

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, April 03, 2012 in the Commissioners' Meeting Room at the Effingham County Administrative Complex.

PERSONS ATTENDING THE MEETING

Mrs. Elizabeth Pavlis, County Attorney, Mr. David Crawley, County Administrator, Mr. Adam Kobek, Community Relations Director, Mr. Steve Liotta, County Engineer, Mrs. Patrice R. Crawley, County Clerk, Mrs. Joanna Wright, Finance Director, Mr. Franklin Goldwire, Mr. Mack Thompson, Mr. Frank Warner, Rev. Bob Rogers, Mr. J. C. Garvin, Mr. Randy Shearouse, Mr. Vernon Knowles, Mr. Bill Simpson, and Mrs. Lynn Simpson.

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 Jones made a motion to approve the Agenda for the April 03, 2012 Commissioners Meeting. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

MINUTES

County Clerk Crawley explained that it had been brought to her attention that the minutes needed to be corrected to reflect New Business Number 2 motion to be verbatim.

Commissioner Kieffer made a motion to approve the minutes with the correction for New Business Number 2 to have the motion be verbatim. 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 out loud the Consent Agenda Items. Commissioner Kieffer made a motion to approve:

(01) CONSIDERATION TO APPROVE ERRORS AND RELEASES FOR MOBILE HOME TAX AS SUBMITTED BY THE TAX COMMISSIONER;

(02) CONSIDERATION TO APPROVE ERRORS AND RELEASES FOR PROPERTY HOME TAX AS SUBMITTED BY THE TAX COMMISSIONER;

(03) CONSIDERATION TO APPROVE THE SECOND READING TO AMEND MAP AND PARCEL NUMBER 245-21 FOR REZONING 282.67 ACRES FROM AR-1 TO CP LOCATED OFF OF EGYPT ARDMORE ROAD WITH THE FOLLOWING STIPULATIONS:

1. Each lot shall meet the requirements of the CP Zoning District.
2. Site development plans shall comply with the Effingham County 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.

(04) CONSIDERATION TO APPROVE THE SECOND READING TO AMEND MAP AND PARCEL NUMBER 264-27 FOR REZONING OF 257.19 ACRES FROM AR-1 TO CP LOCATED AT 400 SHAWNEE EGYPT ROAD WITH THE FOLLOWING STIPULATIONS:

1. Each lot shall meet the requirements of the CP Zoning District.
2. Site development plans shall comply with the Effingham County 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.

(05) CONSIDERATION TO APPROVE THE SECOND READING TO AMEND MAP AND PARCEL NUMBER 374-18B FOR REZONING OF 38.39 ACRES FROM R-1 TO AR-1 LOCATED OFF HERBERT KESSLER ROAD WITH THE FOLLOWING STIPULATIONS:

1. Each lot shall meet the requirements of the R-1 Zoning District.
2. Site development plans shall comply with the Effingham County 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.

(06) CONSIDERATION TO APPROVE THE SECOND READING TO AMEND MAP AND PARCEL NUMBER 315-34 FOR REZONING OF 13.62 ACRES FROM AR-1 TO AR-2 LOCATED AT 448 CHESTER THOMAS ROAD WITH THE FOLLOWING STIPULATIONS:

1. Each lot shall meet the requirements of the R-1 Zoning District.
2. Site development plans shall comply with the Effingham County 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.

(07) CONSIDERATION TO APPROVE THE SECOND READING TO AMEND MAP AND PARCEL NUMBER 318-13, 14 FOR REZONING OF 64.92 ACRES FROM R-1 TO AR-1 LOCATED OFF OF SPRINGFIELD TUSCULUM ROAD WITH THE FOLLOWING STIPULATIONS:

1. Each lot shall meet the requirements of the AR-1 Zoning District.
2. Site development plans shall comply with the Effingham County 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.

