

**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, September 20, 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, Mr. Jack Garvin, Mrs. Cathy Zipperer, Ms. Bryann Hodges, Mr. Blake Johnson, and Mr. Frank Rimsek.

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. Commissioner Mason 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 September 06, 2011 Board Meeting with the stated corrections. 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.

OLD BUSINESS

CONSIDERATION TO APPROVE THE SECOND READING TO AMEND CHAPTER 30 OF THE OFFICIAL CODE OF EFFINGHAM SOIL EROSION AND SEDIMENTATION CONTROL (01): Commissioner Brantley made a motion to approve the second reading to amend Chapter 30 of the Official Code of Effingham Soil Erosion and Sedimentation Control (see minute book page _____). Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE SECOND READING TO AMEND THE OFFICIAL CODE OF EFFINGHAM COUNTY TO IMPOSE A 9-1-1 CHARGE ON PREPAID WIRELESS SERVICES (02): Vice-Chairman Loper made a motion to approve the second reading to amend the Official Code of Effingham County to impose a 9-1-1 charge on prepaid wireless services (see minute book page ____). Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A RESOLUTION TO TRANSMIT THE FISCAL YEAR 2011 CAPITAL IMPROVEMENT ELEMENT AND SHORT TERM WORK PROGRAM TO THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS (03): County Administrator requested to hold the Public Hearing for the 2011 Capital Improvement Element and Short Term Work Program and then to hold off the vote until after Executive Session.

The Public Hearing was held and there were no public comments.

NEW BUSINESS

CONSIDERATION TO APPROVE CLOSING THE STREETS IN ROYAL OAKS SUBDIVISION FOR HALLOWEEN NIGHT (01): Mr. Frank Rimsek, a resident from Royal Oaks Subdivision, explained that during Halloween, Royal Oaks becomes a crowded subdivision with families taking their children trick or treating. He and several of the residents do not want anyone hurt, so they monitor the entrance into the subdivision and ask people to park in a field and walk. Since the roads are owned by the County, he is requesting approval to close the streets in Royal Oaks Subdivision for Halloween Night.

Vice-Chairman Loper made a motion to approve an Assemblage Permit for Frank Rimsek to hold a public gathering at Royal Oak Subdivision for a Halloween event to be held on Halloween.

Commissioner Mason seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE FIRST READING FOR AN ORDINANCE AUTHORIZING A REFERENDUM TO ALLOW PACKAGE SALE ON SUNDAYS BY RETAILERS OF PACKAGE MALT BEVERAGES AND WINE (02): County Administrator Crawley explained that per Board direction, the County Attorney drafted an ordinance to authorize a referendum to allow package sale on Sundays by retailers of package malt beverages and wine.

A Public Hearing was held and there were no public comments.

Commissioner Kieffer made a motion to approve the first reading for an ordinance authorizing a referendum to allow package sale on Sundays by retailers of package malt beverages and wine. Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE FIRST READING TO AMEND THE OFFICIAL CODE OF EFFINGHAM COUNTY, GEORGIA, CHAPTER SIX, ALCOHOLIC BEVERAGE FOR SUNDAY SALES OF DISTILLED SPIRITS OR ALCOHOLIC BEVERAGES FOR BEVERAGE PURPOSES BY THE DRINK (03): County Administrator Crawley explained that per Board direction, the County Attorney drafted an ordinance to authorize a referendum to allow for Sunday Sales of distilled spirits or alcoholic beverages for beverage purposes by the drink.

A Public Hearing was held and there were no public comments.

Vice-Chairman Loper made a motion to approve the First Reading to amend the Official Code of Effingham County, Georgia, Chapter Six, Alcoholic Beverage for Sunday Sales of Distilled Spirits or Alcoholic Beverages for Beverage purposes by drink. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN AGREEMENT WITH TRAYLOR BUSINESS SERVICES, INC. TO VERIFY TAX RETURNS ON BUSINESS PERSONAL PROPERTY REPORTS

