

**THE EFFINGHAM COUNTY  
COMMISSIONERS' MEETING**

The Board of Commissioners of Effingham County, Georgia, Mr. Wendall Kessler, Chairman, Mr. Phil Kieffer, Vice Chairman, Mr. Forrest Floyd, Mrs. Vera Jones Mr. Steve Mason and Mr. Reggie Loper met in regular session at 5:00 pm on Tuesday, April 15, 2014 in the Commissioners' Meeting Room at the Effingham County Administrative Complex

**PERSONS ATTENDING THE MEETING**

Mrs. Elizabeth Pavlis, County Attorney, Mr. Toss Allen, Interim County Administrator, Mr. Adam Kobek, Director of Community Relations, Mrs. Stephanie Johnson, County Clerk, Mrs. Joanna Wright, Finance Director, Mr. Steve Liotta, County Engineer, Ms. Fiona Charleton, Purchasing Agent, Ms. Karen Arnold, Executive Assistant, Mr. George Shaw, Zoning Administrator, Mr. Jack Garvin, Mr. Brad Green, Mr. Tony Thomas, Mr. John Beecher, Ms. Vivian Hunt, Mr. Travis Burke, Mr. Mickey Kicklighter, Ms. Gigi Rigsby and Mr. Pat Donahue

**CALL TO ORDER**

Chairman Kessler called the meeting to order.

**INVOCATION AND PLEDGE TO THE AMERICAN FLAG**

Commissioner Jones gave the invocation. Chairman Kessler led the Pledge to the American Flag.

**AGENDA APPROVAL**

Chairman Kessler called for a motion to approve the agenda.

Commissioner Jones made a motion to approve the agenda as read. Commissioner Loper seconded the motion. The motion carried unanimously.

**MINUTES**

Chairman Kessler asked if there were any corrections or additions to the minutes of the April 1, 2014 Commission meeting.

Commissioner Loper made a motion to approve the minutes of the April 01, 2014 meeting as read. Vice Chairman Kieffer seconded the motion. The motion carried unanimously.

**PUBLIC COMMENTS**

Chairman Kessler stated public comment should be limited to agenda items only.

**CORRESPONDENCE**

Chairman Kessler explained all correspondence and documents from the meeting are located in the Clerk's office and on the Board of Commissioner's website.

**OLD BUSINESS**

**CONSIDERATION TO APPROVE A RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE LOAN MODIFICATION AGREEMENTS FOR TWO (2) GEFA LOANS (01):**

There was a discussion among the Board and County Attorney Pavlis regarding the removal of item number 3 of the agreement. County Attorney Pavlis was advised to make contact with GEFA concerning removing the discussed section of the agreement.

Commissioner Jones made a motion to remove the item for the agenda until a resolution has been made with GEFA regarding the change requested. Commissioner Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE TO AUTHORIZE THE CHAIRMAN TO EXECUTE A CONSORTIUM AND A CHIEF LOCAL ELECTED OFFICIALS WORKING AGREEMENT FOR THE COASTAL WORKFORCE SERVICES BOARD (02):**

Chairman Kessler explained he and Community Relations Director Kobek had a meeting with a representative from Chatham County regarding some of the concerns in the agreement. A meeting is scheduled for April 24, 2014 among the region elected officials to discuss the issue further.

Chairman Kessler requested the item be removed from the agenda until the issues have been addressed.

Commissioner Loper made a motion to remove the item from the agenda. Commissioner Jones seconded the motion. The motion carried unanimously.

**NEW BUSINESS****CONSIDERATION TO APPROVE TO CONSTRUCT A BOOSTER STATION TO INCREASE WATER PRESSURE FOR WATER CUSTOMERS (01):**

County Engineer Liotta explained Emerald Plantation is located off Blue Jay Rd. between Midland Rd. and Hwy. 17. At least 29 of the 82 lots in the subdivision have homes. Water services are provided by Effingham County, while sewage is handled through individual septic systems. The subdivision is connected to the 16-inch surface water main on Blue Jay Rd. by an 8-inch main, while a network of 6-inch mains distribute water within the subdivision. A petition signed by the residents of 21 of the houses was received. The primary complaint is “poor” pressure, while about half also listed smell or quality concerns.

The pressure at the County-line connection to Savannah I&D is consistently above 70 psi. Pressure drop between there and Emerald Plantation is a result of elevation difference (18' msl vs. 80' msl, approx. 25 psi) and water usage on the system (the largest user by far is the power plant, when they are running).

