

**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, October 18, 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

County Administrator Crawley explained that Georgia Power sent an Easement Limited Agreement and Utility Relocation Agreement for Old Augusta Road Phase 2A and 2B. This agreement is integral to the County's ability to move forward with the construction of the Old Augusta Road project and needs to be added to the Agenda. Staff also received word that the Assemblage Permit for St. Luke's Episcopal Church needed to be removed.

Commissioner Kieffer made a motion to approve the agenda with the addition to New Business Number 26 – Consideration to approve a utility relocation agreement and an easement limited agreement with Georgia Power for Old Augusta Road, Phase IIA and IIB and the removal of New Business Number – 20. 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

Commissioner Jones made a motion to approve the minutes for September 18, 2011 Board Meeting with the stated corrections. Vice-Chairman Loper 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 readout loud the items on the consent agenda. Vice-Chairman Loper made a motion to approve the following:

- (01) Errors and releases for motor vehicles as submitted by the Tax Commissioner
- (02) Errors and releases for property tax as submitted by the Tax Commissioner
- (03) Second Reading to amend the Effingham County Zoning Map 301-33 Ronald Warren to rezone 3.02 acres located at 386 US hwy 80 from AR-1 to AR-2 with the stipulations that (1) each lot shall meet the requirements of 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, and (4) a subdivision plat shall be approved by the Health Department and the Zoning Office
- (04) Second Reading to amend the Effingham County Zoning Map 459-15 Georgette Stell for a conditional use to operate a horse stable facility with the stipulations that (1) all separation requirements as listed in Chapter 10 – Animals of the Effingham County Ordinance shall be met and (2) the applicant shall present written approval from the owner of the property.

Commissioner Mason seconded the motion. The motion carried unanimously.

OLD BUSINESS

CONSIDERATION TO APPROVE THE SECOND READING FOR AN ORDINANCE AUTHORIZING A REFERENDUM TO ALLOW PACKAGE SALE ON SUNDAYS BY RETAILERS OF PACKAGE MALT BEVERAGE AND WINE (01): Commissioner Jones made a motion to approve the second reading for an ordinance authorizing a

referendum to allow package sale on Sundays by retailers of package malt beverage and wine (see minute book page _____). Vice-Chairman Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE SECOND READING FOR AN ORDINANCE AUTHORIZING A REFERENDUM TO ALLOW EFFINGHAM COUNTY TO PERMIT AND REGULATE SUNDAY SALES OF DISTILLED BEVERAGE FOR PURPOSES OF DRINKING BY THE DRINK (02): Vice-Chairman Loper made a motion to approve the second reading for an ordinance authorizing a referendum to allow Effingham County to permit and regulate Sunday Sales of Distilled Beverage for purposes of drinking by the drink (see minute book page _____). Commissioner Mason seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AMENDING THE PRELIMINARY PLANS STIPULATION FOR RABUN ESTATES (03): County Engineer Liotta explained that at the September 18, 2011 meeting, the Commissioners requested area property owners be notified of the request for the stipulation to be removed.

Robert Helmey gave his concern about the stipulation being removed.

Commissioner Jones suggested that this item be postpone to later in the meeting for the parties to discuss the stipulation. The Board agreed to postpone the item until later in the meeting.

NEW BUSINESS

CONSIDERATION TO APPROVE A WARRANTY AND MAINTENANCE AGREEMENT WITH PREMIER ELECTION SOLUTIONS FOR EXPRESS POLL AND TSX VOTING UNITS (01): Election and Registration Supervisor Whitehead explained that Elections would like to purchase 15 TSX Units and 32 Express Poll Units which will cost \$47,680. As well as the Board enter into a maintenance and warranty agreement with ES&S for all election equipment purchased. This agreement will cover use and repair for the newly purchased Express Poll 5000 units and touch screen units for one year from the date of purchase.

