administrator, Mr. Edward Newberry – County Attorney, Ms. Stephanie Johnson – County Clerk, Mr. Clint Hodges – Fire Chief & EMA Director, Mr. Charlie George – County Engineer, Mr. Mark Barnes – Finance Deputy Director, Mrs. Teresa Concannon – County Planner, Chris Reed, IT Director, Mrs. Vicki Dunn – Human Resources Director, Mr. Richard Bush – Chief Deputy, ECSO

PERSONS ATTENDING THE MEETING
Mr. Michael Tibbs, Mr. Robert Divisi, Mr. Ron Diederich, Ms. Donna Leach, Mr. Richard Leach, Mr. Jay Wilcox, Mr. & Mrs. Alderman, Mr. and Mrs. Morgan, Representatives from New Hope Church, Mr. Robert Wargo Jr, Mr. Jack Garvin, Mr. Chad Zittzrouer, Mr. Jim Ernst, Mr. Mitch Birzer, Mr. Mike Necey, Mr. James Saturday, Mr. Wade Britt, Ms. Melissa Grantham, Ms. Kristen Achtziger – EOM Operations, Mr. Jeffrey Smith, Mr. Perry Mincey, Ms. Marie Graham, Mr. Wilson Burns

I - CALL TO ORDER
Chairman Corbitt called the meeting to order at 5:03 pm.

II – INVOCATION
Vice Chairman Deloach gave the invocation.

III – PLEDGE TO THE AMERICAN FLAG
The Pledge was sounded in unison.

IV - AGENDA APPROVAL
County Clerk Johnson requested on behalf of Staff that New Business Number 2 be removed from the agenda. Vice Chairman Deloach made a motion to approve the agenda with the noted change. Commissioner Burdette seconded the motion. The motion carried unanimously.
V – MINUTES
Commissioner Kieffer made a motion to approve the September 1, 2020
Regular Commission Meeting minutes as read. Vice Chairman Deloach
seconded the motion. The motion carried unanimously.

VI – PUBLIC COMMENTS
Chairman Corbitt stated public comment should be limited to agenda items
only.

VII – CORRESPONDENCE
Chairman Corbitt explained all correspondence and documents from the
meeting are located in the Clerk’s office and on the Board of Commissioners’
website.

VIII - OLD BUSINESS
DISCUSSION OF THE COVID-19 PLAN FOR MADRAC FARMS PUMPKIN
PATCH EVENT TO BE HELD OCTOBER 1ST – NOVEMBER 15TH (01):
Commissioners discussed the logistics and safety plans regarding the COVID-19
Plan for the Madrac Farms Pumpkin Patch events. Melissa Reagan from Madrac
Farms spoke about the events planned. Questions were asked by
commissioners regarding the playground and other sanitation methods to be
used at the event. Hand sanitation stations and hand washing stations will be
provided. Additionally, the event is outdoors on a large parcel so social
distancing can be practiced easily.

CONSIDERATION TO APPROVE THE SECOND READING TO AMEND
APPENDIX C, ARTICLE III, SECTION 3.3 – ACCESSORY BUILDINGS IN
RESIDENTIAL DISTRICTS AND ARTICLE VI, SECTION 6.2.3 – ACCESSORY
STRUCTURES OF THE CODE OF ORDINANCES OF EFFINGHAM COUNTY (02):
Commissioner Burdette made a motion to approve the Second Reading.
Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE SECOND READING TO AMEND ARTICLE
III, SECTION 3.17 – EXCAVATION, MINING, PONDS, AND FILLS OF LAND
AND/OR STATE/FEDERAL JURISDICTIONAL WATERS OR WETLANDS OF THE
CODE OF ORDINANCES OF EFFINGHAM COUNTY (03):
Commissioner Loper made a motion to approve the Second Reading. Commissioner Floyd seconded the motion. The motion carried unanimously.

KERN & CO., LLC AS AGENT FOR OLD PINES, LLC. – PUBLIC HEARING (04):
The Planning Board recommends denying an application by Kern & 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.

County Engineer George detailed the process so far with the submittal of the application. County Staff recommends that the following items based on comments from citizens during the Public Hearings from the previous meetings be put forth to be considered as stipulations:

1. TRAFFIC – There shall be no entrance or exit from the property being rezoned on to Chimney Road. Only personal vehicles are allowed to use Goshen Road Extension for entering and exiting the facility. The entrance to the facility from Goshen Road Extension shall be designed to prevent access of all trucks including but not limited to, delivery trucks, box trucks, container trucks, and trucks pulling tractor trailers. Emergency vehicles shall be allowed to enter and exit the property from Goshen Road Extension. Old Business 04 September 15, 2020 09/10/2020 Page 2 of 62, A Traffic Study shall be submitted during the development plan review process pursuant to Effingham County's Traffic Study requirements. All trucks serving the business in the development shall comply with Official Code of Effingham County, Georgia, Chapter 74, Section 74-8 "Designated Truck Routes".

