

**EFFINGHAM COUNTY
BOARD OF COMMISSIONERS MEETING**

July 21, 2015

The Board of Commissioners of Effingham County, Georgia, Mr. Wendall Kessler, Chairman, Mrs. Vera Jones, Vice Chairperson, Mr. Forrest Floyd, Mr. Jamie Deloach, Mr. Reginald Loper and Mr. Phil Kieffer met in regular session 5:00 pm on Tuesday, July 21, 2015 in the Commissioners' Meeting Room at the Effingham County Administrative Complex.

PERSONS ATTENDING THE MEETING

Mr. Edward Newberry, County Attorney, Mr. Toss Allen, County Administrator, Mrs. Stephanie Johnson, County Clerk, Mrs. Joanna Wright, Finance Director, Mr. Clint Hodges, Fire Chief, Mr. George Shaw, Zoning Administrator, Mr. Tim Matthews, Mr. John A. Henry, Mr. Don Farabaugh, Mr. Rick Lott, Ms. Erin Phillips, Ms. Amie Dickerson, Mr. Brett Bennett, Ms. Connie Edenfield, Mr. Henry S. Morgan, Ms. Barbara Prosser, Ms. Lucille P. Tate, Mr. Daniel Almond, Mr. Rob Lee, Mr. Chad Zittrouer, Mr. Jack Garvin, Ms. Gigi Rigsby and Mr. Pat Donahue

CALL TO ORDER

Chairman Kessler called the meeting to order.

INVOCATION

Vice Chairperson Jones gave the invocation.

PLEDGE TO THE AMERICAN FLAG

Chairman Kessler led the Pledge to the American Flag.

AGENDA APPROVAL

Chairman Kessler asked for a motion to move New Business# 16 to New Business# 17 and New Business 17 to New Business 16. Chairman Kessler further confirmed that he has a conflict with the New Business 17 item.

Vice Chairperson Jones made a motion to approve the agenda with the change to move New Business# 17 to New Business# 16 and move New Business# 16 to New Business# 17. Commissioner Kieffer seconded the motion. The motion carried unanimously.

MINUTES

Chairman Kessler asked if there were any corrections or additions to the June 23, 2015 Commission meeting or the June 25, 2015 Recreation Workshop minutes.

Commissioner Loper made a motion to approve the minutes as read. Commissioner 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 TO ENTER INTO AN AGREEMENT WITH THE CITY OF RINCON FOR USE OF INMATES (01):

County Administrator Allen explained this item was tabled June 23, 2015 so that changes requested by the board, as well as The City of Rincon, could be incorporated into the Agreement. The changes are but not limited to are as follows: to assign a correctional supervisor to used exclusively by the City of Rincon, terms under which a detail will run during inclement weather, terms of payment and ninety (90) termination clause. There was also some legal verbiage added at the end of the agreement

Commissioner Floyd made a motion to approve the agreement with the noted changes. Commissioner Kieffer seconded the motion. The motion carried unanimously.

THE PLANNING BOARD RECOMMENDS APPROVING AN APPLICATION BY JAKE SHAPIRO FOR MASTER PLAN APPROVAL ON 1500 +/- ACRES FOR MOON RIVER STUDIOPLEX LOCATED AT OLD RIVER ROAD AND INTERSTATE 16 MAP# 329 PARCEL# 41A IN THE FIRST DISTRICT (02):

County Administrator Allen explained a revised master plan has been submitted. The changes of the plan include the location of the spray fields and identified the location of the septic system and buffer outline.

Zoning Administrator Shaw explained the late submission was due to a meeting held after the agenda deadline. Zoning Administrator Shaw confirms the revised plan satisfies Staff requirements. The conditions of approval were read aloud and include the following:

1. The developer will be allowed to utilize an on-site septic disposal system until the sewerage flow rates exceed 10,000 gallons per day. Once the sewerage flow rate exceeds 10,000 gallons per day, the Industrial Development Authority will be responsible for constructing a tertiary wastewater treatment facility, or other mutually agreed upon means of sewerage disposal, capable of treating up to 150,000 gallons of sewerage a day from the project.