(04): Chief Appraiser Bevill explained that the appraisal procedures manual was developed in accordance with Georgia Code Section 48-5-269.1 which directs the Revenue Commissioner to adopt by rule, subject to Chapter 13 of Title 50, the “Georgia Administrative Procedure Act” and maintain an appropriate procedural manual for use by the county property appraisal staff in appraising tangible real and personal property for ad valorem tax purposes. The appraisal staff shall review and audit the returns in accordance with policies and procedures set by the county board of tax assessors consistent with Georgia law and this rule. The purpose of the program is to assure that equal treatment is provided to all taxpayers by establishing a verification program in which all accounts are examined. The Board originally mailed eight requests for proposals to all CPA’s in Effingham County and the three companies in Georgia in 2000. Estimated discovery tax dollars to be generated was \$284,998. To date, \$584,755 net tax dollars have been discovered. We have refunded \$60,149 to property owners who over-reported. This project has paid for itself. The contract was signed in 2000 for a total cost of \$117,100. We have paid TBS \$170,002 to date. Included in the contract was staff training. We have a template and copies of letters to use for each audit. With the training received staff has completed in-house audit on accounts under \$50,000. These audits have allowed for the removal of accounts from the digest that either never opened a business after getting a business license or closed the business and did not report the closing so the account remained on the digest. Property value added to the digest for the 11 year period is \$38,371,676 – equipment, fixtures, and machinery and inventory. The estimated tax due with penalty is \$487,590.

Commissioner Brantley made a motion to approve an agreement with Traylor Business Services, Inc. to verify tax returns on business personal property reports (see minute book page _____). Commissioner Mason seconded the motion. Vice-Chairman Loper opposed the motion. Chairman Zeigler, Commissioners Brantley, Jones, Mason and Kieffer voted in favor of the motion. The motion carried.

CONSIDERATION TO APPROVE RENEWING THE MICROSOFT VOLUME LICENSE

AGREEMENT (05): IT Director Jenkins explained that the County is participating in Georgia Software Contract SWC70764 for volume licensing of Microsoft Products. The County network/computing core are reliant on Microsoft products currently deployed. The County's three year MSVL agreement has expired and is due for renewal. The County operating, networking, and productivity software is Microsoft. Continued use of Microsoft products under State contract provides a significant savings to the county versus conversion to other products and retraining all county staff and IT in the use of the new product.

Vice-Chairman Loper made a motion to approve renewing the Microsoft Volume License Agreement (see minute book page _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A SERVICE AGREEMENT WITH MOTOROLA FOR

THE RADIO EQUIPMENT ON THE TOWER SITES (06): Public Safety Director Wright explained that Effingham County has had a service agreement with Motorola since the construction of the tower sites for repair or replacement of broken or damaged parts. This agreement will keep Effingham County's portion of the SEGRRN Network operating normally, without major downtime. Without the agreement every time an issue arrives with the radio network the County will be charged for labor and parts to correct the issue, with the Agreement, labor and most parts will be covered under the Agreement.

Commissioner Jones made a motion to approve a service agreement with Motorola for the radio equipment on the tower sites (see minute book page ____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AMENDING A PRELIMINARY PLANS

STIPULATION FOR RABUN ESTATES (07): County Engineer Liotta explained that Beth Holley on the behalf of Ernest Communities, requests the County remove a stipulation placed on the approval of the preliminary plans for Rabun Estates, located off of Scuffletown Road. The stipulation in question is the requirement to construct a fence around the development. Back on July 18, 2000, the Board approved the preliminary plans for Rabun Estates. An adjoining property owner

voiced a concern about people from the new development possibly crossing onto his property. The approval motion was made contingent upon a fence being constructed by the developer where the subdivision adjoined undeveloped land. Since the preliminary plans were approved, the development was sold to Ernest Communities, the final plat for Phase I was approved and the infrastructure conveyed to the County. However, no fence has been constructed. The prior Zoning Administrator wrote at least two letters requesting the fence be built, to no avail. Ernest Communities will soon be asking for plat approval for Phase II, as all that remains are a few punch list items generated during Public Works recent inspection, and this issue with the fence. Since the approval for the stipulation of the fence was on the preliminary plan and not a zoning stipulation, the Board can reconsider this stipulation without the input of the Planning Board and without the two readings that would be required to rezone the property.