Operations staff monitored the pressure at one of the fire hydrants in the subdivision in April 2013 and again early this month. The attached charts indicate that the pressure at the street has varied between 35-45 psi. The minimum pressure allowed in the State is 20 psi.

Smell or other water quality concerns are usually linked to a lower level of disinfectant residual (in our case, chloramines). Staff has only indirect control over residual – since chloramines dissipate over time, flushing from hydrants is used to decrease the length of time water resides in the mains. However, flushing has the drawback of reducing pressure.

Operations staff monitors disinfectant residual all over the water system. State regulations require tests to be done only 9 times per month across the entire

system, but we far exceed that minimum (usually about 40-50/month). The attached table shows the results of samples taken from within Emerald Plantation over the last 12 months. All 26 had detectable amounts of disinfectant residual.

Capital improvements could be undertaken that would increase pressure and/or disinfectant residual. The best option to increase pressure would be the construction of a booster station at the County line, which has the advantage that it would increase the pressure for all customers. However, the cost of a booster station is about \$2-3 million.

A number of scenarios were discussed among Staff and the Board regarding direction to run the water lines. There was also a discussion of if SPLOST money can be used for this cause. The County Attorney was asked to provide in writing if SPLOST money can be used or not.

Commissioner Jones made a motion to direct Staff to gather engineering estimates for phases I, II, and III of the water lines as discussed, to deny the request for a booster station, but approve \$2,017.00 for an automatic flusher for a hydrant to be used in the Emerald Plantation area, and to direct the County Attorney to provide in writing if past SPLOST funds can be used for any of the projects. Commissioner Floyd seconded the motion. The motion carried unanimously.

**CONSIDERATION TO ACCEPT A QUOTE AND ISSUE A CONTRACT TO ABSOLUTE QUALITY SERVICES, LLC FOR 2014 GROUNDS MAINTENANCE – PESTICIDE, HERBICIDE AND FERTILIZER SERVICES (02):**

Purchasing Agent Charleton explained the County has invested in providing quality recreational facilities. The turf grass on the playing fields and recreational facilities needs constant care and maintenance. The current contract for these services is up for renewal on April 16th, 2014.

A request for quote for grounds maintenance – pesticide, herbicide and fertilizer services was issued and posted on the ECBOC website, the Georgia

Procurement Registry website, the Georgia Local Government Access Website and advertised in the Effingham Herald and the Savannah Morning news.

Responses were received from seven companies. Absolute Quality Services LLC returned the lowest bid. All fee schedules include an annual service of 5 fertilizer applications per site, soil sampling, and herbicide and pesticide treatments for Pineora, Springfield and Sandhill Sports Complexes.

All fee schedules also include a minimum of 20 bi-weekly visits from March 1, 2014 to November 1, 2014 to check for irrigation adequacy and malfunctions and disease inspections for turf grass; and quarterly consultation visits for the Historic Courthouse and Judicial Complex.

Issuing a contract to Absolute Quality Services, LLC will save \$11,460.00 over the current contract of \$25,560.00. The contract has been reviewed and approved by the County Attorney.

Commissioner Mason made a motion to approve Absolute Quality Services, LLC bid and approve to issue a contract to Absolute Quality Services, LLC for Grounds Maintenance-Pesticide, Herbicide and Fertilizer Services. Commissioner Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO ACCEPT A QUOTE AND ISSUE A CONTRACT TO EFFINGHAM ANIMAL HOSPITAL FOR VETERINARY SERVICES FOR EFFINGHAM COUNTY ANIMAL SHELTER (03):**

Purchasing Agent Charleton explained The Animal Shelter has a need for veterinary services on a weekly basis to perform various functions, including, but not limited to, general consultations, site evaluation, medical examinations, and administering shots and to perform euthanasia services. In order to standardize a rate, and to schedule set days for the visits, the County put out a request for quote.

The request for quote for veterinary services was posted on the ECBOC website, the Georgia Procurement Registry website, the Georgia Local

Government Access Website, advertised in the Effingham Herald and the Savannah Morning News, and sent to local veterinary clinics.

