



**January 16, 2024 5:30 pm**

1. Call to Order by Mayor Jonathan McCollar
2. Invocation and Pledge of Allegiance by Councilmember John Riggs
3. Recognitions/Public Presentations
  - a) Presentation and update from Don Poe with Feed the Boro.
4. Public Comments (Agenda Item):
5. Consideration of a Motion to approve the Consent Agenda
  - A) Approval of Minutes
    - a) 01-02-2024 Council Minutes
  - B) Consideration of a motion to approve the surplus of equipment and vehicles in the Statesboro Fire Department.
6. Public Hearing and Consideration of a Motion to Approve:
  - (a) **APPLICATION AN 23-11-05**: Four Guys development, LLC requests annexation of approximately 26.94 acres of property in order to construct a single-family detached subdivision on Burkhalter Road (Tax Parcel #108 000001 000).
  - (b) **APPLICATION RZ 23-11-06**: Four Guys Development, LLC requests a Zoning Map Amendment from the R-40 (Single-Family Residential) zoning district to the R-4 (High-Density Residential) zoning district on approximately 26.94 acres of property in order to develop a single-family detached subdivision on Burkhalter Road (Tax Parcel# 108 00001 000).
7. Public Hearing and Consideration of a Motion to Approve:
  - (a) **APPLICATION AN 23-09-06**: Five Guys Development requests Annexation of approximately 113.4 acres of property located at 6922 Burkhalter Road in order to construct a mixed single-family detached and townhouse subdivision (Tax Parcel # 108 000002 000).
  - (b) **APPLICATION RZ 23-09-07**: Five Guys Development requests a Zoning Map Amendment from the R-40 (Single-Family Residential) zoning district to the R-2 (Townhouse Residential) zoning district of approximately 113.4 acres of property in order to construct a 335 unit mixed single-family detached and townhouse subdivision at 6922 Burkhalter Road (Tax Parcel # 108 000002 000).

8. Public Hearing and Consideration of a Motion to Approve: **APPLICATION RZ 23-12-01**: Christina Gipson requests a Zoning Map Amendment from the LI (Light Industrial) zoning district to the MX (Mixed Used) zoning district in order to establish a recreational/fitness facility at 202 West Main Street (Tax Parcel # S18 000173 000).
9. Public Hearing and Consideration of a Motion to Approve: **APPLICATION SUB 23-12-02**: Robbie Bell requests a Preliminary Subdivision PLAT on 54.17 acres of property to develop 52 additional lots in the existing Northbridge Subdivision located on South Bridgeport Drive (Tax Parcel MS80000013 000).
10. Consideration of a motion to approve corrected **Resolution 2023-52**: A Resolution authorizing the opening of a separate bank account for the 2023 TSPLOST.
11. Public Hearing and consideration of a motion to approve **Resolution 2024-01**: A Resolution approving application for FY 2025 Community Development Block Grant (CDBG).
12. Public Hearing & Consideration of a Motion to approve application for an alcohol license in accordance with The City of Statesboro alcohol ordinance Sec. 6-13 (a):
  - (a) Dixie Food Mart  
1495 Northside Dr East  
Statesboro, Ga 30458  
License Type: Package Sales – Beer and Wine only
  - (b) Jim N Nicks BBQ #4054  
24106 Hwy 80 East  
Statesboro, Ga 30461  
License Type: Restaurant
  - (c) Stoners Pizza Joint  
701 Piedmont Loop Ste 200  
Statesboro, Ga 30458  
License Type: Restaurant
13. Motion to award the purchase of a new 2022 or later Ram 1500 (or equivalent) crew cab 4x4 truck not to exceed \$50,000.00 for the Wastewater Treatment Plant division of the Public Utilities Department. If approved, this vehicle will be funded using operating income from the Water and Sewer Fund.
14. Consideration of a motion to award a contract to Tim Lanier Construction, LLC in the amount of \$242,950.00 for the East Grady Street Sidewalk Improvements Project. This project will be funded from the 2018 TSPLOST Fund.

15. Consideration of a motion to award a professional services contract to WSP USA, Inc in the amount of \$149,000.00 to perform a Phase 1 Environmental Site Assessment, Site Suitability Study, and develop a Design & Operations Plan for expansion of the inert landfill. Funding is to be provided by Operating Income in the Solid Waste Disposal Fund.
16. Other Business from City Council
17. City Managers Comments
18. Public Comments (General)
19. Consideration of a Motion to enter into Executive Session to discuss “Personnel Matters” “Real Estate” and/or “Potential Litigation” in accordance with O.C.G.A 50-14-3(b)
20. Consideration of a Motion to Adjourn



CITY OF STATESBORO  
COUNCIL MINUTES  
JANUARY 02, 2024

Regular Meeting

50 E. Main St. City Hall Council Chambers

9:00 AM

**1. Call to Order**

Mayor Jonathan McCollar called the meeting to order

**2. Invocation and Pledge**

Mayor Jonathan McCollar called on Pastor Donald Chavers to give the Invocation.  
Mayor McCollar led the Pledge of Allegiance.

ATTENDANCE

Attendee Name	Title	Status	Arrived
Jonathan McCollar	Mayor	Present	
Phil Boyum	Councilmember	Present	
Paulette Chavers	Councilmember	Present	
Ginny Hendley	Councilmember	Present	
John Riggs	Councilmember	Present	
Shari Barr	Mayor Pro Tem	Present	

Other staff present: City Manager Charles Penny, Assistant City Manager Jason Boyles, Public Information Officer Layne Phillips, City Attorney Cain Smith and City Clerk Leah Harden

**3. Oath of Office Administered by Bulloch County Probate Judge Lorna Deloach for:**

- a) **District 2 Council Member Paulette Chavers**
- b) **District 3 Council Member Ginny Hendley**
- c) **District 5 Council Member Shari Barr**

Bulloch County Probate Judge Lorna Deloach administered the Oath of Office individually to Councilmember Paulette Chavers, Councilmember Ginny Hendley, and Councilmember Shari Barr.

**4. Consideration of a motion to appoint a Mayor Pro Tem for the next two years, per the Statesboro Municipal Code, Section 2-4 of the City Charter.**

Councilmember John Riggs made a motion to nominate District 1 Councilmember Phil Boyum as Mayor Pro Tempore for the next two years.

<b>RESULT:</b>	Failed 2-3
<b>MOVER:</b>	Councilmember John Riggs
<b>SECONDER:</b>	Councilmember Phil Boyum
<b>AYES:</b>	Boyum, Riggs
<b>ABSENT</b>	
<b>NAYS:</b>	Chavers, Hendley, Barr

A Motion was made to appoint Councilmember Shari Barr as Mayor Pro Tempore for the next two years.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Paulette Chavers
<b>SECONDER:</b>	Councilmember Ginny Hendley
<b>AYES:</b>	Boyum, Chavers, Hendley, Riggs, Barr
<b>ABSENT</b>	

**5. Public Comments (Agenda Item):** None

**6. Consideration of a Motion to approve the Consent Agenda**

**A) Approval of Minutes**

**a) 12-19-2023 Council Minutes**

A motion was made to approve the consent agenda.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Paulette Chavers
<b>SECONDER:</b>	Mayor Pro Tem Shari Barr
<b>AYES:</b>	Boyum, Chavers, Hendley, Riggs, Barr
<b>ABSENT</b>	

**7. Other Business from City Council**

Mayor Pro Tem Shari Barr wishes everyone a Happy New Year.

**8. City Managers Comments**

City Manager Charles Penny announced a street renaming ceremony will take place on Saturday January 13<sup>th</sup> at 11:00 am to commemorate the renaming of Brown Street to Loretta’s Way.

**9. Public Comments (General):**

Johnny Dorceus stated he is a bike rider and asked the city to consider placing bike lanes on the bigger streets throughout the city.

Marshall Webster asked council to repeal the anti-discrimination ordinance passed in 2022 and to repeal the approval of the historical marker made last year. He also asked that the bidding process for awarding city contracts to be looked into.

**10. Consideration of a Motion to enter into Executive Session to discuss “Personnel Matters” “Real Estate” and/or “Potential Litigation” in accordance with O.C.G.A 50-14-3(b).**

No executive session was held.

**11. Consideration of a Motion to Adjourn**

A motion was made to adjourn.

<b>RESULT:</b>	Approved (Unanimous)
<b>MOVER:</b>	Councilmember Paulette Chavers
<b>SECONDER:</b>	Councilmember Ginny Hendley
<b>AYES:</b>	Boyum, Chavers, Hendley, Riggs, Barr
<b>ABSENT</b>	

The meeting was adjourned at 9:18 am.

\_\_\_\_\_  
Jonathan McCollar, Mayor

\_\_\_\_\_  
Leah Harden, City Clerk



Timothy E. Grams  
Fire Chief

# Statesboro Fire Department

*Proudly serving the City of Statesboro and  
surrounding communities since 1905!*



Jonathan M. McCollar  
Mayor

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## City Council Agenda Memorandum

**To:** Charles Penny, City Manager

**From:** Timothy E. Grams, Fire Chief

**Date:** 1-3-2024

**RE:** Surplus of Equipment and vehicles

**Policy Issue:** N/A

**Recommendation:** Consideration of a motion to approve the surplus of the following equipment and vehicles within the Statesboro Fire Department.

- 2004 Ford Expedition SN: 1FMPU16585LA65059 TAG # GV7563F (Inspections Replaced)
- 2003 Ford F 150 SN: 1FTRX17WX3NA49961 TAG# 140484 ( Inspections Replaced)
- 2005 Sentry Generator SN: BC5-500 (Old Station 2 Replaced)
- Onan Generator SN: B960598473 COS GEN 01107 (Old S1 Replaced)
- Sentry Pro Gillette SN: BC4-504

**Background:** The listed equipment and vehicles no longer meet Fire Department needs. These items have exceeded their useful life, have been replaced and/or are in disrepair.

**Budget Impact:** Funds collected from the sale of the equipment and vehicles will be deposited into the Statesboro Fire Fund.

**Council Person and District:** N/A

**Attachments:** None

# CITY OF STATESBORO

## COUNCIL

Phil Boyum, District 1  
Paulette Chavers, District 2  
Ginny Hendley, District 3  
John Riggs, District 4  
Shari Barr, District 5



Jonathan M. McCollar, Mayor  
Charles Penny, City Manager  
Leah Harden, City Clerk  
Cain Smith, City Attorney

50 EAST MAIN STREET • P.O. BOX 348  
STATESBORO, GEORGIA 30459-0348

**To:** Charles Penny, City Manager and Leah Harden, City Clerk

**From:** Justin Williams, Planning & Housing Administrator

**Date:** January 5, 2024

**RE:** January 16, 2024 City Council Agenda Items

**Policy Issue:** *Statesboro Zoning Ordinance: Annexation Request*

**Recommendation:** Staff recommends approval of the Annexation requested by AN 23-11-05.

**Background:** Four Guys development, LLC requests annexation of approximately 26.94 acres of property in order to construct a single-family detached subdivision on Burkhalter Road (Tax Parcel #108 000001 000).

**Budget Impact:** None

**Council Person and District:** Barr (District 5 - Projected)

**Attachments:** Annexation Analysis & Ordinance



# CITY OF STATESBORO



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50 EAST MAIN STREET • P.O. BOX 348  
STATESBORO, GEORGIA 30459-0348

**To:** Charles Penny, City Manager  
**From:** Justin Williams, Planning & Housing Administrator  
**Date:** November 12, 2023  
**RE:** Burkhalter Road Annexation: AN 23-11-05

Below is the information regarding this annexation for City Council:

### **Burkhalter Road**

Analysis of the possible development has brought forth the following information. These estimates are based off of the initial concept of the development, therefore cost estimates and the number of townhouses being developed may vary. The calculations prepared in this document utilize the expected number of tenant locations discussed with the developer and are subject to change.

This development is located in the "Potential Annexation Area" under the 2019-2029 Comprehensive Master Plan, but this is a flexible development pattern. That determined, there would be some necessary infrastructure improvements to undertake by the City and County.

This analysis is broken into specific areas related to the following: Utility & Infrastructure Cost, Tax Implications and Economic Impact.

### **Utility & Infrastructure Revenue**

Calculations for the extension of utilities into the area completed by the Water/Sewer Division determined that the extension of utilities onto the site would be incurred by the developer. These extensions would be maintained by the City. The applicant would be required to pay for both the water and sewer extensions, the taps into the system per household, and due to the possible elevations on the site, may be responsible for the installation of a lift station as well. The Aid to Construction fee is a specific fee associated with the impact that a development would have on the City Wastewater Treatment Plant, and is used exclusively to assist in maintaining this plant. In the case of this development, it would be paid based on the newly constructed units.

The installation of gas to the subdivision has not been determined as a desired request, therefore no analysis has been conducted for this item.

<b>Infrastructure Revenue to the City</b>			
	Water Tap	Sewer Tap	Aid to Construction
Per Unit Revenue	\$1220	\$600	\$960
Total Estimated	\$106,140	\$52,200	\$83,520

**Tax Implications**

As of 2023, the City of Statesboro currently has a millage rate of 8.125 mills. The land value of the property without infrastructure is currently listed by the Bulloch Tax Assessor at \$260,640. Considering that value, the 40% assessed amount will be \$104,256. Within the first year, the general tax rate of the land would be \$847.08. At this time, there is no specific price point for the units under construction, so no means of estimating the proposed value overall is unavailable.

The initial proposed project and property survey can be found at the end of this document.

**Economic Impacts**

In regards to the general impact to the economic base of the City, there are two factors to consider. The first is the general amount of financial impact directly to the City upon annexation, and the second is the financial impact to the City post construction. This does not include any impacts to the overall traffic analysis of the proposed development, nor does it include the overall cost of services in terms of fire nor police (this area is already covered by the 5-mile fire district, so there is no likely change in this service cost).

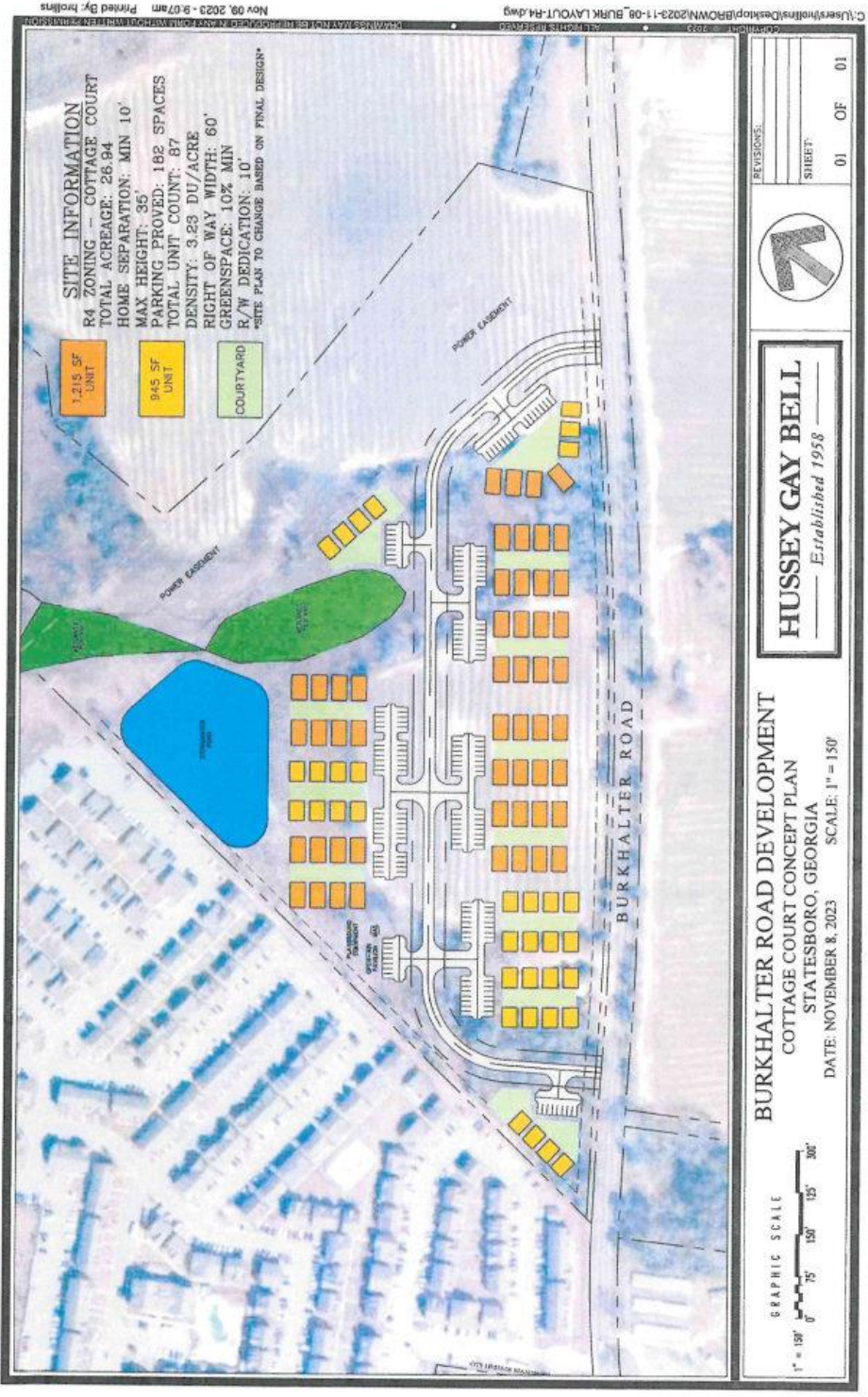
The road is still a County Road, and will require improvement, which the owner has agreed to provide right-of-way for. The intersection of Burkhalter and Cawana as well as Burkhalter and Highway 67 are still of significant concern, but at this time collaboration with the County will be required to provide any significant improvements.

General analysis of the project shows the estimated revenues for the project. While no price has been determined, averages from the few other types of this development estimate a possible \$190,000 price per cottage.

	Without Annexation	Annexation & No Development	Development at R-4
Land Value	\$260,640	\$260,640	\$16,530,000
Water/Sewer Improvement	\$0	\$0	\$241,860
Property Tax Value (Yearly)	\$0	\$847.08	\$53,722



# Development Proposal



ORDINANCE # 2024- \_\_:  
AN ORDINANCE TO ANNEX PROPERTY  
INTO THE CITY OF STATESBORO

WHEREAS, the Mayor and City Council of the City of Statesboro, Georgia have received and accepted a petition from Talmadge Rushing Family Trust, the owner of 100 percent of the property to be annexed; and

WHEREAS, pursuant to Chapter 36 of Title 36 of the Official Code of Georgia Annotated, in order to annex property, to provide an effective date, and other provisions, the Mayor and City Council must approve an ordinance for annexation;

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Statesboro, Georgia, in regular session assembled as follows:

Section 1. The area contiguous to the City of Statesboro as described in the Unified Development Code, which is attached to and incorporated as part of this ordinance, is hereby annexed into the City of Statesboro and is made a part of said city. Said property also being known as Bulloch County tax map parcel # 108 000001 000 and further described under Appendix A:

Section 2. This ordinance shall become effective on February 1, 2024.

Section 3. The Director of Planning & Development of the City of Statesboro is instructed to send a report that includes certified copies of this ordinance, the name of the county in which the property being annexed is located and a letter from the City stating the intent to add the annexed area to the Census maps during the next survey and stating that the survey map will be completed and returned to the United States Census Bureau, Georgia Department of Community Affairs, and to the governing authority of Bulloch County, Georgia within thirty (30) days after the effective date of the annexation as set forth in Section 2.

Section 4. On the effective date of the annexation, this property shall be placed in Council District 5 of the City of Statesboro.

Section 5. This property shall be zoned R-2 (Townhouse Residential) and located within the Developing Urban Neighborhood character area on the City of Statesboro Future Development Map pursuant to the vote of the Statesboro City Council held on January 16, 2024, subsequent to a public hearing regarding the zoning of said property.

Section 6. All ordinances and parts of ordinances in conflict with this ordinance are repealed.  
APPROVED this 16<sup>th</sup> day of January, 2024 by the Mayor and Council of the City of Statesboro.

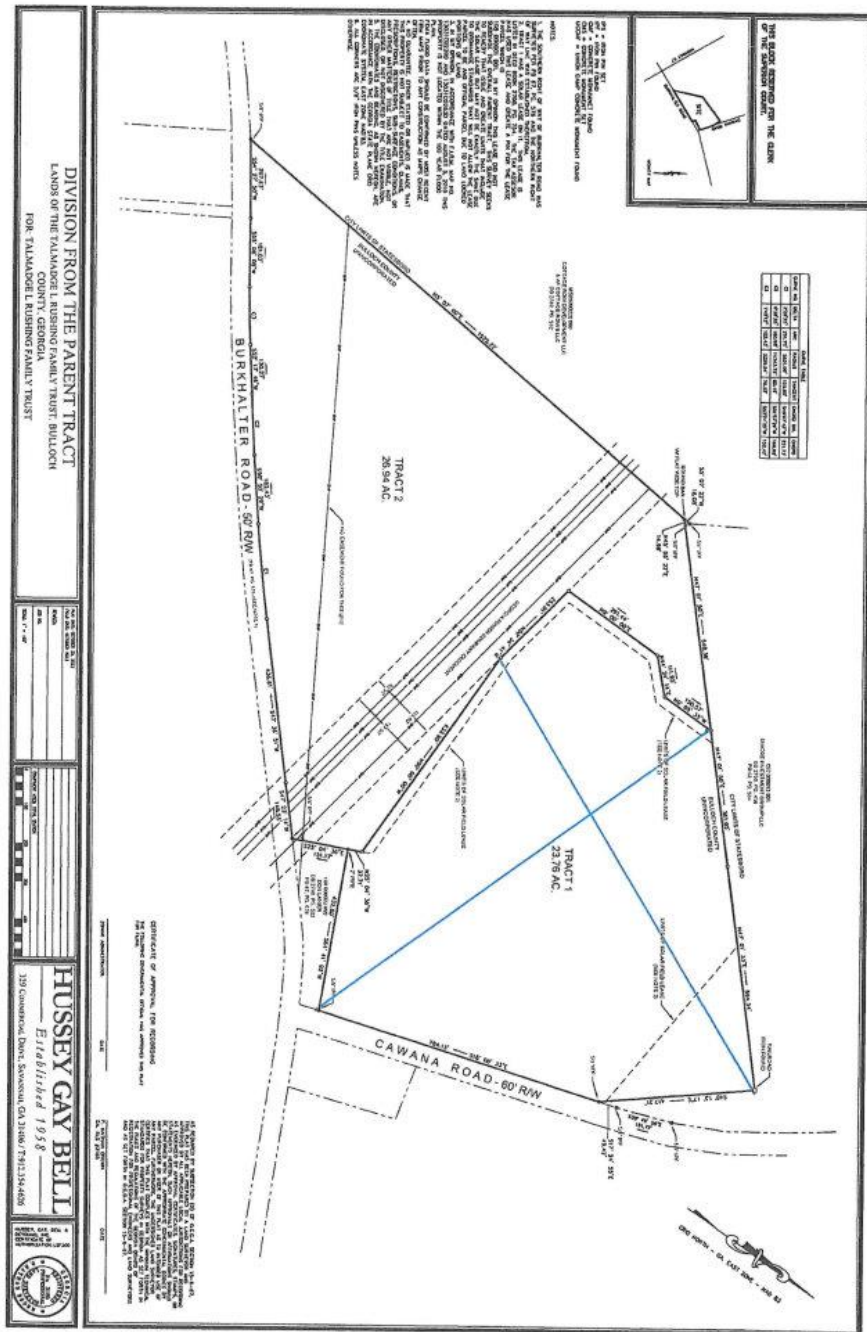
ATTEST:

\_\_\_\_\_  
Jonathan M. McCollar, Mayor

\_\_\_\_\_  
Leah Harden, City Clerk

Appendix A

Property to be annexed on the surveys below and further described as approximately 26.94 +/- acres of land located on Burkhalter Road (Tax Parcel # 108 00001 000).



# CITY OF STATESBORO

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John Riggs, District 4  
Shari Barr, District 5



Jonathan M. McCollar, Mayor  
Charles Penny, City Manager  
Leah Harden, City Clerk  
Cain Smith, City Attorney

50 EAST MAIN STREET • P.O. BOX 348  
STATESBORO, GEORGIA 30459-0348

**To:** Charles Penny, City Manager and Leah Harden, City Clerk

**From:** Justin Williams, Planning & Housing Administrator

**Date:** January 5, 2024

**RE:** January 16, 2024 City Council Agenda Items

**Policy Issue:** *Statesboro Zoning Ordinance: Zoning Map Amendment*

**Recommendation:** Planning Commission recommends Approval of the Zoning Map Amendment Requested by RZ 23-11-06.

**Background:** Four Guys Development, LLC requests a Zoning Map Amendment from the R-40 (Single-Family Residential) zoning district to the R-4 (High-Density Residential) zoning district on approximately 26.94 acres of property in order to develop a single-family detached subdivision on Burkhalter Road (Tax Parcel# 108 00001 000).

**Budget Impact:** None

**Council Person and District:** Barr (District 5 – Projected)

**Attachments:** Development Services Report (RZ 23-11-06)



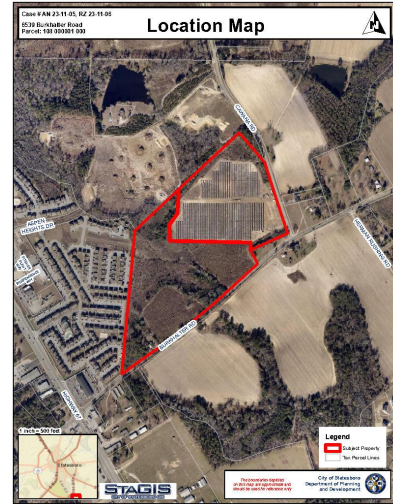
# ZONING SERVICES REPORT

P.O. Box 348  
Statesboro, Georgia 30458

(912) 764-0630  
(912) 764-0664 (Fax)

**RZ 23-11-06  
ZONING MAP AMENDMENT REQUEST  
6539 BURKHALTER ROAD**

<b>LOCATION:</b>	Burkhalter Road
<b>EXISTING ZONING:</b>	AG-5 (Agricultural District – County)
<b>ACRES:</b>	26.94 acres
<b>PARCEL TAX MAP #:</b>	108 000001 000
<b>COUNCIL DISTRICT:</b>	District 5 (Barr – Proposed)
<b>EXISTING USE:</b>	Vacant Lot – Old Home
<b>PROPOSED USE:</b>	Single-Family and Townhome Subdivision



**PETITIONER**                 Four Guys Development, LLC  
**ADDRESS**                   2700 Country Club Road; Statesboro GA, 30458

**REPRESENTATIVE**       Stephen T. Rushing  
**ADDRESS**                   P.O. Box 327; Statesboro GA, 30459

**PROPOSAL**

The applicant is requesting an Annexation and subsequent Zoning Map Amendment to the R-4 (High-Density Residential) zoning district for 26.94 acres of property in order to develop a series of cottage courts.