2. The Industrial Development Authority has constructed a well and elevated storage tank to serve the project. Effingham County will assume ownership and will operate and maintain the well once a permanent power source is made available to it. Effingham County has committed up to 150,000 gallons per day of water from their groundwater withdraw permit to this project.
3. Once the water and sewerage demands exceed 150,000 gallons per day, the committed withdraw capacity for the well and treatment capacity in the tertiary wastewater treatment facility, the developer will be responsible for providing a mutually agreed upon means of supplying the project with potable water and wastewater treatment. All costs of providing infrastructure to meet this requirement will be borne by the developer.
4. All water infrastructure for the project will be sufficient to provide for the peak daily demand of the project as well as adequate fire flows as determined by ISO. The developer shall submit calculation to Effingham County demonstrating the adequacy of the infrastructure.
5. The developer has submitted a Traffic Impact Analysis Report dated October 20, 2014 prepared by Hussey, Gay, Bell & DeYoung and signed by Jeffrey K. Netzinger. The report only analyzes two scenarios, the initial phase of development and final buildout. The report doesn't recommend any off-site improvements for the initial phase but recommends extensive improvements at final buildout. It is unclear from the report what improvements, if any, would be required for intermediary phases of development. The developer will either amend the Traffic Impact Analysis Report to list incremental improvements or provide an amended report with each additional phase or development. If the developer chooses to provide an amended report listing incremental improvements for the entire project, the amended report shall be submitted to Effingham County prior to the second phase of development commencing. As per the zoning stipulations placed on this property, no certificate of occupancy will be issued until such time as all upgrades required by phase as determined by the access management plan have been completed. All costs of providing infrastructure to meet the recommendations of the Traffic Impact Analysis Report will be borne by the developer.
6. As per the zoning stipulations placed on this property, prior to commencement of construction activities within the subject tract, the developer or his designee must submit for review by county staff a traffic safety plan which will be implemented during construction. A traffic safety plan prepared by Hussey Gay Bell, dated July 08, 2015 was presented to staff for review. The plans calls for a "Trucks Entering Highway" sign to be placed 500 feet from the entrance in both directions. The entrance is located in a curve and the signs will not be sufficient to

safely allow construction vehicle to ingress and egress the site. A right hand turn lane and a center turn lane need to be installed as part of the first phase of development.

7. The masterplan shows a road connecting to Fifth Street. As per the zoning stipulations placed on this property, all access to be limited to direct access to I-16 or Old River Road only. Fifth Street may not be accessed with commercial, construction, or industrial traffic associated with the proposed development, but may be used for utility, emergency, and maintenance access only.
8. Buffers meeting the requirements contained in the zoning stipulations for this property need to be shown on the masterplan. The masterplan appears to propose extensive development within the required buffers. This development will not be allowed and a revised masterplan containing the required buffers, without any development within them, will be required.
9. Chatham County must approve any construction activity with the portion of this project located within Chatham County prior to the commencement of that activity.

10. All zoning stipulations place on this property must be fully adhered to.

Mr. Steve Wohfeil, of Hussey Bell & Deyoung confirmed to be in agreement with the stipulations as outlined.

Mr. Jake Shapiro of Moon River expressed appreciation to the Board for its consideration of approval.

Mr. John Henry, CEO of the Industrial Development Authority explained he is in agreement with the stipulations as long as there is no interference with the Intergovernmental agreement.

Commissioner Floyd made a motion to approve the master plan based on the revised master plan and Staff recommendations. Commissioner Loper seconded the motion. The motion carried unanimously.

NEW BUSINESS

**CONSIDERATION TO APPROVE TO ISSUE A SERVICES CONTRACT TO A.I.M.
CONSTRUCTION FOR THE PURCHASE OF CLAY ON AN 'AS NEEDED' BASIS (01):**

Commissioner Loper recused himself.

County Administrator Allen explained this is an on call contract approved each year for clay on an as needed basis. A.I.M. Construction is one of few companies with ability to provide this service.

