THE EFFINGHAM COUNTY COMMISSIONERS' MEETING

The Board of Commissioners of Effingham County, Georgia, Mr. C. D. Zeigler, Chairman, Mrs. Myra W. Lewis, Vice-Chairperson, Mrs. Verna H. Phillips, Mr. Jeffrey A. Utley, Mr. Reginald S. Loper, Sr. and Mr. Robert Brantley met in regular session at 3:00 p.m. on Tuesday, August 4, 2009 in the Commissioners' Meeting Room at the Effingham County Administrative Complex.

PERSONS ATTENDING THE MEETING

Mr. Eric Gotwalt, Assistant County Attorney, Mr. David Crawley, County Administrator, Mr. Adam Kobek, Project Manager, Mr. George Shaw, Zoning Administrator, Mrs. Joanna Wright, Finance Director, Mrs. Patrice Crawley, County Clerk, Mr. Randy Kuykendall, Mrs. Carolyn Collins, Mr. Roscoe Collins, Mrs. Karen Arnold, Ms. Alene Grovenstein, Mr. Joe Maner, Ms. Debra Gay, Mr. Roy Spivey, Mrs. Jo Spivey, Mr. Bobby Smith, Mr. Kent Morgan, Ms. Bonnie Morgan, Mr. Larry Todd, Mr. Mark Czachwski, Mr. Gibson Huge, Ms. Wilhelmina Webb, Ms. Gussie Nease, Mr. Austin Boynes, Ms. June Zeigler, Ms. Martha Zeigler, Ms. Annette York, Ms. Evelyn Graham, Mr. Charles Fox, Mrs. Sandra Fox, Mr. Floyd Zettler, Mr. Jim Simmons, Mr. Derrick Exley, Ms. Stella Seckinger, Mr. Bill Smith, Jr., Mr. Richard Lee, Mr. Bruce Smith, Ms. Linda Mercer, Mr. Donnie Rahn, Mr. Adell Woods, Sr., Mr. Kelvin Wallace, Mr. M.C. Jaudon, Ms. Bernice Jaudon, Ms. Victoria Usher, Mr. Charles Usher, Ms. Dena Rodewolt, Ms. Margaret Coombe, Ms. Geneva Clark, Mr. Pat Clark, Mrs. Barbara Cauley, Ms. Kayla Cauley, Mrs. Elizabeth Hursey, Mr. Steve Todd, Mr. Charles Fox, III, Ms. Addie Hicklen, Ms. Nora Baldwin, Ms. Thelma Pelote, Ms. Ophelia Kent, Mr. Pete Lancaster, Ms. Hollie Black, Mr. Billy Tebeau, Mrs. Sue Tebeau, Mrs. Eva Goldwire, Ms. Mary Lee Brown, Mrs. Beth Mosely, Mr. Alan Zipperer, Mrs. Rebecca Boston, and Ms. Lucy Powell.

CALL TO ORDER

Chairman Zeigler called the meeting to order.

INVOCATION AND PLEDGE TO THE FLAG

Vice-Chairperson Lewis gave the invocation and led the Pledge to the American Flag.

AGENDA APPROVAL

Vice-Chairperson Lewis made a motion to approve the Agenda Resolution (see copy of agenda resolution on minute book page number _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CORRESPONDENCE

Chairman Zeigler presented the previous month's correspondence. He reported that each Commissioner has been furnished a copy of all correspondence received and that these are available for all interested persons to review in the County Clerk's office.

MINUTES

Commissioner Loper made a motion to approve the minutes for July 21, 2009 Board of Commissioners Meeting. Commissioner Brantley seconded the motion. The motion carried unanimously.

PUBLIC COMMENTS

There were no public comments.

CONSENT AGENDA

Chairman Zeigler read out loud Items Number 01 through 04 on the Consent Agenda.

