

**THE EFFINGHAM COUNTY
COMMISSIONERS' MEETING**

The Board of Commissioners of Effingham County, Georgia, Mr. C. D. Zeigler, Chairman, Mr. Reginald S. Loper, Sr., Vice-Chairman, Mr. Robert Brantley, Mr. Steve Mason, and Mr. Phil Kieffer met in regular session at 5:00 p.m. on Tuesday, April 19, 2011 in the Commissioners' Meeting Room at the Effingham County Administrative Complex. Mrs. Vera Jones entered the meeting right before Executive Session.

PERSONS ATTENDING THE MEETING

Mr. Eric Gotwalt, County Attorney, Mr. David Crawley, County Administrator, Mr. Adam Kobek, Project Manager, Mr. George Shaw, Zoning Administrator, Mrs. Patrice R. Crawley, County Clerk, Ms. Rushe Hudzinski-Sero, Human Resources Director, Mrs. Joanna Wright, Finance Director, Mr. Tim Mathews, Rev. Lloyd Dees, Leslie West, Mr. Jim Presnell, Mrs. Ruth Lee, Mr. Ricky Stille, Mr. Skip Floyd, Mr. Charlie Kea, Ms. Amber Brooks, and Mr. Peter Higgins.

CALL TO ORDER

Chairman Zeigler called the meeting to order.

INVOCATION AND PLEDGE TO THE AMERICAN FLAG

Chairman Zeigler gave the invocation and led the Pledge to the American Flag.

AGENDA APPROVAL

County Clerk Crawley explained that Reverend Lloyd Dees who is the county representative on the Aging Services Advisory Council would like to speak to the Board.

Commissioner Kieffer made a motion to approve the agenda with the addition of an Appearance by Reverend Lloyd Dees (see minute book page ____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CORRESPONDENCE

Chairman Zeigler stated that all correspondence for the Board of Commissioners is kept in the County Clerk's office. Anyone who is interested in viewing these may do so in the County Clerk's office.

MINUTES

Vice-Chairman Loper made a motion to approve the minutes for April 05, 2011. Commissioner Brantley seconded the motion. The motion carried unanimously.

PUBLIC COMMENTS

Chairman Zeigler stated that if anyone would like to discuss an Agenda Item, they may do so when that item is presented.

ADDITION APPEARANCE

Reverend Lloyd Dees who is the county representative on the Aging Services Advisory Council spoke to the Board about what the council was doing.

NEW BUSINESS

PUBLIC HEARING AND CONSIDERATION TO APPROVE AMENDING CHAPTER 75, ARTICLE II, SECTION 75-56 OF THE OFFICIAL CODE OF EFFINGHAM COUNTY GEORGIA CONCERNING THE REUSE CAPACITY CAPITAL COST RECOVERY FEE (01):

County Administrator Crawley explained that during the April 5, 2011 workshop , the Board directed staff to proceed with an amendment to the Chapter 75, Article III, Section 75-56, Reuse Water Capacity. As discussed in the workshop the staff has been working through the process of updating the Capital Improvements Element & Development Impact Fees study to best address the needs of future economic development. Staff proposed an interim step to facilitate development by amending the Reuse Capacity Capital Cost Recovery Fee.

Mrs. Ruth Lee and Mr. John Galman stated their concerns about the reuse ordinance.

Public Hearing is closed.

PUBLIC HEARING AND CONSIDERATION TO APPROVE AMENDING APPENDIX D, DEVELOPMENT IMPACT FEE ORDINANCE OF THE OFFICIAL CODE OF EFFINGHAM COUNTY GEORGIA (02): County Administrator Crawley explained that during the

April 5, 2011 workshop, the Board of Commissioners directed staff to proceed with an amendment to the Development Impact Fee Schedule. As discussed in the workshop, staff has been working through the process of updating the Capital Improvements Element & Development Impact Fees study to best address the needs of future economic development. Staff proposed amending the Development Impact Fee Schedule.

Mrs. Ruth Lee, Mr. John Galman, Mr. Tim Mathews, Mr. Ricky Stille, and Mr. Charlie Kea stated their concerns about the Development Impact Fee.

Public Hearing is closed.