2. SAFETY- The truck entrance to the property shall be located on Old Augusta Road. In order to address the dangers presented by the development's truck traffic parking or staging/queuing on Old Augusta Road, a dedicated 12 foot wide paved entrance lane for purposes of truck staging/queuing shall be located within the property boundary lines. No trucks or any other vehicles are allowed to queue on Old Augusta Road. 8 foot high minimum chain-link security fencing shall be installed on the perimeter of each truck court.

3. VISUAL – Buildings on the property are to have building height restrictions consisting of maximum heights no greater than 50 foot above the finished floor elevation. A 300 foot buffer consisting of a 250 foot natural buffer with a 50 foot wide by 12 foot high earthen berm with vegetation on the property bordering
on Chimney Road. Property Owner/Applicant and its successors and assigns shall perpetually maintain the earthen berm and vegetation. Buildings on the northern side of the property shall be oriented such that loading dock doors do not face Chimney Road.

4. NOISE – Facility operations shall be in compliance with Official Code of Effingham County, Georgia, Chapter 30, Article I, Section 30-36 and Section 30-37, with maximum decibel levels between the hours of 7:00 a.m. and 9:00 p.m. not in excess of 70 decibels as measured at the outward most edge of the required 300 foot buffer on Chimney Road (70 decibels is the specified limits designated for commercial business, 60 for residential). In addition, between the hours of 9:00 PM and 7:00 AM, the decibel levels at the outward edge of the 300 foot buffer shall not exceed 60 decibels. Property Owner/Applicant shall perform a noise attenuation and abatement study during the design development phase to validate the effectiveness of the 300 foot vegetated buffer and berm system proposed by the Property Owner/Applicant to attenuate noises to the above specified limit. Study shall be provided to Effingham County’s Director of Development Services for approval during the design review process.

5. LIGHTS – Overhead lighting shall be in accordance with the Official Code of Effingham County, Georgia, Article 5.12.4.4. Direct glare from incandescent exposed lighting shall not be visible from adjoining streets or properties. All exterior lighting shall be downward facing and shielded. Old Business 04 September 15, 2020 09/10/2020 Page 3 of 62 All exterior lighting shall be attached to sides of buildings or pole mounted lights that do not exceed 26 foot in height. Property Owner/Applicant shall provide a photometric plan with the design review application to verify the light levels generated from the development at the outward most edge of the required 300 foot buffer on Chimney Road do not exceed 0.01 footcandles (this is the equivalent as the illumination from a full moon).

6. USES – The rezoning of the property is conditioned on the property being used for Warehousing or the permitted uses listed in the Official Code of Effingham County, Georgia, Article 5.12.1 – LI – Light Industrial. No other uses listed in the Official Code of Effingham County, Georgia, Article 5.12.1A – "HI – Heavy Industrial" or Article 5.12.1B “HI-Heavy Industrial conditional uses” shall be allowed.
7. SIGNAGE – All traffic directional signage shall be in accordance with the Official Code of Effingham County, Georgia, Chapter 62, Article II, Section 62-33 and Appendix C, Article III, Paragraph 3.38, and public roadway signage shall be limited to placement on Old Augusta Road only. Signage shall indicate that truck traffic from the facility shall use designated Truck Route – Old Augusta Road Only. A monument-type sign on Old Augusta Road identifying the facility is allowed but is to be submitted to Effingham County Development Services for approval and recommendation to the Board of Commissioners.

8. DESIGN – Site Development Plans shall comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management local Design Manual and Chapter 34- Flood Damage Prevention. All wetland impacts shall be approved and permitted by USACE, and the approved Jurisdictional Determination shall be submitted during the development plan review process. A site plan shall be submitted prior to construction showing the final layout of all buildings and roads, and the distance from all buildings to neighboring properties.

The conditions enumerated above are in addition to all other applicable requirements found in the Official Code of Effingham County, Georgia, state laws, and federal laws. Failure to comply with any of the Conditions for approval of the subject property at any time may result in the following:

a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocations of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of subject property, the Revocation of any concurrency; and/or

b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, and/or any other zoning approval; and/or Old Business 04 September 15, 2020 09/10/2020 Page 4 of 62

c. A requirement of the development to conform to the standards found in the Code of Effingham County at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or

d. Referral to Code Enforcement.
County Engineer George spoke about the meeting that was held on September 10th with County Staff and representatives from Silverwood Plantation and Ridgecrest Subdivision to inform them of the conditions that were developed. He also read the hours and days that the gates operate at Georgia Ports Authority, for clarification purposes in response to some questions that residents had in a prior meeting in regards to the schedule. County Engineer George stated that staff recommends approving the request with the stipulations as outlined.