**PLANNING COMMISSION RECOMMENDATION**

**RZ 23-11-06 - CONDITIONAL APPROVAL**

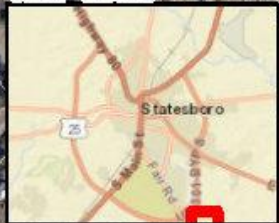


Case # AN 23-11-05, RZ 23-11-06  
6539 Burkhalter Road  
Parcel: 108 000001 000

# Location Map



1 inch = 500 feet



### Legend

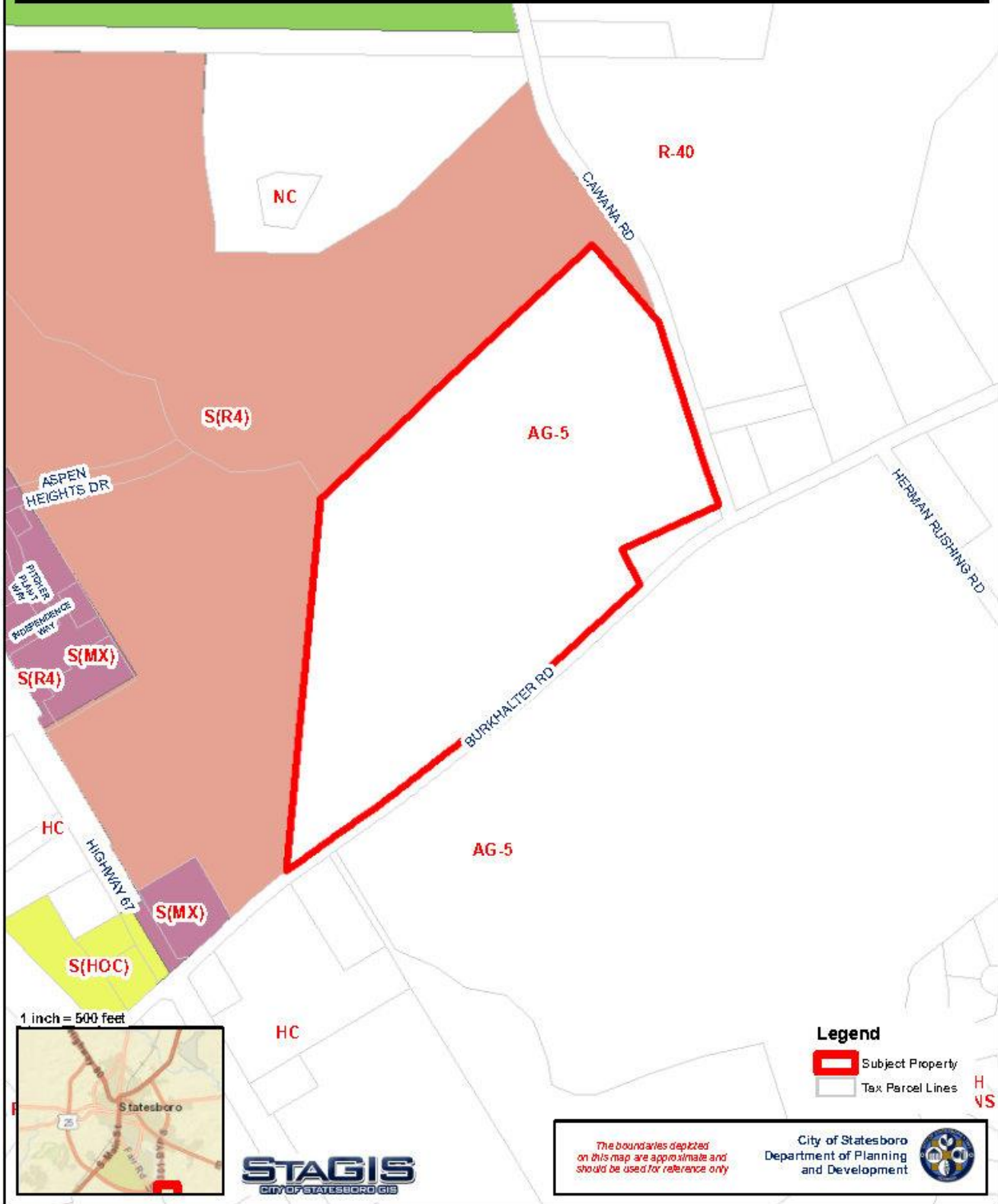
- Subject Property
- Tax Parcel Lines

The boundaries depicted on this map are approximate and should be used for reference only



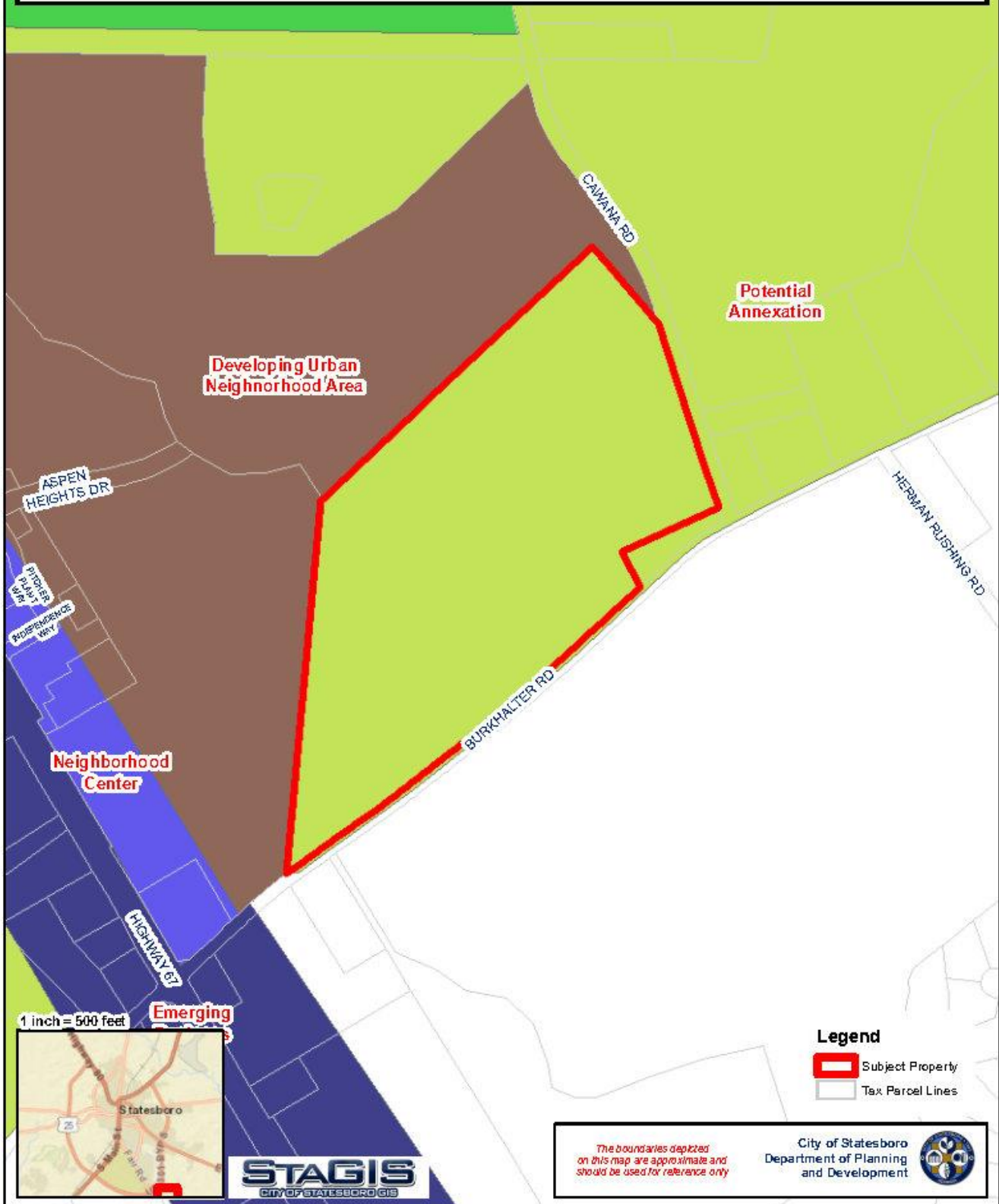
Case # AN 23-11-05, RZ 23-11-06  
6539 Burkhalter Road  
Parcel: 103 000001 000

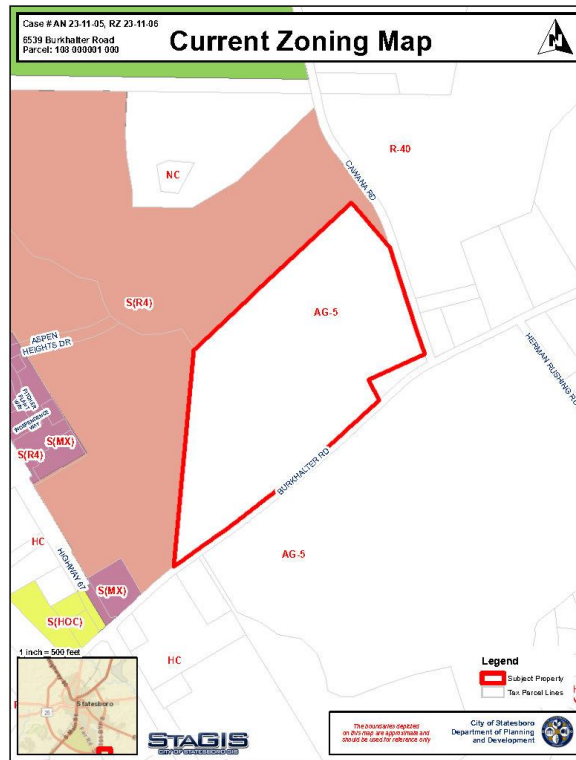
# Current Zoning Map



Case #AN 23-11-05, RZ 23-11-06  
6539 Burkhalter Road  
Parcel: 108 000001 000

# Future Landuse Map





<b>SURROUNDING LAND USES/ZONING</b>		
<b>Location</b>	<b>Parcel Location &amp; Zoning Information</b>	<b>Land Use</b>
North	<b>Location Area #1:</b> R-4 (High Density Residential)	Vacant
Northeast	<b>Location Area #2:</b> R-40 (Single-Family Residential – County)	Sunfield Station
Northwest	<b>Location Area #3:</b> R-4 (High-Density Residential)	Cottage Row Apartments
East	<b>Location Area #4:</b> R-40 (Single-Family Residential – County)	Vacant
West	<b>Location Area #5:</b> R-4 (High-Density Residential)	Cottage Row Apartments
Southwest	<b>Location Area #6:</b> AG-5 (Agricultural District – County)	Vacant
Southeast	<b>Location Area #7:</b> AG-5 (Agricultural District – County)	Vacant
South	<b>Location Area #8:</b> AG-5 (Agricultural District – County)	Vacant

# PROPOSED SITE



## **SUBJECT SITE**

The subject site is a mostly vacant lot located on Burkhalter Road. The property has an old home with on one side, listed as 6539 Burkhalter Road. There is a 23.76 acre portion of the property with the same parcel number that is being used for solar panels. This section of property is not under consideration for annexation, but the County numbering system provides the same parcel numbers for both, which is why they are displayed as one.

The *City of Statesboro 2019 – 2029 Comprehensive Master Plan* does not show this area. It is recommended that this area boundary be included in the revision to the Statesboro Comprehensive Master Plan, due to the availability of City Water/Sewer.

## **ENVIRONMENTAL SITE ANALYSIS**

The subject property contains significant wetlands, but all areas proposed for development are currently flat land for development. There are also no FEMA classified flood areas on the site.

## **COMMUNITY FACILITIES AND TRANSPORTATION**

The subject property is not currently served by City Water or Sewer, but water and sewer can be connected from multiple areas, which are currently under consideration. The property discharges onto the existing Burkhalter Road. This road has significant issues associated with traffic stacking, and collaboration with the County must be undertaken to ensure the appropriate service level is attached to this road. In addition, right-of-way must be provided to ensure traffic improvements can be made on the property.

## **ZONING MAP AMENDMENT STANDARDS FOR DETERMINATION**

The *Statesboro Zoning Ordinance* permits a zoning map amendment subject to conditions if “approved by the mayor and city council based upon findings that the use is consistent with adopted plans for the area and that the location, construction, and operation of the proposed use will not significantly impact upon surrounding development or the community in general.”

The Zoning Procedures Law, specifically the “Steinberg Criteria” provides minimum standards for local governments to consider in the rezoning of properties. Those standards are as follows:

- 1. Will the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?**
  - The surrounding area has a mix of proposed and existing housing types. This development would significantly increase traffic pressure along Burkhalter Road.
- 2. Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?**
  - The adjacent property already serves the role of providing housing, and this property and its associated right-of-way would be helpful in ensuring that road improvements could be made.
- 3. Does the property to be rezoned have a reasonable economic use as currently zoned?**

- This property would not be able to access City sewer and water without completion of an annexation. It would have the ability to develop in its current zoning but not with the density or housing mix as requested.
- 4. Will the zoning proposal result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?**
- This road currently has significant traffic depending on the time of day, and the intersection of Highway 67 and Burkhalter already suffers from a low service level. Cooperation with GDOT (Georgia Department of Transportation) regarding this intersection will be paramount. Concerns must be addressed with the County as well, and access to this road would require approval by the County.
- 5. Are there other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal?**
- This is a growing area, and it is likely that there will be additional pressure further along the roadway based on the development of the 67 corridor, as well as further proposals along Burkhalter Road.
- 6. Does the zoning proposal conform to the Long Range Land Use Plan of the Municipality?**
- The overall use does not conflict with the currently defined “Potential Annexation Area” of the Comprehensive Master Plan. Additional guidance will be provided in the upcoming update of this plan.

**Subject Property**



**Southern Property**





**Eastern Property**



**Southwestern Property**



### **STAFF/PLANNING COMMISSION RECOMMENDATION**

Staff recommends **Approval RZ 23-11-06**. If this petition is approved by the Mayor and City Council, it should be subject to the applicant's agreement to the following enumerated condition(s):

- (1) Approval of this Zoning Map Amendment does not grant site and/or building plan approval as submitted. Project will be required to meet all City Ordinances and applicable building codes.
- (2) The applicant must ensure appropriate right-of-way is provided to the City to ensure road improvements can be made on the impacted Burkhalter Road.
- (3) The applicant must submit a Traffic Impact Study before completion of the project subdivision to ensure that appropriate right-of-way and traffic calming measures can be implemented.

At the regularly scheduled meeting of the Planning Commission on January 2, 2024 the Planning Commission recommended approval of the request with staff conditions on a 7-0 vote.

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**To:** Charles Penny, City Manager and Leah Harden, City Clerk

**From:** Justin Williams, Planning & Housing Administrator

**Date:** January 5, 2024

**RE:** January 16, 2024 City Council Agenda Items

**Policy Issue:** *Statesboro Zoning Ordinance: Annexation Request*

**Recommendation:** Staff recommends Approval of the Annexation Requested by AN 22-09-06.

**Background:** Five Guys Development, LLC requests Annexation of approximately 113.4 acres of property located at 6922 Burkhalter Road in order to provide construct a mixed single-family detached and townhouse subdivision (Tax Parcel # 108 000002 000).

**Budget Impact:** None

**Council Person and District:** Barr (District 5- Projected)

**Attachments:** Annexation Analysis & Ordinance (AN 23-09-06)

# CITY OF STATESBORO



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**To:** Charles Penny, City Manager  
**From:** Justin Williams, Planning & Housing Administrator  
**Date:** January 8, 2023  
**RE:** Burkhalter Road Annexation: AN 23-09-06

Below is the information regarding this annexation for City Council:

### **Burkhalter Road**

Analysis of the possible development has brought forth the following information. These estimates are based off of the initial concept of the development, therefore cost estimates and the number of townhouses being developed may vary. The calculations prepared in this document utilize the expected number of tenant locations discussed with the developer and are subject to change.

This development is not located in an area listed under the 2019-2029 Comprehensive Master Plan, and at this time has no specific designation for development paths. The surroundings of the parcels do lead to the conclusion that higher density development would be reasonable, but that there would be some necessary improvements to undertake by the City and County.

This analysis is broken into specific areas related to the following: Utility & Infrastructure Cost, Tax Implications and Economic Impact.

### **Utility & Infrastructure Revenue**

Calculations for the extension of utilities into the area completed by the Water/Sewer Division determined that the extension of utilities onto the site would be incurred by the developer. These extensions would be maintained by the City. The applicant would be required to pay for both the water and sewer extensions, the taps into the system per household, and due to the possible elevations on the site, may be responsible for the installation of a lift station as well. The Aid to Construction fee is a specific fee associated with the impact that a development would have on the City Wastewater Treatment Plant, and is used exclusively to assist in maintaining this plant. In the case of this development, it would be paid based on the newly constructed units and associated business types.

The installation of gas to the subdivision has not been determined as a desired request, therefore no analysis has been conducted for this item. If natural gas is requested, this cost would be incurred by the City to extend into the area.

<b>Infrastructure Revenue to the City</b>			
	Water Tap	Sewer Tap	Aid to Construction
Per Unit Revenue	\$1220	\$600	\$960
Total Estimated	\$408,700	\$201,000	\$321,600

### **Tax Implications**

As of 2023, the City of Statesboro currently has a millage rate of 8.125 mills. The land value of the property without infrastructure is currently listed by the Bulloch Tax Assessor at \$492,950. Considering that value, the 40% assessed amount will be \$197,180. Within the first year, the general tax rate of the land would be \$1602.09. At this time, there is no specific price point for the units under construction, so no means of estimating the proposed value overall is available.

A map showing the initial proposal for this development may be found below. Due to specific environmental and code restraints, this plan is subject to change.

### **Economic Impacts**

In regards to the general impact to the economic base of the City, there are two factors to consider. The first is the general amount of financial impact directly to the City upon annexation, and the second is the financial impact to the City post construction. This does not include any impacts to the overall traffic analysis of the proposed development, nor does it include the overall cost of services in terms of fire nor police (this area is already covered by the 5-mile fire district, so there is no likely change in this service cost).

The road is still a County Road, and will require improvement, which the owner has agreed to provide right-of-way for. The intersection of Burkhalter and Cawana as well as Burkhalter and Highway 67 are still of significant concern, but at this time collaboration with the County will be required to provide any significant improvements.

General analysis of the project shows the overall revenues for the main project, but no account will be given for the smaller section of road which will allow for annexation as the lot size will not permit significant development within the City Limits. Additionally, no price points have been set for the individual units, so the estimates are based on a general average of approximately \$240,000 per unit.

	Without Annexation	Annexation & No Development	Development at R-2
Land Value	\$469,722	\$469,722	\$80,400,000
Water/Sewer Improvement	\$0	\$0	\$321,600
Property Tax Value (Yearly)	\$0	\$501.62	\$261,300



ORDINANCE # 2024- \_\_:  
AN ORDINANCE TO ANNEX PROPERTY  
INTO THE CITY OF STATESBORO

WHEREAS, the Mayor and City Council of the City of Statesboro, Georgia have received and accepted a petition from Don Lanier as Trustee of Trust, the owner of 100 percent of the property to be annexed; and

WHEREAS, pursuant to Chapter 36 of Title 36 of the Official Code of Georgia Annotated, in order to annex property, to provide an effective date, and other provisions, the Mayor and City Council must approve an ordinance for annexation;

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Statesboro, Georgia, in regular session assembled as follows:

Section 1. The area contiguous to the City of Statesboro as described in the Unified Development Code, which is attached to and incorporated as part of this ordinance, is hereby annexed into the City of Statesboro and is made a part of said city. Said property also being known as Bulloch County tax map parcel # 108 000002 000 and further described under Appendix A:

Section 2. This ordinance shall become effective on February 1, 2024.

Section 3. The Director of Planning & Development of the City of Statesboro is instructed to send a report that includes certified copies of this ordinance, the name of the county in which the property being annexed is located and a letter from the City stating the intent to add the annexed area to the Census maps during the next survey and stating that the survey map will be completed and returned to the United States Census Bureau, Georgia Department of Community Affairs, and to the governing authority of Bulloch County, Georgia within thirty (30) days after the effective date of the annexation as set forth in Section 2.

Section 4. On the effective date of the annexation, this property shall be placed in Council District 5 of the City of Statesboro.

Section 5. This property shall be zoned R-4 (High-Density Residential) and located within the Developing Urban Neighborhood character area on the City of Statesboro Future Development Map pursuant to the vote of the Statesboro City Council held on January 16, 2024, subsequent to a public hearing regarding the zoning of said property.

Section 6. All ordinances and parts of ordinances in conflict with this ordinance are repealed.  
APPROVED this 16<sup>th</sup> day of January, 2024 by the Mayor and Council of the City of Statesboro.

ATTEST:

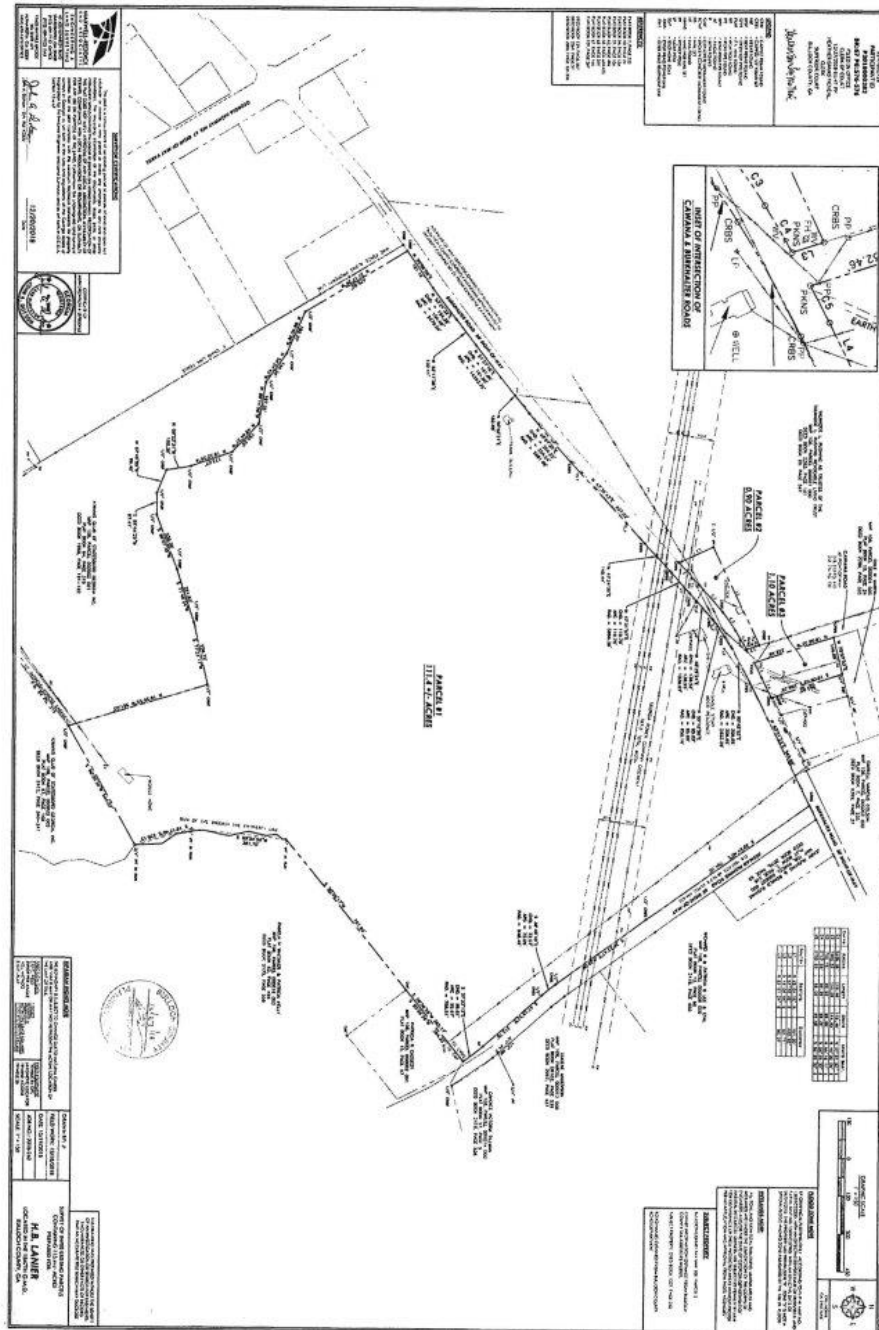
\_\_\_\_\_  
Jonathan M. McCollar, Mayor

\_\_\_\_\_  
Leah Harden, City Clerk



Appendix A

Property to be annexed on the surveys below and further described as approximately 113.4 +/- acres of land located on Burkhalter Road (Tax Parcel # 108 00002 000).



# CITY OF STATESBORO

## COUNCIL

Phil Boyum, District 1  
Paulette Chavers, District 2  
Ginny Hendley, District 3  
John Riggs, District 4  
Shari Barr, District 5



Jonathan M. McCollar, Mayor  
Charles Penny, City Manager  
Leah Harden, City Clerk  
Cain Smith, City Attorney

50 EAST MAIN STREET • P.O. BOX 348  
STATESBORO, GEORGIA 30459-0348

**To:** Charles Penny, City Manager and Leah Harden, City Clerk

**From:** Justin Williams, Planning & Housing Administrator

**Date:** January 5, 2023

**RE:** January 16, 2023 City Council Agenda Items

**Policy Issue:** *Statesboro Zoning Ordinance: Zoning Map Amendment*

**Recommendation:** Planning Commission recommends Approval of the Zoning Map Amendment Requested by RZ 23-09-07.

**Background:** Five Guys Development, LLC requests a Zoning Map Amendment from the R-40 (Single-Family Residential) zoning district to the R-2 (Townhouse Residential) zoning district of approximately 113.4 acres of property in order to construct a 335 unit mixed single-family detached and townhouse subdivision at 6922 Burkhalter Road (Tax Parcel # 108 000002 000).

**Budget Impact:** None

**Council Person and District:** Barr (District 5 - Projected)

**Attachments:** Development Services Report (RZ 23-09-07)



# ZONING SERVICES REPORT

P.O. Box 348  
Statesboro, Georgia 30458

(912) 764-0630  
(912) 764-0664 (Fax)

**RZ 23-09-07  
ZONING MAP AMENDMENT REQUEST  
6922 BURKHALTER ROAD**

<b>LOCATION:</b>	6922 Burkhalter Road
<b>EXISTING ZONING:</b>	AG-5 (Agricultural District – County)
<b>ACRES:</b>	113.4 acres
<b>PARCEL TAX MAP #:</b>	108 000002 000
<b>COUNCIL DISTRICT:</b>	District 5 (Barr – Proposed)
<b>EXISTING USE:</b>	Vacant Lot – Old Home
<b>PROPOSED USE:</b>	Single-Family and Townhome Subdivision



**PETITIONER**                 Five Guys Development, LLC  
**ADDRESS**                   101 Lancaster Point; Statesboro GA, 30458

**REPRESENTATIVE**       CJ Chance; Hussey Gay Bell  
**ADDRESS**                   1100 Brampton Avenue; Statesboro GA, 30458

**PROPOSAL**

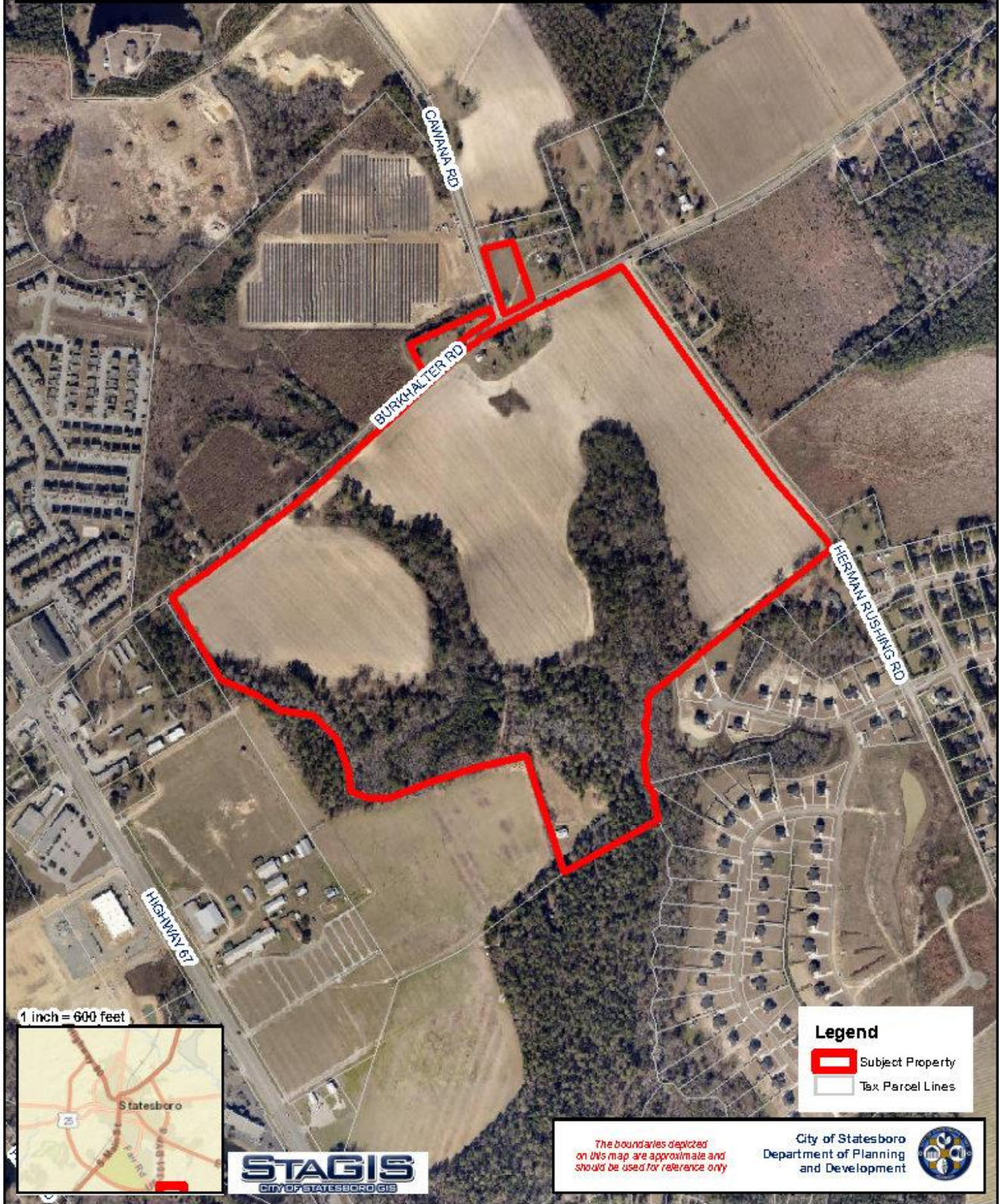
The applicant is requesting an Annexation and subsequent Zoning Map Amendment to the R-2 (Townhouse Residential) zoning district for 113.4 acres of property in order to develop both a mixed Single-Family detached and townhouse development.

