

**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, Mrs. Vera Jones, Mr. Steve Mason, and Mr. Phil Kieffer met in regular session at 5:00 p.m. on Tuesday, July 19, 2011 in the Commissioners' Meeting Room at the Effingham County Administrative Complex.

**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, Mrs. Joanna Wright, Finance Director, Mr. Tim Mathews, Mrs. Brenda Lovett, Mr. Alan Zipperer, Mr. Travis Bazemore, Mr. Andy Slater, Mr. Scott Nease, Mr. Jackie Davis, Ms. Gussie Nease, Mr. T. Prait Summers, Mr. David Exley, Mr. Jamey Stancell, Mr. Tim Polk, Mrs. Ruthie Polk, Mrs. Beth Mosely, Mr. Jeff Ambrose, Mr. Kenny Usher, Ms. Susan Pria, Mr. David Bragg, Mrs. Melissa Bragg, Mr. L. M. Riggs and Mrs. Ruth Lee.

**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**

Commissioner Kieffer requested to add to the agenda, Consideration to approve a resolution requesting the introduction of local legislation to present the following question to the registered voters of Effingham County in conjunction with the 2012 presidential preference primary; Should the board of commissioners of Effingham County be changed from a six-member board consisting of an elected chairperson-at-large to a five member board consisting of five member elected by district.

Chairman Zeigler requested to add to the agenda, Consideration to approve including language to make the Chairman a full time position.

Vice-Chairman Loper made a motion to add the above requested items New Business 11 and 12 to the agenda. 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. And anyone who is interested in viewing these may do so in this office.

**MINUTES**

Vice-Chairman Loper made a motion to approve the minutes for June 21, 2011 Board Meeting. Commissioner Brantley seconded the motion. Commissioner Kieffer abstained from 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.

**CONSENT AGENDA**

Chairman Zeigler read out loud the items on the Consent Agenda. Commissioner Kieffer abstained. Commissioner Jones made a motion to approve the following second readings to amend the Zoning Map:

(1) Map 293-10 by Clara B. Barnes for a conditional use to operate a horse stable facility located at 1150 Hwy 17 North.

(2) Map 375-1 by Darrell Morgan to rezone 5 acres located at 1042 Sandhill Road from Ar-1 to I-1 with the following stipulations:

1. Each lot shall meet the requirements of the I-1 Zoning District
2. Site development plans shall comply with the Effingham County Water Resources Protection ordinance and the Storm Water Management Local Design Manual
3. All wetland impacts shall be permitted by the USACE
4. A subdivision plat shall be approved by the Health Department and the Zoning Office
5. The hours of operation shall be Monday through Friday, Saturdays until noon.

Vice-Chairman Loper seconded the motion. The motion carried unanimously.

NEW BUSINESS

**CONSIDERATION TO APPROVE PROBATION SERVICE AGREEMENT WITH THE CITY OF SPRINGFIELD, GUYTON, STATE AND SUPERIOR COURTS OF EFFINGHAM COUNTY (01):** Chief Probation Officer Zittrauer explained that a contract is required by the County Municipal Probation Advisory Council (CMPAC). Effingham County Probation Office supervises probated misdemeanor cases sentenced by the courts listed. The majority of cases that Effingham County Probation serves are from State and Superior Court. Springfield and Guyton courts are contracted to help supplement the budget and keep local probation local. Probationers are ordered to pay \$41 a month supervision fee unless otherwise ordered by the sentencing Judge.

Commissioner Jones made a motion to approve the probation service agreements with the City of Springfield, Guyton, State and Superior court of Effingham County (see minute book page \_\_\_\_\_). Vice-Chairman Loper seconded the motion. The motion carried unanimously.

**QUARTERLY RETIREMENT OVERVIEW (02):** Human Resources Director Hudzinski-Sero and Merrill Lynch representative Gini Nichols gave a quarterly overview of the county retirement plans.

**CONSIDERATION TO APPROVE AMENDING THE INVESTMENT STRUCTURE (03):** Merrill Lynch representative Gini Nichols explained that the Board previously approved the early retirement incentive to release funds from the Defined Benefit Plan for employees that met the required criteria. The incentive was offered to 32 employees in whom 13 employees elected the incentive. It is recommended that the Board liquidate the short term bond fund and cash equivalents from the cash account in the amount of \$129,684 leaving \$25,000 for pension payouts. Liquidate \$310,316 from the Investment Account in which the investments will be liquidated proportionately to stay within the guidelines of the moderate Investment Policy Statement for the investment objective.