Chairman Corbitt added that the applicant must approve the changes prior to acceptance. Chad Zittrouer, of Kern and Company, representative for Old Pines, spoke and answered that they do officially accept these new conditions.

Mr. Jim Ernst of Chimney Road had questions about the buffer. He would like to see the natural tree buffer remain. Mr. Mitch Berger, Silverwood resident and Vice President of their HOA thanked staff for meeting with them on September 10th. Mr. Berger spoke of the email he sent regarding a survey and confirmed 92% of residents want to keep the property the way it is and not rezone it. He also spoke about a study on diesel truck zones and their impact on a community, as well as the Comprehensive Plan which is said to protect residential areas from industrial encroachment.

Commissioner Burdette asked what percentages of residents on Chimney Road are against the rezoning, and Mr. Berger stated he could gather the data. Chairman Corbitt asked for clarification on the 92% was of residents who responded to the survey and what percentage of residents did respond. Mr. Berger stated that approximately 30% of residents responded.

Mr. Mike Lissi, a Chimney Road resident who lives directly across from the property, provided a picture of the area showing there are no lights across from his property and it is very dark. He stated this rezoning will not benefit the community and that a 300 foot buffer and a berm will not help. He also stated downward facing lights would not help much for light diffusion.

Mr. James Saturday, Silverwood resident, asked what would be allowed for warehouses and if there were restrictions on what will be stored in the warehouses, shared concern for fire hazards or hazardous materials. Staff
responded that hazardous materials are only allowed under Heavy Industrial and will not be allowed under this rezoning.

Mr. Wade Britt, Silverwood resident, stated that the community and the Comprehensive Plan are also in opposition to this rezoning; shared concern for all of the issues previously stated and asked commissioners to vote against it.

Ms. Melissa Grantham, Chimney Road resident, spoke on the email she sent with three research studies regarding the negative impacts that proximity to industrial facilities can have on mental health. She very strongly opposed the rezoning and stated she understands the property will be developed and would be fine with houses but not warehouses.

Mr. Chad Zittrouer from Kern and Company addressed the buffer and the plantings. The trees will reach 70-80 feet tall and will reduce pollution, light and noise.Buffers are 148 acres of the 740 acre development. Additionally, close to 150 acres are wetlands. Mr. Zittrouer stated that there are numerous restrictions regarding what can be stored in the warehouses.

Mr. Jeffrey Smith, Chimney Road resident, spoke in favor of the development and his thoughts that the traffic being on Old Augusta will work well. Mr. Smith stated the development will be good for the community and for job creation.

Mr. Perry Mincey, Silverwood resident who lives on Cypress Drive, brought attention to the survey that was sent out; 70 percent did not respond, including himself because it wasn’t important enough. Mr. Mincey’s opinion was that if houses go in to that parcel it will be a burden on the community and would rather see the development that is proposed.

Ms. Marie Graham, Chimney Road resident, spoke in favor of the development and likes the provisions and feels that the applicant has done everything they can to satisfy residents.

Mr. Wilson Burns, applicant, addressed the commission and spoke about home values, and mentioned a house closing on Chimney Road since the last meeting for over full asking price. He also stated that for I-1 to be next to R-1, it is stipulated that a proper buffer needs to be in place.
Mr. Scott Kay expressed his concern about usage after development sells, conditions and enforceability, asked for a conditional use. Chairman Corbitt stated that any designation can be challenged and that after speaking with the County Attorney they are assured that regardless of zoning designation that conditions will be just as powerful and enforceable.

Chairman Corbitt closed the public hearing and opened the forum to questions from commissioners. Vice Chairman Deloach gave support to this project versus a 2,000 home development. Old Augusta is a truck route and noted that 50% of the property will not be used because of the buffer and wetlands. Commissioner Loper was also in agreement with Vice Chairman Deloach’s statement.

Commissioner Floyd stated he agrees with personal property rights and supports the project.

Commissioner Burdette addressed the concern about pollution and future use of the property. Any vehicles made after 2010 have new and improved emissions standards for trucks. Much of the current data will change in regards to pollution because of these improved standards. The commissioner added that the Port’s hours are set and not flexible.

Commissioner Kieffer was initially concerned with residents who are opposed and noted that he tried to respond to all residents. He is mostly concerned with the residents who live on Chimney Road in close proximity and also stated the Comprehensive Plan is not as good as it needs to be.

Commissioner Kieffer made a motion to deny the application. Commissioner Burdette seconded the motion. Chairman Corbitt interjected to state that he has spoken with our County Manager about our Comprehensive Plan and that the 2019 plan, prepared by the Coastal Regional Commission, shows the future use plan as basically the same as the current zoning map which would not allow for the amount of predicted growth and is problematic and should be replaced with something more feasible. Commissioner Kieffer clarified he doesn’t have a problem with the acreage being developed, just not the way it currently is.