Commissioner Brantley made a motion to table item until October 18, 2011 and directed staff to notify the adjacent owners of the request to remove the fence stipulation. Vice-Chairman Loper 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.

CONSIDERATION TO APPROVE RENEWING AN AGREEMENT WITH FIREHOUSE SOFTWARE THAT HANDLES THE RECORDS MANAGEMENT FOR THE FIRE DEPARTMENT

(08): Fire Chief Ashcraft explained that ACS Firehouse software is a records management tool for the fire department. The program runs on the county sever with licenses for six concurrent users.

Vice-Chairman Loper made a motion to approve renewing an agreement with Firehouse Software that handles the records management for the Fire Department (see minute book page ____). Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AWARDING A BID, CONTRACT, AND NOTICE TO PROCEED FOR THE 616 FT HOWARD ROAD BUILDING DEMOLITION (09): Civil Engineer Allen explained that the County acquired the parcel that as part of the right-of-way acquisition for Old Augusta Road Phase 2b. This parcel has a house which must be demolished. Invitations to bid for demolishing the building were issued and five bids were received. The apparent low bidder is Eastern Excavating Co. Inc. with a bid price of \$6,700.

Commissioner Brantley made a motion to approve awarding the bid, contract and notice to proceed for the 616 Ft. Howard Road Building demolition to Eastern Excavating Co. Inc. (see minute book page _____). Vice-Chairman Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE CHANGE ORDER NUMBER 1 WITH SIKES BROTHERS, INC. FOR DRAINAGE PIPE UNDER CLARK ROAD (10): Civil Engineer Allen explained that on August 16, 2011 the Board voted to award a contract for repairs on ash roads at various locations. One of the roads was Clark Road. During the preconstruction meeting it was discovered that there is a low point in the ditch in the area that is experiencing failures and that there is not a cross drain pipe underneath the road, which is needed. Sikes Brothers, Inc. will put the cross drain underneath the road but this will increase the contract in the amount of \$3,500.

Commissioner Mason made a motion to handle the installation of the cross drain on Clark Road in house. Chairman Zeigler seconded the motion. Commissioner Kieffer opposed the motion. Chairman Zeigler, Vice-Chairman Loper, Commissioner Brantley, Commissioner Jones, and Commissioner Mason voted in favor of the motion. The motion carried.

CONSIDERATION TO APPROVE A CONTRACT WITH R. J. GRIFFIN FOR THE DESIGN BUILD OF THE EFFINGHAM COUNTY SHERIFF'S OFFICE AND JAIL (11): Project Manager Kobek explained that the County held a referendum vote for the 2012 SPLOST, which included improvements to the Sheriff's Office and Jail as a tier one project. A selection committee was formed to receive qualifications and proposals, interview design build team and make a recommendation to the

Board. In June of 2012, the Board accepted the recommendation of the DB team of R. J. Griffin, Rives Worrell, Rosser International and Hussey, Gay, Bell and DeYoung. This contract is for full programming services through schematic design and sets the framework for the rest of the project but each phase of the work will require County approval to move forward. The cost of this phase of the contract is \$197,415 which represents 21% of the proposed design fee. The design build contract sets the framework for the project, where the County hires the Prime Contractor, and the Prime is responsible for contracting with the rest of the team. This work includes determining future housing needs, classification schedule, determining housing possibilities, security systems, MEP considerations, multiple site analysis, pricing alternatives based on design and site selection, floor plans, finishes design, elevation plans, wall sections, exterior finishes and generic description of interior finishes. The schedule to complete this work is 117 day. This begins the process and starts with the most important step; identifying goals, project parameters, set schedules, and provide cost and size information. The phased approach allows the County to maintain control of timing and cost.

Mr. Jack Garvin commented on this item.

Vice-Chairman Loper made a motion to approve a contract with R. J. Griffin for the design build of the Effingham County Sheriff's Office and Jail (see minute book page _____). Chairman Zeigler seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN ASSEMBLAGE PERMIT FOR CROSS POINT ASSEMBLY OF GOD ON OCTOBER 01, 2011 AT 11:00 A.M. TO HOLD A COMMUNITY OUTREACH PROGRAM AT 1099 COURTHOUSE ROAD (12): Zoning Administrator Shaw explained that Ms. Lydia Walton of Cross Point Assembly of God requests an assemblage permit to have a children's event at her home. The property is located in Forrest Hills Subdivision and Ms. Walton will be reaching out to the kids in the subdivision.