Commissioner Jones made a motion to approve amending the investment structure by liquidating short term bond fund and cash equivalents from the cash account in the amount of \$129,684 leaving \$25,000 for pension payouts and

liquidating \$310,316 from the Investment Account in which the investments will be liquidated proportionately to stay within the guidelines of the Investment Policy Statement for the moderate investment objective. Commissioner Kieffer seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A SERVICE AGREEMENT WITH MOTOROLA FOR SERVICE & MAINTENANCES OF ALL 911 EQUIPMENT (04):** E911 Director Spinks explained that the 911 equipment warranties have or will expire soon. The warranty covers the CAD, radios, 911 phone systems and trunk lines, the 911 recorder, and provides support 24 hours a day, 7 days a week and 365 days a year. The county has previously contracted with Motorola for service and maintenance activities for all 911 equipment. Staff recommends approving the annual contract with Motorola for the prepaid amount of \$58,980.12 and instruct staff to further investigate the training and certification process as well as personnel cost to potentially bring the maintenance service in house in the future.

Commissioner Kieffer made a motion to approve a service agreement with Motorola for service and maintenance of all the 911 equipment by prepaying the amount of \$58,980.12 and instructed staff to further investigate the training and certification process as well as personnel cost to potentially bring maintenance of the 911 equipment in house (see minute book page \_\_\_\_\_). Commissioner Jones seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE AN INTERGOVERNMENTAL AGREEMENT WITH THE GEORGIA DEPARTMENT OF CORRECTIONS FOR THE INMATE CAPACITY AGREEMENT (05):** Project Manager Kobek explained that a yearly contract with the State of Georgia stipulates how many inmates the county is able to accept and that the County will receive \$20 per inmate per day, payable monthly. Staff recommends a decrease in the amount of state inmate received. This will allow County inmates and those awaiting transport to a state facility at the jail be temporarily housed within the prison with complete segregation, while allowing the prison to decrease current staffing levels, both present a saving to the County. The County utilizes inmates in public works, drainage projects, custodial and grounds maintenance and liter control. There is a finite amount of jailed inmates

that can be housed in dormitory living arrangements due to classification, pretrial detainees, health conditions and state law.

Commissioner Brantley made a motion to approve an intergovernmental agreement with the Georgia Department of Corrections for the inmate capacity agreement (see minute book page \_\_\_\_\_). Commissioner Jones seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A CONTRACT WITH THE COASTAL REGIONAL COMMISSION FOR THE AREA AGENCY ON AGING (06):** Finance Director Wright explained that each year the County renews a contract with the Coastal Georgia Regional Development Center to be the provider of Aging Services to the senior citizens in Effingham County. The contract provides federal and state funding to serve 8,902 congregate meals and to serve 17,895 home delivered meals.

Vice-Chairman Loper made a motion to approve a contract with the Coastal Regional Commission for the Area Agency on Aging (see minute book page \_\_\_\_\_). Commissioner Jones seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE CHANGING THE SPEED LIMIT AT THE INTERSECTION OF BLUEJAY ROAD AND MIDLAND ROAD (07):** Project Manager Kobek explained that the slow down approach on Bluejay Road to the intersection of Midland Road and Midland Road to the intersection of Bluejay Road begins a full mile out from the intersection. Slow down rates could be adjusted to allow drivers a safe slow down while improving speeds coming into the approach if the distance were to be cut in half down to one half mile.

Commissioner Mason made a motion to approve to set the speed limit distances at Bluejay and Midland intersection approach and departure to one half mile each and amend the radar permit and create the corresponding traffic study. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE AN ASSEMBLAGE PERMIT FOR THE EFFINGHAM COUNTY CHAMBER OF COMMERCE TO HOLD THE 2<sup>ND</sup> ANNUAL EFFINGHAM OKTOBERFEST ON SEPTEMBER 23<sup>RD</sup> AND 24<sup>TH</sup> (08):** Zoning Administrator Shaw

explained that Effingham Chamber of Commerce represented by Rick Lott has requested a special event permit for Oktoberfest. This event is to be held on September 23<sup>rd</sup> and 24<sup>th</sup> in front of the shopping plaza at McCall and Hwy 21. The event hours are to be noon to 11 pm on Friday and 9 am to 11 pm on Saturday. This event is also requesting a special event alcohol permit.