Responses were received from: The Animal Hospital at Rice Hope and Effingham Animal Hospital and the bid results were: Effingham Animal Hospital - \$200.00 per hour - consultation visit. The Animal Hospital at Rice Hope \$225.00 per hour – consultation visit (\$150.00 per hour + \$75.00 drive time)

The consultation fees do not include vaccinations, but Effingham Animal Hospital is going to work with the shelter to help purchase reduced/low cost vaccinations. The consultation visits will be scheduled for Monday mornings - negotiable depending upon need and upon County Holidays; and Thursday mornings - non-negotiable.

The County is currently paying \$400.00 per week for veterinary consultation services, so there is no savings to the County, but, by issuing a contract, the County ensures no fee increase during the next fiscal year. The contract has been reviewed and approved by the County Attorney.

Commissioner Jones made a motion to approve the contract as presented for Effingham Animal Hospital. Commissioner Floyd seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE THE REVISED DEVELOPMENT IMPACT FEE STUDY (04):**

County Engineer Liotta explained the Board previously assessed impact fees under the original Capital Improvements Element & Impact Fees study, along with the Development Impact Fee Ordinance, that were adopted in January 2005. Back in late 2010 and early 2011, the County contracted with the authors of the original 2005 study, TischlerBise, to update the study. However, this was never completed due to concerns by Board members regarding the study methods. General impact fee collection ceased in May 2011, and in July 2013, the first reading of an amendment to the Development Impact Fee Ordinance to remove

all references to water and sewer was approved, and water and sewer impact fees ceased to be collected.

At this time, there are remaining balances in the impact fee accounts, and the original study must be amended in order to use all of these funds. Staff has heavily revised the 2011 study without any further input from TischlerBise. All sections pertaining to continued impact fee collection have been removed.

There was a discussion about projects included and other revisions to be made to the study.

Commissioner Jones made a motion to table the request until the May 20, 2014 meeting to give Staff time to make necessary changes. Commissioner Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE TO CONTRACT WITH AN ATTORNEY AND HAVE A WARRANTY DEED PREPARED TO ACCEPT THE ROADS IN RIDGECREST SUBDIVISION (05):**

County Engineer Liotta explained Commissioner Kieffer suggests that the County consider accepting ownership of the infrastructure in Ridgecrest, which is located off Chimney Road. Water and sewer services are provided by a private company. The vast majority of the 62 lots in the subdivision have been built upon.

The final plat for Phase I (50 lots) was approved in May 2003, while Phase II (12 lots) was approved in March 2006, prior to the May 2009 change to the Subdivision Regulations. The Ridgecrest roads were on the list approved by the Board at the November 5, 2013 meeting to accept upon payment of taxes and submittal of a deed. Public Works inspected the roads/drainage infrastructure a couple years ago, and while there was a minor punch list at that time, it appeared in follow-up meetings with the homeowners that most if not all punch list items had been addressed.

The taxes have not been paid. As of November 5, 2013, the amount due was \$685.72 (2007-2013). A deed has not been provided.

There was a discussion about contacting the developer about a deed. Chairman Kessler stated he would make contact with the developer, Mike Stewart.

Vice Chairman Kieffer made a motion to table the request until the May 6, 2014 Commission Meeting. Commissioner Jones seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE TO AUTHORIZE THE CHAIRMAN TO EXECUTE AN APPLICATION FOR A GRANT FOR THE SHERIFF'S OFFICE TO THE GOVERNOR'S OFFICE OF HIGHWAY SAFETY (06):**

Finance Director Wright explained the Sheriff's Office has located a grant from the GOHS or Governor's Office of Highway Safety. The grant allows for the purchases that will be used for traffic safety/enforcement/education equipment.

The application for funds requires the Board of Commissioners approval. The terms and conditions are specifically addressed in the 19 page grant terms, conditions and certification attached.

This is a reimbursement grant which means we will need to expend the funds and then request the expenditure to be reimbursed. The general accounting and documentation of the grant is to be done by the Effingham County Finance department. The Sheriff's office will approve the purchase and work with the Finance department to adhere to the terms.

Submission for the grant and reimbursement request requires signatures of the project director, the finance officer, and the authorizing officials. The finance department has already had initial discussions with the Sheriff's department regarding the guidelines and requirements.

