

**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, August 16, 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, Ms. Rushe Hudzinski-Sero, Human Resources Director, Ms. Susan Yates, Mr. Pete Yates, Ms. Sharon Putusky, Mr. Ben Pittarelli, Mr. J. C. Garvin, Mr. Keith Johnson, Mrs. Christine Kirkland, Mr. Glenn Kirkland, Mr. Tim Laux, Mr. Frank Behe, Mr. Reginald Greene, Mr. Mark Dukes, Mr. Jim Baker, Ms. Gail Barner, Ms. Jeanetta Cross, and Mr. Richard Lebford.

**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**

Vice-Chairman Loper made a motion to approve the Agenda with the addition to New Business Number 11 – Consideration to approve Georgia Department of Transportation Title VI Assurance Agreement, which was added because of the due date of the agreement. Commissioner Jones 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

Commissioner Kieffer made a motion to approve the minutes for August 02, 2011 Board Meeting. 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.

CONSENT AGENDA

Chairman Zeigler read aloud the Consent Agenda Item Number 1 – Consideration to approve sanitation releases as submitted by the Sanitation Director.

Vice-Chairman Loper made a motion to approve the sanitation releases as submitted by the Sanitation Director (see minute book page \_\_\_\_\_).

Commissioner Jones seconded the motion. The motion carried unanimously.

NEW BUSINESS

**CONSIDERATION TO APPROVE JOB DESCRIPTION FOR DIRECTOR OF COMMUNITY RELATIONS (01):** Human Resources Director Hudzinski-Sero stated that the position for Director of Community Relations was approved in the 2011/2012 budget for Department 15. The Board needed to approve a job description to accompany the job position.

Commissioner Mason made a motion to approve the job description for Director of Community Relations (see minute book page \_\_\_\_). Commissioner Brantley seconded the motion. Vice-Chairman Loper opposed the motion. Chairman Zeigler, Commissioner Brantley, Commissioner Jones, Commissioner Mason and Commissioner Kieffer voted in favor of the motion. The motion carried.

**CONSIDERATION TO APPROVE AMENDMENT NUMBER 2 OF THE CONTRACT FOR RESIDENTIAL SOLID WASTE SERVICES, COLLECTION AND DISPOSAL (02):** Sanitation Director Burns stated that Effingham County entered into a contract with Republic Services, Inc. for Solid Waste Management Services on November 20, 2007 for five years. The contract has a clause that allows for early

renegotiation to include recycling services should the County and Republic Services agree that it is beneficial for the County. The County and Republic Services administered a pilot program that proved to be very successful and wanted by the citizens. Staff recommends that the Board approve an amendment to the current contract that will include every other week curbside single stream recycling services.

Christine Kirkland, a citizen who participated in the pilot recycling program, stated that she loved the recycling and has asked for a second cart.

Commissioner Jones made a motion to approve amendment number 2 of the contract for residential solid waste services, collection and disposal (see minute book page \_\_\_\_\_). Vice-Chairman Loper seconded the motion. The motion carried unanimously.

**DISCUSSION TO AMEND CHAPTER 30 OF THE CODE OF EFFINGHAM COUNTY CONCERNING SOIL EROSION, SEDIMENTATION, AND POLLUTION CONTROL (03):**

County Engineer Liotta stated that in 2004, the Board passed the model ordinance for soil erosion and sedimentation control and the ordinance was modified in 2009. Since then, EPD has made changes to the model ordinance and has recently notified the county that the ordinance no longer meets the requirements of the model. Staff has made modification to the ordinance so that the County will be able to continue as a local issuing authority for land disturbing activity permits.

**CONSIDERATION TO APPROVE AWARDDING THE BID, CONTRACT AND NOTICE TO PROCEED FOR DEMOLITION OF STRUCTURE LOCATED ON LOT 12 GOSHEN COMMERCIAL PARK (04):**

Civil Engineer Allen stated that the County purchased a lot within the Goshen Commercial Park in order to construct a Public Safety Facility. The lot contains a building that was relocated and stripped in order to be remodeled and used as an office. The building size and condition make it impractical for use as a County office facility and relocating the building would cost more than the value that would be gained. Invitations to bid for demolishing the Goshen Building were issued and five bids were received. The apparent low

bidder is Regal Enterprises with a bid price of \$8,700. Regal Enterprises responded in accordance with the invitation to bid and provided the required bid bond.

Vice-Chairman Loper made a motion to approve awarding the bid, contract and notice to proceed for demolition of structure located on lot 12 Goshen Commercial Park to Regal Enterprises (see minute book page \_\_\_\_\_). Commissioner Mason seconded the motion. The motion carried unanimously.

Vice-Chairman Loper excused himself for the next item.