(08) CONSIDERATION TO APPROVE THE SECOND READING TO AMEND MAP AND PARCEL NUMBER 410-8 FOR REZONING OF 8.99 ACRES FROM I-1 TO AR-1 LOCATED AT 275 BEEBE WITH THE FOLLOWING STIPULATIONS:

1. Each lot shall meet the requirements of the AR-1 Zoning District.
2. Site development plans shall comply with the Effingham County 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.

(09) CONSIDERATION TO APPROVE THE SECOND READING TO AMEND MAP AND PARCEL NUMBER 465G-4 & 6 FOR A CONDITIONAL USE TO OPERATE A CHURCH IN THE COMMERCIAL DISTRICT LOCATED AT LOCATED AT 207 WATERFORD COURT;

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

OLD BUSINESS

CONSIDERATION TO APPROVE THE SECOND READING TO AMEND MAP AND PARCEL NUMBER 378-42 FOR REZONING 12.18 ACRES FROM I-1 TO AR-1 LOCATED OFF OF U.S. HWY 80 (01): County Clerk Crawley explained that Henry Morgan had

not gotten any information from EPD as to a timeline for the closure documentation from EPD and staff feels it would be best to table the item.

Commissioner Brantley made a motion to table the second reading to amend map and parcel number 378-42 for rezoning 12.18 acres from I-1 to AR-1 to June 5, 2012. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE REQUEST BY FLINT RIVER SERVICES, INC. TO RELEASE THE PERSONAL PROPERTY TAX PENALTIES (02): Chief Tax Appraiser Bevill explained that in 2011, Flint River Services, Inc. underwent a business personal property tax audit spanning the years from the beginning of construction of the facility in 2006 through 2010 and has now received a notice for the amount due, including penalties, as a result of that audit.

Mr. Miles Espy, Jr., who is the certified public accountant for Flint Rivers Services, Inc., explained that there were three requests (1) that the value of real property be adjusted to commensurate with the increase in property tax value (2) that any penalties assed for the increased personal property tax be abated and (3) that collection efforts be suspended until further consideration of the requests has been given.

County Clerk Crawley explained that the Board could only release penalties.

Vice-Chairman Loper made a motion to waive the 10% penalties. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AMENDING THE OFFICIAL CODE OF EFFINGHAM COUNTY FOR THE DISTANCE RESTRICTIONS WITHIN THE ALCOHOL ORDINANCE (03): Chairman Zeigler opened the Public Hearing at 5:36 p.m. on amending the Official Code of Effingham County for the distance restriction within the alcohol ordinance. Rev. Bob Rogers and Mr. Jack Garvin gave their thoughts on the changing of the distance restriction within the alcohol ordinance. At 5:58, Chairman Zeigler closed the public hearing.

Commissioner Brantley made a motion to rewrite option number 4 – remove separation requirement for churches that are located in retail and business

centers by also including zoning of B-1, B-2, and B-3. Vice-Chairman Loper seconded the motion.

Commissioner Brantley and Vice-Chairman Loper removed the motion.

Commissioner Jones made a motion to table the issue until the April 17th meeting. Commissioner Kieffer seconded the motion. The motion carried unanimously.

NEW BUSINESS

CONSIDERATION TO APPROVE A WATERSHED PROTECTION PLAN FOR 2012 LONG – TERM MONITORING OF EFFINGHAM COUNTY WATERSHED PROTECTION

PLAN (01): County Engineer Liotta explained that part 1.A.6 of the Effingham County South Urban Water Reuse System permit from EPD requires the County to implement the approved Watershed Protection Plan. This plan utilizes the information generated in the watershed assessment during permitted to establish a baseline of watershed conditions and provides for ongoing long term monitoring to verify that the plan is effective. An annual report of the previous calendar year's water quality monitoring data must also be submitted to EPD. Staff solicited and received proposals for this work from three firms. Ecological Planning Group (EPG) was the least cost with a total lump sum budget of \$14, 250. Staff recommends going with the lowest cost.