Commissioner Kieffer made a motion to approve to issue a services contract to A.I.M Construction for the purchase of clay. Vice Chairperson Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE TO ACCEPT A FIRE PROTECTION SERVICES AGREEMENT WITH THE CITY OF NEWINGTON (02):

County Administrator Allen explained this agreement has been in place for some time. The City of Newington provides automatic aid to a small area in the north end of the County that is not within a five mile radius of any of the County fire stations.

The July 7, 2015 meeting was cancelled and the agreement was set to expire on June 30, 2015. In addition an ISO inspection was being conducted the same week. Due to these events, the Chairman was asked to sign the document in advance of the next Board meeting. The agreement was also signed by the City of Newington.

There was a discussion about the date signed and effective dates of an agreement/contract.

Vice Chairperson Jones made a motion to approve the agreement. Commissioner Deloach seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE TO ENTER INTO A RURAL FIRE DEFENSE COOPERATIVE LEASE AGREEMENT AND MOU WITH THE GEORGIA FORESTRY COMMISSION (03):

County Administrator Allen explained this agreement has always been in place and is due to expire. There is no funding required.

Fire Chief Hodges confirmed the County currently operates one forestry supplied tanker, which is included in this agreement, at no cost to us. There is no funding required.

Commissioner Floyd made a motion to approve and execute the Rural Fire Defense Cooperative Lease agreement and MOU with the Georgia Forestry Commission. Vice Chairperson Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AND EXECUTE A MEMORANDUM OF AGREEMENT WITH SAVANNAH TECHNICAL COLLEGE, ADULT EDUCATION DEPARTMENT OF GED TESTING AT THE COUNTY PRISON (04):

County Administrator Allen explained this agreement is approved each for GED testing. Funding is included in the budget for this service. The agreement is the same as those presented in the past.

Commissioner Loper made a motion to approve to execute the agreement with Savannah Technical College for GED testing at the Prison. Commissioner Deloach seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE TO AND EXECUTE THE GEORGIA INDIGENT DEFENSE SERVICES AGREEMENT WITH THE OGEECHEE CIRCUIT PUBLIC DEFENDERS OFFICE FOR FY 2016(05):

County Administrator Allen explained the agreement is continued year after year. The Council was late getting the agreement to the County. This agreement expired June 30, 2015.

Commissioner Floyd made a motion to approve and execute the contract for Public Defender Services. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE TO ACCEPT A BID AND AWARD A CONTRACT TO GOVPLANET, LLC FOR 2015-2016 SURPLUS VEHICLE AUCTION SERVICES (06):

County Administrator Allen explained the Board approved a surplus list and a request for quote was requested. Due to questions County Administrator Allen requested this item be tabled.

Commissioner Kieffer made a motion to table the request until August 4, 2015. Commissioner Deloach seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE TERMINATION OF A LEASE AGREEMENT WITH ALITEL MOBILE COMMUNICATIONS (07):

EMA Director Myrick explained Effingham County Board of Commissioners has an open lease agreement with Alltel Mobile Communications – which is now owned by AT&T Mobile Communications. This agreement provides Effingham County the use of a cell tower located on Conaway Road.

Effingham County Board of Commissioners entered into a lease with Alltel on August 3, 1999 to place a communications repeater on an Alltel Tower located on Conaway Road. The communications equipment was removed, however, the lease has been automatically renewing every five (5) years.

The County has not been paying for an unused service. The cost is under \$25.00 and has been being written off.

Commissioner Loper made a motion to approve the termination of a lease agreement with Alltel Mobile. Commissioner Deloach seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A HAZARD MITIGATION GRANT APPLICATION (08):

EMA Director Myrick explained the purpose of the Effingham County Multi-Hazard Mitigation Plan is to create a safer community for Effingham County residents by reducing or eliminating the long-term risk to human life, property, and environmental degradation from hazards. This purpose will be accomplished by creating a planning document that becomes the foundation for emergency management planning, training, and preparedness, and by identifying those hazard mitigation projects that will reduce the impact of future hazard events.