**PLANNING COMMISSION RECOMMENDATION**

**RZ 23-09-07 CONDITIONAL APPROVAL**

Case # AN 23-09-06 & RZ 23-09-07  
6922 Burkhalter Rd  
Parcel: 108 000002 000

# Location Map



1 inch = 600 feet



### Legend

- Subject Property
- Tax Parcel Lines

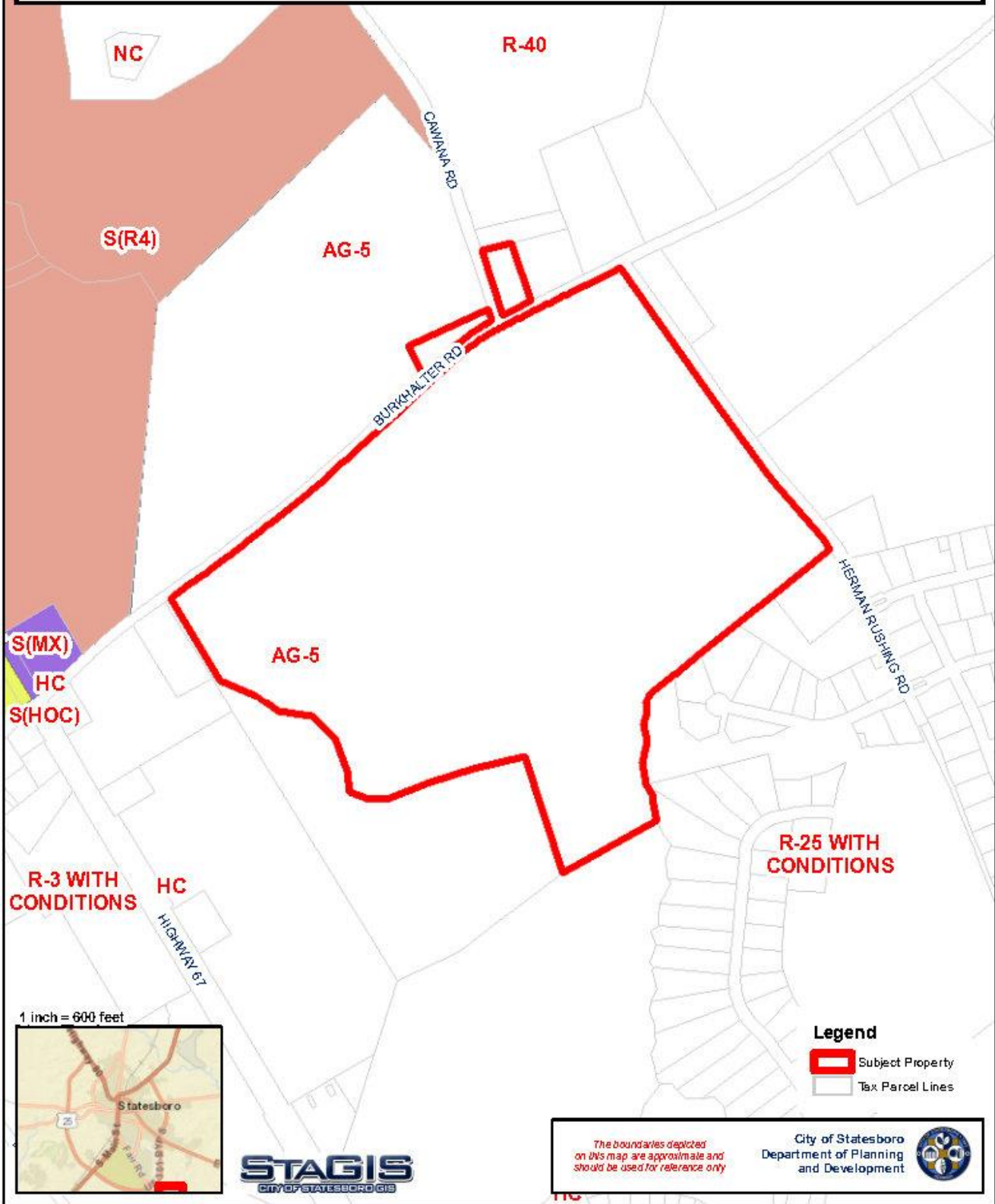
*The boundaries depicted on this map are approximate and should be used for reference only*

City of Statesboro  
Department of Planning  
and Development



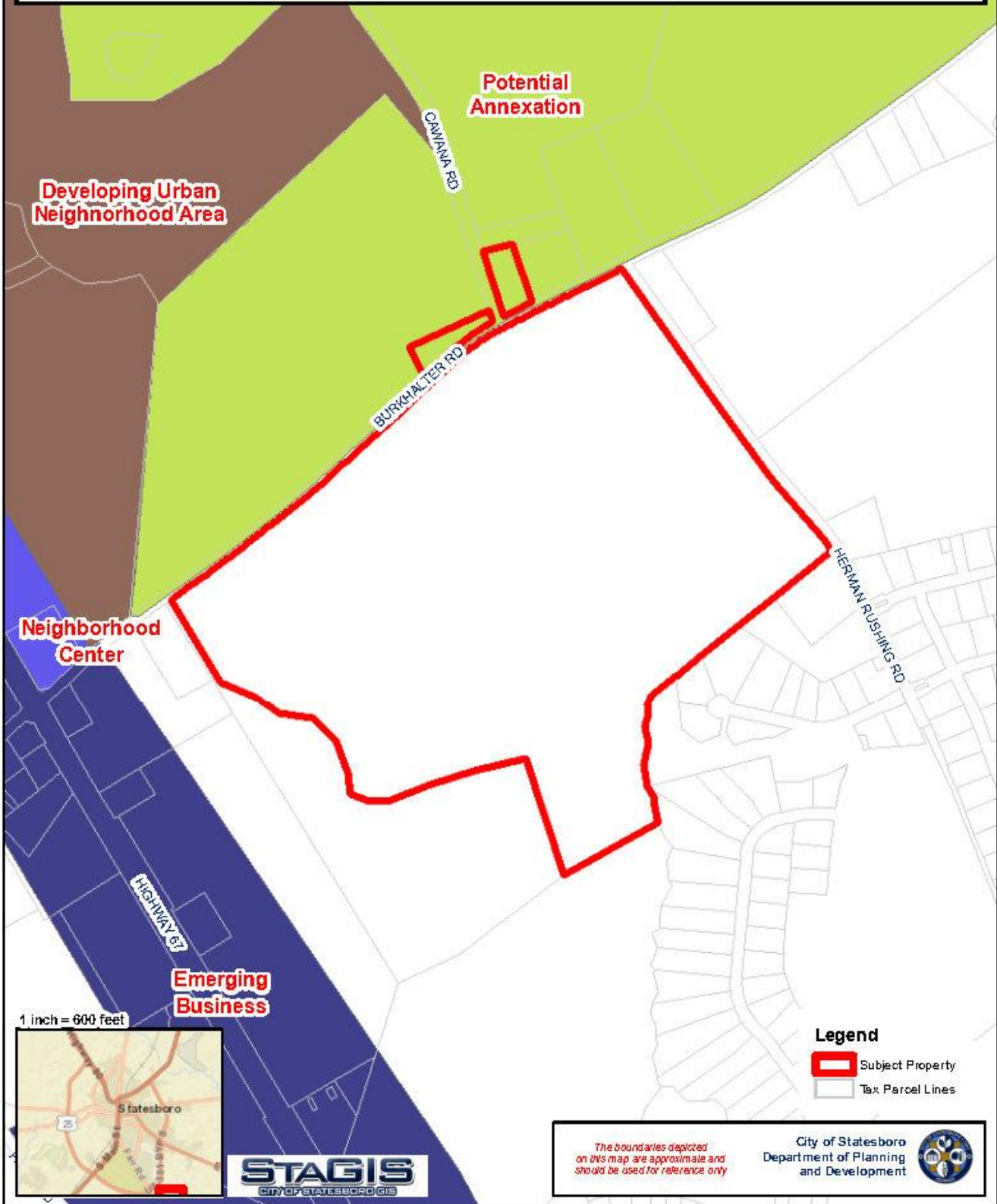
Case # AN 23-09-06 & RZ 23-09-07  
6922 Burkhalter Rd  
Parcel: 108 000002 000

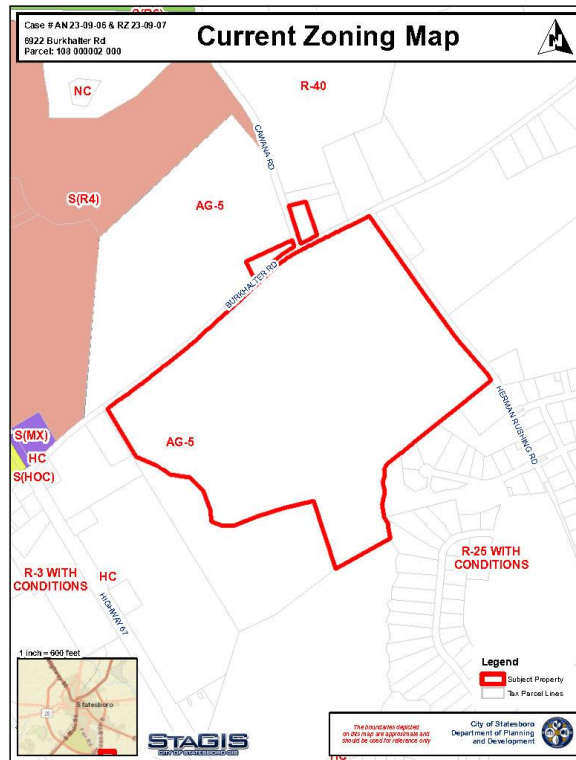
# Current Zoning Map



Case # AN 23-09-06 & RZ 23-09-07  
6922 Burkhalter Rd  
Parcel: 108 000002 000

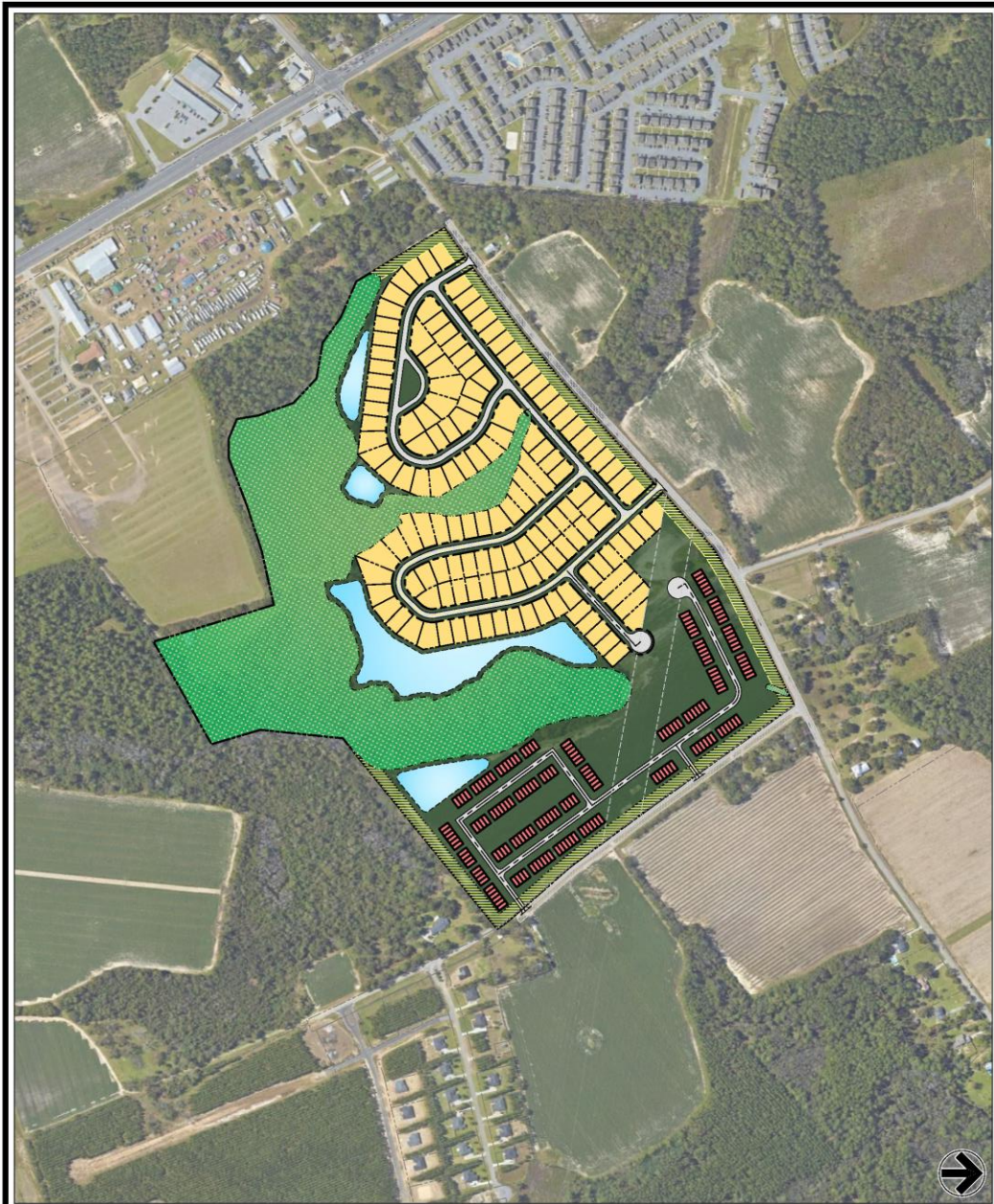
# Future Landuse Map





<b>SURROUNDING LAND USES/ZONING</b>		
<b>Location</b>	<b>Parcel Location &amp; Zoning Information</b>	<b>Land Use</b>
North	<b>Location Area #1:</b> AG-5 (Agricultural District – County)	Vacant
Northeast	<b>Location Area #2:</b> AG-5 (Agricultural District – County)	Vacant
Northwest	<b>Location Area #3:</b> AG-5 (Agricultural District – County)	Vacant
East	<b>Location Area #4:</b> AG-5 (Agricultural District – County)	Vacant
West	<b>Location Area #5:</b> AG-5 (Agricultural District – County)	Vacant
Southwest	<b>Location Area #6:</b> GC (General Commercial – County)	Vacant
Southeast	<b>Location Area #7:</b> R-25 (Single-Family Residential – County)	Chatham Place Subdivision
South	<b>Location Area #8:</b> R-25 (Single-Family Residential – County)	Chatham Place Subdivision

**PROPOSED SITE**



**VICINITY MAP**  
SCALE: 1" = 200'

<b>TOTAL</b>	<b>113±</b>
UPLANDS	7±
WETLANDS	33.8±
BUFFERS	6.5±
SINGLE FAMILY UNITS	149 UNITS
TOWN HOME UNITS	192 UNITS

LANIER CONCEPT LAYOUT  
 HUSSEY GAY BELL ARCHITECTS, GENERAL  
 DATE: APRIL 04, 2023 SCALE: 1" = 800'  
 1" = 80' GRAPHIC SCALE

**HUSSEY GAY BELL**  
 Established 1958

**SUBJECT SITE**



The subject site is a mostly vacant lot located on Burkhalter Road. The property has an old home with farm equipment, and some wetlands on the site. The applicant intends to develop one half of the site as single-family detached residential, and the other half as townhomes. In total, the applicant seeks to develop the property with 335 units, with 192 townhomes and 143 single-family units. As per the Unified Development Code, the R-2 zoning district allows for not only townhomes, but also for one-household residential housing.

The *City of Statesboro 2019 – 2029 Comprehensive Master Plan* does not show this area. It is recommended that this area boundary be included in the revision to the Statesboro Comprehensive Master Plan, due to the availability of City Water/Sewer.

### **ENVIRONMENTAL SITE ANALYSIS**

The subject property contains significant wetlands, but all areas proposed for development are currently flat land for development. There are also no FEMA classified flood areas on the site.

### **COMMUNITY FACILITIES AND TRANSPORTATION**

The subject property is not currently served by City Water or Sewer, but water and sewer can be connected from multiple areas, which are currently under consideration. The property discharges onto the existing Burkhalter Road. This road has significant issues associated with traffic stacking, and collaboration with the County must be undertaken to ensure the appropriate service level is attached to this road. In addition, right-of-way must be provided to ensure traffic improvements can be made on the property.

### **ZONING MAP AMENDMENT STANDARDS FOR DETERMINATION**

The *Statesboro Zoning Ordinance* permits a zoning map amendment subject to conditions if “approved by the mayor and city council based upon findings that the use is consistent with adopted plans for the area and that the location, construction, and operation of the proposed use will not significantly impact upon surrounding development or the community in general.”

The Zoning Procedures Law, specifically the “Steinberg Criteria” provides minimum standards for local governments to consider in the rezoning of properties. Those standards are as follows:

- 1. Will the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?**
  - The surrounding area is made up of a primarily single-family residential development, although there are some commercial areas immediately to the west of the site.
- 2. Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?**
  - The adjacent property already serves the role of providing housing, and it is unlikely that any substantial commercial development will form on this road due to the existing infrastructure already on site.
- 3. Does the property be rezoned have a reasonable economic use as currently zoned?**

- This property would not be able to access City sewer and water without completion of an annexation. It would have the ability to develop in its current zoning but not with the density or housing mix as requested.
- 4. Will the zoning proposal result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?**
- This road currently has significant traffic depending on the time of day, and the intersection of Highway 67 and Burkhalter already suffers from a low service level. Concerns must be addressed with the County, and access to this road would require approval by the County.
- 5. Are there other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal?**
- This is a growing area, and it is likely that there will be additional pressure further along the roadway based on the development of the 67 corridor.
- 6. Does the zoning proposal conform to the Long Range Land Use Plan of the Municipality?**
- The overall use does not conflict with the currently defined “Potential Annexation Area” of the Comprehensive Master Plan. Additional guidance will be provided in the upcoming update of this plan.

**Subject Property**



**Subject Property (Southwest)**



**Subject Property (Northeast)**



**Northern Property**



### **STAFF/PLANNING COMMISSION RECOMMENDATION**

Staff recommends **Approval RZ 23-09-07**. If this petition is approved by the Mayor and City Council, it should be subject to the applicant's agreement to the following enumerated condition(s):

- (1) Approval of this Zoning Map Amendment does not grant site and/or building plan approval as submitted. Project will be required to meet all City Ordinances and applicable building codes.
- (2) The applicant must ensure appropriate right-of-way is provided to the City to ensure appropriate road improvements on the site.
- (3) The applicant must submit a Traffic Impact Study before completion of the project subdivision to ensure that appropriate right-of-way and traffic calming measures may be implemented.
- (4) The Single-Family Residential subdivision must adhere to all zoning dimensional standards as outlined by Table 2.2.1-B in the Unified Development Code.
- (5) The applicant must provide amenity space to the site in accordance with the R-2 Dimensional Standards.

At the regularly scheduled meeting of the Planning Commission on November 7, 2023, The Commission recommended approval of the Zoning Map Amendment and staff conditions with a 5-0 vote.

At the regularly scheduled meeting of the City Council on November 21, 2023, the Council voted to defer this project until the January 16, 2024 meeting.

# CITY OF STATESBORO

## COUNCIL

Phil Boyum, District 1  
Paulette Chavers, District 2  
Ginny Hendley, District 3  
John Riggs, District 4  
Shari Barr, District 5



Jonathan M. McCollar, Mayor  
Charles Penny, City Manager  
Leah Harden, City Clerk  
Cain Smith, City Attorney

50 EAST MAIN STREET • P.O. BOX 348  
STATESBORO, GEORGIA 30459-0348

**To:** Charles Penny, City Manager and Leah Harden, City Clerk

**From:** Justin Williams, Planning & Housing Administrator

**Date:** January 5, 2024

**RE:** January 16, 2024 City Council Agenda Items

**Policy Issue:** *Statesboro Zoning Ordinance: Zoning Map Amendment*

**Recommendation:** Planning Commission recommends Approval of the Zoning Map Amendment Requested by RZ 23-12-01.

**Background:** Christina Gipson requests a Zoning Map Amendment from the LI (Light Industrial) zoning district to the MX (Mixed Used) zoning district in order to establish a recreational/fitness facility at 202 West Main Street (Tax Parcel # S18 000173 000).

**Budget Impact:** None

**Council Person and District:** Chavers (District 2)

**Attachments:** Development Services Report (RZ 23-12-01)



# ZONING SERVICES REPORT

P.O. Box 348  
Statesboro, Georgia 30458

(912) 764-0630  
(912) 764-0664 (Fax)

**RZ 23-12-01  
ZONING MAP AMENDMENT  
202 WEST MAIN STREET**

<b>LOCATION:</b>	202 West Main Street
<b>EXISTING ZONING:</b>	Light Industrial
<b>ACRES:</b>	0.46 acres
<b>PARCEL TAX MAP #:</b>	S18 000173 000
<b>COUNCIL DISTRICT:</b>	District 2 (Chavers)
<b>EXISTING USE:</b>	Vehicle Repair Shop
<b>PROPOSED USE:</b>	Fitness Center



**PETITIONER** Christina Gipson  
**ADDRESS** 133 A Nature Way; Statesboro GA, 30458

**REPRESENTATIVE** Same As Above  
**ADDRESS** Same As Above

**PROPOSAL**

The applicant requests a zoning map amendment to an existing garage in order to establish an exercise facility at 202 West Main Street.