Given the detail and information submitted the Finance department is able to administer this grant within the terms required. Total grant award is \$10,000.00. A budget amendment will be required to increase expenditures by \$10,000.00 and Grant revenue by \$10,000.00



Commissioner Jones made a motion to approve submission of the application for the grant. Vice Chairman Kieffer seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A REQUEST FOR AN ADDENDUM TO THE EFFINGHAM COUNTY'S FINANCIAL POLICY (07):**

Finance Director Wright explained the County currently uses specific guidelines with regard to daily financial operations. Within the financial policies adopted the issue of emergency purchases is not specifically addressed. At times emergencies do arise and staff would like to address this area in order to define the process and educate staff. An emergency condition may arise by reason of floods, epidemics, riots, equipment failures or other similar circumstances.

The adoption of these procedures into the formal financial policies will help to ensure that, transactions are executed in accordance with the Board of Commissioners and administrative management's specific authorization. The structure of the process is to address emergency purchases arising from an eminent need in order to protect the County Property, Citizens or operations.

Emergency purchases would be limited to areas of essential public safety, health, welfare, when County operations would be seriously hampered or weather related emergencies. The existence of such condition must create an eminent danger or serious operational interruption that cannot be met through normal acquisition methods. An emergency purchase will be made with approval of another authorizing agent as specified within the policy.

Commissioner Loper made a motion to approve the addendum to the Effingham County's Financial Policy as submitted. Commissioner Jones seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE TO APPOINT AN INDIVIDUAL TO THE TAX ASSESSOR BOARD (08):**

County Clerk Johnson explained The Board of Assessor's consists of five (5) board members who serve four (4) year terms. Mr. Lloyd Trimm was appointed to the Board March 2010. Mr. Lloyd Trimm is interested in being reappointed to the Tax Assessor Board. As a courtesy to the public, the opening has been advertised in the Herald in February. We have not received any information for any other interested party. The term will expire on March 2018.

Commissioner Floyd made a motion to approve to reappoint Mr. Lloyd Trimm to the Tax Assessor Board. Vice Chairman Kieffer seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A PROCLAMATION DECLARING APRIL AS DONATE LIFE MONTH IN EFFINGHAM COUNTY (09):**

County Clerk Johnson explained LifeLink of Georgia, the state's non-profit organ and tissue recovery organization seeks a proclamation designating April as Donate Life Month in Effingham County. This proclamation will coincide with the national observance of Donate Life Month.

Commissioner Jones made a motion to approve the proclamation declaring April as Donate Life Month in Effingham County. Commissioner Floyd seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A REVISED SCHEDULE OF FEES (10):**

The Board discussed items of notable mention regarding the revisions proposed to the schedule of fees. There was a lengthy discussion regarding the proposed fees for water and sewer. Three different scenarios were presented by Staff for consideration. The Board requested that scenario 2 be included in on the schedule of fees for consideration.

Commissioner Jones made a motion to table the request until May 6, 2014 Commission meeting. Commissioner Floyd seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE AN ORDINANCE AMENDMENT TO SECTIONS OF CHAPTER 75-UTILITIES OF THE EFFINGHAM COUNTY CODE OF ORDINANCES (11):**

County Engineer Liotta explained in order to implement certain portions of the revised schedule of fees, a few sections of the water/sewer ordinances need slight modifications.

Currently, residential drinking water meters fees are \$550. Since the materials cost the County \$510.92, we are actually collecting less than \$40 for the labor to install the meter. The revised schedule of fees contemplates establishing a flat \$100 fee for residential installation over and above the cost of the supplies, as is currently the case for non-residential meter fees. Ordinance section 75-54 would need to be modified so that both are consistent.

Commissioner Mason made a motion to approve the first reading of the revised ordinances. Commissioner Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO DECLARE APPROXIMATELY 1.993 ACRES OF LAND AS SURPLUS AND ACCEPT SEALED BIDS FOR SALE (12):**

Interim County Administrator Allen explained On April 8th, 2010, Effingham County acquired approximately 1.253 acres of property from Dennis G. Davis and Joan H. Davis to be used as right-of-way for the Old Augusta Road improvements. At the same time the remaining approximately 1.993 acres were acquired as a remnant with the owner's knowledge that it was not required for use as right-of-way. The property is located near the intersection of Fort Howard Road and Old Augusta Road on the north side of Old Augusta Road.

The previous owners of the property waived their rights of repurchase when the property was conveyed. Effingham County doesn't have an immediate need for the property nor does staff foresee a need in the future. If the property is approved for surplus, sealed bids will need to be solicited for its disposition.