Vice-Chairman Loper made a motion to approve purchase and enter into a maintenance and warranty agreement with ES&S for 15 TSX Units and 32 Express

Poll Units (see minute book page _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A PROCLAMATION THAT PROCLAIMS THE MONTH OF OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH (02): Victim Witness Executive Director King read the Proclamation out loud.

Commissioner Brantley made a motion to approve a proclamation that proclaims the month of October as Domestic Violence Awareness Month. Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A REQUEST FROM DARREL HUTCHESON FOR RELEASE OF PENALTIES AND INTEREST ON TIMBER HARVESTED (03): Darrell Hutcheson explained that he had sold timber off of property and request the release of penalties and interest. The person who harvests the timber would have filed correct paperwork.

Chief Tax Appraiser Bevill answered any questions the Board had.

Chairman Zeigler made a motion to deny the request from Darrel Hutcheson for release of penalties and interest on timber harvested. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A RENTAL AGREEMENT WITH EFFINGHAM VICTIM WITNESS ASSISTANCE PROGRAM (04): Project Manager Kobek explained that the Effingham County Victim Witness program provides extensive services to victims and witnesses of personal injury crimes to citizens and residents of Effingham County. The program is funded by 5% fee added to all criminal personal injury crime convictions, contributions and donations. Victim Witness has been operating out of the County Annex for many years and their current lease has expired and is operating on a month to month basis. The County's previous rental agreement charged \$100 a month. This agreement charges zero amount and the County covers all maintenance costs.

Commissioner Brantley made a motion to approve a rental agreement with Effingham Victim Witness Assistance Program (see minute book page _____). Vice-Chairman Loper seconded the motion. The motion carried unanimously.

EXECUTIVE SESSION

At 5:37 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 6:00 p.m., Chairman Zeigler made a motion to adjourn from Executive Session. Commissioner Mason seconded the motion. The motion carried unanimously.

At 6:09 p.m. the Board reconvened.

OLD BUSINESS - CONTINUED

CONSIDERATION TO APPROVE AMENDING THE PRELIMINARY PLANS STIPULATION FOR RABUN ESTATE (3): Commissioner Jones made a motion to approve amending the stipulation on the preliminary plan from a wooden or cyclone fence be built along the property line between the two undeveloped adjoining properties to a five foot chain link fence starting at the North West Boundary of the property to the wetlands. Commissioner Kieffer seconded the motion. The motion carried unanimously.

NEW BUSINESS - CONTINUED

QUARTERLY OVERVIEW OF THE COUNTY RETIREMENT PLAN (05): Human Resources Director Hudzinski-Sero and Dan Umbel with Merrill Lynch gave an overview of the county retirement plan.

CONSIDERATION TO APPROVE A TECHNICAL SERVICE SUPPORT AGREEMENT WITH PHYSIO CONTROL FOR CARDIAC MONITORS (06): EMS Director McDuffie explained that Medtronic Emergency Response Systems is the company that eight cardiac monitors were purchased from. Medtronic will provide annual inspection on the monitors and battery charging systems. In the event of a monitor malfunction they will ship overnight an equivalent monitor to use while the damage monitor is being repaired. The cost of the service agreement is \$9,663.

Vice-Chairman Loper made a motion to approve a technical service support agreement with Physico Control for cardiac monitors (see minute book page ____). Commissioner Mason seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A GRANT FROM FIREHOUSE SUBS FOUNDATION

FOR EQUIPMENT (07): Executive Assistant Jenkins explained that Firehouse Subs Public Safety Foundation provides emergency services with life-saving equipment, prevention education, natural disaster preparedness and financial resources to individuals pursuing a career in the public safety sector. Staff applied and was awarded two Bullard Eclipse thermal imaging bundles that are valued at \$9,686. The procedure to receive the equipment is that Firehouse Subs will purchase the equipment directly from the preferred vendor, the vendor will send the equipment to Effingham County Fire Department, the signed copy of the package slip will be sent back to Firehouse Subs and they will pay the invoice. Once the equipment is in uses, Firehouse Subs would like to do a media presentation to demonstrate the equipment and acknowledge the donation.