Commissioner Loper made a motion to approve the following:

01. The second reading to amend the Zoning Map 355-3 for the application by Henry S. Morgan for a three year extension on a mining operation with the following stipulations:
    1 The use shall be for mining only
    2 Activities shall comply with Sec 3.17 of the Zoning Ordinance
    3 Applicant shall provide copy of State Mining Permit
    4 Zoning shall revert back to AR-1 upon completion of mining activities.
    5 A plat shall be submitted for the I-1 parcel.
    6 Hours of operation shall be restricted to 7:00 a.m. – 6:00 p.m. Monday through Friday and Saturday only as an emergency. Zoning administrator shall be notified prior to Saturday operations.
    7 Mining activities shall be completed within 3 years of the date of the extension approval.
02. The second reading to amend the Zoning Map 276-14 for the application by CB Sand to rezone 39.76 acres located on Jerrell Woods Road from AR-1 to I-1 with the following stipulations:
    1 Applicant shall meet all requirements of the I-1 heavy zoning district including buffer requirements.
    2 Applicant shall meet all requirements of Sec. 3.17 of the Zoning Ordinance.
    3 Applicant shall show proof of State mining permit.
    4 All wetland impacts shall be approved by USACE
    5 Jerrell Woods Road and Allison Road shall not be used for entry or exit from the site. Murray Hill Road shall serve as the entry or exit from the site.
    6 Hours of operation shall be 7 a.m. to 6 p.m.
    7 If dredging noise becomes a nuisance, then Code Enforcement shall address it
03. The second reading to amend the Zoning Map 407-27 for the application by Patricia Drummond for a conditional use for party events and rentals located at 2779 Hwy 119 North;
04. The second reading to amend the Zoning Map 466A-63 for the application by Ambra Metzger for a conditional use located at 132 Huger Street to operate an in home daycare with the following stipulations:
    1 The site shall meet all State requirements
    2 Applicant shall be licensed by the State
    3 All outdoor play areas shall be fenced

Commissioner Brantley seconded the motion. The motion carried unanimously.

NEW BUSINESS

CONSIDERATION TO APPROVE THE FIRST READING TO AMEND CHAPTER 30 OF THE OFFICIAL CODE OF EFFINGHAM COUNTY GEORGIA ARTICLE III SOIL EROSION AND SEDIMENTATION CONTROL (01): County Engineer Liotta explained that in 2004, the Board of Commissioners passed the model ordinance for soil erosion and sedimentation control. The ordinance includes the ability for the County to require a bond be posted by the applicant before a land-disturbing activity (LDA) permit is issued. Only 2 land-disturbing activity permits have been issued since January. A third, for the Board of Education's Career Academy project, is currently pending receipt of a bond. The superintendent has recently contacted staff to object to this requirement, in essence stating that the Board of Education should not be treated like every other developer in the County. The ordinance as currently written does not exempt them in any way from this requirement. Staff recommends modifying the soil erosion and sedimentation control regulations to state that Governmental entities shall be exempt from the bond requirement; however, where a governmental entity contracts for the work to be performed, the governmental entity shall be required to provide a copy of the contractor's performance bond and proof of insurance as a condition of issuance of the permit.

Mrs. Carolyn Collins stated her concerns over the amendment to the ordinance.

Chairman Zeigler made a motion to approve the First Reading to amend Chapter 30 of the Official Code of Effingham County Georgia Article III Soil Erosion and Sedimentation Control with staff suggestions. Commissioner Phillips seconded the motion. The motion carried unanimously.

APPEARANCE

ROB CONNOR – Mr. Connor did not appear before the Board.

NEW BUSINESS - CONTINUED

CONSIDERATION TO APPROVE THE TASK ORDER FORM WITH INTEGRATED SCIENCE & ENGINEERING FOR WATER QUALITY MONITORING (02): County Engineer Liotta explained that Part I.A. of the Effingham County South Urban Water Reuse System permit from EPD requires the County to implement the approved Watershed Protection Plan. This plan utilizes the information generated in the watershed assessment during permitting to establish a baseline of watershed conditions and provides for ongoing long-term monitoring to verify that the

plan is effective. An annual report of the water quality monitoring data must also be submitted to EPD. Since the plan was approved and the permit was re-issued in 2006, the routine chemical sampling has been performed by the consultant that prepared the Watershed Protection Plan – Integrated Science & Engineering (ISE). ISE submitted a new proposal to the County to perform this monitoring for the current semi-annual period, in accordance with the Professional Services Agreement approved by the Board on April 21. As a cost saving measure, some of the sampling (bacteriological) and analysis (fecal coliform) will be conducted by County staff at the wastewater plant.