**CONSIDERATION TO APPROVE AWARDING THE BID, CONTRACT AND NOTICE TO PROCEED FOR DEMOLITION OF THE TIDELANDS BUILDING (05):** Civil Engineer Allen stated that the Tideland Building at the corner of N. Pine and E. Madison Street has fallen into disrepair and is currently utilized for storage only. The age of the building and severity of the deficiencies make fixing the building impractical. The building is also located within the confines of the proposed Ulmer Park project. Invitations to bid for demolishing the Tideland Building were issued and five bids were received. The apparent low bidder is L&J Enterprises with a bid price of \$25,840. L&J Enterprise responded in accordance with the invitation to bid and provided the required bid bond.

Commissioner Brantley made a motion to approve awarding the bid, contract and notice to proceed for demolition of the Tideland Building to L&J Enterprises (see minute book page \_\_\_\_\_). Commissioner Kieffer seconded the motion. The motion carried unanimously.

Vice-Chairman Loper returned to his chair.

**CONSIDERATION TO APPROVE AWARDING THE BID, CONTRACT AND NOTICE TO PROCEED FOR STREET RESURFACING AT VARIOUS LOCATIONS WITHIN EFFINGHAM COUNTY (06):** Civil Engineer Allen stated that in an effort to maintain the roadways within Effingham County, yearly street resurfacing contracts for County maintained roads are let. Invitations to bid for resurfacing and widening of Chimney and Nease Road and resurfacing of Pineview Drive, Thompson Street, Woodlawn Avenue, Principal Way, Scholar Road and Teacher Court were issued and five bids were received. The apparent low bidder is Oldcastle Southern Group dba APAC Southeast with a bid price of \$615,058.42.

Commissioner Jones made a motion to approve awarding the bid, contract and notice to proceed for street resurfacing at various locations with Effingham County to Oldcastle Southern Group dba APAC Southeast (see minute book page \_\_\_\_\_). Commissioner Brantley seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE AWARDING THE BID, CONTRACT AND NOTICE TO PROCEED FOR ASH ROAD REPAIRS AT VARIOUS LOCATIONS WITHIN EFFINGHAM COUNTY (07):**

Civil Engineer Allen stated that due to degradation of some of the existing ash roads, staff is currently studying the ash material to try and determine the best course of action for repairing the ash roads that are within the County road system. One of the methods previously discussed was to remove the damaged areas of roads that aren't experiencing complete failure and to replace those sections with G.A.B. Invitations to bid for Clark Road, Exley Loop, and Woodland Drive were issued and nine bids were received. The apparent low bidder is Sikes Brothers, Inc. with a bid price of \$98,712.90. Sikes Brothers, Inc. responded in accordance with the invitation to bid and provided required bid bonds.

Commissioner Mason made a motion to approve awarding the bid, contract and notice to proceed for ash road repairs at various locations within Effingham County to Sikes Brothers, Inc. (see minute book page \_\_\_\_\_). Commissioner Kieffer seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE AWARDING THE BID, CONTRACT AND NOTICE TO PROCEED FOR DECELERATION LANE ON STATE ROUTE 21 AT LOG LANDING ROAD (08):**

Civil Engineer Allen stated that when the Department of Transportation widen State Route 21 they did not construct a deceleration lane at Log Landing Road. Since the road was widened there has been a significant increase of traffic on State Route 21 and this has caused some serious safety concerns for this intersection. Conversations with the DOT have revealed that they are not willing to construct a deceleration lane at this location but would allow the County to do so. The Board feels that the deceleration lane at the intersection of State Route 21 and Log Landing Road is a safety concern and has allocated funds for this

project. Invitation to bid for the improvement of the State Route 21 and Log Landing Road intersection were issued and eleven bids were received. The apparent low bidder was Sikes Brothers, Inc. with a bid price of \$61,073.13. Sikes Brothers, Inc. responded in accordance with the invitation to bid and provided the required bid bond.

Vice-Chairman Loper made a motion to approve awarding the bid, contract and notice to proceed for deceleration lane on State Route 21 at Log Landing Road (see minute book page \_\_\_\_\_). Commissioner Brantley seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE AN EASEMENT CONTAINMENT LETTER FOR A TRACT OF LAND INTENDED TO BE DEVELOPED AS AN APARTMENT COMPLEX KNOWN AS GOSHEN CROSSING (09):** Civil Engineer Allen stated that in 1982 Jesse Exley granted the Commissioners of Effingham County a drainage easement for the purpose of constructing, excavating, installing and maintaining a ditch upon property that he owned. The lender is requiring that this title exception be removed prior to them lending money on the Goshen Crossing project. An examination of the project has revealed that no drainage ditch of any kind exists of the subject property.