Commissioner Mason made a motion to approve the grant from Firehouse Subs Foundation for equipment. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A FINAL PLAT FOR LAUREL GROVE SUBDIVISION

(08): County Engineer Liotta explained that First Chatham Bank requests final plat approval for Laurel Grove Phase I, which consists of 61 lots, located off Nease Road. Water and wastewater services are to be provided by Effingham County. The preliminary plan for this development was approved on April 28, 2008. A check for infrastructure maintenance in the amount of \$65,846, which is 10% of the estimated value of the infrastructure, was given.

Commissioner Brantley made a motion to approve a final plat for Laurel Grove Subdivision. Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A WARRANTY DEED FOR LAUREL GROVE

SUBDIVISION (09): County Engineer Liotta explained that Board had previously approved the final plat for Laurel Grove Subdivision, Phase 1. Staff recommends approving the warranty deed for Laurel Grove Subdivision, Phase 1.

Vice-Chairman Loper made a motion to approve a warranty deed for Laurel Grove Subdivision (see minute book page _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A WARRANTY DEED FOR STAFFORDSHIRE ESTATES PHASE I (10): County Engineer Liotta explained that Alan Emerick, on behalf of Slyland Development, request the County accept all infrastructure including storm drainage, roadways and right-of-ways for Phase I of Staffordshire Estates. The final plat for said development was approved on October 17, 2006.

Commissioner Jones made a motion to approve a warranty deed for Staffordshire Estates, Phase I (see minute book page _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A FINAL PLAT FOR STAFFORDSHIRE ESTATE PHASE II (11): County Engineer Liotta explained that Alan Emerick, on behalf of Skyland Development, requests final plat approval for Phase II of Staffordshire Estates, which consists of 36 lots, located off Blue Jay Road. Water and sewer services are to be provided by Effingham County.

Commissioner Kieffer made a motion to approve a final plat for Staffordshire Estates, Phase II. Commissioner Jones seconded the motion. Commissioner Mason did abstain for this item. Chairman Zeigler, Vice-Chairman Loper, Commissioners Brantley, Jones and Kieffer voted in favor of the motion. The motion carried.

CONSIDERATION TO APPROVE A WARRANTY DEED FOR STAFFORDSHIRE ESTATES PHASE II (12): County Engineer Liotta explained that in the previous item, the Board approved the final plat for Staffordshire Estates, Phase II. Staff now requests acceptance of the roadways, right of ways, water/sewer, and storm drainage. A maintenance bond for \$25,500, which is the estimate value of the infrastructure, was given.

Vice-Chairman Loper made a motion to approve a warranty deed for Staffordshire Estates Phase II (see minute book page _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A SPECIAL ENCROACHMENT PERMIT AND RIGHT OF WAY MOWING AND MAINTENANCE AGREEMENT WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION FOR STATE ROUTE 21 (13): Civil Engineer Allen explained that since Ga Department of Transportation only mows the grass adjacent to state routes twice a year, the Board has expressed a desire to maintain Hwy 21 from the Effingham County line to the City of Rincon's City Limits. To do this, the board must enter into a special encroachment permit and right of way mowing and maintenance agreement with the Ga Department of Transportation.

Commissioner Brantley made a motion to table this item until November 15th so that staff can ask GDOT if the agreement could be amended. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A RIGHT OF WAY AGREEMENT WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION FOR STATE ROUTE 21 – OLD AUGUSTA ROAD BEGINNING AT CHIMNEY ROAD AND ENDING AT CR 307 AND A SIGNAL INSTALLATION AT THE INTERSECTION OF OLD AUGUSTA ROAD AND SR 21 (14): Civil Engineer Allen explained that Effingham County is seeking to construct a project for the improvement of 4.25 miles of grade, drain, base and pave on Old Augusta Road, beginning at Chimney Road and ending at CR 307 and a signal installation on Old August Road at SR 21.