Commissioner Loper made a motion to approve the task order form with Integrated Science & Engineering for water quality monitoring (see minute book page __). Chairman Zeigler seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A HARDWARE SUPPORT AGREEMENT WITH GOVERNMENTAL SYSTEMS, INC. (03): Chief Appraiser Bevill explained that the Governmental Systems, Inc. handles the hardware support and maintenance of equipment either in the form of repair or replacement during this contract period which is one year from the date of the agreement. The equipment includes 9600 Baud Modem, UPS System, ADDS 400 Terminals, Tally 6100 Printer, GIS and linux support.

Commissioner Phillips made a motion to approve a hardware support agreement with Governmental Systems, Inc. (see minute book page ____). Vice-Chairman Lewis seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A CONTRACT WITH SPRINT/NEXTEL AND MOTOROLA FOR RECONFIGURATION SERVICES (04): Public Safety Director Ashcraft explained that on August 6, 2004, the FCC issued Report and Order FCC 04-168 that modified its rules governing the 800 MHz band to minimize harmful interference to public safety communications systems. Sprint/Nextel must relinquish some of its existing channels and must provide and pay relocation funds ("Relocation Funds") to enable affected licensees to relocate their systems onto Replacement Channels and reconfigure their systems so that they are "Comparable Facilities". Since May 24, 2007, the Effingham Board of Commissioners has approved a series of agreements dealing with the reconfiguration planning phase of this project. The planning is now complete.

Commissioner Utley made a motion to approve a contract with Sprint/Nextel and Motorola for reconfiguration services (see minute book page _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A CONTRACT WITH DEPARTMENT OF HUMAN SERVICES FOR THE EFFINGHAM COUNTY FAMILY CONNECTION PROGRAM (05): Purchasing Agent Newland explained that the Board has served as the fiscal agent for the Family Connection program for several years. Family Connection is a collaborative program between families and various community partners to identify and address the serious challenges that face Effingham County's families and children.

Commissioner Phillips made a motion to approve a contract with the Department of Human Services for the Effingham County Family Connection Program with the change of the amount of the contract (see minute book page _). Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A FACILITIES ACCESS AGREEMENT WITH ERGON ASPHALT & EMULSIONS, INC. (06): Purchasing Agent Newland explained that asphalt emulsion used to patch potholes on Effingham County roads is currently purchased from Apac Paving in Hardeeville, SC. Staff has found that Ergon Asphalt & Emulsions, which is located in Garden City, charges less for the emulsion material. Due to the nature of the business, Ergon requires a signed facilities agreement from all customers before entering the facility.

Commissioner Brantley made a motion to approve a facilities access agreement with Ergon Asphalt & Emulsions, Inc. (see minute book page _____). Chairman Zeigler seconded the motion. The motion carried unanimously.

CONSIDERATION TO AWARD THE BID FOR ATHLETIC APPAREL FOR THE RECREATION DEPARTMENT (07): Purchasing Agent Newland explained that Recreation Department offers sports activities throughout the year for Effingham County children and adults. Participants must pay a registration fee which covers a portion of their uniform, athletic equipment, a hat, trophies, electricity and officials. Players are allowed to keep their jersey at the end of the season and are issued a new jersey for each season and sport they play for the Recreation Department. An invitation to bid was issued, four qualified bids were received. Thompson's Sport Shop was the lowest overall bid.

Commissioner Phillips made a motion to award the bid for athletic apparel for the Recreation Department to Thompson's Sport Shop. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN AGREEMENT WITH ANCO FOR COOLING WATER TREATMENT CHEMICALS FOR THE JUDICIAL COMPLEX (08): Project Manager Kobek explained that the Judicial Complex utilizes a remote chiller for cooling the building. During the process, water is continuously run through coils and the entire system. While the water is traveling it deposits minerals and materials throughout the lines and chilling tower. ANCO has provided chemicals to keep the Judicial Complex systems free of scale and mineral deposits since the system was installed. The chemicals have run out and it is time to order more to ensure that the system continues to be maintained correctly.

Vice-Chairperson Lewis made a motion to approve an agreement with ANCO for cooling water treatment chemicals for the Judicial Complex (see minute book page _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO DECLARE MORGAN ROAD REPAIRS AN EMERGENCY AND EXECUTE A CONTRACT FOR REPAIRS (09): Project Manager Kobek explained that several months ago the creek crossing Morgan Road washed out the cross drains and the road subsequently failed. The road has been closed to through traffic since the road became impassable. Staff is requesting to declare this bridge work an emergency repair and execute a contract for the immediate repair.