CONSIDERATION TO APPROVE A COMMUNITY SERVICE AGREEMENT WITH GEORGIA DEPARTMENT OF CORRECTIONS PROBATION OPERATIONS (03): Deputy Warden Brown explained that probationers can pay back their debt to the community by performing service tasks within the community. Effingham County Prison has been using community service workers for several years on Saturdays and Sundays. These probationers perform tasks such as ground maintenance, custodial work, litter control and general labor within the County.

Commissioner Mason made a motion to approve a Community Service Agreement with Georgia Department of Correction Probation Operations (see minute book page ____). Vice-Chairman Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE RELEASING A GRASSING/INFRASTRUCTURE BOND FOR EMERALD PLANTATION SUBDIVISION (04): County Engineer Liotta explained that Mr. Rob Bowden requests that the County release the grassing/infrastructure bond for Emerald Plantation subdivision, located off of Blue Jay Road. The final plat and cash bond was approved April 17, 2007, and the Public Works department recommended acceptance of all rights of way, including roadways, storm drainage systems and water distribution systems. The County accepted the infrastructure on January 18, 2011.

Vice-Chairman Loper made a motion to approve releasing a grassing/infrastructure bond for Emerald Plantation subdivision (see minute book

page ____). Commissioner Mason seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE WARRANTY DEED FOR THE VILLAGE AT KINGSLEY SUBDIVISION (05): County Engineer Liotta explained that Dawn Harrell on behalf of the Coastal Bank requests that the County accept ownership and maintenance of the infrastructure, road rights of way and storm drainage systems, for the Village of Kingsley Subdivision, located off of Courthouse Road. This development consists of 31 lots with water services provided by a community water system and wastewater is handled by individual septic tanks.

Commissioner Kieffer made a motion to approve the warranty deed for the Village at Kingsley Subdivision (see minute book page ____). Vice-Chairman Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A NOTICE OF SALE OF SURPLUS FURNITURE (06): Project Manager Kobek explained that when the Tax Commissioner, Tax Assessor and GIS offices relocated to the historic courthouse, new furniture was procured. The old furniture was first offered to department heads to cover any needs they may have for furnishings and the remaining furnishing can be declared surplus and sold, either at public auction, inside sale or disposed of. The Prison has a bus and a pickup truck they would like to surplus as well. There is a public auction on April 30th that will take and sell the items that are left.

Vice-Chairman Loper made a motion to approve the corrected Notice of Sale of Surplus (see minute book page ____). Commissioner Mason seconded the motion. The motion carried unanimously.

CONSIDERATION TO ACCEPT A BID, APPROVE A CONTRACT AND GIVE NOTICE TO PROCEED ON FOREST HAVEN ROAD RESURFACING (07): Project Manager Kobek explained that this past winter there has been some degradation of some of the existing ash roads. Currently there is a study of the ash material to try and determine the best course of action with the ash roads that are within the road system. That testing is not complete at this time. As requested by the Board, staff accepted bids to rebuild and resurface Forrest Haven Road by two methods, supplementing the base and new construction. The low bidder for operation 1

supplementing the base and adding asphalt was APAC Southeast and the low bidder for operation 2 new construction with asphalt was RB Baker. Both low bidders responded in accordance with the bid offering and have provided bid bonds.

Vice-Chairman Loper made a motion to table the bid on Forest Haven Road Resurfacing. Commissioner Kieffer second the motion. The motion carried unanimously.

PLANNING BOARD PRESENTMENTS

NEW BUSINESS

GENE HART – PUBLIC HEARING (01): A Public Hearing was held on the application by Gene Hart (Harry E. Hart Sr.) for rezoning 8.98 acres located at 232 Pecan Lane from I-1 to AR-1 Map 418 Parcel 22A in the Second District.

Zoning Administrator Shaw presented the request.

There were no objectors present.

Commissioner Brantley made a motion to approve the First Reading to rezone 8.98 acres Map 418 Parcel 22A located at 232 Pecan Lane from I-1 to AR-1. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

AMBER BROOKS – PUBLIC HEARING (01): A Public Hearing was held on the application by Amber Brooks for a variance and rural use to operate a pet grooming business located at 539 Springfield Tusculum Road Map 318 Parcel 17 located in the Third District.

Zoning Administrator Shaw presented the request.

There were no objectors present.

Commissioner Mason made a motion to approve the First Reading for a variance and rural use to operate a pet grooming business located at 539 Springfield Tusculum Road Map 318 Parcel 17 located in the Third District with the following stipulations

1. Applicant shall meet all other requirements of the 3.15 B Rural Business of the Effingham County Zoning Ordinance.
2. The applicant shall provide an updated letter of permission should the ownership of the easement change.