At a minimum the County will need to receive fair market value for the property. If the sealed bids do not produce a suitable offer for the property, the Board can choose not to sell it.

Commissioner Loper made a motion to approve to declare the property as Surplus and accept sealed bids for its disposition. Commissioner Floyd seconded the motion. The motion carried unanimously.

## **REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF**

Interim County Administrator Allen discussed the following:

- 1. Sheriff's Office Updates**
  - Attached is an update to the progress of the Sherriff's Office project.
- 2. Blue Jay Road and McCall Road Improvements**
  - Work is anticipated to begin the first of April.
- 3. Ash Road Repairs**
  - Work began on April 9th.
  - Additional roads will be repaired to the extent a change order can be issued.
- 4. Road Re-Striping**
  - Public Work is obtaining measurements of the existing striping.
  - Once measurements have been obtained, the re-striping will be bid and a contract brought before the Board for consideration.
- 5. Public Works / Fleet Maintenance**
  - Bids are due April 24<sup>th</sup>.
  - Will be presented to the Board on May 6, 2014.
- 6. Fleet operation, Maintenance and Management Services**
  - Bids are due May 5<sup>th</sup>.
  - A contract will be presented to the Board on May 20<sup>th</sup>.
- 7. Fleet Fuel Purchasing and Card Management Services**
  - Bids are due May 5<sup>th</sup>.
  - A contract will be presented to the Board on May 20<sup>th</sup>.
- 8. Bunyan Kessler Road Repairs**
  - Bids are due April 16<sup>th</sup>.
  - A contract will be presented to the Board on May 6<sup>th</sup>.
- 9. SR 119 Recreation Improvements**
  - Bids are due April 29<sup>th</sup>.
  - A contract will be presented to the Board on May 20<sup>th</sup>.
- 10. Atlas Sand Planning Services**
  - Bids are due April 29<sup>th</sup>.
  - A contract will be presented to the Board on May 20<sup>th</sup>.
- 11. McCall Road Restriping**
  - Bids are due May 5<sup>th</sup>.
  - A contract will be presented to the Board on May 20<sup>th</sup>.
- 12. Disaster Debris Monitoring and Financial Recovery Services**
  - Bids are due on May 16<sup>th</sup>.
  - A contract will be presented to the Board on June 3<sup>rd</sup>.
- 13. Disaster Debris Removal Services**
  - Bids are due on May 16<sup>th</sup>.
  - A contract will be presented to the Board on June 3<sup>rd</sup>.
- 14. Hodgeville Wetwell and Manhole Rehabilitation**
  - Bids are due May 6<sup>th</sup>.

- A contract will be presented to the Board on May 20<sup>th</sup>.

#### **15. Upcoming Bids**

- Bid packages are being prepared for Zittrouer Road Repairs, Paved Road Resurfacing, Equipment Purchases and ISO Consulting Services.

#### **16. Gateway Behavioral Health**

- Gateway is requesting appointments to the Gateway BHS governance board by June 1, 2014.
- One appointment of a person reflective of the cultural and social characteristics, including gender, race, ethnic, and age characteristics, of the community service board area and county population, to serve a two year term beginning July 1, 2014.
- One elected or appointed official to serve concurrent with his/her term of office in your county.

#### **17. Effingham High School FFA**

- The Effingham High School FFA Chapter is requesting donations.
- Would the Board like to become a sponsor?

#### **18. UGA Extension**

- The Extension Office has invited the Board to a dinner on May 6<sup>th</sup> at 4:00 pm.

#### **19. Animal Shelter**

- Ebenezer Middle School donated a truck load of food, litter, leashes, soap and a check in the amount of \$1,500.00 to the Animal Shelter.
- On June 6<sup>th</sup> the shelter will be holding a spring fling adoption/donation drive at the shelter.

#### **20. Prison/Jail Staffing Transition**

- A memo outlining the current status of the transition has been provided to the Board.

#### **21. Medient Studios**

- Meeting held with Chatham County regarding approximately 60 acres of the property that lies within Chatham County. Send letter to Chatham Commissioner stating the County would like to serve the property.

#### **22. DOT Letter**

- Request to send letter to DOT regarding property at Hwy 80.

Commissioner Floyd discussed the following:

#### **1. Big Nasty RV Park**

- Complaints of speeding and trash dumping on the property.

Commissioner Jones discussed the following:

#### **1. ISO Rating**

- Request to place item on next agenda.