**STAFF/PLANNING COMMISSION RECOMMENDATION**

**RZ 23-12-01 - CONDITIONAL APPROVAL**

Case # RZ-12-01  
202 West Main St  
Parcel: S18 000173 000

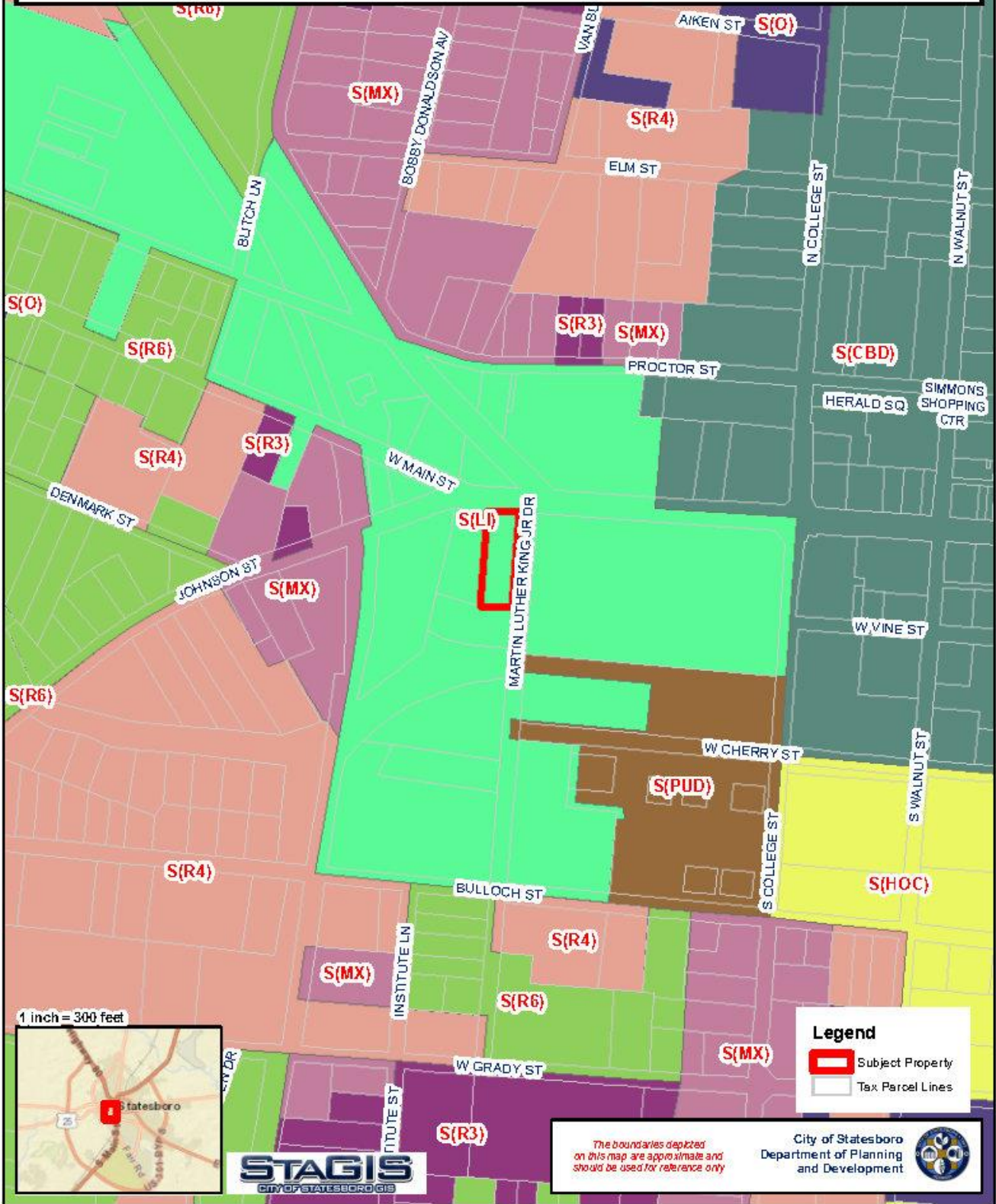
# Location Map





Case # RZ-12-01  
202 West Main St  
Parcel: S18 000173 000

# Current Zoning Map



**Legend**

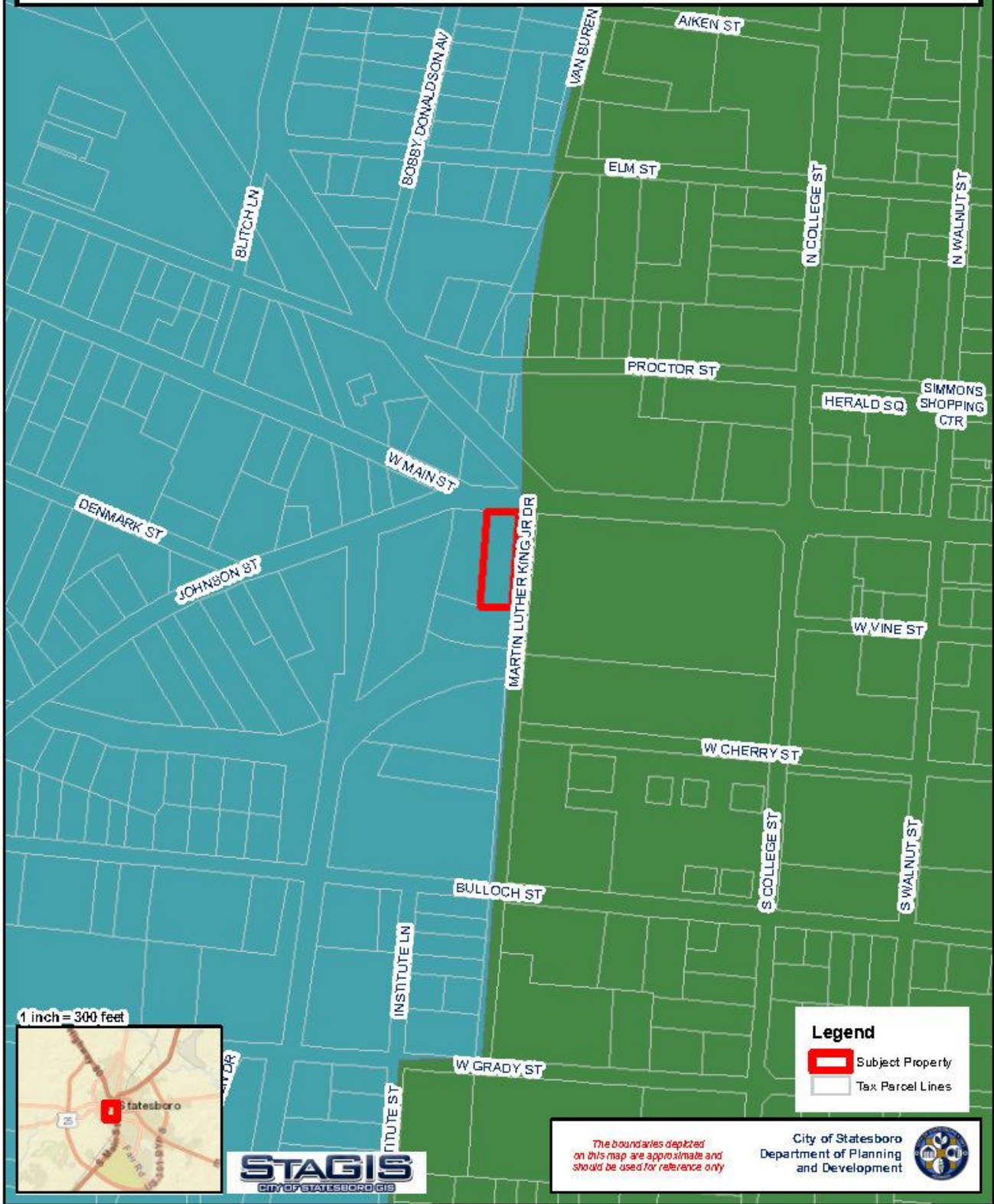
- Subject Property
- Tax Parcel Lines

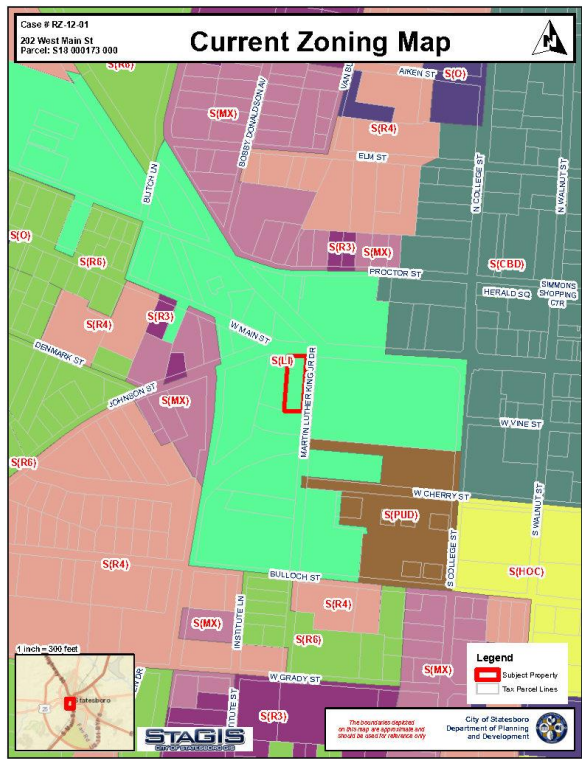
The boundaries depicted on this map are approximate and should be used for reference only

City of Statesboro  
Department of Planning and Development

Case # RZ-12-01  
202 West Main St  
Parcel: S18 000173 000

# Future Landuse Map





**SURROUNDING LAND USES/ZONING**

Location	Parcel Location & Zoning Information	Land Use
North	<b>Location Area #1</b> LI (Light Industrial)	Vacant Store
Northeast	<b>Location Area #2:</b> LI (Light Industrial)	Convenience Store
East	<b>Location Area #3:</b> LI (Light Industrial)	Statesboro Post Office
North West	<b>Location Area #4:</b> LI (Light Industrial)	Convenience Store
Southeast	<b>Location Area #5:</b> PUD (Planned Unit Development)	West District
South	<b>Location Area #6</b> LI (Light Industrial)	West District Warehouse (Under Construction)
Southwest	<b>Location Area #7:</b> LI (Light Industrial)	West District
West	<b>Location Area #8:</b> LI (Light Industrial)	Habitat for Humanity

## **SUBJECT SITE**

The subject site consists of approximately 0.46 acres with a large mechanic shop on the site. The shop is still currently active, but will be sold and renovated to serve as the expansion of the existing downtown gym “The Garage,” which is currently located on East Main Street. Under the new UDC, a gym is not allowed in the proposed zoning district, but the UDC did not unilaterally change the zoning of the surrounding area, which would be more appropriate as a part of the mixed use district.

The *City of Statesboro 2019 – 2029 Comprehensive Master Plan* designates the subject site in the “Residential Redevelopment” character area, which generally calls for lower density, single family attached housing and single family detached housing. However, the site also borders the existing “Downtown” character area.

## **ENVIRONMENTAL SITE ANALYSIS**

The property does not contain wetlands, but currently exists in a flood plain. As the building is not being demolished, existing conditions on the site would be “grandfathered” in.

## **COMMUNITY FACILITIES AND TRANSPORTATION**

The subject site is currently served by city services including water, sewer, sanitation, and public safety. No significant impact is expected on community facilities or services as a result of this request.

## **ZONING MAP AMENDMENT STANDARDS OF REVIEW**

The *Statesboro Zoning Ordinance* permits a zoning amendment subject to conditions if “approved by the mayor and city council based upon findings that the use is consistent with adopted plans for the area and that the location, construction, and operation of the proposed use will not significantly impact upon surrounding development or the community in general.”

The Zoning Procedures Law, specifically the “Steinberg Criteria” provides minimum standards for local governments to consider in the rezoning of properties. Those standards are as follows:

- 1. Will the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?**
  - The use would not change the existing building, and the proposed use is not a negative impact on the area.
- 2. Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?**
  - Although an appraisal has not been conducted, it is staff’s belief that property values would be increased by this development.
- 3. Does the property be rezoned have a reasonable economic use as currently zoned?**
  - The property currently serves as a mechanic shop in the Light Industrial zoning, but due to the surrounding uses would be better suited as a less intense commercial use.

**4. Will the zoning proposal result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?**

- It is highly unlikely that this development would cause substantial burden to the surrounding streets, utilities and schools, as the general increase in children in the area would be minimal.

**5. Are there other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal?**

- The proposed change does not conflict with the existing development of the area, as the roads are highly trafficked due to the existing West District Development and gateway to Downtown.

**6. Consistency Does the zoning proposal conform with the Long Range Land Use Plan of the Municipality?**

- The proposed use is not consistent with the subject site's character area ("Residential Redevelopment") as stated in the *2019 – 2029 Comprehensive Master Plan*. Although this is an inconsistency, the existing area surrounding this property does not conform to the existing character area and the current use of the property does not conform to the character area. The property immediately borders the "Downtown" character area and this would be a less intense use than what currently exists. .

**Subject Property**



**Northern Property**



**Southern Property**



**Eastern Property**



**STAFF/PLANNING COMMISSION RECOMMENDATION**

Staff recommends **Approval of RZ 23-12-01**. If this petition is approved by the Mayor and City Council, it should be subject to the applicant's agreement to the following enumerated condition(s):

- (1) Approval of this Zoning Map Amendment does not grant the right to develop on the site without approval. All construction must be approved by the City.

At the regularly scheduled meeting of the Planning Commission on January 2, 2024 the Planning Commission recommended approval of the request with staff conditions on a 7-0 vote.



# CITY OF STATESBORO

## COUNCIL

Phil Boyum, District 1  
Paulette Chavers, District 2  
Ginny Hendley, District 3  
John Riggs, District 4  
Shari Barr, District 5



Jonathan M. McCollar, Mayor  
Charles Penny, City Manager  
Leah Harden, City Clerk  
Cain Smith, City Attorney

50 EAST MAIN STREET • P.O. BOX 348  
STATESBORO, GEORGIA 30459-0348

**To:** Charles Penny, City Manager and Leah Harden, City Clerk

**From:** Justin Williams, Planning & Housing Administrator

**Date:** January 5, 2024

**RE:** January 16, 2024 City Council Agenda Items

**Policy Issue:** *Statesboro Zoning Ordinance: Preliminary Subdivision PLAT*

**Recommendation:** Planning Commission recommends Approval of the Preliminary Subdivision PLAT Requested by RZ 23-12-02.

**Background:** Robbie Bell requests a Preliminary Subdivision PLAT on 54.17 acres of property to develop 52 additional lots in the existing Northbridge Subdivision located on South Bridgeport Drive (Tax Parcel MS80000013 000).

**Budget Impact:** None

**Council Person and District:** Boyum (District 1)

**Attachments:** Development Services Report (SUB 23-12-02)



# ZONING SERVICES REPORT

P.O. Box 348  
Statesboro, Georgia 30458

(912) 764-0630  
(912) 764-0664 (Fax)

**SUB 23-12-02  
PRELIMINARY SUBDIVISION REQUEST  
SOUTH BRIDGEPORT DRIVE**

<b>LOCATION:</b>	South Bridgeport Drive
<b>EXISTING ZONING:</b>	R-4 (High-Density Residential)
<b>ACRES:</b>	54.17 Acres
<b>PARCEL TAX MAP #:</b>	MS80000013 000
<b>COUNCIL DISTRICT:</b>	District 1 (Boyum)
<b>EXISTING USE:</b>	Existing Subdivision
<b>PROPOSED USE:</b>	Single-Family Detached Development



**PETITIONER** Robbie Bell  
**ADDRESS** 225 Timberline Road; Statesboro, GA 30461

**REPRESENTATIVE** SAME AS ABOVE  
**ADDRESS** SAME AS ABOVE

**PROPOSAL**

The applicant requests a preliminary subdivision of approximately 54.17 acres of property to develop an additional phase consisting of 52 units in the existing Northbridge Subdivision.

**STAFF/PLANNING COMMISSION RECOMMENDATION**

**SUB 23-12-02 – CONDITIONAL APPROVAL**

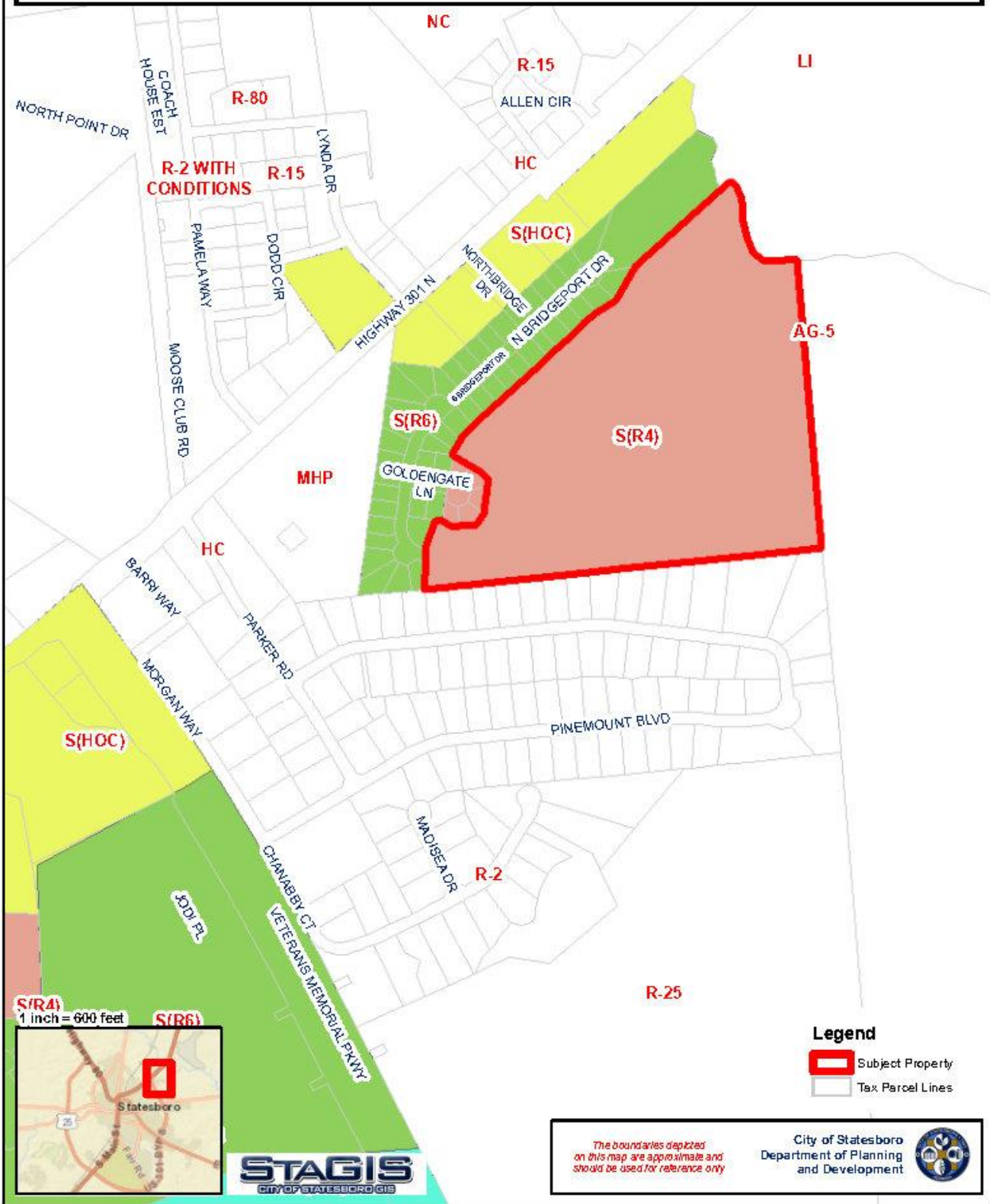
SUB-23-12-02  
South Bridgeport Dr  
Parcel: MS8000013 000

# Location Map



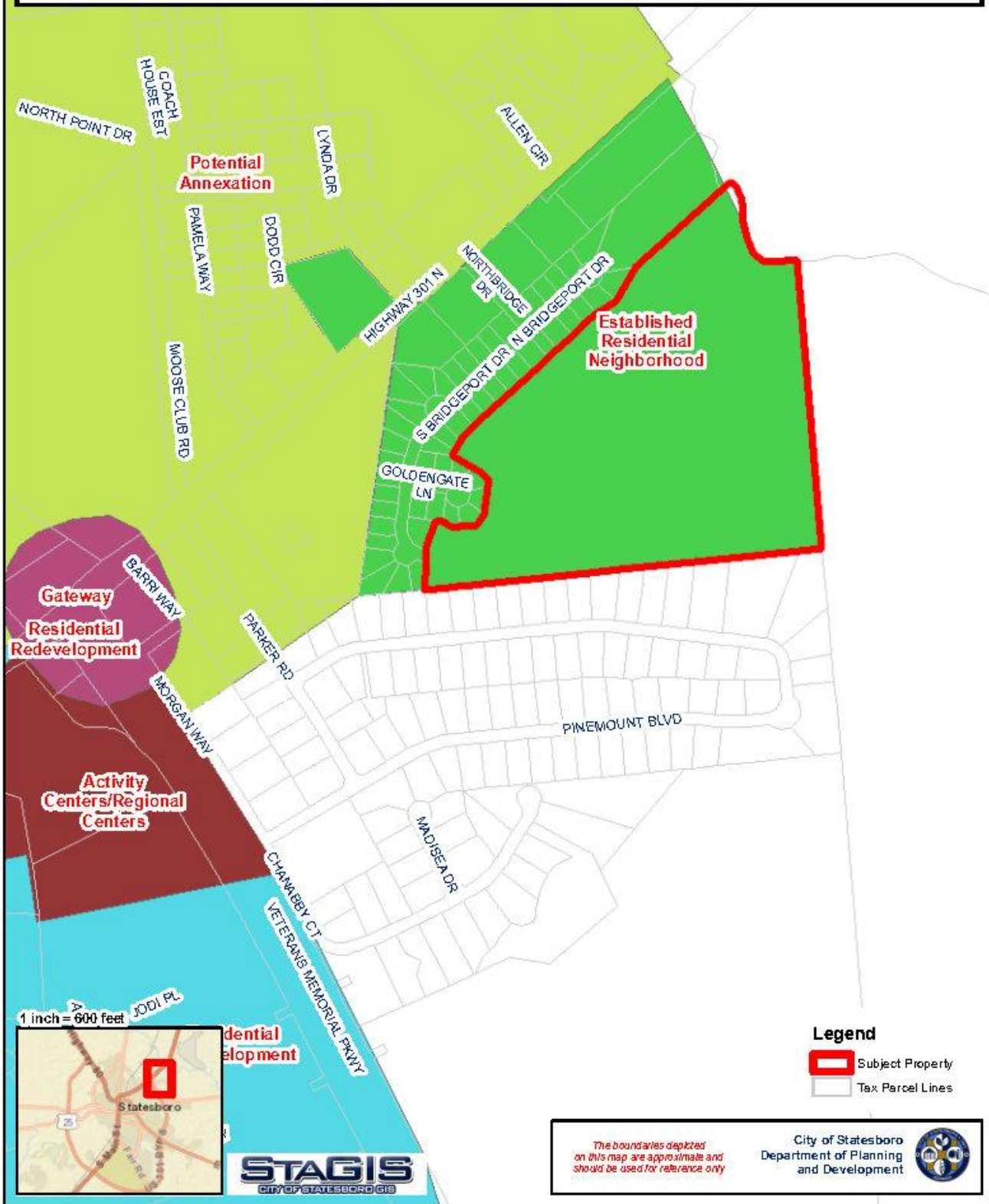
SUB-23-12-02  
South Bridgeport Dr  
Parcel: MS80000013 000

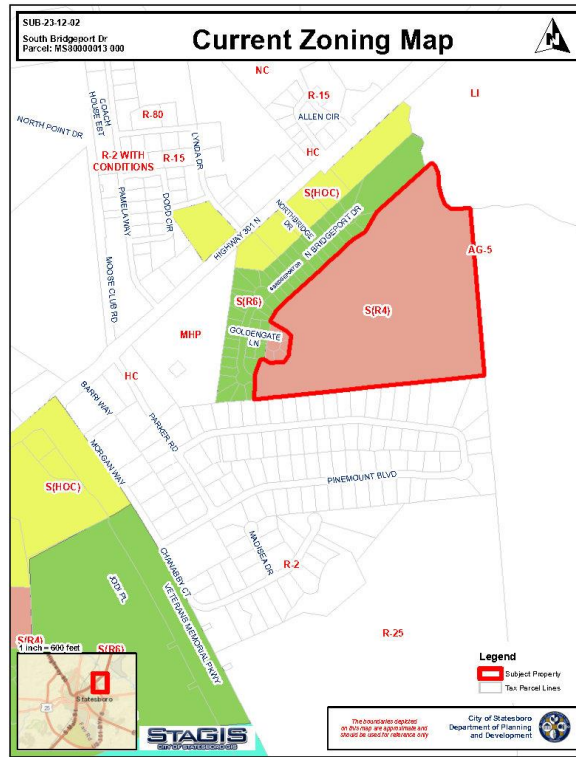
# Current Zoning Map



SUB-23-12-02  
South Bridgeport Dr  
Parcel: MS80000013 000

# Future Landuse Map





### SURROUNDING LAND USES/ZONING

Location	Parcel Location & Zoning Information	Land Use
North	<b>Location Area #1</b> R-6 (Single-Family Residential)	Single-Family Dwelling
Northeast	<b>Location Area #2:</b> R-6 (Single-Density Residential)	Single Family Dwelling
East	<b>Location Area #3:</b> AG-5 (Agricultural – County)	Vacant
North West	<b>Location Area #4:</b> R-6 (Single-Family Residential)	Single-Family Dwelling
Southeast	<b>Location Area #5:</b> R-25 (Single-Family Residential – County)	Single-Family Dwelling
South	<b>Location Area #7:</b> R-25 (Single-Family Residential - County)	Single-Family Dwelling
Southwest	<b>Location Area #8:</b> R-25 (Single-Family Residential - County)	Single Family Dwelling
West	<b>Location Area #9:</b> R-6 (Single-Family Residential)	Single-Family Dwelling

## **SUBJECT SITE**

The subject site consists of an existing subdivision located on US Highway 301 North. The subject site has recently completed construction of its most recent phase, and all topography information has been revised to show that the property can be developed further than originally determined.

The *City of Statesboro 2019 – 2029 Comprehensive Master Plan* designates the subject site in the “Established Residential Neighborhood” character area, which is generally intended for small-lot single-family residential and neighborhood scale retail and commercial development.

## **ENVIRONMENTAL SITE ANALYSIS**

The property does contain wetlands, but the proposed development does not propose any significant disturbance of these as they are at the furthest Eastern boundary of the site. The property is already under disturbance due to the original land disturbance activity, which incorporated the entire site.

## **COMMUNITY FACILITIES AND TRANSPORTATION**

This site has access to City of Statesboro utilities. The existing access egress to the section of the subdivision on Highway 301 does not meet the current standards of the International Fire Code, but the site was approved historically without this addition.

**Subject Property (Northbridge Drive)**



**Northern Property (Northbridge Drive)**





**Subject Property (South Bridgeport Drive)**



**Western Property (South Bridgeport Drive)**



# Preliminary Plat



### **STAFF/PLANNING COMMISSION RECOMMENDATION**

Staff recommends Approval of **SUB 23-12-02**. If this petition is approved by the Mayor and City Council, it should be subject to the applicant's agreement to the following enumerated condition(s):

- (1) Approval of this Preliminary Subdivision PLAT does not grant the right to develop on the site without approval. All construction must be approved by the City.
- (2) The final plat must meet all recording requirements of the Unified Development Code before any units may be sold in the subdivision.

At the regularly scheduled meeting of the Planning Commission on January 2, 2024 the Planning Commission recommended approval of the request with staff conditions on a 7-0 vote.

# CITY OF STATESBORO

**COUNCIL**

Phillip A. Boyum  
Paulette Chavers  
Venus Mack  
John C. Riggs  
Shari Barr



Jonathan McCollar, Mayor  
Charles Penny, City Manager  
Leah Harden, City Clerk  
I. Cain Smith, City Attorney

50 EAST MAIN STREET • P.O. BOX 348  
STATESBORO, GEORGIA 30459-0348

**To:** Mr. Charles Penny, City Manager

**From:** Cindy S. West, Finance Director

**Date:** January 11, 2024

**RE:** Bank Resolution Correction

As we were starting the process of opening the 2023 TSPLOST Bank Account, we discovered the resolution referenced BB&T instead of Synovus. I am attaching a corrected resolution for the Mayor to sign.

RESOLUTION 2023-52: A RESOLUTION AUTHORIZING THE OPENING OF A SEPARATE BANK ACCOUNT FOR THE 2023 TSPLOST BANK ACCOUNT.

WHEREAS, the City Council entered into an intergovernmental agreement for the use and distribution of Proceeds from the 2023 Transportation Special Purpose Local Option Sales Tax with Bulloch County;

WHEREAS, it is required by the intergovernmental agreement that a separate bank account be established for the 2023 TSPLOST proceeds;

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Statesboro, Georgia this 19th day of December, 2023 that the City Manager and Director of Finance are hereby authorized and directed to open a new bank account at Synovus for the City of Statesboro's 2023 TSPLOST Bank Account.

BE IT FURTHER RESOLVED that any Resolution or parts of a Resolution in conflict herewith are hereby rescinded.

Approved this 16<sup>th</sup> day of January 2024.

City of Statesboro, Georgia

---

Jonathan M. McCollar, Mayor

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Leah Harden, City Clerk

# CITY OF STATESBORO

## COUNCIL

Phil Boyum, District 1  
Paulette Chavers, District 2  
Ginny Hendley, District 3  
John Riggs, District 4  
Shari Barr, District 5



Jonathan M. McCollar, Mayor  
Charles Penny, City Manager  
Leah Harden, City Clerk  
I. Cain Smith, City Attorney

50 EAST MAIN STREET • P.O. BOX 348  
STATESBORO, GEORGIA 30459-0348

**To:** Charles Penny, City Manager and Leah Harden, City Clerk

**From:** Justin Williams, Planning and Housing Administrator

**Date:** January 8, 2024

**RE:** January 16, 2024

**Policy Issue:** Grant Application

**Recommendation:** Staff recommends approval of resolution to apply for the FY 2025 Community Development Block Grant.

**Background:** In 2022, the City was granted control of the Whitesville Park adjacent to Whitesville Full Gospel Church. As a City Park, staff recommends the application of a multi-activity grant to improve the park, adjacent roadway, and under guidance from the Department of Community Affairs consider a phased development for housing in a future grant.

**Budget Impact:** \$200,000 from ARPA funding for Whitesville Park, and \$300,000 from TSPLOST

**Council Person and District:** All

**Attachments:** CDBG Application Resolution

**Resolution 2024-01: A RESOLUTION REQUESTING APPROVAL TO APPLY FOR THE FY  
2025 COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE CITY OF STATESBORO,  
GEORGIA.**

THAT WHEREAS, the Georgia Department of Community Affairs has announced the availability of competitive grant funds which may be utilized for the improvement of public infrastructure and housing through its FY 2025 Community Development Block Grant; and

WHEREAS, this grant allows expenditures for the purpose of projects that improve public facilities, public housing; and

WHEREAS, the request of this application is to provide funding for infrastructure improvements, and park facilities in the Whitesville Community; and

WHEREAS, grants will be awarded in an amount not to exceed \$1,250,000; and

WHEREAS, the award of the grant funds (if awarded) must be utilized over a two to three year grant period; and

WHEREAS, there is only a 5 percent match of cash required for this fund, the City shall furnish up to \$500,000 as a match for the project with, \$200,000 from ARPA funds designated for Whitesville Park, and \$300,000 from TSPLOST;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Statesboro, Georgia in regular session assembled this 16<sup>th</sup> day of January, 2024, hereby authorizes the **application** for the funds to be awarded by the Georgia Department of Community Affairs FY 2025 Community Development Block Grant.

BE IT FURTHER RESOLVED that the funding will be through the City of Statesboro, TSPLOST, and Department of Public Works & Engineering budget for expenditures from this grant.

BE IT FURTHER RESOLVED that the City Manager and/or Mayor are hereby authorized to execute all documents related to the application of said grant.

Adopted this 16<sup>th</sup> day of January, 2024. CITY OF STATESBORO, GEORGIA

---

By: Jonathan McCollar, Mayor

---

Attest: Leah Harden, City Clerk

# CITY OF STATESBORO

## COUNCIL

Phillip A. Boyum, District 1  
Paulette Chavers, District 2  
Ginny Hendley, District 3  
John Riggs, District 4  
Shari Barr, District 5



Jonathan McCollar, Mayor  
Charles Penny, City Manager  
Leah Harden, City Clerk  
Cain Smith, City Attorney

50 EAST MAIN STREET • P.O. BOX 348  
STATESBORO, GEORGIA 30459-0348

**To:** City Manager Charles Penny & City Clerk Leah Harden

**From:** Tax Department

**Date:** 01/09/2024

**RE:** Dixie Food Mart

**Policy Issue:** Mayor and Council shall approve application in accordance with City of Statesboro Alcohol Ordinance Chapter 6-13 (a):

No new alcoholic beverage license to sell, dispense, pour or offer to sell, dispense or pour any distilled spirits, alcoholic beverages, wine, beer or malt beverages within the corporate limits of the City of Statesboro shall be issued to a new owner or new location until the application has been approved by the mayor and city council after a public hearing.