Chairman Corbitt called for a vote on the motion to deny. Commissioners Kieffer and Burdette approved to deny the motion. Vice Chairman Deloach,
Commissioner Loper, and Commissioner Floyd were opposed to the motion to deny. The motion to deny failed 2 to 3.

Vice Chair Deloach made a motion to approve the request for rezoning and remove conditions previously presented at the August 18, 2020 meeting and accept staff’s recommendation of the new conditions presented, noted as follows:

1. TRAFFIC – There shall be no entrance or exit from the property being rezoned on to Chimney Road. Only personal vehicles are allowed to use Goshen Road Extension for entering and exiting the facility. The entrance to the facility from Goshen Road Extension shall be designed to prevent access of all trucks including but not limited to, delivery trucks, box trucks, container trucks, and trucks pulling tractor trailers. Emergency vehicles shall be allowed to enter and exit the property from Goshen Road Extension.

A Traffic Study shall be submitted during the development plan review process pursuant to Effingham County’s Traffic Study requirements.

All trucks serving the business in the development shall comply with Official Code of Effingham County, Georgia, Chapter 74, Section 74-8 “Designated Truck Routes”.

2. SAFETY- The truck entrance to the property shall be located on Old Augusta Road. In order to address the dangers presented by the development’s truck traffic parking or staging/queuing on Old Augusta Road, a dedicated 12 foot wide paved entrance lane for purposes of truck staging/queuing shall be located within the property boundary lines. No trucks or any other vehicles are allowed to queue on Old Augusta Road.

8 foot high minimum chain-link security fencing shall be installed on the perimeter of each truck court.

3. VISUAL – Buildings on the property are to have building height restrictions consisting of maximum heights no greater than 50 foot above the finished floor elevation.

A 300 foot buffer consisting of a 250 foot natural buffer with a 50 foot wide by 12 foot high earthen berm with vegetation on the property bordering on Chimney Road. Property Owner/Applicant and its successors and assigns shall perpetually maintain the earthen berm and vegetation.

Buildings on the northern side of the property shall be oriented such that loading dock doors do not face Chimney Road.

4. NOISE – Facility operations shall be in compliance with Official Code of Effingham County, Georgia, Chapter 30, Article I, Section 30-36 and Section 30-37, with maximum decibel levels between the hours of 7:00 a.m. and 9:00 p.m. not in excess of 70 decibels as measured at the
outward most edge of the required 300 foot buffer on Chimney Road (70 decibels is the specified limits designated for commercial business, 60 for residential). In addition, between the hours of 9:00 PM and 7:00 AM, the decibel levels at the outward edge of the 300 foot buffer shall not exceed 60 decibels.

Property Owner/Applicant shall perform a noise attenuation and abatement study during the design development phase to validate the effectiveness of the 300 foot vegetated buffer and berm system proposed by the Property Owner/Applicant to attenuate noises to the above specified limit. Study shall be provided to Effingham County’s Director of Development Services for approval during the design review process.

5. LIGHTS – Overhead lighting shall be in accordance with the Official Code of Effingham County, Georgia, Article 5.12.4.4. Direct glare from incandescent exposed lighting shall not be visible from adjoining streets or properties. All exterior lighting shall be downward facing and shielded.

All exterior lighting shall be attached to sides of buildings or pole mounted lights that do not exceed 26 foot in height. Property Owner/Applicant shall provide a photometric plan with the design review application to verify the light levels generated from the development at the outward most edge of the required 300 foot buffer on Chimney Road do not exceed 0.01 footcandles (this is the equivalent as the illumination as a full moon).

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8. DESIGN – Site Development Plans shall comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management local Design Manual and Chapter 34- Flood Damage Prevention.

All wetland impacts shall be approved and permitted by USACE, and the approved Jurisdictional Determination shall be submitted during the development plan review process.
A site plan shall be submitted prior to construction showing the final layout of all buildings and roads, and the distance from all buildings to neighboring properties.

The conditions enumerated above are in addition to all other applicable requirements found in the Official Code of Effingham County, Georgia, state laws, and federal laws.

**Failure to comply with any of the Conditions for approval of the subject property at any time may result in the following:**

a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocations of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, Owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of subject property, the Revocation of any concurrency; and/or

b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, and/or any other zoning approval; and/or

c. A requirement of the development to conform with the standards found in the Code of Effingham County at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or

d. Referral to Code Enforcement.

Commissioner Loper seconded the motion. Vice Chairman Deloach, Vice Commissioner Loper, and Commissioner Floyd voted in favor of the motion. Commissioners Burdette and Kieffer voted against the motion. The motion carried 3-2.