Vice Chairman Kieffer discussed the following:

#### **1. Hwy 21 South Littering**

- Ms. Aveille expressed concern for cigarette butts along Hwy 21 South.

Commissioner Mason discussed the following:

#### **1. Check Writing**

- Placing a cap on checks which require signatures of the Board. Staff to work on a policy addressing it.

#### **2. Audit**

- What is the status of the audit? County Administrator to call or email the audit firm.

**EXECUTIVE SESSION**

At 9:38 pm, Commissioner Mason made a motion to go into executive session to discuss personnel, property and pending litigation. Commissioner Floyd seconded the motion. The motion carried unanimously.

**EXECUTIVE SESSION MINUTES**

Chairman Kessler called for a motion to approve the April 1, 2014 executive session minutes. Commissioner Loper made a motion to approve the minutes as read. Commissioner Floyd seconded the motion. The motion carried unanimously.

**PLANNING BOARD**

**Ernest Oetgen (01):** A public hearing was held on an application by Ernest Oetgen to rezone 6 acres located on Godley Road from AR-1 to I-1 Map# 399 Parcel# 3B in the First District.

Zoning Administrator Shaw explained the applicant would like to rezone to allow for exporting of vehicles, loading vehicles on containers from the site.

There was a question about buffering. Zoning Administrator Shaw confirmed buffers are required according to the ordinance.

No one spoke in favor or against the request.

Commissioner Floyd made a motion to approve the request with the following stipulations:

1. Each lot shall meet the requirements of the I-1 Zoning District.
2. Site development plans shall comply with the Effingham County Water Resources Protection Ordinance and the Storm Water Management Local Design Manual.
3. All wetland impacts shall be permitted by the USACE.
4. Subdivision plat shall be approved by the Health Department and the Zoning Office.

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

**Greenland Developers, Inc. (02):** An application by Greenland Developers, Inc. to approve a sketch plan for 11 lots in Bluejay Estates located on Bluejay Road Map# 351 Parcel# 1 in the First District.

Zoning Administrator Shaw explained there will be no road infrastructure and the property is in the vicinity of the county water lines.

There was a discussion about the location of the water lines and if the development would be required to tie in.

Commissioner Floyd made a motion to approve the sketch plan with the following stipulations:

1. Each lot shall meet the requirements of the R-1 Zoning District.
2. Site development plans shall comply with the Effingham County Water Resources Protection Ordinance and the Storm Water Management Local Design Manual.
3. All wetland impacts shall be permitted by the USACE.
4. Subdivision plat shall be approved by the Health Department and the Zoning Office.
5. Shared driveways are recommended.

Commissioner Loper seconded the motion. The motion carried unanimously.

**Greenland Developers, Inc. (03):** A public hearing was held on an application by Greenland Developers, Inc. for a conditional use to allow for a church in an R-1 district located on Bluejay Road Map# 351 Parcel# 1 in the First District.

Zoning Administrator Shaw explained churches are allowed conditionally in an R-1 district. The developer would like to allow for a church to be constructed on a parcel of the property.

No one spoke in favor or against the request.

Commissioner Floyd made a motion to approve the request with the following stipulations:

1. The site plan must be approved by county staff.
2. All buffer requirements must be met.
3. An acceleration and deceleration lane is recommended.

The motion was seconded by Commissioner Jones. The motion carried unanimously.

**Don Christian (04):** A public hearing was held on an application by Don Christian to rezone 287.74 acres located at the corner of McCall and Lowground Roads from PD- AR-1 Map# 413 Parcel# 7 in the Second District

Zoning Administrator Shaw explained the property was proposed for a development known as Polly Creek. The applicant would like to rezone the property to AR-1 for the use of a solar farm.

There was a discussion about appropriate buffering requirements.

No one spoke in favor or against the request.

Commissioner Jones made a motion to approve the request with the following stipulations:

1. Each lot shall meet the requirements of the AR-1 Zoning District.
2. Site development plans shall comply with the Effingham County Water Resources Protection Ordinance and the Storm Water Management Local Design Manual.
3. All wetland impacts shall be permitted by the USACE.
4. Any subdivision plat shall be approved by the Health Department and the Zoning Office.
5. Appropriate buffering shall be put in place.

Commissioner Loper seconded the motion. The motion carried unanimously.