**Recommendation:** Planning & Development, Fire Department, Police Department, and Legal recommended approval

**Budget Impact:** None

**Council Person & District:** Phil Boyum, District 1

**Attachments:** Application & Department Approvals



Application for License to Sell Alcoholic Beverages  
City of Statesboro, Georgia

Please be advised that knowingly providing false or misleading information on this document is a felony pursuant to O.C.G.A. § 16-10-20 which states:

A person who knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact; makes a false, fictitious, or fraudulent statement or representation; or makes or uses any false writing or document, knowing the same to contain any false, fictitious, or fraudulent statement or entry, in any matter within the jurisdiction of any department or agency of state government or of the government of any county, city, or other political subdivision of this state shall, upon conviction thereof, be punished by a fine of not more than \$1,000.00 or by imprisonment for not less than one nor more than five years, or both.

The undersigned applicant hereby applies to the City of Statesboro, Georgia for a license to sell alcoholic beverages within the corporate limits of the City of Statesboro. A non-refundable \$200 application fee must be tendered with the application. (cash, credit card, certified check, or money order made payable to City of Statesboro)

Date application was received by tax/license office: \_\_\_\_\_

1. Business Trade Name: Dixie Food Mart

D/B/A Name

2. Applicant's Name: Tinkal Inc

Name of partnership, llc, corporation, or individual

3. Business Physical Address: 1495 Northside drive E,  
Statesboro, GA, 30458

4. Business mailing address: 1495 Northside drive E,  
Statesboro, GA 30458

5. Local business phone number: \_\_\_\_\_

Corporate office phone number: 706.615.4221

6. Name of Manager: Tinkalbahon Patel

Person responsible for alcohol licensing issues

7. Phone number for manager: \_\_\_\_\_

8. Email address for manager: \_\_\_\_\_

9. Address of manager: 222 Lanier dr, #505, Statesboro, GA 30458

10. Purpose of application is:

New Business \_\_\_\_\_ New Owner

Previous owner's name: Kunal Patel

If the business name has changed, list previous name: Same

If the business address has changed, list the previous address: Same

---

11. Indicate where the business will be located:

- Above ground  
 Street or ground floor level

Section 6-10(D) Any person within the City of Statesboro who works as a bouncer, either as an employee, agent, or subcontractor whose responsibilities in an establishment that is licensed to sell alcoholic beverages for on-premises consumption shall have their alcoholic beverage security permit on their person at all times while acting as an employee, agent or subcontractor of the licenses. An alcoholic beverage security permit shall be readily available for inspection upon the request of any Statesboro Police Department Officer, City Code Enforcement Officer, or the City Manager/his designee.

12. Type of Business:  Individual  Corporation  Partnership  LLC

Complete **EITHER** numbers 13, 14, and 15 **OR** 16, 17, and 18 in the section below:

13. If applicant is an individual: Attach a copy of the trade name affidavit.

Full Legal Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Home Address: \_\_\_\_\_

---

Have you completed the financial affidavit attached to this application? \_\_\_\_\_

14. If applicant is a partnership, LLC, or LLP: Attach trade name affidavit. If an LLC or LLP, attach a copy of certificate of LLC or LLP as filed with the Clerk of Superior Court and trade name affidavit, a copy of your operating agreement and/or partnership agreement, as well as other documents listed below that establish ownership rights of members or partners.

Name & address of partnership, LLC, or LLP: \_\_\_\_\_

---

Do you have an operating or partnership agreement for the LLC, LLC, or partnership? \_\_\_\_\_

If not, what documents establish the ownership rights of the members/partners? \_\_\_\_\_

---

15. Members of LLC and/or partners:

Full Legal Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Home Address: \_\_\_\_\_

\_\_\_\_\_

Full Legal Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Home Address: \_\_\_\_\_

\_\_\_\_\_

Full Legal Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Home Address: \_\_\_\_\_

\_\_\_\_\_

Has each member/partner completed a financial affidavit to attach to this application? \_\_\_\_\_

(Attach additional pages if necessary)

**Corporation/Stockholders:** All corporate applicants who are corporations shall list the names and addresses of all stockholders and the percentage of stock owned by each. If a named stockholder therein is another corporation, the same information shall be given for the Stockholding Corporation. If, during the life of the license, the identity of the stockholders or their percentage of ownership should change, that information shall be sent to the Finance Department.

16. If applicant is a corporation: Attach a copy of the articles of incorporation, trade name affidavit, current annual corporation registration with the Georgia Secretary of State, as well as the bylaws, the shareholders agreement, and other documents listed below that identify ownership rights.

Name of Corporation: Tinkal Inc

Home Office address: 1495 Northside dr E, Statesboro  
GA 30458

Mailing address (if different): Same

Date & Place of incorporation: 09/27/2023, 313 West Tower, Atlanta, GA

Do you have a shareholders agreement?: Yes

If not, what documents establish the ownership rights of the shareholders? \_\_\_\_\_

\_\_\_\_\_

17. Officers:

Full Legal Name: Tinkalbahen Patel Phone # [REDACTED]

Home address: [REDACTED]  
[REDACTED]

Percentage of stock owned: 100% Office held: \_\_\_\_\_

Full Legal Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Home address: \_\_\_\_\_

Percentage of stock owned: \_\_\_\_\_ Office held: \_\_\_\_\_

Full Legal Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Home address: \_\_\_\_\_

Percentage of stock owned: \_\_\_\_\_ Office held: \_\_\_\_\_

\*\*Attach additional pages if necessary\*\*

18. Stockholders: (if different than officer names)

Full Legal Name: Same Phone #: \_\_\_\_\_

Home address: \_\_\_\_\_

Percentage of stock owned: \_\_\_\_\_ Office held: \_\_\_\_\_

Full Legal Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Home address: \_\_\_\_\_


Full Legal Name: \_\_\_\_\_ Phone #: \_\_\_\_\_


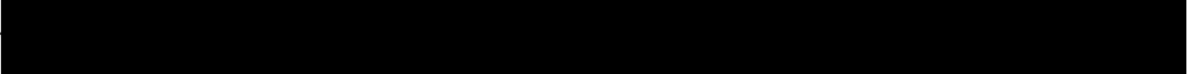

Home address: \_\_\_\_\_

**\*\*Attach additional pages if necessary\*\***

Has each shareholder completed the financial affidavit attached to this application? \_\_\_\_\_

19. If there is any individual or officer who has resided at his/her current address LESS THAN 5 years, complete the information below:

Name: Tinkalbahon Patel Phone #: 

Previous address:   
Dates lived there:   
Previous address:   
Dates lived there: 

Previous address: \_\_\_\_\_

Dates lived there: \_\_\_\_\_

Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Previous address: \_\_\_\_\_

Dates lived there: \_\_\_\_\_

Previous address: \_\_\_\_\_

Dates lived there: \_\_\_\_\_

Previous address: \_\_\_\_\_

Dates lived there: \_\_\_\_\_

Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Previous address: \_\_\_\_\_

Dates lived there: \_\_\_\_\_

Previous address: \_\_\_\_\_

Dates lived there: \_\_\_\_\_

Previous address: \_\_\_\_\_

Dates lived there: \_\_\_\_\_

20. Name & address of owner of the property (land & building) where the business will be located:

Umeshkunal, LLC  
1495 Northside Dr E, Statesboro, GA 30458

21. Is the commercial space where the business is to be located rented or leased? Yes

If yes, state name and address of lessor or landlord, and provide a copy of the lease with this application:

Reemco Inc  
1495 Northside Dr E, Statesboro, GA, 30458

22. Does any person or firm have any interest in the proposed business as a silent, undisclosed partner or joint venture; or has anyone agreed to split the profits/receipts from the proposed business with any persons, firm, company, corporation, or other entity? NO

If yes, provide name of person/firm, address, and amount of percentage of profits or receipts to be split:

\_\_\_\_\_  
\_\_\_\_\_

23. Is there anyone connected with this business that is not a legal resident of the United States and at least 21 years of age? No

If yes, give full details on a separate sheet of paper.

If anyone connected with this business is not a US Citizen, can they legally be employed in the United States?

Yes

If yes, please explain on a separate sheet of paper and submit copies of eligibility.

24. Is there anyone connected with this business that has applied for a beer, wine, and/or liquor license from the City of Statesboro or other city/county in the State of Georgia, or other political subdivision and been denied such? No

If yes, please provide details on a separate sheet of paper.

25. Is there anyone connected with this business who holds another alcohol license in any retail category or any license under any wholesale category? No

If yes, please provide details on a separate sheet of paper.

26. Is there anyone connected with this business that has been convicted within 15 years immediately prior to the filing of this application with any felony or for whom outstanding indictments, accusations, or criminal charges exist charging such individual with any of such offenses and for which no final disposition has occurred?

No

If yes, please provide details on a separate sheet of paper.

27. Is there anyone connected with this business that has been convicted within 5 years immediately prior to the filing of this application of the violation of any state, federal, or local ordinance pertaining to the manufacture, possession, transportation or sale of malt beverages, wine, or intoxicating liquors, or the taxability there of a crime involving moral turpitude or of a crime involving soliciting for prostitution, pandering, gambling, letting premises for prostitution, keeping a disorderly place, the traffic offense of hit and run or leaving the scene of an accident or any misdemeanor serious traffic offense? No  
If yes, please provide details on a separate sheet of paper.
28. Is there anyone connected with this business that has been convicted for selling alcohol to an under-age person within the last 3 year period? No  
If yes, please provide details on a separate sheet of paper.
29. Is there anyone connected with this business that is an official or public employee of the City of Statesboro, any State or Federal agency, or whose duties include the regulation or policing of alcoholic beverages or licenses, or any tax collecting activity? No  
If yes, please provide details on a separate sheet of paper.
30. Have you or the applicant had any vehicles, trailers, or property belonging to you or the company in which you or any of such persons have or had an interest in ever been seized, condemned or forfeited as contraband by the State of Georgia or the United States for the reason the same was being used or intended for the use in criminal activities? No  
If yes, please provide details on a separate sheet of paper.
31. Will live nude performances or adult entertainment be a part of this business operation? No  
If yes, the City of Statesboro Ordinance 6-164 prohibits alcohol in an establishment having adult entertainment.

Calculation of Basic License Fee

For Calendar Year: \_\_\_\_\_

<u>Classification:</u>	<u>Mark all that apply</u>	<u>License Fee</u>
1. Package Sales	<input checked="" type="checkbox"/>	\$1750
2. On Premise License Types		
A. Bar	<input type="checkbox"/>	\$4300
B. Bar with Kitchen	<input type="checkbox"/>	\$4300
C. Event Venue	<input type="checkbox"/>	\$2500
D. Low Volume	<input type="checkbox"/>	\$750
E. Pub	<input type="checkbox"/>	\$5600
F. Restaurant	<input type="checkbox"/>	\$2800
3. Caterer	<input type="checkbox"/>	\$200
4. Brewer, manufacturer of malt beverages only	<input type="checkbox"/>	\$1750
5. Broker	<input type="checkbox"/>	\$1750
6. Importer	<input type="checkbox"/>	\$1750
7. Manufacturer of Wine only	<input type="checkbox"/>	\$1750
8. Sunday Sales Permit	<input checked="" type="checkbox"/>	\$300
9. In Room Service Permit	<input type="checkbox"/>	\$150

Total Due: \$ \_\_\_\_\_



**Dixie Food Mart**  
**1495 Northside Dr East**  
**Statesboro, Ga 30458**

*Please enter your recommendations and comments with your full name.*

**Alcohol License Review**

<b>Department</b>	<b>Full Name</b>	<b>Recommendation</b>	<b>Comments</b>
<b>Planning &amp; Development</b>	Jermaine Foster	Approved	11-7-2023
<b>Fire Department</b>	Andrew Cheney	Approved	11-7-2023
<b>Police Department</b>	Jared Akins	Approved	12/29/23
<b>Legal</b>	Cain Smith	Approve	

# CITY OF STATESBORO

## COUNCIL

Phillip A. Boyum, District 1  
Paulette Chavers, District 2  
Ginny Hendley, District 3  
John Riggs, District 4  
Shari Barr, District 5



Jonathan McCollar, Mayor  
Charles Penny, City Manager  
Leah Harden, City Clerk  
Cain Smith, City Attorney

50 EAST MAIN STREET • P.O. BOX 348  
STATESBORO, GEORGIA 30459-0348

**To:** City Manager Charles Penny & City Clerk Leah Harden

**From:** Tax Department

**Date:** 01/09/2024

**RE:** Jim N Nicks BBQ #4054

**Policy Issue:** Mayor and Council shall approve application in accordance with City of Statesboro Alcohol Ordinance Chapter 6-13 (a):

No new alcoholic beverage license to sell, dispense, pour or offer to sell, dispense or pour any distilled spirits, alcoholic beverages, wine, beer or malt beverages within the corporate limits of the City of Statesboro shall be issued to a new owner or new location until the application has been approved by the mayor and city council after a public hearing.

**Recommendation:** Planning & Development, Fire Department, Police Department, and Legal recommended approval

**Budget Impact:** None

**Council Person & District:** Shari Barr District 5

**Attachments:** Application & Department Approvals

Application for License to Sell Alcoholic Beverages  
City of Statesboro, Georgia



Please be advised that knowingly providing false or misleading information on this document is a felony pursuant to O.C.G.A. § 16-10-20 which states:

A person who knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact; makes a false, fictitious, or fraudulent statement or representation; or makes or uses any false writing or document, knowing the same to contain any false, fictitious, or fraudulent statement or entry, in any matter within the jurisdiction of any department or agency of state government or of the government of any county, city, or other political subdivision of this state shall, upon conviction thereof, be punished by a fine of not more than \$1,000.00 or by imprisonment for not less than one nor more than five years, or both.

The undersigned applicant hereby applies to the City of Statesboro, Georgia for a license to sell alcoholic beverages within the corporate limits of the City of Statesboro. A non-refundable \$200 application fee must be tendered with the application. (cash, credit card, certified check, or money order made payable to City of Statesboro)

Date application was received by tax/license office: \_\_\_\_\_

1. Business Trade Name: Jim N Nick's BBQ #4054  
D/B/A Name

2. Applicant's Name: Jim N Nicks Management, LLC  
Name of partnership, llc, corporation, or individual

3. Business Physical Address: 24106 Highway 80 East, Statesboro, GA 30461

4. Business mailing address: 10 Inverness Center Parkway, Suite 250, Birmingham, AL 35242

5. Local business phone number: 912-567-0454

Corporate office phone number: 205-847-3026

6. Name of Manager: Bradley F. Cooke  
Person responsible for alcohol licensing issues

7. Phone number for manager: [REDACTED]

8. Email address for manager: [REDACTED]

9. Address of manager: [REDACTED]

10. Purpose of application is:

New Business   X   New Owner \_\_\_\_\_

Previous owner's name: Unknown

If the business name has changed, list previous name: \_\_\_\_\_

If the business address has changed, list the previous address: \_\_\_\_\_

\_\_\_\_\_

11. Indicate where the business will be located:

Above ground

Street or ground floor level

Section 6-10(D) Any person within the City of Statesboro who works as a bouncer, either as an employee, agent, or subcontractor whose responsibilities in an establishment that is licensed to sell alcoholic beverages for on-premises consumption shall have their alcoholic beverage security permit on their person at all times while acting as an employee, agent or subcontractor of the licenses. An alcoholic beverage security permit shall be readily available for inspection upon the request of any Statesboro Police Department Officer, City Code Enforcement Officer, or the City Manager/his designee.

12. Type of Business:  Individual  Corporation  Partnership  LLC

Complete **EITHER** numbers 13, 14, and 15 **OR** 16, 17, and 18 in the section below:

13. If applicant is an individual: Attach a copy of the trade name affidavit. N/A

Full Legal Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Home Address: \_\_\_\_\_

\_\_\_\_\_

Have you completed the financial affidavit attached to this application? \_\_\_\_\_

14. If applicant is a partnership, LLC, or LLP: Attach trade name affidavit. If an LLC or LLP, attach a copy of certificate of LLC or LLP as filed with the Clerk of Superior Court and trade name affidavit, a copy of your operating agreement and/or partnership agreement, as well as other documents listed below that establish ownership rights of members or partners.

Name & address of partnership, LLC, or LLP: Jim N Nicks Management, LLC

10 Inverness Center Parkway, Suite 250, Birmingham, AL 35242

Do you have an operating or partnership agreement for the LLC, LLC, or partnership? Yes

If not, what documents establish the ownership rights of the members/partners? N/A

\_\_\_\_\_

15. Members of LLC and/or partners:

Full Legal Name: Brian Fletcher Lyman (President) Phone #: [REDACTED]

Home Address: [REDACTED]

Full Legal Name: Ryan Michael Simms (Vice President & Treasurer) Phone #: [REDACTED]

Home Address: [REDACTED]

Full Legal Name: JNN Holdings, LLC (Sole Member) Phone #: [REDACTED]

Home Address: [REDACTED]

Has each member/partner completed a financial affidavit to attach to this application? Yes  
(Attach additional pages if necessary)

Corporation/Stockholders: All corporate applicants who are corporations shall list the names and addresses of all stockholders and the percentage of stock owned by each. If a named stockholder therein is another corporation, the same information shall be given for the Stockholding Corporation. If, during the life of the license, the identity of the stockholders or their percentage of ownership should change, that information shall be sent to the Finance Department.

16. If applicant is a corporation: Attach a copy of the articles of incorporation, trade name affidavit, current annual corporation registration with the Georgia Secretary of State, as well as the bylaws, the shareholders agreement, and other documents listed below that identify ownership rights. N/A

Name of Corporation: \_\_\_\_\_

Home Office address: \_\_\_\_\_

Mailing address (if different): \_\_\_\_\_

Date & Place of incorporation: \_\_\_\_\_

Do you have a shareholders agreement?: \_\_\_\_\_

If not, what documents establish the ownership rights of the shareholders? \_\_\_\_\_

**17. Officers:** N/A

Full Legal Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Home address: \_\_\_\_\_  
\_\_\_\_\_

Percentage of stock owned: \_\_\_\_\_ Office held: \_\_\_\_\_

Full Legal Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Home address: \_\_\_\_\_  
\_\_\_\_\_

Percentage of stock owned: \_\_\_\_\_ Office held: \_\_\_\_\_

Full Legal Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Home address: \_\_\_\_\_  
\_\_\_\_\_

Percentage of stock owned: \_\_\_\_\_ Office held: \_\_\_\_\_

**\*\*Attach additional pages if necessary\*\***

**18. Stockholders:** (if different than officer names) N/A

Full Legal Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Home address: \_\_\_\_\_  
\_\_\_\_\_

Percentage of stock owned: \_\_\_\_\_ Office held: \_\_\_\_\_

Full Legal Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Home address: \_\_\_\_\_  
\_\_\_\_\_

Full Legal Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Home address: \_\_\_\_\_

**\*\*Attach additional pages if necessary\*\***

Has each shareholder completed the financial affidavit attached to this application? \_\_\_\_\_

19. If there is any individual or officer who has resided at his/her current address LESS THAN 5 years, complete the information below:

Name: Ryan M. Simms Phone #: [REDACTED]

Previous address: [REDACTED]

Dates lived there: [REDACTED]

Previous address: [REDACTED]

Dates lived there: [REDACTED]

Previous address: [REDACTED]

Dates lived there: [REDACTED]

Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Previous address: \_\_\_\_\_

Dates lived there: \_\_\_\_\_

Previous address: \_\_\_\_\_

Dates lived there: \_\_\_\_\_

Previous address: \_\_\_\_\_

Dates lived there: \_\_\_\_\_

Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Previous address: \_\_\_\_\_

Dates lived there: \_\_\_\_\_

Previous address: \_\_\_\_\_

Dates lived there: \_\_\_\_\_

Previous address: \_\_\_\_\_

Dates lived there: \_\_\_\_\_

20. Name & address of owner of the property (land & building) where the business will be located:

Branchwater Statesboro, LLC - 300 South Mills River Road, Mills River, NC 28759

---

21. Is the commercial space where the business is to be located rented or leased? Yes

**If yes, state name and address of lessor or landlord, and provide a copy of the lease with this application:**

Jim N Nicks Management, LLC - 10 Inverness Center Parkway, Suite 250, Birmingham, AL 35242

---

22. Does any person or firm have any interest in the proposed business as a silent, undisclosed partner or joint venture; or has anyone agreed to split the profits/receipts from the proposed business with any persons, firm, company, corporation, or other entity? No.

**If yes, provide name of person/firm, address, and amount of percentage of profits or receipts to be split:**

---

---

23. Is there anyone connected with this business that is not a legal resident of the United States and at least 21 years of age? No.

**If yes, give full details on a separate sheet of paper.**

If anyone connected with this business is not a US Citizen, can they legally be employed in the United States?  
No.

---

**If yes, please explain on a separate sheet of paper and submit copies of eligibility.**

24. Is there anyone connected with this business that has applied for a beer, wine, and/or liquor license from the City of Statesboro or other city/county in the State of Georgia, or other political subdivision and been denied such? No.

**If yes, please provide details on a separate sheet of paper.**

25. Is there anyone connected with this business who holds another alcohol license in any retail category or any license under any wholesale category? Yes. Please see attached Exhibit "A" for a list of alcohol licenses held by Jim N Nicks

**If yes, please provide details on a separate sheet of paper.**

Management, LLC

26. Is there anyone connected with this business that has been convicted within 15 years immediately prior to the filing of this application with any felony or for whom outstanding indictments, accusations, or criminal charges exist charging such individual with any of such offenses and for which no final disposition has occurred?  
No.

---

**If yes, please provide details on a separate sheet of paper.**



27. Is there anyone connected with this business that has been convicted within 5 years immediately prior to the filing of this application of the violation of any state, federal, or local ordinance pertaining to the manufacture, possession, transportation or sale of malt beverages, wine, or intoxicating liquors, or the taxability there of a crime involving moral turpitude or of a crime involving soliciting for prostitution, pandering, gambling, letting premises for prostitution, keeping a disorderly place, the traffic offense of hit and run or leaving the scene of an accident or any misdemeanor serious traffic offense? No.  
**If yes, please provide details on a separate sheet of paper.**
28. Is there anyone connected with this business that has been convicted for selling alcohol to an under-age person within the last 3 year period?Please find attached Exhibit "B" regarding a list of violations for Jim N Nicks Management, LLC  
**If yes, please provide details on a separate sheet of paper.**
29. Is there anyone connected with this business that is an official or public employee of the City of Statesboro, any State or Federal agency, or whose duties include the regulation or policing of alcoholic beverages or licenses, or any tax collecting activity? No.  
**If yes, please provide details on a separate sheet of paper.**
30. Have you or the applicant had any vehicles, trailers, or property belonging to you or the company in which you or any of such persons have or had an interest in ever been seized, condemned or forfeited as contraband by the State of Georgia or the United States for the reason the same was being used or intended for the use in criminal activities? No.  
**If yes, please provide details on a separate sheet of paper.**
31. Will live nude performances or adult entertainment be a part of this business operation? No.  
**If yes, the City of Statesboro Ordinance 6-164 prohibits alcohol in an establishment having adult entertainment.**

Calculation of Basic License Fee

For Calendar Year: 2023

Classification:	Mark all that apply	License Fee
1. A. Package Sales (Beer & Wine)	<u>                    </u>	\$1750
B. Package Sales (Distilled Spirits)	<u>                    </u>	\$5000
Location Reservation	<u>                    </u>	N/A
2. On Premise License Types		
A. Bar	<u>                    </u>	\$4300
B. Bar with Kitchen	<u>                    </u>	\$4300
C. Event Venue	<u>                    </u>	\$2500
D. Low Volume	<u>                    </u>	\$750
E. Pub	<u>                    </u>	\$5600
F. Restaurant	<u>        X                    </u>	\$2800
3. Caterer	<u>                    </u>	\$200
4. Brewer, manufacturer of malt beverages only	<u>                    </u>	\$1750
5. Broker	<u>                    </u>	\$1750
6. Importer	<u>                    </u>	\$1750
7. Manufacturer of Wine only	<u>                    </u>	\$1750
8. Sunday Sales Permit	<u>        X                    </u>	\$300
9. In Room Service Permit	<u>                    </u>	\$150

Total Due: \$ 3,100.00

**Jim N Nicks BBQ #4054**  
**24106 Hwy 80 East**  
**Statesboro, Ga 30461**

*Please enter your recommendations and comments with your full name.*

**Alcohol License Review**

**Department                  Full Name          Recommendation                          Comments**

<b>Planning &amp; Development</b>	Jermaine Foster	Approved	11-07-2023
<b>Fire Department</b>	Andrew Cheney	Approved	12-18-2023
<b>Police Department</b>	Jared Akins	Approved	12/29/23
<b>Legal</b>	Cain Smith	Approve	

# CITY OF STATESBORO

## COUNCIL

Phillip A. Boyum, District 1  
Paulette Chavers, District 2  
Venus Mack, District 3  
John Riggs, District 4  
Shari Barr, District 5



Jonathan McCollar, Mayor  
Charles Penny, City Manager  
Leah Harden, City Clerk  
Cain Smith, City Attorney

50 EAST MAIN STREET • P.O. BOX 348  
STATESBORO, GEORGIA 30459-0348

**To:** City Manager Charles Penny & City Clerk Leah Harden

**From:** Tax Department

**Date:** 01/09/2024

**RE:** Stoners Pizza Joint

**Policy Issue:** Mayor and Council shall approve application in accordance with City of Statesboro Alcohol Ordinance Chapter 6-13 (a):

No new alcoholic beverage license to sell, dispense, pour or offer to sell, dispense or pour any distilled spirits, alcoholic beverages, wine, beer or malt beverages within the corporate limits of the City of Statesboro shall be issued to a new owner or new location until the application has been approved by the mayor and city council after a public hearing.

**Recommendation:** Planning & Development, Fire Department, Police Department, and Legal recommended approval

**Budget Impact:** None

**Council Person & District:** Shari Barr, District 5

**Attachments:** Application & Department Approvals

Application for License to Sell Alcoholic Beverages  
City of Statesboro, Georgia



Please be advised that knowingly providing false or misleading information on this document is a felony pursuant to O.C.G.A. § 16-10-20 which states:

A person who knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact; makes a false, fictitious, or fraudulent statement or representation; or makes or uses any false writing or document, knowing the same to contain any false, fictitious, or fraudulent statement or entry, in any matter within the jurisdiction of any department or agency of state government or of the government of any county, city, or other political subdivision of this state shall, upon conviction thereof, be punished by a fine of not more than \$1,000.00 or by imprisonment for not less than one nor more than five years, or both.

The undersigned applicant hereby applies to the City of Statesboro, Georgia for a license to sell alcoholic beverages within the corporate limits of the City of Statesboro. **A non-refundable \$200 application fee must be tendered with the application.** (cash, credit card, certified check, or money order made payable to City of Statesboro)

Date application was received by tax/license office: \_\_\_\_\_

1. Business Trade Name: Stoners Pizza Joint  
D/B/A Name

2. Applicant's Name: Legal Marinara LLC  
Name of partnership, llc, corporation, or individual

3. Business Physical Address: 701 Piedmont Loop Ste 200  
Statesboro, GA 30458

4. Business mailing address:   


5. Local business phone number: 912 6580256

Corporate office phone number: 912 6580256

6. Name of Manager: Bob Greenbaum  
 Person responsible for alcohol licensing issues

7. Phone number for manager: 

8. Email address for manager: 

9. Address of manager: 

10. Purpose of application is:  
Your Pie closed 4 weeks ago.  
New Business \_\_\_\_\_ New Owner

Previous owner's name: Joseph Hunt

If the business name has changed, list previous name: Your Pie

If the business address has changed, list the previous address: N/A

11. Indicate where the business will be located: existing - No change  
 Above ground  
 Street or ground floor level

Section 6-10(D) Any person within the City of Statesboro who works as a bouncer, either as an employee, agent, or subcontractor whose responsibilities in an establishment that is licensed to sell alcoholic beverages for on-premises consumption shall have their alcoholic beverage security permit on their person at all times while acting as an employee, agent or subcontractor of the licenses. An alcoholic beverage security permit shall be readily available for inspection upon the request of any Statesboro Police Department Officer, City Code Enforcement Officer, or the City Manager/his designee.