Vice-Chairman Loper made a motion to approve an easement containment letter for a tract of land intended to be developed as an apartment complex known as Goshen Crossing (see minute book page \_\_\_\_\_). Commissioner Jones seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A MEMORIAL MAKER POLICY (10):** Project Manager Kobek stated that the Georgia Department of Transportation has created a policy to create a uniform design and installation for roadside memorial markers to honor those who have died as a result of a vehicular accident. Several other counties and cities have adopted similar policies for roadside memorials. Recently the Board requested staff to research the options and parameters for creating a similar policy for residents wishing to place a memorial maker in Effingham. Roadside markers can be unsafe driver distractions and people sometimes congregate at these locations putting themselves in

danger. The policy allows for identical state markers to be used along Effingham County Roads. There can be a fee for the markers, which will need to be set or eliminated by the Board. Signs will be placed in the approximate location where the fatality occurred and will be placed at the edge of mowing limits. The marker will remain for a minimum of 1 year and can remain longer, unless it needs to come down for road maintenance. No additions to the sign will be permitted. The requester may receive the memorial marker if it is taken down after 1 year.

Mr. Jack Garvin stated comments on having a memorial marker policy.

Commissioner Mason made a motion to edit the changes necessary for the memorial policy. Commissioner Mason changed his motion to table the memorial policy until the September 6<sup>th</sup> meeting. Commissioner Kieffer seconded the motion. Chairman Zeigler opposed the motion. Vice-Chairman Loper, Commissioner Brantley, Commissioner Jones, Commissioner Mason and Commissioner Kieffer voted in favor of the motion. The motion carried.

**ADDITION TO THE AGENDA**

**CONSIDERATION TO APPROVE GEORGIA DEPARTMENT OF TRANSPORTATION**

**TITLE VI ASSURANCE AGREEMENT (11):** Civil Engineer Allen stated that the Board received a letter on August 9, 2011 from the Georgia Department of Transportation requesting that the Board of Commissioner approve and return back to their office a self evaluation and assurances and ADA self evaluation by August 24, 2011. That DOT's sub-recipients are required to include Title VI language in all written agreements and must monitor such agreements for compliance. Additionally, all sub-recipients must have signed assurances on file as a condition to receiving pass through federal financial assistance from DOT.

Vice-Chairman Loper made a motion to approve Georgia Department of Transportation Title VI Assurance Agreement (see minute book page \_\_\_\_).

Chairman Zeigler seconded the motion. The motion carried unanimously.

**REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF**

Chairman Zeigler discussed the following:

- ◆ Invitation to Mt. Carmel Church

County Administrator Crawley discussed the following:

- ◆ House count

- ◆ Drainage project – Shellie Helme Road and Woodman of the World
- ◆ Goshen Station – going to prequalify and give preference to local contractors and moving forward
- ◆ Community Retreat on August 25<sup>th</sup> and 26<sup>th</sup>
- ◆ Transportation Roundtable Executive Committee Meeting Public Hearings
- ◆ Board of Education request to reduce the tax collection fee
- ◆ Redistricting – HB 5EX was introduced to amend the district boundaries
- ◆ Special Called Meeting on August 23<sup>rd</sup> to approve an insurance provider
- ◆ Engineering Position
- ◆ Monthly Financial Overview

Project Manager Kobek discussed the following:

- ◆ Dedication of Tuckasee King Landing on September 12 at 10:00 a.m. The state DNR Commissioner will be on hand.
- ◆ LEED Plaque Presentation for the Historic Courthouse on September 26, timing and events are still being planned. Mr. Mark McDonald with the Georgia Trust is expected to attend.

**EXECUTIVE SESSION**

At 6:42 p.m., Chairman Zeigler 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 7:09 p.m., the Board adjourned from Executive Session.

At 7:09 p.m. the Board reconvened.

**PLANNING BOARD PRESENTMENTS**

**NEW BUSINESS**

**JEANETTE L. CROSS – PUBLIC HEARING (01):** A Public Hearing was held on the application by Jeanette L. Cross to rezone 1.34 acres located on Kelly Drive from AR-1 to AR-2 Map 436 Parcel 25 in the First District.

Zoning Administrator Shaw presented the request.

There were no objectors present.

Commissioner Brantley made a motion to approve the First Reading to amend Zoning Map 436-25 to rezone 1.34 acres located on Kelly Drive 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. Subdivision plat shall be approved by the Health Department and the Zoning Office.

Vice-Chairman Loper seconded the motion.

WORKSHOP

**INSURANCE** – Agent of Record Larry Hadden stated that the insurance committee had requested that three insurance companies give presentations to the Board. They are Blue Cross Blue Shield of Georgia, CIGNA, and United Health Care.

Blue Cross Blue Shield of Georgia presentation and questions were handled by Mr. Mark Dukes and Mr. Ben Pittarelli from ACCG.

United Health Care presentation and questions were handled by Mr. Jim Baker and Ms. Gail Gardner.

CIGNA presentation and questions were handled by Mr. Gary Edwards, Mr. Reggie White, and Ms. Sharon Andrews.

ADJOURNMENT

At 9:17 p.m., Chairman Zeigler made a motion to adjourn the meeting. Commissioner Kieffer seconded the motion. The motion carried unanimously.

\_\_\_\_\_  
C. D. Zeigler, Chairman

\_\_\_\_\_  
Patrice R. Crawley, County Clerk