Commissioner Loper made a motion to declare Morgan Road repairs an emergency and to execute a contract for repairs with Darrell Morgan Construction, LLC. (see minute book page ___). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO AMEND THE EFFINGHAM COUNTY BOARD OF COMMISSIONERS HUMAN RESOURCES STANDARDS OF PRACTICE SECTION 2.14 – TRAVEL, EMPLOYMENT AND BOARD OF COMMISSIONER EXPENSES (10): County Administrator Crawley explained that in an effort to increase oversight with travel expenses, staff believes it necessary to formally amend the travel policy for all County staff. The original method of approving travel predominately fell to the department head first and then on to the County Administrator. Under the new policy, department heads will not be able to authorize travel as all travel expenses will be

held in department 15 and will be required to be pre-approved by the County Administrator.

Commissioner Phillips made a motion to table the amendment of the Effingham County Board of Commissioners Human Resources Standards of Practice Section 2.14 – Travel, Employment and Board of Commissioner Expenses until the August 18, 2009. Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A LETTER OF SUPPORT TO ENDORSE THE INITIATIVE TO ESTABLISH A GEORGIA WORK READY REGION WITH A FOCUS ON LOGISTICS (11): County Administrator Crawley explained that Savannah Technical College, in response to a Request for Proposals (RFP) from Governor Sunny Purdue, is developing a Georgia Work Ready Region Proposal with a focus on Logistics to support workforce and economic development. Savannah Technical College is requesting a letter of support from the Board.

Commissioner Loper made a motion to approve a Letter of Support to endorse the initiative to establish a Georgia Work Ready Region with a focus on logistics. Vice-Chairperson Lewis seconded the motion. The motion carried unanimously.

PERSONNEL HEARING OF WILLIAM JAY HILLIS (12): County Attorney Gotwalt explained that William Jay Hillis requested an appeal hearing before the Board of Commissioners by filing a written appeal of the determination of the County Administrator. Mr. Hillis may have a representative present, may bring others to testify, may submit written documents, and may question individuals testifying against him.

Mr. William Jay Hillis presented his appeal for dismissal from Effingham Fire – Rescue.

County Attorney Gotwalt wanted it stated that the Board of Commissioners received the following: Memo from Human Resources dated July 30, 2009, Disciplinary Action Notice from Captain Jack Burnsed dated June 2, 2009, letter from Wm J. Hillis dated July 2, 2009, letter from County Administrator Crawley dated June 10, 2009, and letter from Wm J. Hillis dated June 16, 2009.

County Attorney Gotwalt explained that the Board would discuss the evidence in the personnel hearing of William Jay Hillis in Executive Session.

CONSIDERATION TO APPROVE A BUDGET AND THE BUDGET RESOLUTION FOR FISCAL YEAR JULY 1, 2009 TO JUNE 30, 2010 (13): Chairman Zeigler explained that item number 13 approval of a budget and the budget

resolution for fiscal year July 1, 2009 to June 30, 2010 will be held until after the 6:30 p.m. Budget Public Hearing.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

Chief Tax Appraisal Bevill discussed the following:

- Presentation concerning Property Tax Assessments – Mr. Roscoe Collins and Mr. Joe Maner stated their concerns

Public Safety Director Ashcraft discussed the following:

- Training at the Landfill was a success

Project Manager Kobek discussed the following:

- Historic report on the Judicial Complex
- Omni Flight update
- Honey Ridge tree issue – Mr. Roscoe Collins stated his concerns

EXECUTIVE SESSION

At 5:47 p.m., Chairman Zeigler made a motion to go into Executive Session to discuss personnel, property and pending litigation. Vice-Chairperson Lewis seconded the motion. The motion carried unanimously.

County Administrator Crawley and Commissioners discussed personnel, property, and pending litigations. (See copy of Chairperson's affidavit on minute book page number _____).