Vice Chairperson Jones made a motion to approve the Hazard Mitigation Plan grant application. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE EMPG LOCAL ENTITY ANNUAL REPORT (09):

EMA Director Myrick explained GEMA-HS agrees to provide funding support to local qualified governments for appropriate administrative expenses, administer and manage federal and state assistance programs for the benefit of local governments; provide necessary and requested information, advise, recommendations and technical assistance concerning emergency management administrative, operations and planning training issues and to eliminate restrictive and unnecessary administrative requirements in managing its responsibilities on behalf of local governments.

The 2014 EMPG Performance Partnership Grant Application was approved on October 7th, 2014 for a total project cost of \$31,350.00. Effingham County is a categorized as a Tier 4 therefore the local match was \$15,675.00

GEMA distributed an unsolicited training grant in the amount of \$500 that would be used to assist Effingham County in training expenses. It should be noted that Effingham Emergency Management spent \$856.54 in training expenses, which will result in a refund to GEMA in the amount of \$71.73.

There was a question of if the amount is budgeted. Finance Director Wright answered in the affirmative.

Commissioner Loper made a motion to approve to authorize the Chairman to sign the EMPG Local Entity Annual Report. Commissioner Deloach seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPOINT AN INDIVIDUAL TO THE POSITION OF ACCG-IRMA SAFETY COORDINATOR AND TO APPROVE THE CHAIRMAN TO EXECUTE THE SAFETY VERIFICATION FORM (10):

County Clerk Johnson explained at the last Board meeting the Board approve the safety coordinator for the Worker's Compensation. This document is for the IRMA property and liability safety coordinator and contact.

Commissioner Floyd made a motion to approve the Chairman to sign the Safety Verification for the ACCG-IRMA as submitted. Commissioner Deloach seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE COMMISSIONER AND STAFF TRAVEL FOR THE 2015 CHAMBER RETREAT (11):

County Clerk Johnson explained there are four of the six Commissioners who have confirmed a desire to attend the retreat.

Commissioner Loper made a motion to approve the travel cost. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE APPOINTMENTS FOR THE COASTAL REGION METROPOLITAN PLANNING ORGANIZATION BOARD AND CITIZENS ADVISORY COMMITTEE (12):

County Administrator Allen explained The Reapportionment process is necessitated by the 2010 Census expansion of the Savannah Urbanized Area. Federal law requires that the CORE MPO's Metropolitan Planning Area boundary expand to include parts of Effingham County. As a result, it is necessary to update the MPO and advisory committee's membership, the Bylaws and Memorandum of Understanding to reflect the current requirements and the expanded planning area membership.

Georgia DOT and the Governor have executed the Memorandum of Understanding (MOU) and approved the Metropolitan Planning Area. The MOU establishes the responsibilities of each member organization, the MPO Planning Boundary and the dues to be paid by each organization. The Planning Boundary for Effingham County is the Urbanized Area only.

The bylaws specify a CORE MPO Board and four advisory committees. The committees are the Technical Coordinating Committee, Economic Development and Freight Advisory Committee, Citizens Advisory Committee and Advisory Committee on Accessible Transportation. The voting member for the COPE MPO Board is "Chairman or designee, Effingham County Commission".

The member for the Technical Coordinating Committee is "staff representative, Effingham County". The two members of the Economic Development and Freight Advisory Committee are "County Manager, Effingham County and Director, Effingham County Industrial Development Authority".

The member of the Citizens Advisory Committee is “a local citizen appointed by each CORE MPO board voting member”. The voting member for the Advisory Committee on Accessible Transportation is “staff representative, Effingham County”.

Mr. Jack Garvin stated he would volunteer to be on the Citizens Advisory Committee if the Board is not able to find someone else.

Commissioner Floyd made a motion to appoint Chairman Wendall Kessler to the CORE MPO Board. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE TO A LETTER OF ENGAGEMENT FOR SPIVA LEWIS LLC FOR CONSULTING SERVICES (13):

County Administrator Allen explained this engagement letter is for special services for the Herbert Kessler Road project. Mr. George Lewis's service has been utilized on special projects in the past.

