

**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, February 21, 2012 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, Community Relations Director, Mr. Toss Allen Civil Engineer, Mrs. Patrice R. Crawley, County Clerk, Mrs. Joanna Wright, Finance Director, Mrs. Rushe Hudzinski-Sero, Human Resources Director, Mr. Paul Howze with Clys Inv. Inc, Mr. Frank Warner, Ms. Minnie Lou Hunt, Mr. Art Smith, Mr. A. B. Edenfield, Ms. Virginia Edenfield, Mr. James W. Jackson, Mr. Richard Jackson, Mr. James E. Jackson, and Mrs. Betty Jo Griner.

CALL TO ORDER

Chairman Zeigler called the regular meeting to order.

INVOCATION AND PLEDGE TO THE AMERICAN FLAG

Chairman Zeigler explained that the Board has been in session since 3:30 p.m. with a workshop.

AGENDA APPROVAL

Commissioner Jones made a motion to approve 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

Commissioner Mason made a motion to approve the minutes for the February 07, 2012 Commissioners meeting. Commissioner Kieffer 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.

NEW BUSINESS

Commissioner Jones stepped down from the meeting.

PRESENTATION FROM JOHN HART ON THE FINDINGS OF THE BUCKINGHAM AGREEMENT (01): Attorney John Hart explained that he was retained to advise the Board of Commissioners as to whether they must currently pay a bill of approximately \$30,000 to reimburse D.M. Jones Construction, Inc. for a generator that was used as part of a water and sewer system providing service to South Effingham Plantation Subdivision and Buckingham Plantation Subdivisions. As part of the preparation to render this opinion, it became necessary to review the water and sewer contracts pertaining to the subdivisions, all emails, and other correspondence from County staff, County Attorney material, project engineering information and interviews with interested citizens.

Given that the agreement contemplated payment as impact fees were collected and the agreement is silent as to when reimbursement is due of the Buckingham Agreement, the Board of Commissioners has broad discretion as to determining the timing of when and how the reimbursement will be made.

Commissioner Jones resumed her seat on the Board.

ADJOURNMENT

At 6:10 p.m., Chairman Zeigler made a motion to adjourn the meeting to break for dinner. Vice-Chairman Loper seconded the motion. The dinner was held by the Cooperative Extension at their offices.

PLANNING BOARD

The Board reconvened at 7:05 p.m.

NEW BUSINESS

JAMES W. JACKSON – PUBLIC HEARING (01): A Public Hearing was held on the application by James W. Jackson to rezone 4.9 acres located at 237 Nease Road from AR-1 to AR-2 map 396-28, 28A 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 for the application by James W. Jackson to rezone 4.9 acres located at 237 Nease Road from AR-1 to AR-2 map 396-28, 28A 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. The motion carried unanimously.

MINNIE LOU HUNT – PUBLIC HEARING (02): A Public Hearing was held on the application by Minnie Lou Hunt to rezone 4.30 acres located off Hodgeville Road from AR-1 to AR-2 map 435G-10 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 for the application by Minnie Lou Hunt to rezone 4.30 acres located off Hodgeville Road from AR-1 to AR-2 map 435G-10 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. The motion carried unanimously.

ALVIN B. EDENFIELD – PUBLIC HEARING (03): A Public Hearing was held on the application by Alvin B. Edenfield to rezone 2.52 acres located at Old Dixie

Hwy S and Green Morgan School Road from AR-1 to AR-2 map 340-28 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 Alvin B. Edenfield to rezone 2.52 acres located at Old Dixie Hwy S and Green Morgan School Road from AR-1 to AR-2 map 340-28 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.

NEW BUSINESS - CONTINUED

CONSIDERATION TO APPROVE THE REQUEST FROM GREGG HOWZE TO RELEASE FIRE FEES FOR PROPERTY LOCATED ON GOLDKIST ROAD MAP 420-21 (01):

Mr. Paul Howze explained that this property is no longer in operation and the buildings are falling down.

County Clerk Crawley explained that this property was charged for seven dwellings.

Fire Chief Ashcraft explained that the fire fee is a fire rescue assessment.

Commissioner Jones made a motion to approve releasing fire fees in the amount of \$1,250. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE REQUEST FROM RON DIEDERICH TO RELEASE FIRE FEES FOR PROPERTY LOCATED AT 660 OLD RIVER ROAD MAP 303-39

(02): Mr. Ron Diederich explained that his property is a mini storage and cannot catch on fire.

County Clerk Crawley explained that this property was charged for three dwellings.

Vice-Chairman Loper made a motion to approve releasing fire fees in the amount of \$500. Commissioner Brantley seconded the motion. Commissioner Mason opposed the motion. Chairman Zeigler, Vice-Chairman Loper, Commissioners Brantley, Jones, and Kieffer voted in favor of the motion. The motion carried.