Commissioner Jones made a motion to approve an assemblage permit for Cross Point Assembly of God on October 01, 2011 at 11:00 a.m. to hold a

Community Outreach Program at 1099 Courthouse Road. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

PLANNING BOARD PRESENTMENTS

NEW BUSINESS

RONALD WARREN – PUBLIC HEARING (01): A Public Hearing was held on the application by Ronald Warren to rezone 3.02 acres located at 386 US Hwy 80 from AR-1 to AR-2 parcel number 301-33 in the Second District.

Zoning Administrator Shaw presented the request.

There were no objectors present.

Commissioner Jones made a motion to approve the First Reading to amend Zoning Map 301-33 to rezone 3.02 acres located at 386 US Hwy 80 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.

Commissioner Brantley seconded the motion. The motion carried unanimously.

CHERYL HINLEY – PUBLIC HEARING (02): Zoning Administrator Shaw stated that Cheryl Hinley had requested that her rezoning be withdrawn from the Agenda.

Chairman Zeigler made a motion to approve the request from Cheryl Hinley to withdraw her rezoning. Commissioner Jones seconded the motion. The motion carried unanimously.

GEORGETTE STELL – PUBLIC HEARING (01): A Public Hearing was held on the application by Georgette Stell for a conditional use to operate a horse stable facility located at 326 High Bluff Road Parcel Number 459-15 in the Fourth District.

Zoning Administrator Shaw presented the request.

There were no objectors present.

Georgette Stell commented on the Planning Board Recommendation for all activities of the facility shall maintain a minimum of seventy feet distance from the county road.

Vice-Chairman Loper made a motion to approve the First Reading for the application by Georgette Stell for a conditional use to operate a horse stable facility located at 326 High bluff Road Parcel Number 459-15 with the following stipulations:

1. The applicant must present written approval from the owner of the property.
2. All separation requirements as listed in Chapter 10 – Animals of the Effingham County code must be met.

Commissioner Jones seconded the motion. The motion carried unanimously.

EFFINGHAM COUNTY – PUBLIC HEARING (01): A Public Hearing was held on the application by Effingham County to amend Section 3.30 (off street access control, parking and loading) of the Official Code of Effingham County, Zoning Ordinance.

Zoning Administrator Shaw presented the request.

There were no objectors present.

Commissioner Jones made a motion to deny the request by Effingham County to amend Section 3.30 (off street access control, parking and loading) of the Official Code of Effingham County, Zoning Ordinance. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONTINUE NEW BUSINESS

CONSIDERATION TO APPROVE AN ASSEMBLAGE PERMIT FOR ALBERT JACKSON TO HOLD A TURKEY SHOOT ON 187 CHURCH ROAD ON THURSDAY, FRIDAY, AND SATURDAY NIGHTS STARTING ON SEPTEMBER 20, 2011 AND ENDING JANUARY 14, 2012 (13): Zoning Administrator Shaw explained that Mr. Albert Jackson requests an assemblage permit for a turkey shoot to be held on weekends throughout the fall months. The turkey shoot will be held on Church Road, which is a dead end road. There are usually about 15 cars and ample area for parking on the adjoining property. Mr. Jackson has been holding this

event for approximately 10 years without incident. The Sheriff's firing range is behind this property.

Vice-Chairman Loper made a motion to approve an assemblage permit for Albert Jackson to hold a turkey shoot on 187 Church Road on Thursday, Friday, and Saturday Nights starting on September 20, 2011 and ending January 14, 2012. Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE TRAVEL FOR THE 2011 ACCG LEGISLATIVE CONFERENCE (14): County Clerk Crawley explained that ACCG will be holding their Annual Legislative Leadership Conference on October 3rd and 4th. Vice-Chairman Loper, Commissioners Jones, Mason, and Kieffer will be attending this conference.