**Don Christian (05):** A public hearing was held on an application by Don Christian for a conditional use to allow for a solar farm located at the corner of McCall and Lowground Roads Map# 413 Parcel# 7 in the Second District

Zoning Administrator Shaw explained solar farms are allowed in an AR-1 district as a conditional use. The solar farm company is working Georgia Power.

Commissioner Jones made a motion to approve the request with the following Planning Board and Staff stipulations:

1. Each lot shall meet the requirements of the AR-1 Zoning District.
2. Site development plans shall comply with the Effingham County Water Resources Protection Ordinance and the Storm Water Management Local Design Manual.
3. All wetland impacts shall be permitted by the USACE.
4. Any subdivision plat shall be approved by the Health Department and the Zoning Office.
5. Appropriate buffering shall coincide with the site plans presented showing a sixty foot (60') buffer on Lowground Road and a one hundred foot (100') buffer on McCall Road

Commissioner Floyd seconded the motion. The motion carried unanimously.



**James Blakely (06):** A public hearing was held on an application by James Blakely to rezone 2 acres located at 135 Magnolia Drive from AR-1 to AR-2 Map# 450D Parcel# 49 in the Second District.

Mr. James Blakely spoke in favor of his request.

Zoning Administrator Shaw explained the applicant purchased to adjoining lots, one with a home site. The applicant would like to cut out two acres around the home to deed to family.

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

1. Each lot shall meet the requirements of the AR-2 Zoning District.
2. Site development plans shall comply with the Effingham County Water Resources Protection Ordinance and the Storm Water Management Local Design Manual.
3. All wetland impacts shall be permitted by the USACE.
4. Any subdivision plat shall be approved by the Health Department and the Zoning Office.
5. The remaining acreage must be combined with adjoining parcel as it will be too small for the AR-1 district.

Commissioner Floyd seconded the motion. The motion carried unanimously.

**Coleman & Company Inc. (07):** A public hearing was held on an application by Coleman & Company Inc. for a conditional use for a surface mine located at 638 Fort Howard Road Map# 462 Parcel# 8 in the Fifth District.

Zoning Administrator Shaw explained the property is currently zoned industrial for surface mining and warehousing. The applicant is now requesting to surface mine the entire parcel. There have been complaints about noise and hours of operation, tracking on the road and flooding.

There was a lengthy discussion about the concerns and complaints mentioned and the effect on the Lake's property.

Mr. Travis Burke of Coleman & Co. explained there are some things that can be done to control the pumping rate to reduce flooding.

Mr. Mickey Kicklighter, Attorney for Mr. and Mrs. Lake explained his clients are not opposed to the request but would like the Board to place a stipulation that the water runoff is to be restricted to the pre-mining water flow.

Further discussion ensued about how to address the run off, inspection for code compliance and agreement with state law.

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

1. All existing buffers shall remain in place.
2. Site development plans shall comply with the Effingham County Water Resources Protection Ordinance and the Storm Water Management Local Design Manual.
3. All wetland impacts shall be permitted by the USACE.
4. Work hours Monday – Saturday 8:00 a.m. to 6:00 p.m.
5. State mining permit must be approved.
6. Project must comply with all requirements of Sec. 3.17 of the zoning ordinance.
7. The mining operation meets pre-mining discharge rates with the use of an outfall structure and all calculations are copied to the County for monitoring.

Commissioner Mason seconded the motion. The motion carried unanimously.

**Vivian Hunt (08):** A public hearing was held on an application by Vivian Hunt for a variance to reduce the easement requirement from 60 feet to 30 feet for a property located off of Old Augusta Road South Map# 475 Parcel# 25 in the Fifth District.

Zoning Administrator Shaw explained the Hunt property is landlocked. There is no legal access of record and there is not sufficient area for a sixty (60') foot easement. A church in the area is allowing the applicant to use a thirty (30') foot easement. The applicant would like to subdivide the property for family.

Mrs. Vivian Hunt spoke in favor of her request.

Vice Chairman Kieffer made a motion to approve the request.

Commissioner Floyd seconded the motion. The motion carried unanimously.

**ADJOURNMENT**

At 10:02 pm, Commissioner Jones made a motion to adjourn the meeting.

Commissioner Mason seconded the motion. The motion carried unanimously.

  
WENDALL KESSLER, CHAIRMAN

  
STEPHANIE JOHNSON, COUNTY CLERK