**IX - NEW BUSINESS**

**CONSIDERATION TO APPROVE REORGANIZATION OF THE DEVELOPMENT SERVICES DEPARTMENT (01):**

County Manager Callanan explained the retirement of the Zoning Administrator being part of the reason for this reconfiguration. This recommendation includes updating several positions to maximize departmental efficiency and utilize current employees most effectively, as well as moving GIS into Development Services. This proposed reorganization also results in cost savings.

Commissioner Burdette made a motion to approve reorganization of Development Services Department, moving the GIS function to the Development Services Department and new job description for Planning and
Zoning Manager. Vice Chairman Deloach seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A RESOLUTION TO AMEND THE 2020-2021 BUDGET (02):
This item was removed during the Agenda Approval.

CONSIDERATION TO APPROVE TO ACCEPT A GRANT AWARD FROM THE GEORGIA SECRETARY OF STATE SECURE THE VOTE/HAVA CARES ACT (03):
County Manager Callanan explained this is a portion of the CARES ACT for grant which includes hand sanitizer and other PPE.
Commissioner Loper made a motion to approve the Secretary of State SecureTheVote / HAVA CARES Act grant award. Commissioner Burdette seconded the motion. The motion carried unanimously.

CONSIDERATION TO RATIFY A SUBMITTAL OF AN APPLICATION TO THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) TO RECEIVE A PHASE 2 CARES ACT PROVIDER RELIEF FUND PAYMENT (04):
County Manager Callanan explained this will ratify the submittal, payment is related to EMS. No match is required.
Commissioner Floyd made a motion to approve to ratify and affirm a submittal of an application to HHS to receive a Phase 2 CARES Act Provider Relief payment. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A MASTER AGREEMENT WITH EOM OPERATIONS FOR PROFESSIONAL SERVICES (05):
County Engineer George explained this is a master agreement for professional services. Chairman Corbitt asked about funding and Kristen Achtiger from EOM Operations responded to his inquiries regarding the differences from previous agreement.
Commissioner Burdette made a motion to approve the proposed Master Services Agreement and associated fees as outlined. Vice Chair Deloach seconded the motion. The motion carried unanimously.
CONSIDERATION TO APPROVE A TASK ORDER REQUEST WITH EOM OPERATIONS FOR CIVIL ENGINEERING CONSULTING SCOPE SERVICES (06):
There was no discussion on this item.
Commissioner Burdette made a motion to approve the Task Order. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AMENDMENT NO.3 OF AN AGREEMENT BETWEEN EFFINGHAM COUNTY AND EOM OPERATIONS FOR PUBLIC WORKS OPERATION MANAGEMENT SERVICES (07):
There was no discussion on this item.
Commissioner Burdette made a motion to approve the agreement. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE CHANGE ORDER NO.1 WITH MCLENDON ENTERPRISES RELATED TO THE PROJECTS UNDER LOCAL MAINTENANCE IMPROVEMENT GRANT (LMIG) 2020 PROJECTS (08):
County Engineer George explained the LMIG grant planning and expenditures. Commissioners had questions about how the list was compiled for the repair order. County Manager Callanan explained the process and how it interacts with what was selected for TSPLOST. Commissioners had additional questions regarding what roads will be included and asked staff for more information.
Vice Chair Deloach made a motion to postpone this item until the October 6, 2020 meeting. Commissioner Burdette seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A PROPOSAL FROM EOM OPERATIONS FOR WATERSHED MONITORING (09):
County Engineer George explained the proposal for watershed monitoring from EOM Operations. EOM Operations have previously provided this service.
Commissioner Burdette made a motion to approve the Proposal as submitted by Staff. Vice Chairman Deloach seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A PROPOSAL FROM EOM OPERATIONS TO PERFORM MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) RELATED TASK TO ASSURE COMPLIANCE (10):
County Engineer George explained this proposal is for EOM Operations to assist with MS4 requirements, as they have in the past. Commissioner Loper made a motion to approve the Proposal submitted for a fee of $21,300.00. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A RESOLUTION TO APPOINT LISA MOCK TO THE TAX ASSESSOR BOARD (11):
County Clerk Johnson explained that Mr. Quint Michael sent a letter of resignation for his position on the Tax Assessor Board. Mrs. Lisa Mock was recommended by Commissioner Floyd to fulfil the unexpired term of office. Commissioner Floyd made a motion to approve a Resolution to appoint Lisa Mock as a member to the Tax Assessor Board to fulfil the unexpired term of office. Commissioner Burdette seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE TO APPOINT A VOTING DELEGATE TO PARTICIPATE IN THE ACCG 2021 POLICY AGENDA ADOPTION (12):
County Clerk Johnson explained that ACCG needs a voting delegate for their 2021 Policy Agenda Adoption. Vice Chairman Deloach was nominated to be the delegate. Commissioner Floyd made a motion to approve the appointment of Vice Chairman Deloach. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A REVISED PURCHASE AND SALE CONTRACT FOR A PROPERTY LOCATED AT 216 SHADY OAKS DRIVE, GUYTON TO ALLOW FOR AN EXTENSION (13):
County Manager Callanan explained this is an extension of the Atlas Reservoir contract. The application with the Environmental Protection Division (EPD) is expected to be approved very soon. This request is effectively a 30-day extension; as soon as approval comes through the closing can occur. Commissioner Burdette made a motion to approve the extension of the due diligence period for purchase of property. Commissioner Floyd seconded the motion. The motion carried unanimously.
X- REPORTS FROM ADMINISTRATIVE STAFF & COMMISSIONERS