Commissioner Loper made a motion to approve the letter of engagement. Commissioner Floyd seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE TO AWARD A CONTRACT FOR TESTING SERVICES ON THE 2015 LMIG RESURFACING PROJECT (14):

County Administrator Allen explained on 6/23/2015 the Board approved a contract with Carroll and Carroll, Inc. for resurfacing on fourteen (14) County roads totaling approximately 26.5 miles. The project is being partially funded with LMIG funds (Wylly Road, High Bluff Road and Long Bridge Road).

LMIG funded projects must comply with the DEPARTMENT's Standard Specifications Construction of Transportation Systems (current edition), Supplemental Specifications (current edition) and Special Provisions. LMIG funded projects shall be subject to a construction field audit at any time.

All inspections, sampling and testing of the work will be the responsibility of the local government. The tests contained within this contract are contained within GDOT's requirements for Sampling and Testing. Our request for bids on the resurfacing contract required contractors to be GDOT prequalified in their area class. Whitaker Laboratory, Inc. is the only local GDOT prequalified testing company in their area class.

Commissioner Floyd made a motion to approve the contract with Whitaker Laboratory, Inc. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN AGREEMENT WITH ENVIROWORX OPERATIONS MANAGEMENT LLC FOR CONSULTING SERVICES (15):

County Administrator Allen explained there are provisional changes being made to the structuring of the Water/Wastewater and the Public Works Departments. This company provides similar services for Richmond Hill and the City of Springfield.

Enviroworx will provide a full time employee to be housed in Effingham County to manage the Public Works and Water and Sewer departments, provide a Class 1 Water System Operators License and assist with obtaining bids for and completing repairs and maintenance.

Commissioner Kieffer made a motion to approve the contract with Enviroworx Operations Management for Consulting Services. Commissioner Deloach seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE FINAL PLAT FOR CLOVER POINTE SUBDIVISION, PHASES 2B AND 2C AND ACCEPT A WARRANTY DEED FOR THE INFRASTRUCTURE (16):

Zoning Administrator Shaw explained the plat has been reviewed and approved by staff. The deed has been forwarded to the county attorney for approval. The road has been inspected and approved by the public works department. The water and sewer system have been inspected and approved by staff. An infrastructure maintenance security for \$45,784.05, 10% of the estimated value of the infrastructure was submitted. All appropriate fees have been paid.

Vice Chairperson Jones made a motion to approve to accept the final plat for Clover Point subdivision and sign and record the deed for Phases 2B and 2C. Commissioner Floyd seconded the motion. The motion carried unanimously.

EXECUTIVE SESSION

At 6:17 pm, Commissioner Kieffer made a motion to enter executive session after a ten minute break to discuss personnel, property and pending litigation. Commissioner Loper seconded the motion.

RECONVENE

The Board reconvened at 7:04 pm.

CONSIDERATION TO APPROVE A PURCHASE AND SALE AGREEMENT FOR A PROPERTY LOCATED AT 1193 KOLIC HELMEY ROAD (17):

Chairman Kessler explained the property being proposed for approval for a fire station is owned by his company. The Board agreed they would not like to

pursue purchasing this property. Chairman Kessler requested the item be removed from the agenda.

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

REPORTS FROM COMMITTEES, COMMISSIONERS AND STAFF

County Administrator Allen discussed the following:

1. **Monthly Fire Report**
 - The monthly fire report for the month for June 2015.
2. **Monthly Senior Citizens Report**
 - The monthly senior citizens report for the month for June 2015.
3. **Animal Shelter Report**
 - Attached is the monthly animal shelter report for the month of June 2015.
4. **ISO Rating**
 - ISO conducted an inspection of ECFR on July 7, 2015.
5. **ACCG Legislative Leadership Conference**
 - ACCG will be holding the 2015 Legislative Leadership Conference October 7-9 at the Jekyll Island Convention Center.
 - A voting delegate must be appointed to vote during the business session on Thursday, October 8th. The voting delegate form must be completed and returned to ACCG by Friday, September 25, 2015.
 - Housing arrangements must be made by Thursday, September 3, 2015.
 - There are opportunities to get Lifelong Learning Academy course credits during the Legislative Leadership Conference. A tentative conference agenda is attached.
 - A personal invitation was received from Dale Provenzano, Chairman Glynn County Board of Commissioners.
6. **ACCG Policy Committee Meeting**
 - ACCG will hold the 2015 Policy Committee Meetings beginning August 18th. Each meeting will run from 10am-2pm and will include lunch.
 - Please let the Clerk know if you would like to sign up to attend any of the committee meetings.
 - Please let the Clerk know if you would like to sign up to serve on any committee. A form for doing so is attached.
 - County Officials will receive three hours of continuing education credit for attending.
 - A list of the Policy Committees meeting times and locations is attached.
7. **CRC Bluzin at Mary Ross Waterfront Park**
 - The Coastal Regional Commission of Georgia Area Agency on Aging will be presenting a community and concert event on September 5, 2015.
 - The event will be held at the Mary Ross Waterfront Park in Brunswick from 1:00 pm until 5:00 pm.
 - The purpose of the event is to promote education, advocacy and bring together key resources in the community to raise awareness and inform the public about issues and topics of concern for today's senior.
 - Sponsorships for the event are being requested. The sponsorships will not only support this event but the Home Delivered Meal Program as well.
8. **Highway Trust Fund Update**
 - An email was received from Congressman Buddy Carter regarding the current status of the Highway Trust Fund.
9. **Georgia Academy for Economic Development**
 - Every year the Department of Community Affairs hosts the Georgia academy for Economic Development.
 - There are four one day classes held over a period of four months. All class dates are August 20, September 24, October 22 and December 3.
 - The program is designed to enhance community leader's skills and knowledge so that more communities in Georgia may remain or become successful.

10. Letter from the Jackson Family

- A letter received from the Jackson Family regarding the status of their attorney.

11. Springfield Central High School Association

- A letter thanking the Board for the use of the Central High School facility for a homecoming event that was held at the end of last month.

12. Zoning District Mining

- County Administrator Allen has had questions about creating a zoning district for mining.

13. CASA

- County Administrator Allen met with Lannie Jenkins regarding receiving some of Victim Witness funds.

14. Financial Reports

- The monthly report is submitted for your review.

County Clerk Johnson discussed the following:

1. City of Savannah

- To host a disparity meeting; inviting surrounding counties to provide input on how to work better w/ local businesses. Meeting will be held Tuesday, July 28th @ 6:00 pm at the Coastal GA Center on Fahm St. Savannah

Zoning Administrator Shaw discussed the following:

1. Knock Knock Live TV Show

- Will visit homes in Shadowbrook on August 4th. The homes to be visited have already been notified by the producers.

Commissioner DeLoach discussed the following:

1. Old Dixie/Ciyo Shawnee Road

- Requested that rumble strips be placed at the intersection and the intersection is made a four way stop

Commissioner Floyd discussed the following:

1. Conaway Road

- Asked for an update on the standing of the road.

EXECUTIVE SESSION

At 7:39 pm, Commissioner Kieffer made a motion to enter executive session to discuss Personnel, Property and Pending Litigation. Commissioner DeLoach seconded the motion. The motion carried unanimously.

PLANNING BOARD

THOMAS PROCTOR (01): The Planning Board recommends approving an application by Thomas Proctor to rezone 0.68 acres located at 1398 Old River Road from AR-1 to B-2 Map# 304 Parcel# 28 in the First District.

Zoning Administrator Shaw explained this is an existing store. The applicant wishes to make major alterations and to prepare for gas pumps. Staff and Planning Board recommend approval.

Mr. Thomas Proctor approached requesting approval. A new structure will be erected at the rear of the property; the existing structure will remain and continue to operate during construction.