CONSIDERATION TO APPROVE THE REQUEST FROM PICOSH PATEL TO RELEASE FIRE FEES FOR PROPERTY LOCATED AT 123 SHAWNEE RD MAP 264A-22 (03): Fire Chief Ashcraft explained that Dr. Picosh Patel requested a release of fire fees for property located at 123 Shawnee Rd.

County Clerk Crawley explained that this property was charged for three dwellings.

Commissioner Jones made a motion to approve releasing fire fees in the amount of \$250. Vice-Chairman Loper seconded the motion. Chairman Zeigler and Commissioner Mason opposed the motion. Vice-Chairman Loper, Commissioners Brantley, Jones, and Kieffer voted in favor of the motion. The motion carried.

CONSIDERATION TO APPROVE APPLYING FOR AND ACCEPTING THE GEORGIA HIGHWAY SAFETY GRANT IN THE AMOUNT OF \$10,000 TO PURCHASE LAPTOPS AND AERIAL LOCATION LIGHTING FOR THE DEPUTY VEHICLES (04): Finance Director Wright explained that the Sheriff's office has located a grant from the Governor's Office ON Highway Safety (GOHS). The total award for the grant is \$10,000 and will be used to purchase laptops and aerial location lighting for sheriff's vehicles.

Vice-Chairman Loper made a motion to approve applying for and accepting the Georgia Highway Safety Grant in the amount of \$10,000 to purchase laptops and aerial location lighting for the deputy vehicles (see minute book page ____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE APPOINTMENT OF TWO REPRESENTATIVES TO THE LIBRARY BOARD (05): County Clerk Crawley explained that the Board needs to appoint two representatives to serve on the Library Board. Mrs. Sharon

Mason is interested in serving on the Library Board. Ms. Sandra Nethels has been on the Library Board for several years and is interested in being reappointed.

Commissioner Brantley made a motion to appoint Sharon Mason and Sandra Nethels to the Library Board. Vice-Chairman Loper seconded the motion. Commissioner Mason abstained. The motion carried.

CONSIDERATION TO APPROVE REAPPOINTING BONNIE GNANN TO THE TAX ASSESSOR BOARD (06): County Clerk Crawley explained that Bonnie Gnann was appointed to the Tax Assessor Board on November 15, 2011 to fill the unexpired term of Neal Kessler. This term is due to expire March, 2012. Mrs. Gnann is interested in being reappointed to the Tax Assessor Board.

Vice-Chairman Loper made a motion to approve reappointing Bonnie Gnann to the Tax Assessor Board. Commissioner Brantley seconded the motion. The motion carried unanimously.

EXECUTIVE SESSION

At 8:01 a.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.

County Administrator Crawley and Commissioners discussed pending litigation. (See copy of Chairperson's affidavit on minute book page number _____).

Chairman Zeigler made a motion to go back into Regular Session. Commissioner Brantley seconded the motion. The motion carried unanimously.

RECONVENED

The Board reconvened at 8:15 p.m. into Regular Session.

Commissioner Mason left the meeting.

ADDITION TO THE AGENDA

Chairman Zeigler made a motion to add item number 8 to the Agenda and made a motion to approve reasonable defense cost in regard to county business if ACCG does not pay. Commissioner Jones seconded the motion. The motion carried unanimously.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

Commissioner Brantley discussed the following:

- ◆ Easement for Woodman of the World

Vice-Chairman Loper discussed the following:

- ◆ Allen Burns' father passed away

County Clerk Crawley discussed the following:

- ◆ Planning Board might be canceling May's meeting

County Administrator Crawley discussed the following:

- ◆ Quarterly Local Elected Officials meeting will proceed quarterly between the Cities and the County. City of Rincon will host next meeting in May.
- ◆ Historic Effingham Society, Inc. has requested that the County construct restrooms in the block building adjacent to the Old Jail Museum.
- ◆ ECVB request that the County make some repairs to the building currently used for their office space to increase public access. Staff has an estimate of all work requested.
- ◆ Historic Effingham Society, Inc. has also requested that the County contract with Betty Renfro to prepare a written history of Effingham County Government.
- ◆ Herbert Kessler Road – staff is in discussion with the Davis family on the road alignment.
- ◆ Atlas Sand Property – staff has received some interest in the purchase of this property.
- ◆ Goshen Public Safety – if the Board does not want to move forward with Goshen Public Safety, please let staff know ASAP.
- ◆ Central Learning property and the Moss Loop property – possible negotiations with the Board of Education concerning these properties.

Mr. Art Smith with Republic Waste had heard that there were some complaints and he would like to address any of the complaints. Mr. Smith stated that the recycling program is working well and is satisfied with the response of the program in Effingham County.

ADJOURNMENT

At 8:52 p.m., Chairman Zeigler made a motion to adjourn. Commissioner Brantley seconded the motion. The motion carried unanimously.

C. D. Zeigler, Chairman

Patrice R. Crawley, County Clerk