12. Type of Business:  Individual  Corporation  Partnership  LLC

Complete **EITHER** numbers 13, 14, and 15 **OR** 16, 17, and 18 in the section below:

13. If applicant is an individual: Attach a copy of the trade name affidavit.

Full Legal Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Home Address: \_\_\_\_\_

Have you completed the financial affidavit attached to this application? \_\_\_\_\_

14. If applicant is a partnership, LLC, or LLP: Attach trade name affidavit. If an LLC or LLP, attach a copy of certificate of LLC or LLP as filed with the Clerk of Superior Court and trade name affidavit, a copy of your operating agreement and/or partnership agreement, as well as other documents listed below that establish ownership rights of members or partners.

Name & address of partnership, LLC, or LLP: Legal Marinara LLC  
107 Willawpeg Rd Rincon GA 31326

Do you have an operating or partnership agreement for the LLC, LLC, or partnership? YES

If not, what documents establish the ownership rights of the members/partners? \_\_\_\_\_

15. Members of LLC and/or partners:

Full Legal Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Home Address: \_\_\_\_\_  
\_\_\_\_\_

Full Legal Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Home Address: \_\_\_\_\_  
\_\_\_\_\_

Full Legal Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Home Address: \_\_\_\_\_  
\_\_\_\_\_

Has each member/partner completed a financial affidavit to attach to this application? \_\_\_\_\_  
(Attach additional pages if necessary)

**Corporation/Stockholders:** All corporate applicants who are corporations shall list the names and addresses of all stockholders and the percentage of stock owned by each. If a named stockholder therein is another corporation, the same information shall be given for the Stockholding Corporation. If, during the life of the license, the identity of the stockholders or their percentage of ownership should change, that information shall be sent to the Finance Department.

16. If applicant is a corporation: Attach a copy of the articles of incorporation, trade name affidavit, current annual corporation registration with the Georgia Secretary of State, as well as the bylaws, the shareholders agreement, and other documents listed below that identify ownership rights.

Name of Corporation: \_\_\_\_\_

Home Office address: \_\_\_\_\_  
\_\_\_\_\_


Mailing address (if different): \_\_\_\_\_

Date & Place of incorporation: \_\_\_\_\_

Do you have a shareholders agreement?: \_\_\_\_\_

If not, what documents establish the ownership rights of the shareholders? \_\_\_\_\_  
\_\_\_\_\_

17. Officers:

Full Legal Name: Bob Dustan Greenbaum Phone #: 

Home address: 

Percentage of stock owned: N/A Office held: CEO/owner

Full Legal Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Home address: \_\_\_\_\_

Percentage of stock owned: \_\_\_\_\_ Office held: \_\_\_\_\_

Full Legal Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Home address: \_\_\_\_\_

Percentage of stock owned: \_\_\_\_\_ Office held: \_\_\_\_\_

\*\*Attach additional pages if necessary\*\*

18. Stockholders: (if different than officer names)

Full Legal Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Home address: \_\_\_\_\_

Percentage of stock owned: \_\_\_\_\_ Office held: \_\_\_\_\_

Full Legal Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Home address: \_\_\_\_\_

Full Legal Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Home address: \_\_\_\_\_



\*\*Attach additional pages if necessary\*\*

Has each shareholder completed the financial affidavit attached to this application? \_\_\_\_\_

19. If there is any individual or officer who has resided at his/her current address LESS THAN 5 years, complete the information below:

Name: Bob Greenbaum Phone #: 

Previous address: 

Dates lived there: 

Previous address: \_\_\_\_\_

Dates lived there: \_\_\_\_\_

Previous address: \_\_\_\_\_

Dates lived there: \_\_\_\_\_

Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Previous address: \_\_\_\_\_

Dates lived there: \_\_\_\_\_

Previous address: \_\_\_\_\_

Dates lived there: \_\_\_\_\_

Previous address: \_\_\_\_\_

Dates lived there: \_\_\_\_\_

Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Previous address: \_\_\_\_\_

Dates lived there: \_\_\_\_\_

Previous address: \_\_\_\_\_

Dates lived there: \_\_\_\_\_

Previous address: \_\_\_\_\_

Dates lived there: \_\_\_\_\_

20. Name & address of owner of the property (land & building) where the business will be located:

Tam Doan - 701 Piedmont Loop  
Statesboro, GA 30458

21. Is the commercial space where the business is to be located rented or leased? Yes

If yes, state name and address of lessor or landlord, and provide a copy of the lease with this application:

Tam Doan - 701 Piedmont Loop  
Statesboro, GA 30458

22. Does any person or firm have any interest in the proposed business as a silent, undisclosed partner or joint venture; or has anyone agreed to split the profits/receipts from the proposed business with any persons, firm, company, corporation, or other entity? No

If yes, provide name of person/firm, address, and amount of percentage of profits or receipts to be split:

\_\_\_\_\_  
\_\_\_\_\_

23. Is there anyone connected with this business that is not a legal resident of the United States and at least 21 years of age? No

If yes, give full details on a separate sheet of paper.

If anyone connected with this business is not a US Citizen, can they legally be employed in the United States?

\_\_\_\_\_  
If yes, please explain on a separate sheet of paper and submit copies of eligibility.

24. Is there anyone connected with this business that has applied for a beer, wine, and/or liquor license from the City of Statesboro or other city/county in the State of Georgia, or other political subdivision and been denied such? No

If yes, please provide details on a separate sheet of paper.

25. Is there anyone connected with this business who holds another alcohol license in any retail category or any license under any wholesale category? No

If yes, please provide details on a separate sheet of paper.

26. Is there anyone connected with this business that has been convicted within 15 years immediately prior to the filing of this application with any felony or for whom outstanding indictments, accusations, or criminal charges exist charging such individual with any of such offenses and for which no final disposition has occurred?

No  
If yes, please provide details on a separate sheet of paper.

27. Is there anyone connected with this business that has been convicted within 5 years immediately prior to the filing of this application of the violation of any state, federal, or local ordinance pertaining to the manufacture, possession, transportation or sale of malt beverages, wine, or intoxicating liquors, or the taxability there of a crime involving moral turpitude or of a crime involving soliciting for prostitution, pandering, gambling, letting premises for prostitution, keeping a disorderly place, the traffic offense of hit and run or leaving the scene of an accident or any misdemeanor serious traffic offense? No  
If yes, please provide details on a separate sheet of paper.
28. Is there anyone connected with this business that has been convicted for selling alcohol to an under-age person within the last 3 year period? No  
If yes, please provide details on a separate sheet of paper.
29. Is there anyone connected with this business that is an official or public employee of the City of Statesboro, any State or Federal agency, or whose duties include the regulation or policing of alcoholic beverages or licenses, or any tax collecting activity? No  
If yes, please provide details on a separate sheet of paper.
30. Have you or the applicant had any vehicles, trailers, or property belonging to you or the company in which you or any of such persons have or had an interest in ever been seized, condemned or forfeited as contraband by the State of Georgia or the United States for the reason the same was being used or intended for the use in criminal activities? No  
If yes, please provide details on a separate sheet of paper.
31. Will live nude performances or adult entertainment be a part of this business operation? No  
If yes, the City of Statesboro Ordinance 6-164 prohibits alcohol in an establishment having adult entertainment.

Calculation of Basic License Fee

For Calendar Year: 2024

<u>Classification:</u>	<u>Mark all that apply</u>	<u>License Fee</u>
1. A. Package Sales (Beer & Wine)	_____	\$1750
B. Package Sales (Distilled Spirits)	_____	\$5000
Location Reservation	_____	N/A
2. On Premise License Types		
A. Bar	_____	\$4300
B. Bar with Kitchen	_____	\$4300
C. Event Venue	_____	\$2500
D. Low Volume	_____	\$750
E. Pub	_____	\$5600
F. Restaurant	_____ ✓	\$2800
3. Caterer	_____	\$200
4. Brewer, manufacturer of malt beverages only	_____	\$1750
5. Broker	_____	\$1750
6. Importer	_____	\$1750
7. Manufacturer of Wine only	_____	\$1750
8. Sunday Sales Permit	_____ ✓	\$300
9. In Room Service Permit	_____	\$150

Total Due: \$ 3100.00

**Stoners Pizza Joint**  
**701 Piedmont Loop Ste 200**  
**Statesboro, Ga 30458**

*Please enter your recommendations and comments with your full name.*

**Alcohol License Review**

<b>Department</b>	<b>Full Name</b>	<b>Recommendation</b>	<b>Comments</b>
<b>Planning &amp; Development</b>	Jermaine Foster	Approved	12-7-2023 The zoning for this location is MX. MX is a permissible use for "By the drink sales"
<b>Fire Department</b>	Andrew Cheney	Approved	12-11-2023
<b>Police Department</b>	Jared Akins	Approved	12/29/23
<b>Legal</b>	Cain Smith	Approve	

# CITY OF STATESBORO

## COUNCIL

Phillip A. Boyum, District 1  
Paulette Chavers, District 2  
Ginny Hendley, District 3  
John Riggs, District 4  
Shari Barr, District 5



Jonathan McCollar, Mayor  
Charles Penny, City Manager  
Leah Harden, City Clerk  
Cain Smith, City Attorney

50 EAST MAIN STREET • P.O. BOX 348  
STATESBORO, GEORGIA 30459-0348

**To:** Charles Penny, City Manager  
Jason Boyles, Assistant City Manager

**From:** Darren Prather, Central Services Director

**Date:** December 20, 2024

**RE:** Vehicle Purchase for the Public Utilities Department – Wastewater Treatment Division

**Policy:** Procurement

### **Recommendation:**

Staff recommends the procurement of a 2022 or newer Bright White RAM 1500 (**or equivalent**), Tradesman Crew Cab 4X4 5.7L V8 HEMI engine or compatible vehicle not to exceed \$50,000.00 for Public Utilities Department's Wastewater Division assigned to the Electrical and Controls Technician. We would like to procure this vehicle or similar, if available. The three percent (3%) local and in-county vendor advantage will be applied for local vendors during the competitive procurement process.

### **Background:**

The Purchasing Division is assisting the Wastewater Treatment Division to search for a vehicle that match the requirements of their current fleet. This vehicle will replace a 2005 Ford F-350 Super Duty which has exceeded its life cycle and will be used for multiple functions and day to day operations as required. This will be used as a spare until a decision is made to surplus. The specific requests were based on the division's need and use of the vehicle.

**Budget Impact:** FY 2024 – Project WTP-2

**Council Person and District:** All

**Attachments:** NONE

# CITY OF STATESBORO

## COUNCIL

Phil Boyum, District 1  
Paulette Chavers, District 2  
Ginny Hendley, District 3  
John Riggs, District 4  
Shari R Barr, District 5



Jonathan McCollar, Mayor  
Charles Penny, City Manager  
Leah Harden, City Clerk  
Cain Smith, City Attorney

50 EAST MAIN STREET • P.O. BOX 348  
STATESBORO, GEORGIA 30459-0348

**To:** Charles Penny, City Manager  
Jason Boyles, Assistant city Manager

**From:** John Washington, Director – Public Works and Engineering

**Date:** January 2, 2024

**RE:** Recommendation of Low Bidder  
ENG-122n: East Grady Street Sidewalk Project

**Policy Issue:** Purchasing

### **Recommendation:**

Staff recommends award of the ENG-122n: East Grady Street Sidewalk Project contract to Tim Lanier Construction, LLC. in the amount of \$242,950.00. The bid received from Tim Lanier Construction, LLC meets the requirements of the bid package.

### **Background:**

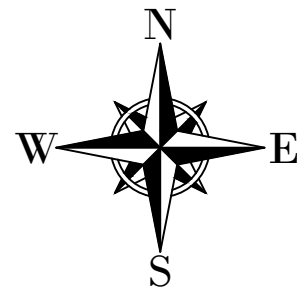
The work in this contract includes installing a 5' ADA compliant sidewalk along E. Grady Street from the Library at S. Main to South Mulberry Street. Due to an increase in unit pricing for construction materials, all of the submitted bids were over the budgeted amount for ENG-122n East Grady Street Sidewalk. The project includes sidewalk construction but is not limited to the following: installation of sidewalk along this corridor will require the demolition and reconstruction of existing driveways, the relocation of various incidental items such as trees on the ROW, street signs, and fiber optic utility infrastructure (guy wires, and subgrade utility boxes).

### **Budget Impact:**

This project is to be paid for by 2018 TSPLOST. The low bid received is \$58,810.00 over the budget provided, and the overage will be paid out of the 2018 TSPLOST.

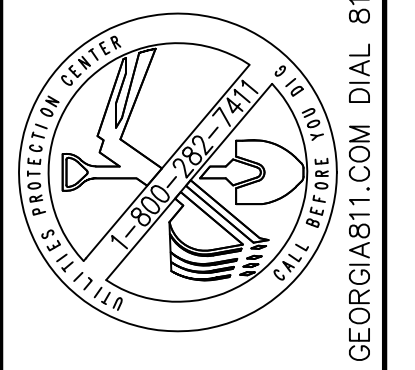
**Council Person and District:** District 3, Councilmember Ginny Hendley

**Attachments:** Project Site plan



GRID NORTH  
GA - EAST ZONE  
NAD 88

- NOTES:
1. FLOOD ZONE: MAP # 13031C0208D 8/5/2010  
13031C0209D 8/5/2010
  2. ZONING CLASSIFICATION: HOC, R4, O
  3. NO WETLANDS ON SITE



THIS DRAWING IS THE PROPERTY OF T. R. LONG ENGINEERING, P.C. AND MAY NOT BE REPRODUCED, EITHER IN PART OR WHOLLY, IN ANY MANNER, WITHOUT THE EXPRESS WRITTEN PERMISSION OF T. R. LONG ENGINEERING, P.C.

THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS CONTAINED WITHIN THIS SET OF DOCUMENTS AND SHALL REPORT ANY DISCREPANCIES TO T. R. LONG ENGINEERING, P.C. FOR IMMEDIATE RESOLUTION.



HINESVILLE:  
114 North Commerce Street  
Hinesville, Georgia 31313  
(912) 368-5664

POOLER:  
1000 Towne Center Blvd  
Suite 304  
Pooler, Georgia 31322  
(912) 335-1046



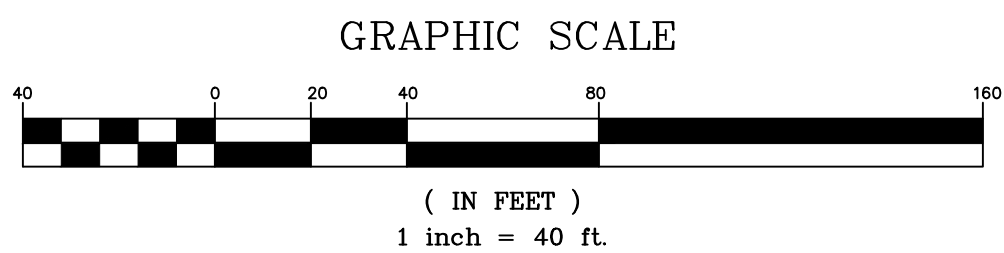
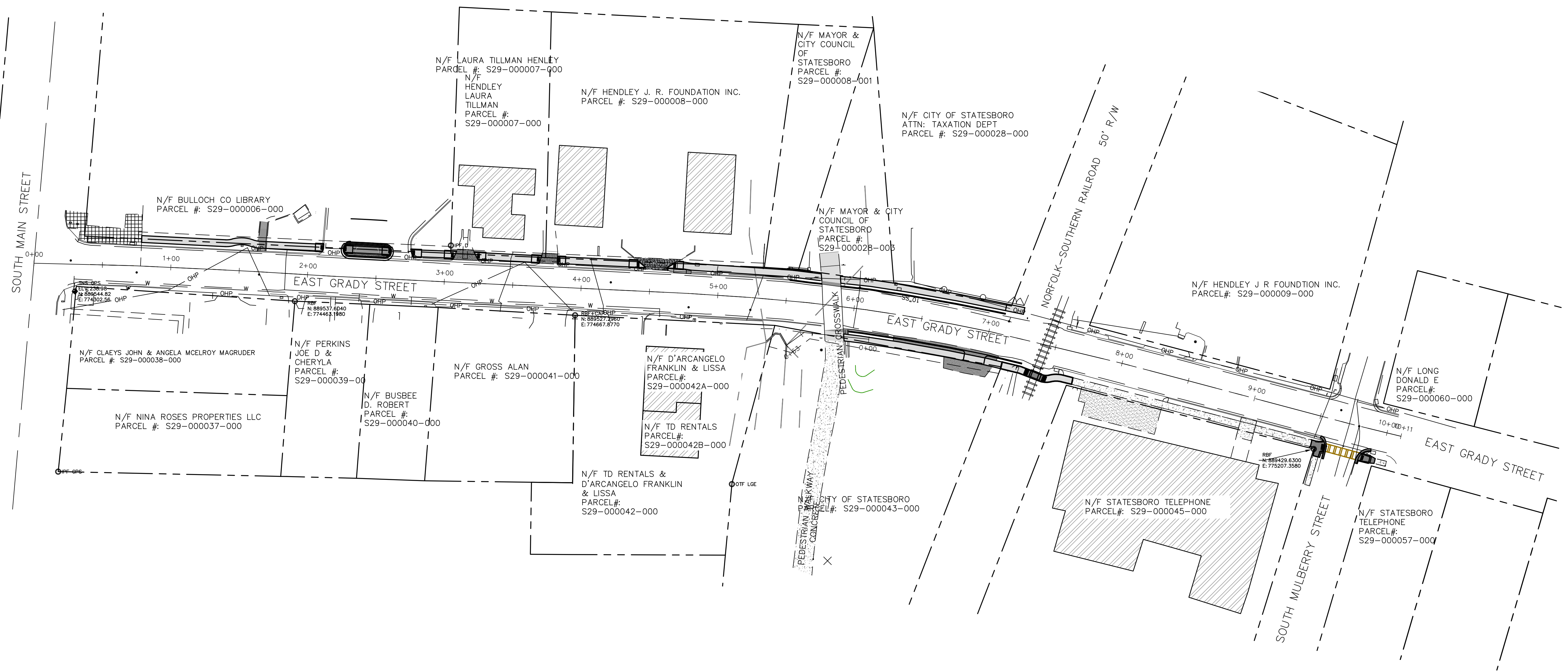
CITY OF STATESBORO  
ENG 122N  
GRADY STREET SIDEWALKS

SHEET NAME:  
SHEET INDEX

REVISIONS:
1. REV 06-29-2023
2.
3.
4.
5.
6.
7.
8.
9.
10.

INITIAL DATE: 8/25/2022  
DRAWN BY: MHR  
CHECKED BY: TRL  
PROJECT #: 2022-139

SHEET NUMBER:  
**C2.0**





# CITY OF STATESBORO

## COUNCIL

Phil Boyum, District 1  
Paulette Chavers, District 2  
Ginny Hendley, District 3  
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50 EAST MAIN STREET • P.O. BOX 348  
STATESBORO, GEORGIA 30459-0348

**To:** Charles Penny, City Manager  
Jason Boyles, Assistant City Manager

**From:** John Washington, Director - Public Works and Engineering Department

**Date:** December 2, 2023

**RE:** Proposal for Engineering Services for Inert Landfill Expansion  
Design & Operations (D&O) Documents and Permitting

**Policy Issue:** Purchasing

### Recommendation:

Staff recommends award of contract with WSP USA, Inc. (WSP) in the amount Not-To-Exceed (NTE) of One Hundred Forty-Nine Thousand (\$149,000.00) to provide professional engineering services to develop Design & Operating (D&O) documents and assist in obtaining a permit per requirements of Georgia Environmental Division (EPD) for the expansion of the inert landfill. In addition, services include due diligence in performing a Phase 1 Environmental Site Assessment (ESA) of the site considered for expansion.

### Background:

WSP USA, Inc. (formerly Golder Associates, Inc.) has been working with the City of Statesboro since 1993 at the Lakeview Road landfill under a master services agreement. WSP has supported City staff through the construction and permitting of the existing transfer station and the inert landfill at the Lakeview Road Landfill. The existing inert landfill at has an estimated remaining capacity of approximately 1 to 2 years based on calculations by the Landfill Operator, Jeff McCarty.

The Lakeview Road Landfill site is experiencing disposal increases of inert debris daily. Adjacent properties present an apparent opportunity for expansion. The Phase 1 ESA will ascertain if any environmental issues exist on such a site and will have to be mitigated prior to full use of the property to be acquired. The Design and Operations plan establishes the basis for geotechnical basis for expansion and daily operations of an inert landfill. These documents are fundamental to seek expansion permitting.

**Budget Impact:** Paid for with SWD Operating Income

**Council Person and District:** N/A (citywide)

**Attachments:** Proposal(s) - WSP



December 12, 2023

Mr. John Washington, Director of Public Works  
City of Statesboro  
5 Braswell Street  
Statesboro, GA 30438

Re: Proposal for Phase I Environmental Site Assessment  
Inert Landfill Expansion  
Statesboro, Georgia  
WSP Proposal No. 202323831

Dear Mr. Washington:

WSP USA Inc. (WSP) is pleased to present this proposal and cost estimate (Proposal) to the City of Statesboro (Statesboro) to perform a Phase I Environmental Site Assessment (Phase I ESA, or the Services) of an approximate 36.6-acre property located adjacent and north of the existing City of Statesboro inert landfill on Lakeview Road. This proposal includes a discussion of our understanding of the scope of services desired and provides a schedule and a cost estimate to perform the Services.

## PROJECT UNDERSTANDING

WSP understands that Statesboro would like to complete a Phase I ESA in accordance with ASTM International Standard E 1527-21, entitled “Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process” (ASTM Standard) for the Subject Property. Subject Property information provided by Statesboro includes:

<b>Address</b>	431 Lakeview Road
<b>Subject Property Information (i.e., building, parcel, size, owner, etc.)</b>	Approximate 36.6-acre portion of an 87.57-acre parcel identified as Parcel ID MS57000003.000. The property is unimproved and mostly wooded

WSP assumes that Statesboro will provide WSP with any existing plans or maps of the Subject Property, previous reports, or other information available for the Subject Property upon engaging WSP to proceed with the assessment. WSP also assumes Statesboro will provide WSP a right-of-entry letter for site access.



## RELIANCE

The Phase I ESA report to be prepared by WSP pursuant to this Proposal is for the sole use of Statesboro. No third party may rely upon the contents of the report, and WSP will not be responsible for independent conclusions, opinions, or recommendations made by others based on the findings presented in the report. It is expressly intended and agreed that no third-party beneficiaries are created by this Proposal and the completion of Services pursuant to the terms and conditions governing the Services and that no reliance agreements will be issued for this project.

## PROPOSED SCOPE OF SERVICES

### PHASE I ESA

WSP proposes to perform a Phase I ESA at the Subject Property listed above. The general purpose of the Phase I ESA is to identify RECs in connection with a Subject Property, to the extent feasible, pursuant to the following: the processes prescribed in the ASTM Standard; the Environmental Protection Agency (EPA) Rule entitled “Standards and Practices for All Appropriate Inquiries; Final Rule” (AAI Rule), 40 CFR Part 312; this Proposal; and WSP’s professional judgment. Per the AAI Rule, the ASTM Standard may be used to comply with the AAI Rule after February 13, 2023. All references in this Proposal to ASTM therefore include the AAI Rule.

The ASTM Standard defines RECs as “1) the presence of hazardous substances or petroleum products in, on or at the subject property due to a release to the environment; 2) the likely presence of hazardous substances or petroleum products in, on or at the subject property due to a release or likely release to the environment; or 3) the presence of hazardous substances or petroleum products in, on, or at the subject property under conditions that pose a material threat of a future release to the environment.”

WSP’s approach to performing the Phase I ESA consists of the following steps:

- A. Site Visit: Prior to the site visit, WSP will prepare a site-specific health and safety plan to address WSP’s activities and the anticipated Site conditions. WSP requests that, when possible, as much of the following as is available and relevant be compiled by the site in anticipation of the site visit:
  - information on historical site conditions
  - site plans and location maps
  - information about previous ownership
  - descriptions of site operations and processes
  - environmental permits (such as air, wastewater, storm water, or hazardous waste)
  - information on underground and aboveground storage tanks
  - previous environmental reports

The Phase I ESA will be conducted by, or under the supervision of, a WSP professional meeting the definition of an *Environmental Professional* as described in the ASTM Standard. The WSP professional will visit the facility to perform a review of operations and site conditions, meet with personnel knowledgeable about the site and its history, and gather



information for the environmental assessment. In addition, as required by the ASTM Standard, interviews with one or more persons knowledgeable about the past uses of the subject property, adjoining properties, or surrounding area, will be conducted to the extent that such people are readily available to the assessor within the timeframe allowed for this assessment. The data compiled above will be reviewed and copies of information will be requested, if needed. A proprietary WSP site assessment questionnaire will be completed with the assistance of site personnel. WSP anticipates that one professional will visit the Subject Property for 4 to 6 hours.

**B. Regulatory Agency File Review and Records Search:**

- i. WSP will review information obtained through publicly available resources, using the minimum search distances required by the ASTM Standard and the AAI rule, to identify potential environmental issues at the subject property and adjoining properties that have the potential to affect the subject property. WSP may use EDR or other reputable alternative regulatory search and data provider for the Phase I ESAs as long as the ASTM Standard criteria is met.
- ii. WSP will review physical setting resources for the Subject Property including a recent United States Geological Society (USGS) 7.5 Minute Topographic Map (or equivalent) and any site-specific physical setting information that may have been obtained during the regulatory agency file review.
- iii. WSP will review the reasonably ascertainable standard historical information on the Subject Property as required by the ASTM Standard. Historical information to be reviewed will include aerial photographs, Sanborn fire insurance maps, local street directories, and historical topographic maps if, based on the judgement of the environmental professional they are reasonably ascertainable, likely to be useful and applicable to the Subject Property. Additional information from other sources may be reviewed, if in the opinion of the environmental professional, such additional review is warranted.
- iv. The research will include a search for documentation of any institutional control or engineering control registries for environmental liens or administrative use limitations (AULs) filed against the property. This does not preclude the User's responsibility to search for environmental liens and AULs described in Section 6.2 of the ASTM Standard
- v. WSP will review the reasonably ascertainable historical information on the adjoining properties as required by the ASTM Standard. Historical information to be reviewed may include aerial photographs, Sanborn fire insurance maps, city directories, and historical topographic maps.
- vi. WSP will review any environmental liens, AULs or a chain of title, if provided by the client pursuant to Section 6.2 of the ASTM Standard, to identify any environmental concerns associated with previous owners, leases, easements, and rights-of-way.
- vii. Local records and regulatory agency research will be conducted by WSP in conjunction with the site visit. Unless otherwise indicated in the proposal, WSP will not conduct a review of regulatory agency files that are not located in the same city as the Subject Property. WSP will review files that are made available online or as



hard copies sent to the Environmental Professional, provided that the files are available within 20 days of request, or the project scheduled established in the proposal (whichever is less).

viii. In accordance with the ASTM Standard, if the Subject Property or any of the adjoining properties are identified on one or more of the standard state or federal environmental record sources listed in Section 8.2.1 of the ASTM Standard, pertinent regulatory files and/or records associated with the listing should be reviewed or alternatively, records from alternative sources should be reviewed. If relevant property files are not available online, WSP will submit a freedom of information act (FOIA) request for files to the United States Environmental Protection Agency (USEPA) and the State Departments of Environmental Quality (or equivalent) for the Subject Property and adjoining properties, if needed, or will explain within the report the justification for not conducting the regulatory file review as part of this scope of work. A review of those materials of up to two hours and \$100 in search/copy fees has been included in this cost estimate. If after receipt of a response to the FOIA requests it is determined that the cost for obtaining and reviewing the files is greater than as noted above, WSP will discuss this additional scope of work with Statesboro as early as possible. Based on the timeframe of this project, it is likely that review of the state and federal records may not be reasonable ascertainable prior to issuing the draft reports.