PUBLIC HEARING

FISCAL YEAR 09/10 BUDGET – 6:30 p.m. - County Administrator Crawley explained that the board has conducted several discussions concerning the 09/10 budget. Several of the outstanding issues include merit and cost of living increases, new positions, frozen positions, and "other agency" funding. Currently, staff has recommended a $30,456,116 General Fund budget and a $21,966,415 Special Fund budget. Currently, staff has proposed a 4% cost of living increase, equal to $509,136 and a merit increase of $2% equal to $109,780. One question raised during a previous meeting was what were other counties doing. Out of the 36 counties in Georgia who responded, there were nine counties doing something for their employees. Effingham County was 14% below the average pay scale before the compensation survey was conducted several years ago. Pay scales were increased by 7% as directed by the Board of Commissioners with direction that cost of living increase would be provided over time to reduce the 7% remaining difference. Cost of living is estimated to be 3.8% for the 2009 calendar year.

Currently, staff has proposed to freeze several positions in the budget as they are demand based positions. The total compensation for the frozen positions is $313,077.62

and Board approval will be needed to fill these positions. The amount referenced is included in the proposed budget and represents a full fiscal year of compensation.

Other Agencies (Department 51) have been another area of discussion. The current total budget for this is $791,105.

Staff has significantly reduced employee travel during the interim period to finalize and approve the budget. This will result in additional cost savings, although, this cost can not be quantify at this time.

Under the proposed budget, there are 318 fulltime positions with the population estimate of 53,368 equaling 6 employees per 1,000 residents. Over the past five budget cycles 90% of new approved positions have been in the public safety sector. The County has experienced a 16.5% increase in population from 2004 and 2008, while the fulltime positions have increased by 15%. Staff has an unwritten goal to reduce the ratio of employees to residents. Achieving a reduction will occur over a long period as we work to improve efficiency through training, education, consolidation, and technology.

Mrs. Jennifer Keyes, Mr. B.V. Cooper, Mr. Don White, Mrs. Ruth Lee, Ms. Jane Zeigler, Mr. Jeff Wilkes, Ms. Alene Grovenstein, Mrs. Karen Arnold, Mrs. Wanda McDuffie, Mr. Mark Czachowski, Mr. Steve Todd, Mr. Carey Graham, Judge Beth Mosley, Mrs. Ruth Lee, Mr. Brian Shearouse, Mrs. Rhonda Rodewolt, and Mrs. Michelle Newland stated their issues with the budget.

Chairman Zeigler closed the Public Hearing.

CONSIDERATION TO APPROVE A BUDGET AND THE BUDGET RESOLUTION FOR FISCAL YEAR JULY 1, 2009 TO JUNE 30, 2010 (13): Chairman Zeigler made a motion to approve the current proposed budget which is to eliminate the merit, approve a 4% cost of living adjustment (COLA) to be applied to 23 pay periods, reduce continuing education and travel by 15%, to reduce proposed and frozen positions with a general fund figure of $30,002,770, special fund of $21,940,345 with a total budget of $51,943,115 (see minute book page ____). Commissioner Utley seconded the motion. Commissioner Loper opposed the motion. Chairman Zeigler, Vice-Chairperson Lewis, Commissioner Utley, Commissioner Phillips, and Commissioner Brantley voted in favor of the motion. The motion carried.

EXECUTIVE SESSION - CONTINUED

At 8:43 p.m., Chairman Zeigler made a motion to go into Executive Session to discuss personnel, property and pending litigation. Vice-Chairperson Lewis seconded the motion. The motion carried unanimously.

County Administrator Crawley and Commissioners discussed personnel, property, and pending litigations. (See copy of Chairperson's affidavit on minute book page number _____).

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF - CONTINUE

Commissioner Loper discussed the following:
- Contract for the Chip and Seal on the roads

Commissioner Brantley discussed the following:
- Hwy 80 issue

Chairman Zeigler discussed the following:
- Congressman Barrow
- Peggy Jolly with Georgia Power

County Administrator Crawley discussed the following:
- Update of Old Augusta Road phase one
- Water and sewer service
- Westwood Heights drainage
- Building Committee
- Impact fee issue
- Meeting with the City of Guyton
- Old Augusta Road pump station for water and sewer
- Norma Jean Morgan hospital property

ADJOURNMENT

At 9:22 p.m., Commissioner Loper made a motion to adjourn the meeting. Commissioner Brantley seconded the motion. The motion carried unanimously.

_____ _____

C. D. Zeigler, Chairman Patrice R. Crawley, County Clerk