Chief Deputy Bush discussed the following:

1. Halloween

   • Halloween was discussed by Chief Deputy Bush. The Sheriff's Office expressed their concern about the procedure for Halloween this year because of COVID-19. DPH has not shared guidelines yet. Staff and Commission would not like to restrict trick-or-treating, but would like for participants to be more selective on where they trick-or-treat and only go to homes of those they know or in their own neighborhood. Additionally, if homes are not going to give candy, they are suggested to turn their porch lights off. Guidelines can be compiled and be given to Commissioners for the October 6th meeting.

County Clerk Johnson discussed the following:

1. Mask requirement

   • County Clerk Johnson asked for a policy of requiring masks in county buildings to protect staff. Chairman Corbitt discussed this with Commissioners. Commissioners agreed that masks for any visitors coming into county buildings will be required, this being allowed by the emergency ordinance still in effect.

Vice Chairman Deloach discussed the following:

1. Status of GIS backlog

   • Vice Chairman Deloach asked about the status of the GIS backlog. County Manager Callanan stated that Spatial is actively working with departments and is getting caught up and progress is being made. He stated that 3 studies are also in the works to be performed for transportation, storm water, and infrastructure as well.

Chairman Corbitt discussed the following:

1. SDS Agreement Status

   • SDS Agreement with Rincon, to address their concerns. County Manager Callanan will reach out to Rincon to see what they would like to see happen to address their concerns.

Commissioner Floyd discussed the following:

1. Meldrim Lumber Plant

   • Noise issue resolved at Meldrim Lumber Plant. Commissioner Floyd said that a muffler system was installed on the machinery and this has helped greatly.
XI - EXECUTIVE SESSION
There was no executive session held at this meeting.

XII - EXECUTIVE SESSION MINUTES
There were no minutes to be approved.

XIII - PLANNING BOARD

PATRICK PATEL – PUBLIC HEARING (01): The Planning Board recommends approving an application by Patrick Patel, agent for Caroline Starling to rezone 0.17 acres out of 13.1 acres located at 1398 Old River Road from AR-1 to B-2 Map #304 Parcel #27 in the First District. Staff recommends approval of alternative #1 with stipulations as recommended by staff and planning board.

County Planner Concannon stated the 0.17 acres is being added to the existing convenience store property for additional parking and the zoning needs to change to reflect the current zoning for the convenience store.

No one spoke to support or oppose the request.

Commissioner Floyd made a motion to approve the request with the following Planning Board and Staff recommendations:

1. The lot must meet the requirements of the B-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 must be approved and permitted by USACE and a copy submitted to Development Services.
4. Recombination plat must be approved by the Zoning Administrator.

Commissioner Loper seconded the motion. The motion carried unanimously.

PATRICK PATEL – SECOND READING (02): The Planning Board recommends approving an application by Patrick Patel, agent for Caroline Starling to rezone 0.17 acres out of 13.1 acres located at 1398 Old River Road from AR-1 to B-2 Map #304 Parcel #27 in the First District.

Commissioner Floyd made a motion to approve the Second Reading. Commissioner Kieffer seconded the motion. The motion carried unanimously.

RONALD O. DIEDERICH – PUBLIC HEARING (03): Planning Board recommends approving an application by Ronald O. Diederich to rezone a 2
acre parcel and an adjacent 6.4 acre parcel located on U.S. Highway 80 from AR-1 to B-2 Map # 329 Parcel # 36, 37 in the First District.

County Planner Concannon advised the parcels are being rezoned so that they both have the same zoning before selling. Recommends approval with stipulations of 60 days to remove vehicles from the property, or zoning will be reverted, as recommended by staff and planning board.

Ronald Diederich, agreed to the 60 day removal stipulation, and said that most of them have already been removed. He stated that the property is currently under contract. Recommendation was made for the new owners to agree to these terms or zoning will revert. No one spoke in opposition of the request.