Vice-Chairman Loper made a motion to approve a right of way agreement with Ga Department of Transportation for State Route 21 – Old Augusta Road beginning at Chimney Road and ending at Cr 307 and a signal installation at the intersection of Old Augusta and SR21 (see minute book page _____).

Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A RIGHT OF WAY AND UTILITY CERTIFICATION FOR HIGH RISK RURAL ROADS IMPROVEMENTS ON MCCALL ROAD, LITTLE MCCALL ROAD AND BLUE JAY ROAD (15): Civil Engineer Allen explained that Ga Department of Transportation has identified McCall Road, Little McCall Road and Blue Jay Road as high risk rural roads and would like to offer assistance in installing traffic control devices along curves of said roads.

Vice-Chairman Loper made a motion to approve a right of way and utility certification for high risk rural roads improvements on McCall Road, Little McCall Road and Blue Jay Road (see minute book page _____). Commissioner Mason seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A REVISED WORK AUTHORIZATION WITH KERN COLEMAN FOR THE SANITATION AND PUBLIC WORKS OFFICE (16): Project Manager Kobek explained that in April, 2011, the Board approved a work authorization with Kern Coleman for architectural and engineering services to complete construction documents for Sanitation Offices. Since that time, floor plans have changed several times and finally offices were added for the Public Works office staff. This revised work authorization adds funding for additional architectural and engineering services to complete the construction documents.

Commissioner Brantley made a motion to deny this item. Commissioner Mason seconded the motion. The motion carried unanimously.

PLANNING BOARD PRESENTMENTS

NEW BUSINESS

GIUSEPPE (JOE) SIRIGU – PUBLIC HEARING (01): A Public Hearing was held on the application by Giuseppe (Joe) Sirigu for a variance use on the property line setback located at 232 Middleton Road Map 375E Parcel 28 located 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 375E Parcel 28 for a variance use on the property line setback located at 232 Middleton Road with the following stipulations:

1. The unit is only to be occupied by Franchesca Sirigu, the applicant's mother.

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

MANUEL ONTIVEROS – PUBLIC HEARING (02): A Public Hearing was held on the application by Manuel Ontiveros to rezone 1 acre located at 2901 Hwy 17 South from AR-1 to AR-2 Map 324 Parcel 71 located in the Second District.

Zoning Administrator Shaw presented the request.

There were no objectors present.

Commissioner Mason made a motion to approve an application by Manuel Ontiveros to rezone 1 acre located at 2901 Hwy 17 South 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 Kieffer seconded the motion. The motion carried unanimously.

DAVID L. SCRUGGS – PUBLIC HEARING (03): A Public Hearing was held on the application by David L. Scruggs to rezone 5.57 acres located at 278 Mt. Pleasant Road from AR-1 to AR-2 Map 358 Parcel 14 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 the application by David L. Scruggs to rezone 5.57 acres located at 278 Mt. Pleasant Road from AR-1 to AR-2 Map 358 Parcel 14 with the following stipulations:

1. Each lot shall meet the requirements of 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. The motion carried unanimously.

NEW BUSINESS - CONTINUED

CONSIDERATION TO APPROVE A GRANT AWARD FROM COUNCIL OF JUVENILE COURT JUDGES OF GEORGIA FOR \$3,000 FOR PURCHASE OF SERVICES

FOR JUVENILE OFFENDERS PROGRAM AND TO SERVE AS THEIR FISCAL AGENT (17):

Project Manager Kobek explained that the Resource Development Committee of the Council of Juvenile Court Judges of Georgia announced that Effingham County has been awarded a grant of \$3,000 for use on community service projects, educational/tutorial assistance, counseling, psychological evaluations, drug screening, and therapeutic care for juvenile probationers. The Board has been accepting this grant for at least six years.