Commissioner Jones made a motion to approve an assemblage permit for the Effingham County Chamber of Commerce to hold the 2<sup>nd</sup> Annual Effingham Oktoberfest on September 23<sup>rd</sup> and 24<sup>th</sup>. Commissioner Mason seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE AN APPOINTMENT TO THE HEALTH DEPARTMENT**

**BOARD (09):** County Clerk Crawley explained that the District Health Director has requested a physician practicing in Effingham be appointed to fill the unexpired term of a physician that has not been able to attend the Health Department Board meetings. Commissioner Brantley had contacted Dr. Cornwell who is interested in serving on the board. Staff recommends that Dr. Cornwell be appointed to the Effingham County Health Board to fill an unexpired term which will expire February, 2015.

Commission Brantley made a motion to appoint Dr. Cornwell to the Effingham County Health Department Board. Commissioner Kieffer seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE THE COST FOR THE COMMISSIONERS TO ATTEND THE 2011 EFFINGHAM COUNTY CHAMBER ANNUAL COMMUNITY RETREAT**

**(10):** County Clerk Crawley explained that the 2011 Effingham Chamber annual Community Retreat will be held at the King and Prince on August 25<sup>th</sup> and 26<sup>th</sup>. Vice-Chairman Loper, Commissioner Jones, Mason and Kieffer are planning on attending.

Vice-Chairman Loper made a motion to approve the cost for the Commissioners to attend the 2011 Effingham County Chamber annual community retreat. Commissioner Jones seconded the motion. The motion carried unanimously.

**ADDITION TO THE AGENDA**

**CONSIDERATION TO APPROVE A RESOLUTION STATING THAT THE EFFINGHAM COUNTY BOARD OF COMMISSIONERS REQUESTS THE INTRODUCTION OF LOCAL LEGISLATION, IN FORM SUBSTANTIALLY SIMILAR TO THE PROPOSED LEGISLATION ATTACHED HERETO, TO PRESENT THE FOLLOWING QUESTION TO THE REGISTERED VOTERS OF EFFINGHAM COUNTY IN CONJUNCTION WITH THE 2012 PRESIDENTIAL PREFERENCE PRIMARY; SHOULD THE BOARD OF COMMISSIONER OF EFFINGHAM COUNTY BE CHANGED FROM A SIX-MEMBER BOARD CONSISTING OF AN ELECTED CHAIRPERSON-AT-LARGE AND FIVE MEMBERS ELECTED BY DISTRICT TO A FIVE MEMBER BOARD CONSISTING OF FIVE MEMBERS ELECTED BY DISTRICT (11):**

Commissioner Jones made a motion to approve a resolution stating that the Effingham County Board of Commissioners requests the introduction of local legislation, in form substantially similar to the proposed legislation attached hereto, to present the following question to the registered voters of Effingham county in conjunction with the 2012 presidential preference primary; should the board of commissioner of Effingham county be changed from a six-member board consisting of an elected chairperson-at-large and five members elected by district to a five member board consisting of five members elected by district (see minute book page \_\_\_\_\_). Vice-Chairman Loper seconded the motion. Chairman Zeigler opposed the motion. Vice-Chairman Loper, Commissioner Jones, Commissioner Mason, and Commissioner Kieffer voted in favor of the motion. The motion carried. Commissioner Brantley did not cast a vote.

**CONSIDERATION TO APPROVE INCLUDING LANGUAGE TO MAKE THE CHAIRMAN A FULL TIME POSITION (12):** Commissioner Kieffer made a motion to table including language to make a chairman a full time position to the August 2<sup>nd</sup> Commissioners Meeting. Commissioner Jones seconded the motion. The motion carried unanimously.

**REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF**

Commissioner Jones discussed the following:

- ◆ Meeting in Atlanta with the reapportionment office

County Administrator Crawley discussed the following:

- ◆ Bids for resurfacing are moving forward
- ◆ Log Landing turning lane bids should be in on July 29<sup>th</sup>
- ◆ Finance is working to get the fire audit completed
- ◆ Drainage projects are moving forward

- ◆ Redistricting public hearings will be held July 21 and 22
- ◆ Goshen Station construction documents are 95% completed
- ◆ Recycling Program – staff is working to negotiate an amendment to the current contract to include recycling
- ◆ Fire Fees will need to be adjusted to \$75 for residential, \$2,000 for industrial and \$250 for commercial
- ◆ Letter received from the City of Guyton concerning providing sewer services
- ◆ Jail tour is scheduled July 29<sup>th</sup>

**EXECUTIVE SESSION**

At 6:19 p.m., Chairman Zeigler made a motion to go into Executive Session to discuss personnel, property, and pending litigation. Commissioner Jones seconded the motion. The motion carried unanimously.