- C. User Questionnaire: Under the ASTM Standard and the AAI rule, the user or prospective property owner is required to document and evaluate any specialized knowledge regarding the Subject Property and adjoining properties that may be material to identifying recognized environmental conditions in connection with the Subject Property. Specialized knowledge includes information regarding purchase price compared to the fair market value of the property, an assessment of commonly known or reasonably ascertainable information, information about environmental liens, or other relevant environmental information regarding the property. Although not required to be disclosed to the environmental professional, any information not disclosed must be documented as a data gap in the Phase I ESA report. WSP has developed a questionnaire for the client to complete regarding any specialized knowledge regarding the Subject Properties for this project. WSP will provide the questionnaire to the client and request that it be completed for each property. WSP assumes that Statesboro will provide responses to the User Questionnaire within five days of receipt of the User Questionnaire.
- D. Report Preparation: WSP will prepare a draft report that provides a description of the site and discusses the findings of the Phase I ESA. WSP anticipates providing a draft report within 2 weeks following the site visit. Any comments on the draft report will be addressed within 5 business days of receipt. WSP has assumed that all reports will be delivered in electronic format. Hard copies can be requested for an additional cost.

Per the ASTM Standard, WSP's scope of services will not include non-scope considerations as listed in Section 13 of the ASTM Standard. The following items are non-scope considerations and will not be considered in WSP's Phase I ESA process, unless specifically requested by the client: asbestos-containing building materials (unrelated to releases to the environment), biological agents, cultural and historic resources, ecological resources, endangered species, health and safety, indoor air quality (except as related to a potential release of a hazardous substance or petroleum product



into the environment), industrial hygiene, substances not defined as hazardous substances (including some substances such as per- and polyfluoroalkyl substances (PFAS) generally referred to as emerging contaminants) unless such substances are classified as a CERCLA hazardous substance, lead-based paint, lead in drinking water, mold, radon, polychlorinated biphenyls (PCB) building materials, regulatory compliance, and wetlands. In addition, this Phase I environmental site assessment will not include collection of samples from any medium. An assessment of any of these non-scope considerations can be conducted upon request for an additional cost.

## PROJECT SCHEDULE AND DELIVERABLES

WSP is prepared to commit the necessary resources to meet the project schedule and will proceed with performance of the Services upon receipt of written authorization from Statesboro. The site visit will be scheduled after receipt of Proposal Acceptance.

WSP expects that the draft Phase I ESA report will be submitted to Statesboro within two weeks of completing the Subject Property visit. Significant findings will be reported as soon as reasonably possible after WSP becomes aware of them. The final copy can be provided within five business days of receipt of any comments from Statesboro.

## ASSUMPTIONS

- No third-party reliance will be granted.
- A separate data room review has not been included in this proposal.
- Statesboro will provide WSP with final parcel IDs, site plans and maps in PDF format promptly upon award to order database search reports.
- WSP assumes that Statesboro will provide one set of consolidated comments.

## COST ESTIMATE

WSP is prepared to undertake the above-detailed work, for a **cost of \$9,500** on lump sum basis. This cost includes the database searches, assessment activities, reporting, travel, and associated disbursements.

The scope of work does not include:

- Engaging a title company or title professional to undertake a review of recorded land title records;
- An environmental lien search;
- Preparing future updates of the report; and,
- Reviewing regulatory agency files that are not provided electronically.

If the need for additional services arises (for instance to enter in lengthier discussions with the Statesboro, undertake additional regulatory inquiries or perform extended follow up inquiries subsequent to the Subject Property visit), fees for additional services will be charged on a time and material basis. For costing purposes, WSP has assumed that an electronic copy of the report will be issued to Statesboro. This Proposal is valid for sixty (60) days from the date of this Proposal.



## AUTHORIZATION TO PROCEED

WSP will perform the Services identified in this Proposal in accordance with the Master Agreement for Consulting Services (Agreement) with the City of Statesboro, dated June 18, 2020. In the event of any inconsistency between this Proposal and the Agreement pursuant to which this Proposal is to be performed, the Agreement shall govern.

If this Proposal is acceptable as submitted, please sign below and return one executed original to us indicating authorization to proceed with performance of the Services.

WSP appreciates the opportunity to assist the City of Statesboro with this project. Please feel free to contact us with questions or comments concerning this Proposal at (770) 973-2100 ext. 2864 or darrell.adkins@wsp.com or (770)-496-1893 david.hannam@wsp.com.

Sincerely,

WSP USA Inc.

Darrell Adkins, P.G.  
Assistant Vice President

David Hannam, P.G.  
Lead Consultant

Encl.

**The contents of this proposal have been reviewed and the designee below authorizes WSP to initiate work on the proposed scope of work, in accordance with the project budget and schedule proposed herein. The terms and conditions described herein shall apply to all work performed on this project.**

**Accepted and agreed to by:**

**By:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_



August 29, 2023

Project No. 202316765

**Mr. John Washington Director of Public Works**

City of Statesboro  
5 Braswell Street  
Statesboro, GA 30458

## **PROPOSAL FOR INERT LANDFILL EXPANSION**

Dear Mr. Washington:

WSP USA, Inc. (WSP) is pleased to provide this proposal to the City of Statesboro (City) for preparation of permit documents associated with expansion of the existing inert landfill located on Lakeview Road. Our proposal is prepared based on our understanding of the City's requirements as well as the applicable land protection regulations from the Georgia Environmental Protection Division (EPD).

### **1.0 INTRODUCTION**

WSP understands that the current landfill is nearing capacity, and the City would like to expand the existing facility to the north using available upland area. The available area along with surrounding land features is shown on Figure 1 of this proposal.

This proposal includes the following information:

- WSP's understanding of the project
- Proposed Scope of Work
- Project Cost Estimate
- Proposed Project Team
- Proposed Project Schedule

### **2.0 SCOPE OF WORK**

WSP's proposed scope of services includes the following project tasks:

- Task 1: Project Management and Meetings
- Task 2: Site Suitability Study
- Task 3: Design and Operations Plan



■ Task 4: Permit Support

The following sections provide a summary of our proposed approach for each task.

## 2.1 Task 1 - Project Management and Meetings

This task will cover routine project management associated with the project to include such services as staff allocation, project invoicing and scheduling, progress meetings with City representatives and other routine project communications. The project manager will be responsible for conducting the project in accordance with WSP's standards and will maintain communication with the City throughout the course of the project.

WSP will develop appropriate project plans to cover health and safety for field related services and quality management for all submittals and calculations.

We expect that the project will include routine progress meetings on a schedule to be established upon project startup. For cost estimating purposes we have assumed remote meetings will be conducted on a bi-weekly basis and WSP will meet in person with the City following major project draft deliverables to review the design and address questions associated with the proposed design.

## 2.2 Task 2 - Site Suitability Study

WSP will conduct a site suitability study in accordance with EPD's Inert Landfill Site Suitability Criteria Guidance and Checklist, dated May 2014. Many of the requirements set forth in the guidance documents have already been established with prior evaluations by WSP during research for additional landfill sites and original permitting of the facility. Further, some of the requirements will be based on items controlled by the City such as zoning and compliance with the solid waste management plan.

The following table includes key information required for the site suitability report along with WSP's proposed approach to obtain the information.

**Table 1: Site Suitability Requirements**

REQUIREMENT	INFORMATION NEEDED
Zoning	WSP will request a letter from the City confirming that the site conforms to all local zoning and land use ordinances
Solid Waste Management Plan	WSP will request a letter from the City confirming that the proposed site is consistent with the local solid waste management plan.
National Historic Sites	Based on the National Park Service, there is only one National Historic Site in Georgia, which is Andersonville Prison, and this facility is greater than 5,700 yards from the proposed facility.
Limit on Number of Solid Waste Facilities	WSP will confirm that three or more landfills do not lie within a 2-mile radius of any portion of the proposed site.
Floodplains	WSP will use FEMA's flood maps to mark the 100-year flood plain to ensure that no part of the facility lies within the flood plain.
Wetlands	WSP will use prior studies and other information as needed to ensure the boundary of the proposed facility is not located within

REQUIREMENT	INFORMATION NEEDED
	any wetlands.
Seismic Impact Zones	WSP will research USGS National Seismic Hazards models to determine the peak ground acceleration for the facility location and design containment and stormwater structures to withstand this acceleration
Unstable Areas	This requirement refers to potential karst topography and is not expected to affect the facility siting.
Fault Areas	The only potential fault that has seen movement in Holocene Time is near Augusta, Georgia and does not affect the siting of the proposed facility.
Presence of State Waters	WSP will identify State Waters in the vicinity of the site and locate the site with a minimum 25-foot buffer from State Waters
Presence of Trout Streams	This requirement does not affect the proposed facility due to its location.
Proximity to Surface Water Intake	Perennial stream buffers are dependent on site proximity to public water supply intakes. WSP will consult with the City regarding known public water supply intakes.

The other primary requirement associated with site suitability is a hydrogeological assessment of the proposed facility. This assessment includes a field investigation under the direction of a registered professional engineer or geologist and must include the following:

- At least three borings are required since the proposed facility is less than 20 acres. WSP will subcontract a drilling firm that has a current and valid bond with the Water Well Standards Advisory Council to advance the borings.
- Each boring must extend at least 5 feet below the groundwater table or to competent bedrock and include standard penetration tests at 5-foot intervals along with collected soil samples. WSP will provide a geologist or geotechnical engineer to log the borings for inclusion in the site suitability report.
- Temporary piezometers will be installed in each boring to allow water level measurements at least 24 hours after installation of the piezometer. WSP will measure the groundwater levels in the piezometers following installation and in accordance with EPD requirements. Note that WSP will also collect groundwater levels from surrounding groundwater monitoring wells already in place to allow preparation of a potentiometric surface map.
- WSP will retain samples but has not included any laboratory testing for this phase as there are no anticipated concerns or requirements regarding laboratory testing.

Upon completion of the field investigation, WSP will develop a Site Suitability Assessment Report under the direction of a registered professional engineer or geologist. The report will include a summary of the information associated with siting the facility as summarized in Table 1 as well as a detailed summary of the hydrogeological

assessment. The following figures will be included with the report:

- Proposed facility boundary on a USGS 7.5-minute quadrangle map
- Site topographic map showing floodplains, wetlands, streams, karst features, unstable areas, proposed waste unit and appropriate buffers
- Two geologic cross sections showing geologic information obtained from the borings as well as the proposed vertical and horizontal limits of the landfill along with the water table.
- A groundwater potentiometric map with water level measurements collected from the temporary piezometers as well as surrounding groundwater monitoring wells if applicable.

WSP will submit a draft of the site suitability report to the City for review and will finalize the report for submittal to EPD based on the City's comments.

### 2.3 Design and Operations Plan

Upon approval of the site suitability report, WSP will submit a design and operations plan for the facility in accordance with EPD guidance provided in the Supplemental Data for Solid Waste Handling Permit document dated May 2014. Note that WSP can commence development of the design and operations plan upon submittal of the site suitability report such that the plan can be submitted directly after approval of site suitability. This approach would assume that there are no major comments on the site suitability report or proposed landfill limits and would provide the benefit of timely submittal of the design and operations plan and approval of the permit.

In general, the design and operations plan will consist of two primary components: the drawing package and supporting design data package. WSP has prepared a preliminary list of project drawings as provided in Table 2 based on the EPD guidance document.

We will include the minimum information noted on the guidance document and will supplement the drawings with additional detail and narratives as needed to facilitate EPD review and operation of the landfill.

**Table 2: Design and Operations Plan Drawings**

DRAWING	DESCRIPTION
Cover Sheet	Site name, location map, drawing index and facility/engineer of record contact information
Existing Conditions Plan	Plan depicting existing grades and other important site features such as floodplains, buffers, property lines, etc.
Excavation Plan	Plan showing the planned excavation grades prior to waste filling, including stockpile areas and other pertinent site features
Final Grading / Closure Plan	Plan depicting the final proposed closure grades along with site features such as stormwater management infrastructure. Methane monitoring locations will also be shown on this plan.
Filling Sequence Plans	Plans showing the planned filling sequence for the landfill. Plan may show borrow stockpile areas, waste disposal areas, subsequent phase grading as applicable.

Site Cross Sections	Plan showing multiple cross sections in transverse directions to show excavation grades, filling sequences and monthly cover as needed
General Details	Details for relevant site infrastructure such as stormwater channels, ponds, pond spillway structures and similar items. Multiple sheets may be required.
Erosion and Sediment Control Plans	Plans showing required erosion and sediment control features in accordance with the Georgia Manual for Erosion and Sediment Control
Erosion and Sediment Control Details	Standard details for erosion and sediment control based on the Erosion and Sediment Control Manual
Design and Construction Narrative	Narrative sheet depicting waste and soil volume calculations, landfill life and operational procedures including survey control, equipment, dust management, and a vegetative plan.
Methane Monitoring Plan Narrative	Narrative plan depicting methane monitoring procedures and requirements
Closure Plan Narrative	Narrative depicting closure procedures for the landfill including final cover placement, soil cover calculations and third-party closure costs
Post-Closure Care Plan Narrative	Narrative depicting post-closure care requirements for the landfill including maintenance of the final cover, inspections, property use and other items.

The supporting design data report will include landfill calculations associated with stormwater management (channel size, pond retention, pond outlet structure, etc.) as well as any seismic design requirements established under the site suitability study.

WSP will submit a draft design and operations plan and design package for City review. The plan will be finalized and submitted to the Georgia EPD upon addressing the City's comments. We have allowed for addressing one round of comments on the plan from EPD.

## 2.4 Task 4 - Permit Support

WSP has included this task to provide miscellaneous permitting support for the duration of the project. Such support may include remote or in-person meetings with EPD representatives to discuss permit submittals and other miscellaneous communications.

## 3.0 PROJECT COST ESTIMATE

Table 3 provides a summary of our estimated project costs for the scope of work described herein. WSP will provide these services on a time and materials basis based on the rates shown in our agreement with the City and included as Attachment A.

**Table 3: Estimated Project Costs**

TASK / TITLE	ESTIMATED COST
Task 1 - Project Management and Meetings	\$10,000
Task 2 - Site Suitability Study	\$55,000
Task 3 - Design and Operations Plan	\$67,000
Task 4 - Permitting Support	\$7,500
<b>Total</b>	<b>\$139,500</b>

WSP will not exceed the project total without prior written authorization from the City via a project change order.

## **4.0 PROPOSED PROJECT TEAM**

WSP has assembled a project team with prior experience with the Georgia EPD for permitting solid waste disposal facilities. Key project team members are also familiar with the City and the existing landfill facilities and the project director began work for the City on the Lakeview Road landfill in 1993.

### **4.1 Project Director/Engineer of Record - Kevin Brown, PE**

Mr. Brown has over 32 years of experience with WSP (formerly with Golder) and was the project engineer for the closure of the Lakeview Road Landfill. Mr. Brown has extensive experience with permitting facilities in Georgia and has a master's degree in civil engineering from Georgia Tech. He will be responsible for final review of all deliverables and will seal the project reports and design and operations plan. Mr. Brown is registered as a Professional Engineer in the state of Georgia.

### **4.2 Project Manager - David Hannam, PG**

David has over 15 years of experience as a geologist working on civil engineering projects. David has worked on Statesboro Landfill projects for the past 5 years and is currently the project manager for the routine environmental monitoring of the adjoining closed landfill facility. David has a master's degree in Applied Environmental Geology and a Graduate Certificate in Rock Mechanics. David is registered as a Professional Geologist in the state of Georgia.

### **4.3 Lead Project Engineer - Lizmarie Steel, PE**

Liz has over 10 years of experience in the solid waste industry and will be the lead project engineer for the project. Liz has recent and extensive experience with permitting coal ash disposal facilities and closures in Georgia. Liz will be responsible for coordination and initial review of project deliverables and will work closely with the project manager over the course of the project. Liz is registered as a Professional Engineer in the state of Georgia.

## **5.0 PROJECT SCHEDULE**

Figure 2 provides a preliminary Gantt Chart for the project schedule. Regulatory review periods are unknown and we have included estimated timeframes for scheduling purposes. WSP has made the following key assumptions with regards to scheduling the project:

- Project start date will be November 6, 2023 and WSP will be provided adequate access to the site to conduct the hydrogeological investigation.
- The City will review the draft site suitability report and design and operations plans within one week of receiving the draft submittals.
- EPD will take a total of 22 weeks to review the site suitability report, including one round of comments.
- EPD will take a total of 24 weeks to review the design and operations plan, including one round of comments.
- WSP will commence preparation of the design and operations plan upon receiving initial comments on the site suitability report. This approach allows for timely submittal of the design and operations plan following approval of the site suitability report.

Using these assumptions and durations as provided in Figure 2, the following are key milestone dates for the project:

- Site Suitability Report Submittal to EPD - January 10, 2024
- Site Suitability Report approval by EPD - June 28, 2024
- Design and Operations Plan Submittal to EPD - August 6, 2024
- **Design and Operations Plan approval by EPD / Project Completion - February 17, 2025**

Note that review durations are not within WSP or City control and may vary from assumptions included in this proposal. Based on WSP experience, we would project a maximum project duration of two years, but considering the proposed landfill is an inert landfill not requiring significant detailed design, the project duration should be shorter.

## **6.0 KEY ASSUMPTIONS**

WSP has made several key assumptions to develop the scope, project cost and estimated duration included herein:

- WSP will be provided access to the site at the beginning of the project for necessary field reconnaissance and investigations during 8am to 7pm weekdays.
- The proposed site will not significantly vary from the proposed land use area provided in Figure 1.
- A maximum of three borings will be advanced for the site suitability evaluation
- Proper zoning and land use is approved for the landfill and the City will provide timely documentation to WSP for inclusion in permit documents.
- The City will provide one round of comments for the site suitability report and design and operations plan.
- EPD will provide one round of comments for the site suitability report and design and operations plan.
- Survey will be provided by others, including provision of a site base map. WSP can provide survey services if desired.

- There are no existing utilities or surface or subsurface structures at the site, and if present the location of any such structures will be provided by the City.

## 7.0 CLOSING

WSP is pleased to provide this proposal to the City for permitting of the inert landfill expansion. We appreciate the opportunity to continue our 30+ years of service to the City and look forward to working with the City on this project. If there are any questions regarding this proposal or if the City requires additional information, please contact the undersigned.

Sincerely, [Click here and type closing]

**WSP USA Inc.**



David Hannam, PG  
*Lead Consultant*

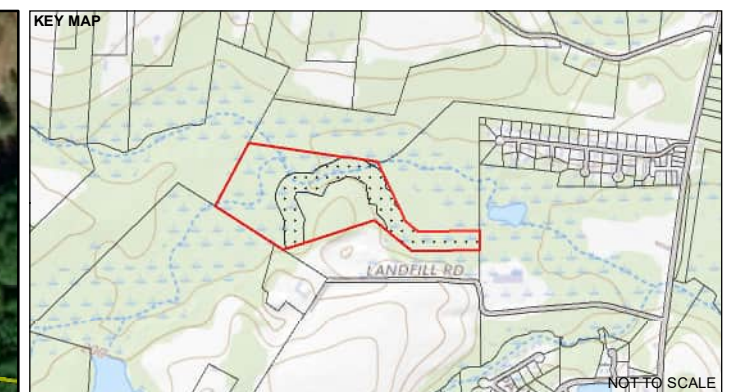
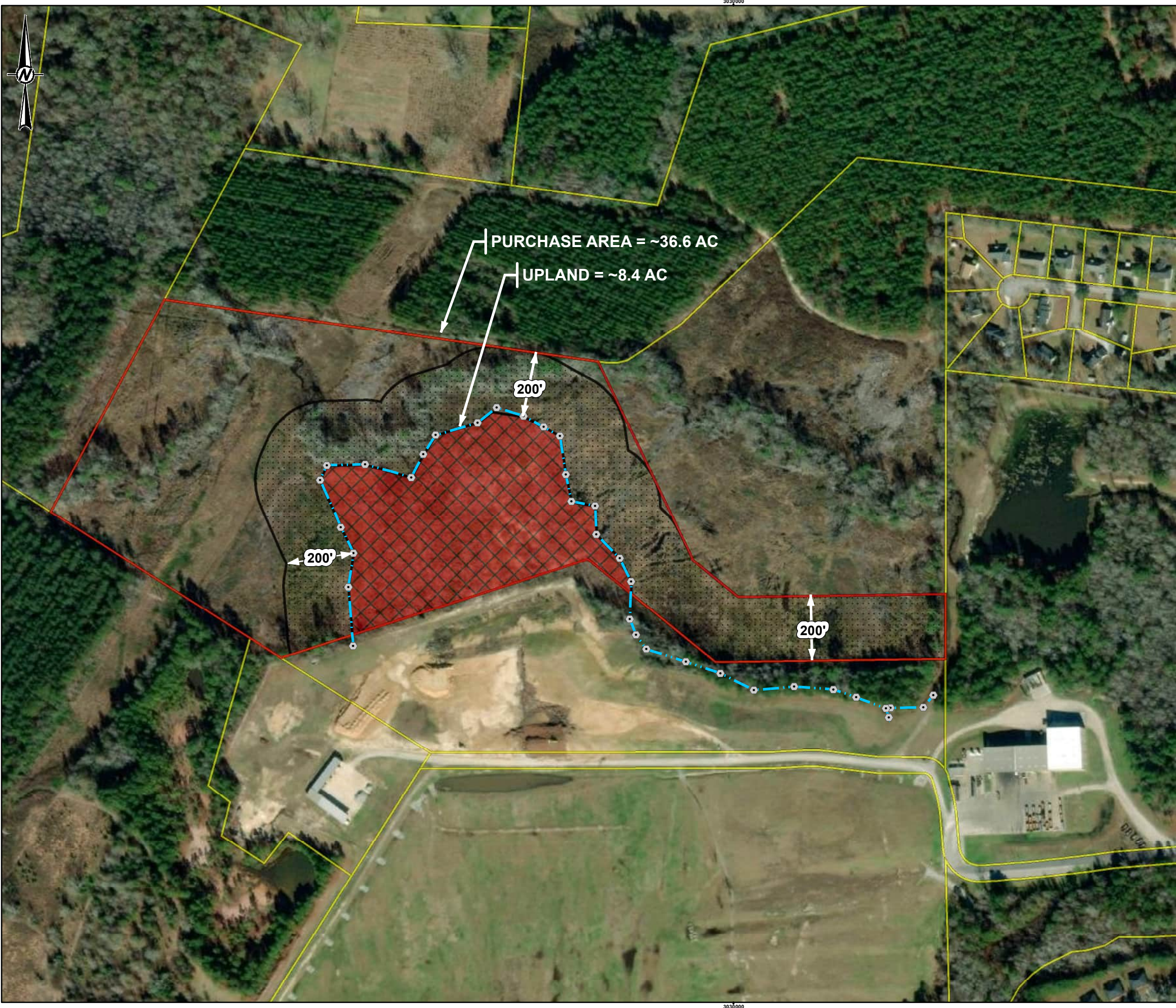


Kevin Brown, PE  
*Vice President*

DH/KSB/kld

Attachments: Figure 1  
Figure 2 Preliminary Gantt Chart for the project schedule  
Master Agreement for Consulting Services, June 18, 2020  
Proposal Acceptance Form

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- LEGEND**
- APPROXIMATE PURCHASE AREA (~36.6 ACRES)
  - 200-FOOT WETLAND/PROPERTY BUFFER (~14.4 ACRES)
  - POTENTIALLY AVAILABLE UPLAND (~8.4 ACRES)
  - APPROXIMATE TAX PARCEL BOUNDARY
  - - - WETLAND LINE
  - GPS WAYPOINTS



**NOTE(S)**

1. WETLAND DELINEATION PERFORMED JULY 22, 2021 AND BY GRAHAM HANSON, CWB OF GOLDER ASSOCIATES INC. METHODOLOGY BASED ON REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: ATLANTIC AND GULF COASTAL PLAIN REGION (VERSION 2.0). SUBMETER ACCURACY GPS UNITS, TRIMBLE GEO7X RENTED FROM PINE ENVIRONMENTAL (SERIAL # XXXX), USED TO LOCATE WETLAND FLAGS AND CREATE STREAM AND WETLAND DELINEATION FIGURES.
2. MEASUREMENTS CALCULATED VIA GIS ARE APPROXIMATE.
3. ANY REALIGNMENTS THAT LOCATE THE WORKSPACE OUTSIDE OF THE STUDY AREA WILL NEED TO BE REASSESSED.

**REFERENCE(S)**

1. BASEMAP SERVICE LAYER CREDITS: SOURCE: ESRI, MAXAR, GEOEYE, EARTHSTAR GEOGRAPHICS, CNES/AIRBUS DS, USDA, USGS, AEROGRIID, IGN, AND THE GIS USER COMMUNITY
- USGS THE NATIONAL MAP: NATIONAL BOUNDARIES DATASET, 3DEP ELEVATION PROGRAM, GEOGRAPHIC NAMES INFORMATION SYSTEM, NATIONAL HYDROGRAPHY DATASET, NATIONAL LAND COVER DATABASE, NATIONAL STRUCTURES DATASET, AND NATIONAL TRANSPORTATION DATASET; USGS GLOBAL ECOSYSTEMS; U.S. CENSUS BUREAU TIGER/LINE DATA; USFS ROAD DATA; NATURAL EARTH DATA; U.S. DEPARTMENT OF STATE HUMANITARIAN INFORMATION UNIT; AND NOAA NATIONAL CENTERS FOR ENVIRONMENTAL INFORMATION, U.S. COASTAL RELIEF MODEL. DATA REFRESHED AUGUST, 2021.
2. COORDINATE SYSTEM: NAD 1983 STATEPLANE GEORGIA WEST FIPS 1002 FEET.
3. NRCS SOIL SURVEY DATA DOWNLOADED FROM NRCS GEOSPATIAL DATA GATEWAY ON AUGUST 24, 2018.
4. NWI DATA DOWNLOADED FROM [HTTPS://WWW.FWS.GOV/WETLANDS/DATA/MAPPER.HTML](https://www.fws.gov/wetlands/data/mapper.html) ON SEPTEMBER 02, 2018.

**CLIENT**  
CITY OF STATESBORO

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**PROJECT**  
STATESBORO INERT LANDFILL EXPANSION

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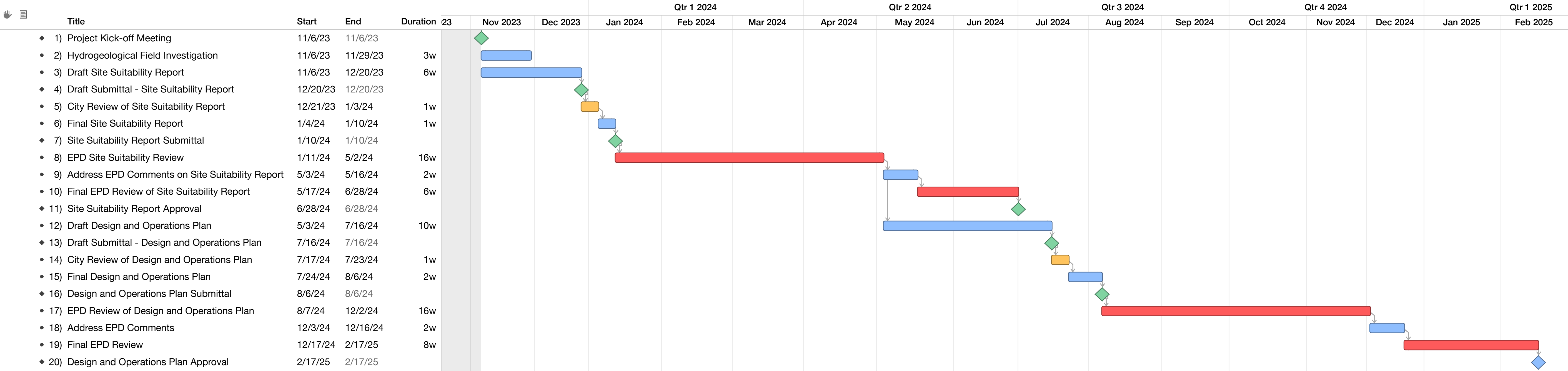
**TITLE**  
**PROPOSED AREA OF LANDFILL EXPANSION**

CONSULTANT	YYYY-MM-DD	2022-03-23
	DESIGNED	GPH
	PREPARED	GPH
	REVIEWED	DAH
	APPROVED	KB

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City of Statesboro \_\_\_\_\_ ("CLIENT") and  
GOLDER ASSOCIATES INC. ("GOLDER") agree this 18th day of June, 2020 that the following terms and conditions will apply to any services, including subsequent services and changes, (collectively "Services") to be provided by GOLDER.