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

1. Applicant must meet all requirements of the B-2 zoning district.
2. Site development plans shall comply with all requirements of the Development Plan Review ordinance.
3. Site development plans shall comply with the Effingham County Water Resources Protection Ordinance and the Storm Water Management Local Design Manual.
4. Any wetland impacts must be approved by the U.S.A.C.E.

Commissioner Loper seconded the motion. The motion carried unanimously,

THOMAS PROCTOR (02): Consideration to approve the Second Reading of an application by Thomas Proctor to rezone 0.68 acres located at 1398 Old River Road from AR-1 to B-2 Map# 304 Parcel# 28 in the First District.

Commissioner Floyd made a motion to approve the Second Reading.

Commissioner Loper seconded the motion. The motion carried unanimously.

KERN & COLEMAN CO LLC. (03): The Planning Board recommends approving an application by Kern & Coleman Co LLC to rezone 71.09 acres located on Hwy 80 E from AR-1 to I-1 Map# 354 Parcel# 5 in the First District.

Zoning Administrator Shaw explained the parcel currently has a cell tower and a power line running through it. The applicant would like to place a surface mine on 71 acres of the property. There is direct access from Highway 80.

Mr. Chad Zittrover of Kern Coleman Company approached in agreement with the conditions put forth by Staff and Planning Board.

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

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.
5. A copy of the State mining permit must be submitted to the zoning administrator.
6. The mine must be approved for closing by the State prior to the parcel being rezoned back to AR-1.
7. Must meet all requirements of Sec. 3.17 Excavation, mining, and fills of land and/or state/federal jurisdictional waters or wetlands of the Effingham County zoning ordinance.

Commissioner Deloach seconded the motion. The motion carried unanimously.

KERN & COLEMAN CO LLC. (04): Consideration to approve the Second Reading of an application by Kern & Co, LLC. to rezone 71.09 acres located on Hwy 80 E. from AR-1 to I-1 Map# 354 Parcel# 5 in the First District.

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

CONNIE EDENFIELD (05): The Planning Board recommends approving an application by Connie Edenfield for a variance to operate a rural business on a parcel without direct public road access located at 2650 Reedsville Road Map# 381 Parcel# 8 in the Third District.

Zoning Administrator Shaw explained there is no public road access for the rural business being requested; therefore a variance approval is required. Staff and Planning Board recommend approval.

Connie Edenfield approached in favor of the request.

Commissioner Deloach made a motion to approve the request with the following Staff recommendations:

1. Written permission from any other property owner that uses the easement. Commissioner Loper seconded the motion. The motion carried unanimously.
- CONNIE EDENFIELD (06):** Consideration to approve the Second Reading of an application by Connie Edenfield for a variance to operate a rural business on a parcel without direct public road access located at 2650 Reedsville Road Map# 381 Parcel# 8 in the Third District.

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

CONNIE EDENFIELD (07): The Planning Board recommends approving an application by Connie Edenfield for a rural business use to operate a bakery business located at 2650 Reedsville Road Map# 381 Parcel# in the Third District.

Zoning Administrator Shaw stated Staff and Planning Board recommend approval.

Commissioner Deloach made a motion to approve the request with the following staff recommendations:

1. Must meet all requirements of Sec. 3.15B rural business.
- Commissioner Loper seconded the motion. The motion carried unanimously.

CONNIE EDENFIELD (08): Consideration to approve the Second Reading of an application by Connie Edenfield for a rural business use to operate a bakery business located at 2650 Reedsville Road Map# 381 Parcel# 8 in the Third District.

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

RECONVENE

The Board reconvened the meeting at 8:44 pm.

EXECUTIVE SESSION MINUTES

Commissioner Deloach made a motion to approve the June 23, 2015 executive session minutes as read. Vice Chairperson Jones seconded the motion. The motion carried unanimously.

ADJOURNMENT

At 8:45 pm, Commissioner Loper made a motion to adjourn the meeting. Commissioner Deloach seconded the motion. The motion carried unanimously.



WENDALL KESSLER, CHAIRMAN



STEPHANIE JOHNSON, COUNTY CLERK