Commissioner Kieffer seconded the motion. The motion carried unanimously.

JEFFREY MARSH – PUBLIC HEARING (01): A Public Hearing was held on the application by Jeffrey Marsh to rezone 5.68 acres Map 295 Parcel 510 located at 515 Hwy 17 South from AR-1 to AR-2 located in the Fourth District.

Zoning Administrator Shaw presented the request.

There were no objectors present.

Vice-Chairman Loper made a motion to approve the First Reading to rezone 5.68 acres Map 295 Parcel 510 located at 515 Hwy 17 South from AR-1 to AR-2 with the following recommendation:

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

Commissioner Mason seconded the motion. The motion carried unanimously.

CHARLES ALAN WRITCH – PUBLIC HEARING (01): A Public Hearing was held on the application by Charles Alan Writch to rezone 6 acres Map 410 Parcel 18 located at Hwy 21 South from AR-1 to B-3 located in the Fourth District.

Zoning Administrator Shaw presented the request.

There were no objectors present.

Mr. David Dobson for Mr. Writch answered questions on the rezoning.

Vice-Chairman Loper made a motion to approve the First Reading to rezone 6 acres Map 410 Parcel 18 located at Hwy 21 South from AR-1 to B-3 with the following recommendation:

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

Commissioner Kieffer seconded the motion. Commissioner Mason opposed the motion. Chairman Zeigler, Vice-Chairman Loper, Commissioner Brantley, and Commissioner Kieffer voted in favor of the motion. The motion carried.

CONTINUED NEW BUSINESS

CONSIDERATION TO AMEND APPENDIX C, OF THE OFFICIAL CODE OF EFFINGHAM COUNTY, ARTICLE III, SECTION 3.30.5 AND 3.30.5.1 CONCERNING THE PARKING LOT (08): Zoning Administrator Shaw explained that in November 2009 the Board of Commissioners passed a first reading of amendment to Section 3.30.5 and 3.30.5.1 Parking lot improvements required. In December 2009 a second reading was approved but due to an oversight the entire ordinance amendment was not included in the second reading material.

Commissioner Kieffer made a motion to approve the first reading to amend Appendix C, of the Official Code of Effingham County, Article III, Section 3.30.5 and 3.30.5.1 concerning the parking lot. Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPOINT A PERSON TO FILL THE UNEXPIRED TERM ON THE TAX ASSESSOR BOARD (09): County Clerk Crawley explained that Mrs. Beth Helmlly has resigned from the Tax Assessor Board. The Board has received two prospective member profiles from C. David Baker, Sr. and Bonnie Gnann. Since this appointment will be to fill an unexpired term, the term will end March, 2012.

Ms. Gussie Nease and Mrs. Ruth Lee stated their concerns on the appointment to the Tax Assessor Board.

Commissioner Kieffer made a motion to appoint C. David Baker, Sr. to fill the unexpired term on the Tax Assessor Board. Commissioner Brantley seconded the motion. Vice-Chairman Loper and Commissioner Mason opposed the motion. Chairman Zeigler, Commissioner Brantley, and Commissioner Kieffer voted in favor of the motion. The motion carried.

CONSIDERATION TO APPROVE ACCG TRAINING FOR COMMISSIONERS (10): County Clerk Crawley explained that there are a few upcoming training sections that the Board of Commissioners can attend: (1) ACCG 2011 Annual Meeting and Education Expo, which Vice-Chairman Loper, Commissioner Jones,

Commissioner Mason and Commissioner Kiefer plans attending, (2) ACCG 2011 Mobile Classroom, which Vice-Chairman Loper plans attending, and (3) ACCG 2011 Summer Session, which Vice-Chairman Loper, Commissioner Kieffer, Commissioner Mason, and Commissioner Jones plans attending.