At 6:20 p.m., the Board adjourned from Executive Session.

At 7:07 p.m. the Board reconvened.

**PLANNING BOARD PRESENTMENTS**

**NEW BUSINESS**

**BIBLE LUTHERAN CHURCH, INC. – PUBLIC HEARING (01):** A Public Hearing was held on the application by Bible Lutheran Church, Inc. for a conditional use to allow for a cemetery on the property located on Blue Jay Road Map 414 Parcel 6B in the Second District.

Chairman Zeigler stepped down for a possible conflict.

Mr. Travis Bazemore presented the request.

There were no objectors present.

Commissioner Jones made a motion to approve the First Reading to amend Zoning Map 414-6B for a conditional use to allow for a cemetery on the property located on Blue Jay Road with the following stipulations:

1. A 20 foot buffer must be shown between the cemetery and the neighboring property.
2. A plat of the property must be recorded delineating the cemetery area.

Commissioner Brantley seconded the motion. The motion carried unanimously.

Chairman Zeigler rejoined the meeting.

**THERESA HILDEBRANDT – PUBLIC HEARING (02):** A Public Hearing was held on the application by Theresa Hildebrandt to rezone 3 acres located on Little McCall Road from AR-1 to AR-2 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 Amend the Zoning Map 391-18 to rezone 3 acres located on Little McCall Road from AR-1 to AR-2 in the Fourth District with the following stipulations:

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. A subdivision plat shall be approved by the Health Department and the Zoning Office.

Commissioner Kieffer seconded the motion. The motion carried unanimously.

**MELISSA STAFFORD – PUBLIC HEARING (03):** A Public Hearing was held on the application by Melissa Stafford for a rural business use to operate a Kayak and Canoe Rental Business located at 111 Highbluff Road Map 459 Parcel 83 in the Fourth District.

Zoning Administrator Shaw presented the request.

Mr. Pratt Summers stated his concerns for the redistricting.

Vice-Chairman Loper made a motion to deny the application by Melissa Stafford for a rural business use to operate a Kayak and Canoe Rental Business. Commissioner Kieffer seconded the motion. The motion carried unanimously.

**MELISSA STAFFORD – PUBLIC HEARING (04):** A Public Hearing was held on the application by Melissa Stafford for a variance to utilize an easement as access for a business located at 111 Highbluff Road Map 459 parcel 83 in the Fourth District.

Zoning Administrator Shaw presented the request.

There were no objectors present.

Vice-Chairman Loper made a motion to deny the application by Melissa Stafford for a variance to utilize an easement. Commissioner Brantley seconded the motion. The motion carried unanimously.

**DENNIS DOZIER – PUBLIC HEARING (05):** A Public Hearing was held on the application by Dennis G. Dozier, Sr. on behalf of Emma Aiken Estate to rezone 2.50 acres located on Old Augusta Road from AR-1 to AR-2 in the Fifth District.

Zoning Administrator Shaw presented the request.

Mr. Dennis Dozier stated the facts for the rezoning.

There were no objectors present.

Commissioner Kieffer made a motion to approve the First Reading to amend the Zoning Map 477-14 to rezone 2.50 acres located on Old Augusta Road from AR-1 to AR-2 with the following stipulations:

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. A subdivision plat shall be approved by the Health Department and the Zoning Office

Commissioner Mason seconded the motion. The motion carried unanimously.

**PUBLIC HEARING**

**BUDGET HEARING – 7:30 P.M.** – County Administrator Crawley gave an overview of the Budget for Fiscal Year 2011-2012.

Mrs. Ruth Lee, Mr. Jamey Stancell, Mr. Rick Lott, Ms. Gussie Nease, and Mr. Jeff Ambrose stated their concerns about the Budget for Fiscal Year 2011 – 2012.

At 8:33 p.m. Chairman Zeigler closed the Public Hearing.

**ADJOURNMENT**

At 8:33 p.m., Chairman Zeigler made a motion to adjourn the meeting. Commissioner Jones seconded the motion. The motion carried unanimously.

---

C. D. Zeigler, Chairman

---

Patrice R. Crawley, County Clerk