Commissioner Floyd made a motion to approve the request with the following Planning Board and Staff recommendations and one added stipulation:

1. Junk yard operations must cease, and lots must be cleared of vehicles, as verified by Effingham County Code Enforcement.
2. Future use of the lots must meet the requirements of the B-2 zoning district.
3. Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
4. All wetland impacts must be approved and permitted by USACE and a copy submitted to Development Services.
5. The applicant will be allowed 60 days to remove vehicles or zoning will be reverted.

Commissioner Burdette seconded the motion. The motion carried unanimously.

RONALD O. DIEDERICH – SECOND READING (04): Planning Board recommends approving an application by Ronald O. Diederich to rezone a 2 acre parcel and an adjacent 6.4 acre parcel located on U.S. Highway 80 from AR-1 to B-2 Map # 329 Parcel # 36, 37 in the First District.

The second reading for this item was postponed to the October 6, 2020 meeting due to the added stipulation.

BRUCE STEED & LISA HOWARD – PUBLIC HEARING (05): The Planning Board recommends approving an application by Bruce Steed & Lisa Howard, agent for George Wasden to rezone 1.1 acres located on Virginia Street (Griffin Lakes) from AR-1 to R-1 Map #235A Parcel #3 in the Third District. Staff recommends approval as recommended by planning board.
County Planner Concannon explained that this rezoning is in order to utilize the more suitable setbacks in R-1 for the applicant's intended construction. No one spoke in support or opposition of the request.

Vice Chair Deloach made a motion to approve the request with the following Planning Board and Staff recommendations:

1. Lot development 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 and a copy submitted to Development Services.

Commissioner Loper seconded the motion. The motion carried unanimously.

**BRUCE STEED & LISA HOWARD – SECOND READING (06):** The Planning Board recommends approving an application by Bruce Steed & Lisa Howard, agent for George Wasden to rezone 1.1 acres located on Virginia Street (Griffin Lakes) from AR-1 to R-1 Map #235A Parcel #3 in the Third District.

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

**NEW HOPE APOSTOLIC HOLINESS CHURCH – PUBLIC HEARING (07):** The Planning Board recommends approving an application by New Hope Apostolic Holiness Church for a Conditional Use located at 525 Ardmore Oaky Road to allow for a .643 acre cemetery Map # 263 Parcel # 2 in the Third District.

County Planner Concannon stated this item was previously being proposed in a meeting from July but a survey was not available and there was a dispute about property lines. A representative of the church approached in support of the request.

Mr. Robert Wargo Jr., who owns property next to the parcel, spoke about a fence that was there when he bought the property he thought delineated the property line. He said he is not sure where his property line is, and wanted to have time to survey his property, but doesn't have an objection to having a cemetery on the property.

County Attorney Newberry stated the zoning doesn't affect property lines but flows with the parcel. Chairman Corbitt suggested Mr. Wargo hire a private
surveyor to mark the land to see where his property lines are, that is a civil matter.

Vice Chairman Deloach made a motion to approve the request with the following Planning Board and Staff recommendations:

1. Plat be signed by Zoning Administrator and recorded by applicant.
2. Fencing at least 4’ in height around cemetery.
Commissioner Kieffer seconded the motion. The motion carried unanimously.

NEW HOPE APOSTOLIC HOLINESS CHURCH – SECOND READING (08): The Planning Board recommends approving an application by New Hope Apostolic Holiness Church for a Conditional Use located at 525 Ardmore Oaky Road to allow for a .643 acre cemetery Map # 263 Parcel # 2 in the Third District.

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

JOHNNY & JENNIFER WILCOX – PUBLIC HEARING (09): The Planning Board recommends approving an application by Johnny & Jennifer Wilcox to rezone 1.74 acres out of a 14.93 acre parcel located at 2315 US Hwy 119 from AR-1 to AR-2 Map # 320 Parcel # 50B in the Third District.

County Planner Concannon stated this is a simple parcel split. No one spoke against this application.

Vice Chairman Deloach made a motion to approve the request with the following Planning Board and Staff recommendations:

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 must 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.
Commissioner Loper seconded the motion. The motion carried unanimously.

JOHNNY & JENNIFER WILCOX – SECOND READING (10): The Planning Board recommends approving an application by Johnny & Jennifer Wilcox to rezone 1.74 acres out of a 14.93 acre parcel located at 2315 US Hwy 119 from AR-1 to AR-2 Map # 320 Parcel # 50B in the Third District.
Vice Chairman Deloach made a motion to approve the Second Reading. Commissioner Floyd seconded the motion. The motion carried unanimously.

**SHEL PAULK FOR SD CLYDE, LLC – PUBLIC HEARING (11):** The Planning Board recommends approving an application by Shel Paulk for SD Clyde, LLC to rezone 6.41 acres located on Courthouse Road from AR-1 to AR-2 Map # 390 parcel #2 in the Fourth District.