Authorization shall be given to GOLDER by the CLIENT for particular projects through: (a) a written proposal as prepared by GOLDER, with subsequent acceptance from CLIENT; (b) written instructions to GOLDER from CLIENT; or (c) oral instructions to GOLDER from CLIENT, followed by a written work order.

## 1. STANDARD OF CARE

Services performed by GOLDER will be conducted in a manner consistent with that level of care and skill ordinarily exercised by other professionals currently practicing under similar conditions in the same locality, subject to the time limits and financial, physical or other constraints applicable to the Services. No warranty, express or implied is made.

## 2. INVOICES AND PAYMENT TERMS

- A. Unless otherwise specified in any proposal, GOLDER will submit monthly invoices to CLIENT and a final bill upon completion of Services. CLIENT shall notify GOLDER within ten (10) days of receiving an invoice of any dispute with the invoice and the parties shall promptly resolve any disputed items. Full payment is due prior to delivery of GOLDER's final deliverable. Payment on undisputed invoice amounts is due upon receipt of invoice by CLIENT and is past due thirty (30) days from the date of the invoice. CLIENT agrees to pay a finance charge of one and one-half percent (1-1/2%) per month (18% per annum) compounded daily, or the maximum rate allowed by law, on past due accounts. If payment remains past due sixty (60) days from the date of the invoice, then GOLDER shall have the right to suspend or terminate all Services under this Agreement, without prejudice or penalty. CLIENT will pay all reasonable demobilization and other suspension or termination costs. CLIENT agrees to pay attorneys' fees, legal costs and all other collection costs incurred by GOLDER in pursuit of past due payments.
- B. Where the cost estimate for the Services is "not to exceed" a specified sum, GOLDER shall notify CLIENT before each limit is exceeded, and shall not continue to provide Services beyond such limit unless CLIENT authorizes an increase in the amount of the limitation. If a "not to exceed" limitation is broken down into budgets for specific tasks, the task budget may be exceeded without CLIENT authorization as long as the total limitation is not exceeded.

## 3. CHANGES

CLIENT and GOLDER recognize that it may be necessary to modify the scope of Services, schedule, and/or cost estimate proposed in this Agreement. Such changes shall change the Services, schedule, and/or the cost, as may be equitable under the circumstances. GOLDER shall notify CLIENT in a timely manner when it has reason to believe a change to the Agreement is warranted. GOLDER shall prepare a change order request outlining the changes to the scope, schedule, and/or cost of the project. CLIENT has a duty to promptly consider the change order request and advise GOLDER in a timely manner in writing on how to proceed. If after a good faith effort by GOLDER to negotiate modifications to the scope of Services, schedule, and/or cost estimate, an agreement has not been reached with the CLIENT, then GOLDER shall have the right to terminate this Agreement, without prejudice or penalty, upon written notice to the CLIENT.

## 4. DELAYS AND FORCE MAJEURE

- A. If site or other conditions prevent or inhibit performance of Services or if unrevealed hazardous materials or conditions are encountered, Services under this Agreement may be delayed. CLIENT shall not hold GOLDER responsible for damages or delays in performance caused by acts or omissions of CLIENT, its subcontractors, governmental authorities, regulatory agencies, civil or labor unrest, acts of God, nature, or terror, disruptions of the Internet, GOLDER's electronic telecommunications or hosting services or any other events that are beyond the reasonable control of GOLDER. In the event of any such delays, the contract completion date shall be extended accordingly, and CLIENT shall pay GOLDER for Services performed to the delay commencement date plus reasonable delay charges. Delay charges shall include personnel and equipment rescheduling and/or reassignment adjustments and all other related costs incurred including but not limited to, labor and material escalation, and extended overhead costs, attributable to such delays.

B. Delays in excess of thirty (30) days within the scope of this Article shall, at the option of either party, make this Agreement subject to termination or to renegotiation.

## 5. INDEPENDENT JUDGMENTS OF CLIENT

If the Services include the collection of samples and data, then GOLDER's obligation to perform those Services is subject to CLIENT's assumption of all Subsurface Risks (such risks being more fully described in Article 12, Subsurface Risks). GOLDER will not be responsible for the independent conclusions, interpretations, interpolations or decisions of CLIENT, or others, relating to the Services. Under no circumstances do GOLDER's Services include making any recommendation or giving any advice as to whether CLIENT should or should not proceed with any transaction regarding any site related to the Services. CLIENT assumes all responsibility and risk associated with decisions it makes based on the Services.

## 6. INDEMNIFICATION

A. To the maximum extent allowed by law, GOLDER agrees to indemnify, but not defend, CLIENT and its officers, directors, and employees from and against all claims, damages, losses or expenses arising from personal injury, death, or damage to third-party property, and for reimbursement of defense costs, to the extent that all such claims, damages, losses, expenses, or costs are finally determined to result directly from GOLDER's negligence. Such indemnification, as limited by Article 7, Limitation of Liability, shall be CLIENT's sole and exclusive remedy against GOLDER.

B. To the maximum extent allowed by law, CLIENT shall, at all times, defend, indemnify and save harmless GOLDER and its subcontractors, consultants, agents, officers, directors and employees from and against all claims, damages, losses and expenses (including but not limited to reasonable attorneys' fees, and court and arbitration costs), arising out of or resulting from the Services of GOLDER, including but not limited to claims made by third parties, or any claims against GOLDER arising from the acts, errors or omissions of CLIENT, its employees, agents, contractors and subcontractors or others. To the fullest extent permitted by law, such indemnification shall apply regardless of breach of contract or strict liability of GOLDER. Such indemnification shall not apply to the extent that such claims, damages, losses or expenses are finally determined to result directly from GOLDER's negligence.

## 7. LIMITATION OF LIABILITY

A. CLIENT shall immediately notify GOLDER in writing of any deficiencies or suspected deficiencies arising directly or indirectly from GOLDER's negligent acts, errors or omissions. Failure by CLIENT to notify GOLDER shall relieve GOLDER of any further responsibility and liability for such deficiencies. To the extent permitted by law, CLIENT and GOLDER agree that all liability arising directly or indirectly from this Agreement or the Services of GOLDER shall expire no later than one (1) year from the date of GOLDER's acts, errors, or omissions or prior to the last date allowed in the applicable statute of limitation, whichever occurs first in time.

B. CLIENT agrees to limit the liability of GOLDER, its affiliates, and their respective employees, officers, directors, agents, consultants and subcontractors ("GOLDER Group") to CLIENT, its employees, officers, directors, agents, consultants and subcontractors, whether in contract, tort, or otherwise, which arises from GOLDER's acts, negligence, errors or omissions, such that the total aggregate liability of the GOLDER Group to all those named shall not exceed Fifty Thousand Dollars (\$50,000) or GOLDER's total fee for the Services rendered under this Agreement, whichever is greater.

C. Neither party shall be responsible to the other for lost revenues, lost profits, cost of capital, claims of customers, loss of data or any other special, indirect, consequential or punitive damages.

## 8. INSURANCE

A. GOLDER maintains insurance coverage with the following limits:

- (i) Workers' Compensation in compliance with statutory limits
- (ii) Automobile Liability
  - Combined Single Limit \$1,000,000
- (iii) Commercial General Liability:
  - Each Occurrence \$1,000,000
  - General Aggregate \$2,000,000
- (iv) Professional Liability Insurance

Any One Claim	\$1,000,000
Policy Aggregate	\$3,000,000

- B. CLIENT shall not require GOLDER to sign any document or perform any Service which in the judgment of GOLDER would risk the availability or increase the cost of its Professional or Commercial General Liability insurance.

## 9. PROFESSIONAL WORK PRODUCT

- A. The Services provided by GOLDER are intended for one time use only. All documents, including but not limited to, reports, plans, designs, boring logs, field data, field notes, laboratory test data, calculations, and estimates and all electronic media prepared by GOLDER are considered its professional work product (the "Documents"). GOLDER retains all rights to the Documents.
- B. CLIENT understands and acknowledges that the Documents are not intended or represented by GOLDER to be suitable for reuse by any party, including, but not limited to, the CLIENT, its employees, agents, subcontractors or subsequent owners on any extension of a specific project not covered by this Agreement or on any other project, whether CLIENT's or otherwise, without GOLDER's prior written permission. CLIENT agrees that any reuse unauthorized by GOLDER will be at CLIENT's sole risk and that CLIENT will defend, indemnify and hold GOLDER harmless from any loss or liability resulting from the reuse, misuse or negligent use of the Documents.

## 10. DATA AND INFORMATION

- A. **Project Information.** CLIENT shall provide to GOLDER all reports, data, studies, plans, specifications, documents and other information ("Project Information") which are relevant to the Services. GOLDER shall be entitled to rely upon the Project Information provided by CLIENT or others and GOLDER assumes no responsibility or liability for the accuracy or completeness of such. CLIENT waives any claim against GOLDER, and agrees to defend, indemnify and hold GOLDER harmless from any claim or liability for injury or loss allegedly arising from errors, omissions, or inaccuracies in the Project Information. GOLDER will not be responsible for any interpretations or recommendations generated or made by others, which are based, whole or in part, on GOLDER's data, interpretations or recommendations.
- B. **Personal Information.** Each Party shall at all times comply with the requirements of applicable personal privacy legislation with respect to the collection, use and disclosure of personal information in connection with this Agreement. Client warrants that any such personal information (including personally identifiable information) was processed in compliance with all applicable laws.

## 11. RIGHT OF ENTRY

CLIENT will provide for the right of entry for GOLDER, its subcontractors, and all necessary equipment in order to complete the Services under this Agreement. If CLIENT does not own the site, CLIENT shall obtain permission and execute any required documents for GOLDER to enter the site and perform Services. It is understood by CLIENT that in the normal course of work some surface damage may occur, the restoration of which is not part of this Agreement.

## 12. SUBSURFACE RISKS

- A. Special risks occur whenever engineering or related disciplines are applied to identify subsurface conditions. Even a comprehensive sampling and testing program implemented in accordance with a professional Standard of Care may fail to detect certain conditions. The environmental, geological, geotechnical, geochemical, hydrogeological and other conditions that GOLDER interprets to exist between sampling points may differ from those that actually exist. Furthermore, CLIENT recognizes that, passage of time, natural occurrences, direct or indirect human intervention at or near the site may substantially alter discovered conditions.
- B. Subsurface sampling may result in damage or injury to underground structures or utilities and unavoidable contamination of certain subsurface areas not known to be previously contaminated such as, but not limited to, a geologic formation, the groundwater, or other hydrous body. GOLDER will adhere to the standard of care during the conduct of any subsurface investigation. When the Services include subsurface sampling, CLIENT waives any claim against GOLDER, and agrees to defend, indemnify and hold GOLDER harmless from any claim or liability for injury, loss, or expense (including but not limited to legal fees) which may arise

as a result of alleged or actual cross-contamination caused by any subsurface investigation or any damage or injury to underground structure, formation, body, or utilities.

### 13. DISPOSAL OF SAMPLES, MATERIALS AND CONTAMINATED EQUIPMENT

- A. All samples obtained pursuant to this Agreement remain the property and responsibility of CLIENT. Uncontaminated soil and rock samples or other specimens may be disposed of thirty (30) days after submission of the work product due pursuant to the Proposal. Upon written request, GOLDER will store uncontaminated samples for longer periods of time or transmit the samples to CLIENT for a mutually acceptable charge.
- B. All contaminated samples and materials (containing or potentially containing hazardous constituents), including, but not limited to soil cuttings, contaminated purge water, and/or other environmental wastes obtained pursuant to this Agreement remain the property and responsibility of CLIENT and shall be returned to CLIENT for proper disposal. All laboratory and field equipment that cannot readily and adequately be cleansed of its hazardous contaminants shall become the property and responsibility of CLIENT. All such equipment shall be charged and turned over to CLIENT for proper disposal. Alternate arrangements to assist CLIENT with proper disposal of such equipment, materials and samples may be made at CLIENT's direction and expense. In such event, CLIENT agrees to have a representative available to sign all certifications, manifests, and other documents reasonably required by GOLDER and associated with the transportation, treatment and disposal, or handling of hazardous substances, waste or materials from the project property site, and derived from GOLDER's performance of the Services, including investigation derived wastes. If such CLIENT representative is unavailable and GOLDER is required to execute any such documents on CLIENT's behalf, CLIENT acknowledges that GOLDER shall be acting only as offeror or agent on behalf of CLIENT. It is understood and agreed that GOLDER is not, and has no responsibility as, a handler, generator, operator, treater, storer, arranger, transporter, or disposer of hazardous substances, waste or materials found or identified at or around the project site property. CLIENT agrees to waive any claim against GOLDER and to defend, indemnify and hold GOLDER harmless from and against any claims, losses, damages, expenses (including, but not limited to, legal fees), and liabilities of any type arising out of the discovery and disposal of any alleged or actual hazardous substances, wastes or materials found or identified at or around the project site property.

### 14. CONTROL OF WORK AND JOB-SITE SAFETY

- A. GOLDER shall be responsible only for its activities and that of its employees and subcontractors. GOLDER's Services under this Agreement are performed for the sole benefit of the CLIENT and no other entity shall have any claim against GOLDER because of this Agreement or the performance or nonperformance of Services hereunder. GOLDER will not direct, supervise or control the work of other consultants and contractors or their subcontractors. GOLDER does not guarantee the performance of, and shall have no responsibility for, the acts or omissions of any other contractor, subcontractor, supplier or other entities furnishing materials or performing any work on the project.
- B. Insofar as job site safety is concerned, GOLDER is responsible only for the health and safety of its employees and subcontractors. Nothing herein shall be construed to relieve CLIENT or any other consultants or contractors from their responsibilities for maintaining a safe job site. GOLDER shall not advise on, issue directions regarding, or assume control over safety conditions and programs for others at the job site. Neither the professional activities of GOLDER, nor the presence of GOLDER or its employees and subcontractors, shall be construed to imply that GOLDER controls the operations of others or has any responsibility for job site safety.

### 15. PUBLIC RESPONSIBILITY

CLIENT has a duty to comply with applicable codes, standards, regulations and ordinances, with regard to public health and safety. While GOLDER performs the Services, it will endeavor to alert CLIENT to any matter of which GOLDER becomes aware and believes requires CLIENT's immediate attention to help protect public health and safety, or which GOLDER believes requires CLIENT to issue a notice or report to certain public officials, or to otherwise comply with applicable codes, standards, regulations or ordinances. If CLIENT decides to disregard GOLDER's recommendations in these respects, (i) GOLDER shall determine in its sole judgment if it has a duty to notify public officials, and (ii) GOLDER has the right immediately to terminate this Agreement upon written notice to the CLIENT and without penalty.

## 16. NOTIFICATION AND DISCOVERY OF HAZARDOUS MATERIALS

- A. Prior to commencing the Services and as part of Project Information defined in Article 10, Data and Information, CLIENT shall furnish to GOLDER all documents and information known to CLIENT that relate to past or existing conditions of the site and surrounding area, including the identity, location, quantity, nature or characteristics of any hazardous materials or suspected hazardous materials or subterranean utilities. GOLDER may rely on such information and documents. CLIENT hereby warrants that, if it knows or has any reason to assume or suspect that hazardous materials may exist at the project site, it has so informed GOLDER.
- B. CLIENT acknowledges that if unanticipated hazardous materials or suspected hazardous materials are discovered on the project site property or on properties surrounding or adjacent to such site, it is CLIENT's responsibility, and not GOLDER's, to inform the owner of any affected property not owned by CLIENT of such discovery. CLIENT also recognizes that any such discovery may result in a significant reduction of the property's value. CLIENT waives any claim against GOLDER and agrees to defend, indemnify and hold harmless GOLDER from any claim or liability for injury or loss of any type arising from the discovery of hazardous materials or suspected hazardous materials on the project property site or on surrounding property, whether or not owned by CLIENT. CLIENT agrees that discovery of unanticipated hazardous materials shall constitute a changed condition for which GOLDER shall be fairly compensated.

## 17. TERMINATION

Either party may terminate this Agreement as a result of a material breach of the other party if the other party does not commence and continue to cure the breach within thirty (30) days of receipt of written notice of the breach from the non-breaching party. In the event of termination, GOLDER shall be paid for Services performed to the termination notice date, reasonable termination expenses, and a portion of its anticipated profits not less than the percentage of the contract services performed as of the termination notice date. GOLDER may complete such analyses and records as are necessary to complete its files and may also complete a report on the Services performed to the date of notice of termination or suspension. The expenses of termination or suspension shall include all direct costs of GOLDER in completing such analyses, records and reports.

## 18. DISPUTES

- A. **Dispute Resolution by Senior Management.** Any controversy, claim, or disagreement arising out of or relating to this Agreement shall be referred to senior management of each Party for a resolution. If the senior management is able to resolve the dispute, such resolution shall be binding on the Parties. In the event the senior management is unable to resolve the dispute within thirty (30) business days (or such other period as the Parties may agree upon) of referral, each Party shall have the right to pursue any other rights or remedies that may be available at law or equity, subject to this Article.
- B. **Litigation.** If any aspect of the dispute must be decided in litigation, both parties agree that the exclusive venue for such a dispute shall be in the United States District Court for the Northern District of Georgia. If subject matter jurisdiction cannot be obtained in the United States District Court for the Northern District of Georgia, the exclusive venue shall be in the Superior Court of Cobb County, Georgia. Client agrees that it submits to the personal jurisdiction of the United States District Court for the Northern District of Georgia or, if applicable, the Superior Court of Cobb County, Georgia for disputes to be decided in litigation.
- C. **Attorneys' Fees and Costs.** In the event that one party makes a claim against the other, at law or otherwise, and then fails to prove such claim, then the prevailing party shall be entitled to all costs, including attorneys' fees incurred in defending against the claim. The term "prevailing party" shall be defined as the party that recovers at least fifty percent (50%) of the amount of its claim as identified on the first day of any trial. Conversely, any party defending a claim shall be determined the "prevailing party" if the party asserting a claim fails to recover at least fifty percent (50%) of the amount of its claim as identified on the first day of any trial.

## 19. INTELLECTUAL PROPERTY

- A. If the Services require GOLDER to provide CLIENT with the right to use or access proprietary GOLDER software, programs, information management solutions, hosting services, technology, designs, information or data ("GOLDER Products"), GOLDER grants CLIENT during the term of the project a non-exclusive, non-transferable, non-assignable license to use the GOLDER Products for CLIENT's internal purposes, solely in connection with the Services. Except for this limited license, GOLDER expressly reserves all other rights in and to the GOLDER Products.

- B. GOLDER's Right to Use CLIENT Materials - If the Services require CLIENT to provide GOLDER with the right to use or access proprietary CLIENT software, programs, technology, information or data ("CLIENT Products"), CLIENT grants GOLDER a perpetual, non-exclusive, non-transferable, non-assignable, royalty free world-wide license to use and access the CLIENT Product as necessary to provide CLIENT with Services.
- C. Intellectual Property General - GOLDER shall own all Intellectual Property (as hereinafter defined) associated with the Services and the GOLDER Products, together with any modifications, updates or enhancements to said Intellectual Property. GOLDER grants no right or license to such Intellectual Property to CLIENT except as expressly provided in this Agreement. CLIENT conveys to GOLDER any interest in any such Intellectual Property rights that, notwithstanding the foregoing, would otherwise be deemed by law to vest in CLIENT. "Intellectual Property" includes patents, patent applications, trademarks, trademark applications, copyrights, moral rights or other rights of authorship and applications to protect or register the same, trade secrets, industrial rights, know-how, privacy rights and any other similar proprietary rights under the laws of any jurisdiction in the world. GOLDER may use and publish the CLIENT's name and give a general description of the Services rendered by GOLDER for the purpose of informing other clients and potential clients of GOLDER's experience and qualifications.
- D. GOLDER shall use reasonable efforts to provide the Services without infringing on any valid patent or copyright and without the use of any confidential information that is the property of others; provided, however, reasonable efforts of GOLDER shall not include a duty to conduct or prepare a patent or copyright search and/or opinion. If GOLDER performs its Services in a manner consistent with the above, then to the fullest extent permitted by law, CLIENT shall indemnify, defend and hold harmless GOLDER and its officers, directors, agents and employees against all liability, cost, expense, attorneys' fees, claims, loss or damage arising from any alleged or actual patent or copyright infringement resulting from the Services under this Agreement.

## 20. INFORMATION MANAGEMENT

Some GOLDER Products may be offered to CLIENT via the Internet and some GOLDER Products may utilize wireless radio communications. Atmospheric, meteorological, topographical and other conditions can affect the performance of any wireless device, software or technology (including, but not limited to information management solutions, hosting services, ftp and extranet services), just as application size, traffic, bottlenecks and other conditions can affect Internet access and upload and download speeds. CLIENT acknowledges that these types of conditions and other similar conditions are beyond the reasonable control of GOLDER and that GOLDER makes no representations or guarantees that CLIENT will be able to access any particular GOLDER Product at any given time without any error or interruption.

## 21. MISCELLANEOUS

- A. This Agreement supersedes all other agreements, oral or written, and contains the entire agreement of the parties. No cancellation, modification, amendment, deletion, addition, waiver or other change in this Agreement shall have effect unless specifically set forth in writing signed by the party to be bound thereby. Titles in this Agreement are for convenience only.
- B. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns provided that it may not be assigned by either party without consent of the other. It is expressly intended and agreed that no third party beneficiaries are created by this Agreement, and that the rights and remedies provided herein shall inure only to the benefit of the parties to this Agreement.
- C. CLIENT acknowledges and agrees that GOLDER can retain subconsultants, who may be affiliated with GOLDER, to provide Services for the benefit of GOLDER. GOLDER will be responsible to CLIENT for the Services and work done by all of its subconsultants and subcontractors, collectively to the maximum amount stated in Article 7 Limitation of Liability. CLIENT agrees that it will only assert claims against and seek to recover losses, damages or other liabilities from GOLDER and not GOLDER's affiliated companies. To the maximum extent allowed by law, CLIENT acknowledges and agrees it will not have any legal recourse, and waives any expense, loss, claim, demand, or cause of action, against GOLDER's affiliated companies, and their employees, agents, officers and directors.
- D. No waiver of any right or remedy in respect of any occurrence on one occasion shall be deemed a waiver of such right or remedy in respect of such occurrence on any other occasion.

- E. All representations and obligations (including without limitation the obligation of CLIENT to indemnify GOLDER in Article 6 and the Limitation of Liability in Article 7) shall survive indefinitely the termination of the Agreement. CLIENT acknowledges that it may not use GOLDER's name or any reference to the Services in any press release or public document without the express, written consent of GOLDER.
- F. Any provision, to the extent found to be unlawful or unenforceable, shall be stricken without affecting any other provision of the Agreement, so that the Agreement will be deemed to be a valid and binding agreement enforceable in accordance with its terms.
- G. All questions concerning the validity and operation of this Agreement and the performance of the obligations imposed upon the parties hereunder shall be governed by the laws of Georgia unless the law of another jurisdiction must apply for this Agreement to be enforceable.
- H. All notices required or permitted to be given hereunder, shall be deemed to be properly given if delivered in writing via facsimile machine, e-mail, regular mail, hand delivery or express courier addressed to CLIENT or GOLDER, as the case may be, at the addressee set forth in the Proposal Acceptance Form in regard to the CLIENT, and as listed on the Proposal in regard to GOLDER, with postage thereon fully prepaid if sent by mail or express courier.
- I. CLIENT represents and warrants that the individual signing the Proposal Acceptance Form is an authorized representative of CLIENT and has authority to bind the CLIENT.

**22. AUTHORIZATION TO PROCEED**

By signing below, CLIENT hereby authorizes GOLDER to proceed with the Services outlined in the Proposal and in accordance with this Agreement, which includes terms relating to *payment, limitation of liability, insurance and indemnity*, among many other important provisions. CLIENT also represents that any "purchase order" type document which CLIENT may issue subsequent to executing this Agreement, shall be for administrative or accounting purposes only, and that this Agreement shall supersede any such terms or conditions attached thereto in governing the performance of the Services.

**GOLDER ASSOCIATES INC.**

*Gregg W. Hudack*  
 Signature  
*Gregg W. Hudack*  
 Name  
*Principal*  
 Title  
*2/10/2021*  
 Date  
*Yes*

I have authority to bind the corporation.

\*  
*City of Statesboro*  
 (CLIENT)  
*Jonathan McCollar*  
 Signature  
*Jonathan McCollar*  
 Name  
*Mayor*  
 Title  
*1-6-2021*  
 Date

I have authority to bind the corporation.

Please address invoices to: <i>City of Statesboro</i> <i>50 E. Main St</i> <i>Statesboro GA 30458</i>
ATTN: <i>John Washington</i>
Phone: <i>912 764 0655</i>
Email: <i>john.washington@statesboroga.gov</i>

Please address deliverables & notices* to: Same as invoices. <u><i>Yes</i></u> No, address to:
ATTN:
Phone:
Email:

\*All notices required or permitted to be given hereunder shall be in writing and shall be delivered in person, sent by facsimile machine, mailed, or emailed and properly addressed and stamped with the required postage to the intended recipient.



PROPOSAL NUMBER: 19127917

 RE: Proposal for Inert Landfill and Transfer Station Siting Study

 SUBMITTED this 18<sup>th</sup> day of June, 2020.

 BY: Gregg Hudock, for Golder Associates Inc.

 The Proposal dated June 18 2020, attached hereto and the Golder Associates Inc. Master Services Agreement dated \_\_\_\_\_, comprise the entire agreement between Golder Associates Inc. and Client.

 ACCEPTED this 31<sup>st</sup> day of December, 2020.

 \* BY: Jonathan McCollar  
 (Authorized Representative's Signature on Behalf of Client)

 NAME: (Print or Type) Jonathan McCollar

 TITLE: (Print or Type) Mayor

 FOR: Client Name and Address (Print or Type)  
City of Statesboro  
50 E. Main Street  
Statesboro, GA 3048

 Phone: 912 764 0655 Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Please address invoices to:	Please address deliverables and notices to: Same as invoices: Yes / No, address to:
ATTN: _____	ATTN: _____

 BY: Gregg W. Hudock  
 (Authorized Representative's Signature on Behalf of Golder Associates Inc.)

 NAME: (Print or Type) Gregg W. Hudock

 TITLE: (Print or Type) Principal



WSP USA INC.  
PROPOSAL ACCEPTANCE FORM (MASTER SERVICE AGREEMENT)

PROPOSAL NUMBER: 202316765

RE: **PROPOSAL FOR INERT LANDFILL EXPANSION**

SUBMITTED this 29 day of August, 2023.

BY: Kevin Brown and David Hannam, for WSP USA Inc.

The Proposal dated August 29, 2023, attached hereto and the Golder Associate Inc. Master Services Agreement dated June 18, 2020 comprise the entire agreement between WSP USA Inc. (formerly Golder Associates Inc.) and Client.

ACCEPTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

BY: \_\_\_\_\_  
(Authorized Representative's Signature on Behalf of **Client**)

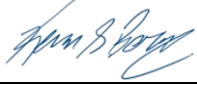
NAME: (Print or Type) \_\_\_\_\_

TITLE: (Print or Type) \_\_\_\_\_

FOR: Client Name and Address (Print or Type)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email: \_\_\_\_\_

Please address invoices to:	Please address deliverables and notices to: Same as invoices: Yes / No, address to:
ATTN:	ATTN:

BY:   
(Authorized Representative's Signature on Behalf of WSP USA Inc.)

NAME: Kevin Brown, PE

TITLE: Vice President