Vice-Chairman Loper made a motion to approve a grant award from Council of Juvenile Court Judges of Georgia for \$3,000 for purchase of services for Juvenile Offenders Program and to serve as their fiscal agent (see minute book page _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A LOCATION AGREEMENT WITH FIRST CITY FILMS, LLC FOR THE USE OF THE HISTORIC COURTHOUSE (18):

Project Manager Kobek explained that First City Films contacted the County in hopes of using the Historic County Courthouse for an upcoming movie production. The filming will take approximately one day to film in the courthouse and Old Jail Museum, with a cast and crew of approximately 40 people. The crew will need parking space, the second floor conference room, access to the break room kitchen and the courtroom only. The County will receive \$100 compensation for the use of the facility and will clean up after filming is completed.

Vice-Chairman Loper made a motion to approve a location agreement with First City Films, LLC for the use of the Historic Courthouse (see minute book page _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE INDIGENT DEFENSE SERVICES AGREEMENT FOR THE PUBLIC DEFENDER'S OFFICE (19):

Project Manager Kobek explained that the Ogeechee Public Defenders Office has been providing defense services in Superior Court for several years. This is an annual contract which memorialized the obligations of the Public Defender's office and the cost of the services which are provided by the member counties of the Ogeechee Judicial Circuit. The

contract provides that the public defender's office will maintain adequate staffing levels to support indigent defense services in cases where there is a possibility of imprisonment, probation or suspended sentences of imprisonment may be adjudged, probation revocation hearings, juvenile cases where a child may face disposition in a delinquency case of confinement, probation, and direct face disposition in a delinquency case of confinement, probation, and direct appeals stemming from the above styled cases. The County will make 1/12 payments to cover Effingham County proportional share of the costs of the services. Effingham County's proportional share is 32% of population in the district which is \$191,314.17. The County may opt out of the agreement with 60 days notice.

Chairman Zeigler made a motion to approve the indigent defense services agreement for the Public Defender's Office (see minute book page _____). Vice-Chairman Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN ASSEMBLAGE PERMIT TO HOLD A FALL FESTIVAL AT ST. LUKE'S EPISCOPAL CHURCH ON GOSHEN ROAD (20): This item was removed during the approval of the Agenda.

CONSIDERATION TO APPROVE AN AGREEMENT WITH THE HUNT INSURANCE GROUP, LLC FOR SPECIFIC STOP LOSS COVERAGE AT THE EFFINGHAM COUNTY JAIL (21): Project Manager Kobek explained that the County has maintained a catastrophic insurance policy for many years with the Hunt Group. This policy covers medical expenses on incarcerated individuals not under State custody. The renewal price with our current carrier is \$13,723 or \$9.53 per inmate per month.

Chairman Zeigler made a motion to table this item until the November 15, 2011 Board of Commissioners Meeting. Vice-Chairman Loper seconded the motion. Commissioner Jones opposed the motion. Chairman Zeigler, Vice-Chairman Loper, and Commissioners Brantley, Mason, and Kieffer voted in favor of the motion. The motion carried.

CONSIDERATION TO APPROVE A RESOLUTION TO SURPLUS TWO VEHICLES (22): County Administrator Crawley explained that the Sheriff has purchased two

new vehicles with inmate recreation funds to be used for inmate transportation. Two vehicles were used as trade-ins. These two vehicles were originally purchased with inmate recreation funds and used for inmate transportation. The Sheriff has purchased the two used vehicles back from Rozier Ford for the combined sum of \$19,000 using Drug Account Funds. The used vehicles are titled in the name of the Board of Commissioner and therefore cannot be sold or traded without Board approval. To complete the transaction, the two vehicles that the Sheriff agreed to trade in must be declared surplus and designated for use as sale/trade-in.

Commissioner Jones made a motion to deny the surplus to two vehicles. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE BUDGET AMENDMENT FOR YEAR ENDING JUNE 30, 2011 (23): Finance Director Wright explained that each year the Board proposes a tentative budget for the year. During the year, the Board receives request from agencies and department heads to adjust the budget. Additionally, other factors such as revenue may fluctuate thereby allowing the Board to direct additional expenditures to be made. These adjustments are being requested in order to facilitate the use of funding where needed and other specific items which have taken place during the year. This request is made each year in order to maintain state mandated budget compliance.