County Planner Concannon explained the owner wants to subdivide the parcel into 5 lots. No one spoke against this application.

Commissioner Loper made a motion to approve the request with the following Planning Board and Staff recommendations:

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. Lot clearing greater than 1-acre must meet LDA permit requirements.
4. All wetland impacts must be approved and permitted by USACE and a copy submitted to Development Services.
5. The plat must show that all lots contain a 5’ tree buffer along the side and rear lot lines.
6. Subdivision plat must be approved by the Health Department and the Zoning Administrator.

Commissioner Kieffer seconded the motion. The motion carried unanimously.

**SHEL PAULK FOR SD CLYDE, LLC – SECOND READING (12):** The Planning Board recommends approving an application by Shel Paulk for SD Clyde, LLC to rezone 6.41 acres located on Courthouse Road from AR-1 to AR-2 Map # 390 parcel #2 in the Fourth District.

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

**DEVIN DESKINS – PUBLIC HEARING (13):** The Planning Board recommends approving an application by Devin Deskins for a Variance Use located at 224 Long Bridge Road to allow for a camper as a temporary residence while the existing home is being remodeled Map # 427 Parcel #41 in the Fourth District.

County Planner Concannon explained the owner wants to occupy a camper during remodeling. She said that the remodeling has been going on for some time. The residents are aware of the condition that they will need to complete their renovations within 90 days. No one spoke in opposition of the request.
Commissioner Loper made a motion to approve the request with the following Planning Board and Staff recommendation:

1. Electrical permit must be renewed with the addition of a new electrician.
2. The camper may be occupied for up to 90 days from the date of approval, and shall be removed from the property upon the issuance of a certificate of occupancy.

Vice Chairman Deloach seconded the motion. The motion carried unanimously.

DEVIN DESKINS – SECOND READING (14): The Planning Board recommends approving an application by Devin Deskins for a Variance Use located at 224 Long Bridge Road to allow for a camper as a temporary residence while the existing home is being remodeled Map # 427 Parcel #41 in the Fourth District.

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

CHIPOLA ENGINEERING GROUP – PUBLIC HEARING (15): The Planning Board recommends approving an application by Chipola Engineering Group, agent for Barton Alderman to rezone 11.31 acres out of a 156.51 acre parcel located at GA Hwy 21 and Rahn Station Road from AR-1 to B-3 Map #429 Parcel #6 in the Fourth District.

County Planner Concannon explained due to the scale of this project it was submitted for review to the Regional Commission and came back favorably. The project met the regional plan requirements. Staff and Planning Board also have approved the submittal. No one spoke against the application.

Commissioner Loper made a motion to approve the request with the following Planning Board and Staff recommendations:

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 must be approved and permitted by USACE and a copy submitted to Development Services.
4. Right-turn lanes of 360’ for driveways #1 and #2 at the current speed limit of 55mph, per the June 2020 Traffic Impact Study prepared for Love’s Travel Stop and Country Store by Kimley Horn.

Commissioner Kieffer seconded the motion. The motion carried unanimously.

CHIPOLA ENGINEERING GROUP – SECOND READING (16): The Planning Board recommends approving an application by Chipola Engineering Group,
agent for Barton Alderman to rezone 11.31 acres out of a 156.51 acre parcel located at GA Hwy 21 and Rahn Station Road from AR-1 to B-3 Map #429 Parcel #6 in the Fourth District.

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

YEVOC, LLC – PUBLIC HEARING (17): The Planning Board recommends approving an application YEVOC, LLC for a Variance located on Old Augusta Road to eliminate the required 25 foot buffer along the western property line to maximize usable land and to install a drainage ditch Map #477 Parcel #1 in the Fifth District.

County Planner Concannon explained the owner wants to develop the parcel and would like to realign the development on the property because of where the wetlands are located. Staff has reviewed and recommended approval.

Trey Wilkins, from Thomas and Hutton spoke on behalf of the applicant, YEVOC. No one spoke in opposition of the request.

Commissioner Kieffer made a motion to approve the request as recommended by Planning Board and Staff. Vice Chairman Deloach seconded the motion. The motion carried unanimously.

YEVOC, LLC – SECOND READING (18): The Planning Board recommends approving an application YEVOC, LLC for a Variance located on Old Augusta Road to eliminate the required 25 foot buffer along the western property line to maximize usable land and to install a drainage ditch Map #477 Parcel #1 in the Fifth District.

Commissioner Kieffer made a motion to approve the Second Reading. Commissioner Floyd seconded the motion. The motion carried unanimously.

XIV – ADJOURNMENT

There being no further business, at 8:01 pm, Commissioner Kieffer made a motion to adjourn the meeting. Commissioner Floyd seconded the motion. The motion carried unanimously.

Wesley M. Corbitt, Chairman

Stephanie D. Johnson, County Clerk