Commissioner Kieffer made a motion to approve travel for 2011 ACCG Legislative Conference. Commissioner Brantley seconded the motion. The motion carried unanimously.

EXECUTIVE SESSION

At 7:25 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 8:05 p.m., Chairman Zeigler made a motion to adjourn from Executive Session. Commissioner Mason seconded the motion. The motion carried unanimously.

At 8:12 p.m. the Board reconvened.

WORKSHOP

SHORT TERM WORK PROGRAM – County Administrator Crawley explained that staff has been working on a draft short term work program, which will include projects and purchases in areas of Recreation, Heavy Equipment, Drainage, Roads and Buildings. The draft will include means and methods of completion, funding sources and time frames for completion of the various projects.

Progress that has been met by staff is budget reduction with the millage rate staying the same, elimination of 19 full time equivalent positions, new budget format for better understanding by readers, ongoing fee studies, draft performance measures and goals, staff development and training, Old Augusta Road is out to bid first of October, T-SPLOST Constrained list contains all four phase of Effingham Parkway, resurfacing and ash

road repairs have begun, Transportation Advisory Board is running well, curbside recycling program set to launch in January, participating in the Rural Regional Transportation “Coastal Coaches”, Tuckasee King Landing Improvements, Effingham County Historic Courthouse and reduced impact fees.

CONTINUE OLD BUSINESS

Vice-Chairman Loper left the meeting.

CONSIDERATION TO APPROVE A RESOLUTION TO TRANSMIT THE FISCAL YEAR 2011 CAPITAL IMPROVEMENT ELEMENT AND SHORT TERM WORK PROGRAM TO THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS (03): The Public Hearing was held earlier in the meeting.

County Administrator Crawley explained that the Capitol Improvement Element update is an accounting of how impact fee collections were used annually for projects to which fees could be allocated toward. This annual report must be submitted to DCA for review and later adopted by the Board.

Chairman Zeigler made a motion to approve a Resolution to transmit the Fiscal Year 2011 Capital Improvement Element and Short Term Work Program to the Georgia Department of Community Affairs (see minute book page _____). Commissioner Brantley seconded the motion. Commissioners Kieffer and Jones opposed the motion. Chairman Zeigler, Commissioner Brantley, and Commissioner Mason voted in favor of the motion. The motion carried.

CONTINUED WORKSHOP

SHORT TERM WORK PROGRAM – County Administrator Crawley explained that the project ahead are Goshen Station to house EMS, Fire, and Sheriff’s Office, Effingham Parkway, Sanitation and Public Works Facility, Jail Project, promoting our history and heritage, recreation projects, fire stations at Hodgeville, Pineora, and Tusculum and Development Manual rewrite. The Short Term Work Program includes capital improvements (typical useful life of ten years or more) and covers a five year term (the current year plus the next four years). The current categories are roads, recreation, buildings, heavy equipment, drainage improvements, and water and sewer. In the categories you will have the project, task, start date, end date, budget, cost and funding source. To move forward on the Short Term Work Program projects that are approved within the fiscal year budget will be bid out, regular project updates through email or internal website will be provided .

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

County Administrator Crawley discussed the following:

- ◆ LEED Plaque Presentation is scheduled for September 26th from lunch until 2:00 p.m.
- ◆ State of the Port Address will be held September 22nd at 11:45 p.m.
- ◆ Field Trial on Ash Roads will be done in house on Union Springs Church Road
- ◆ Drainage improvements at 3223 Rincon Stillwell Road and Hickory Circle
- ◆ Cost to copy the Treutlen Portrait will be \$1,975. Board has decided not to proceed on this.
- ◆ Rhonda Sexton will be sworn in as Magistrate Court Judge on September 28th
- ◆ Engineering Technician Position will be shared with the City of Springfield
- ◆ Monthly Financials
- ◆ Sheriff's vehicle purchase of two new vehicles with inmate recreation account funds. Board has asked that County Administrator Crawley get with the Sheriff concerning his current fleet of vehicles.
- ◆ Video changes in meeting room which will increase both the publics and Board's sightlines of the screen

ADJOURNMENT

At 9:41 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