Vice-Chairman Loper made a motion to approve the ACCG training for Commissioners as presented. Commissioner Kieffer seconded the motion. The motion carried unanimously.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

Vice-Chairman Loper discussed the following:

- ◆ Log Landing Road

Commissioner Mason discussed the following:

- ◆ Speed limit on Cloyo-Stillwell Road

Commissioner Kieffer discussed the following:

- ◆ Transportation Advisory Committee

Civil Engineer Allen discussed the following:

- ◆ Blue Jay and McCall Road safety issue

County Administrator Crawley discussed the following:

- ◆ Recycle pilot program is moving forward
- ◆ Old Augusta Phase 2A
- ◆ Infrastructure Meeting
- ◆ Budget final service delivery strategy will dictate how the budget is structured and funding is allocated
- ◆ Request from Bank on guarantee of capacity. No guarantee on capacity, per Board

EXECUTIVE SESSION

At 8:21 p.m., Commissioner Mason made a motion to go into Executive Session to discuss personnel, property, and pending litigation. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

At 10:05 p.m., the Board reconvened.

ADDITION TO THE AGENDA

Chairman Zeigler made a motion to add New Business Number 11 - Consideration to approve a joint Resolution regarding service delivery strategy for the City of Guyton, Rincon, Springfield and the County to amend the previous stipulation and to approve exhibit 11A spreadsheet that references how funds will be distributed between special service district and the cities titled "Analysis of Special Service Districts of Effingham County, Georgia for the ended 6/30/10", New Business Number 12 - Consideration to approve service delivery agreement for road construction and maintenance, New Business Number 13 - Consideration

to approve service delivery agreement for recreation and New Business 14 - Consideration to approve service delivery agreement for fire protection.

CONSIDERATION TO APPROVE A JOINT RESOLUTION REGARDING SERVICE DELIVERY STRATEGY FOR THE CITIES OF GUYTON, RINCON, SPRINGFIELD AND THE COUNTY TO AMEND THE PREVIOUS STIPULATIONS AND TO APPROVE EXHIBIT 11A SPREADSHEET THAT REFERENCES TO HOW FUNDS WILL BE DISTRIBUTED BETWEEN SPECIAL SERVICE DISTRICTS AND THE CITIES TITLED "ANALYSIS OF SPECIAL SERVICE DISTRICTS OF EFFINGHAM COUNTY, GEORGIA FOR THE YEAR ENDED 6/30/10" (11): Chairman Zeigler made a motion to approve a joint Resolution regarding service delivery strategy for the Cities of Guyton, Rincon, Springfield and the County to amend the previous stipulations and to approve exhibit 11A spreadsheet that references how funds will be distributed between special service districts and the cities titled "Analysis of Special Service Districts of Effingham County, Georgia for the year ended 6/30/10" with the stipulation that if HB 489 is done away with then the agreement will expire at the end of the current fiscal year and to amend any previous stipulations. Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE SERVICE DELIVERY AGREEMENT FOR ROAD CONSTRUCTION AND MAINTENANCE (12): Chairman Zeigler made a motion to approve the service delivery agreement for road construction and maintenance with the stipulation that if HB 489 is done away with then the agreement will expire at the end of the current fiscal year and to amend any previous stipulations. Commissioner Mason seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE SERVICE DELIVERY AGREEMENT FOR RECREATION (13): Commissioner Kieffer made a motion to approve service delivery agreement for recreation with the stipulation that if HB 489 is done away with then the agreement will expire at the end of the current fiscal year and to amend any previous stipulations. Chairman Zeigler seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE SERVICE DELIVERY AGREEMENT FOR FIRE PROTECTION (14): Chairman Zeigler made a motion to approve service delivery

agreement for fire protection with the stipulation that if HB 489 is done away with then the agreement will expire at the end of the current fiscal year, to amend any previous stipulations, to approve a map to reflect the changes to Griffin Lakes, term of the agreement July 1, 2011 to June 2016, payments will be made monthly and the county will audit the fire budgets and they will be reconciled each year. Commissioner Brantley seconded the motion. The motion carried unanimously.

Chairman Zeigler made a motion to reconsider the previously motion. Commissioner Kieffer seconded the motion. The motion carried unanimously.

Chairman Zeigler made a motion to approve service delivery agreement for fire protection with the stipulation that if HB 489 is done away then the agreement will expire at the end of the current fiscal year, to amend any previous stipulations, approve map to reflecting the changes to Griffin Lakes, term of the agreement July 1, 2011 to June 2016, payments will be made monthly and the county will audit the fire budgets and they will be reconciled each year and the maximum budget will be for the City of Rincon - \$329,000, City of Guyton - \$145,780.08 and the City of Springfield - \$203,453.16. Commissioner Brantley seconded the motion. The motion carried unanimously.

ADJOURNMENT

At 10:22 p.m., Chairman Zeigler 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