Vice-Chairman Loper made a motion to approve budget amendment for year ending June 30, 2011 (see minute book page ____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE BUDGET AMENDMENT FOR FIRST QUARTER OF THE YEAR ENDING JUNE, 2012 (24): Each year the Effingham County Board of Commissioners proposes a tentative budget for the Year. During the year the Board votes on various contracts and/or proposals. Several months ago the Board voted on the County's health insurance coverage, which decreased the budgeted amount. A formal budget resolution incorporating the change in cost needs to be approved.

Commissioner Jones made a motion to approve a budget amendment for first quarter of the fiscal year ending June, 2012 (see minute book page _____). Commissioner Kieffer seconded the motion. The motion carried unanimously.

DISCUSSION OF WATER AND SEWER AGREEMENTS THAT REQUIRE REIMBURSEMENT; BUCKINGHAM PLANTATION (25):

Commissioner Jones stepped down.

Vera Jones explained that the County had an agreement with D.M. Jones Construction to provide water and sewer lines to the connection point of South Effingham Plantation. In the contract, it stated that the developer would build and pay for all interior lines and infrastructure in the subdivision and then give it to the County. The County changed their specifications for the infrastructure, which cost debt to the D.M. Jones Construction. D.M. Jones Construction provided to the County an invoice for some of what is owed to them due to the changes. As to date, the invoice has not been paid nor an explanation as to why the invoice should not be paid.

County Attorney Gotwalt stated that the Board needed to get outside council to handle this matter.

Chairman Zeigler directed staff to provide at the November 1, 2011 Board meeting a list of attorneys who could give direction on this matter, a list of the subdivision like Buckingham and a time line on to sort out all the issues.

Commissioner Jones rejoined the meeting.

ADDITION TO THE AGENDA

CONSIDERATION TO APPROVE A UTILITY RELOCATION AGREEMENT AND AN EASEMENT LIMITED AGREEMENT WITH GEORGIA POWER FOR OLD AUGUSTA ROAD, PHASE IIA AND IIB (26):

County Administrator Crawley explained that in order to construct Old Augusta Road Phase IIA and IIB Georgia Power will have to relocate their lines. This agreement is integral to the County's ability to move forward with the construction of this project.

Commissioner Kieffer made a motion to approve a utility relocation agreement and an easement limited agreement with Georgia Power for Old

Augusta Road Phase IIA and IIB (see minute book page ____). Commissioner

Jones seconded the motion. The motion carried unanimously.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

Commissioner Jones discussed the following:

- ◆ SPLOST changes on the referendum

Commissioner Kieffer discussed the following:

- ◆ Representative Purcell invitation to a meeting with the City of Savannah regarding the sister city

County Administrator Crawley discussed the following:

- ◆ Ash road repairs – field trials
- ◆ Tourism Assessment – reception November 7th
- ◆ Herbert Kessler Road – residents propose closing the middle section of the road and creating two cul-de-sacs
- ◆ Monthly financials given out
- ◆ HR received a national award for the work place violence program
- ◆ Jail update – design build team had its first programming meeting. The group will be touring Newton, Rockdale, Athens-Clark and Jackson County jails on October 21st. Programming will continue with meetings on October 24th and 25th
- ◆ Workshop – The Park Promenade Committee would like to have a meeting with the Board
- ◆ The City of Rincon and Springfield will be holding trick or treat on October 31st
- ◆ Tommy Long landing – trees

EXECUTIVE SESSION

At 9:45 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 10:06 p.m., Chairman Zeigler made a motion to adjourn from Executive Session. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

ADJOURNMENT

At 10:06 p.m., Chairman Zeigler made a motion to adjourn the meeting. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

C. D. Zeigler, Chairman

Patrice R. Crawley, County Clerk