Vice-Chairman Loper made a motion to approve a watershed protection plan for 2012 Long Term monitoring of Effingham County watershed protection plan with Ecological Planning Group (EPG) (see minute book page _____). Chairman Zeigler seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE CLOSING CHECKING ACCOUNTS THAT ARE NO LONGER NECESSARY OF THE DAILY OPERATION OF THE COUNTY (02):

Finance Director Wright explained that over the past several years various changes have been made to county funds and the banking accounts which are used to serve them. The Finance Department is in the process of completing the process by closing those accounts which are no longer needed. The accounts are wireless, escrow, debt service fund, WWTP retainage, and grant funding of IDA railroad spur. Staff request that the above accounts be closed.

Commissioner Kieffer made a motion to approve closing wireless, escrow, debt service fund, WWTP retainage, and grant funding of IDA railroad and to provide a recap of the closing. Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE PAYING THE REMAINING BALANCE ON THE BB&T EQUIPMENT LEASE 0509870-002 OF APPROXIMATELY \$162,645.29 (03):

Finance Director Wright explained that County entered into a lease for public works equipment of \$510,967 in September of 2008. This lease rate is at 3.310 with 18 payments still remaining. The county does have adequate funding to pay the remaining balance on the BB&T Equipment Lease 0509780-002.

Commissioner Jones made a motion to approve paying the remaining balance on the BB&T equipment lease 0509870-002 of approximately \$162,645.29. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN AGREEMENT WITH CGI COMMUNICATIONS, INC. FOR A COUNTY VIDEO PROGRAM (04):

Community Relations Director Kobek explained that CGI has offered to create seven video spots for Effingham County. The video spots, editing, filming, voiceovers and script writing assistance will be handled by CGI. The videos will be hosted by CGI and the County will be able to provide a link which will redirect web visitors to the video spots. CGI will seek out local merchants and advertisers to advertise around our videos and possibly shoot videos for the merchants. The county's content will not include commercials and the service is free to the County. Out of the seven videos first three are education, quality of life and real estate/relocation, the County chooses the other four on a topic of our choosing. CGI is a NACO Corporate partner and provides this service to more than 2,000 communities, 300 counties and 1,700 cities. They make their money by selling the advertisements that are showcased around the County videos.

Vice-Chairman Loper made a motion to approve an agreement with CGI Communications, Inc. for a county video program (see minute book page ____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE SHORT TERM WORK PROGRAM FOR FY2013

(05): Community Relations Director Kobek explained that the Short Term Work Program is designed to be the master and surviving planning document to guide and direct decision making on capital purchases/projects. Approval of the STWP will give guidance and insight to citizens and staff on the future of capital projects over the next five years. Approval will not formally allocate funds for any projects that can only be done through the budget process. Approval does not guarantee that projects will be funded or completed or scheduled by this plan, this is a living planning document.

Commissioner Brantley made a motion to approve the short term work program for FY2013 (see minute book page ____). Vice-Chairman Loper seconded the motion. Commissioners Jones and Kieffer opposed the motion. Chairman Zeigler, Vice-Chairman Loper, and Commissioners Brantley and Mason voted for the motion. The motion carried.

CONSIDERATION TO APPROVE AWARDING A BID FOR TURF GRASS MAINTENANCE (06): Community Relations Director Kobek explained that the County has invested in creating quality recreational facilities. The turf grass on playing fields at the recreational facilities needs constant care and maintenance. The actual grass and ground maintenance is completed by recreation employees. The turf grass maintenance service being asked for is the application of fertilizer, herbicides and insecticides and on call irrigation repairs. A commercial sprayer's license is required for the treatment and levels of accuracy required for quality care. The county offered the services for bid, two responses were received. The Greenery, Inc. was the lowest with 5 fertilizer applications, soil sampling, and herb and pesticide treatments for Pineora, Springfield and Sandhill Sports Complex and quarterly visits for the Courthouse, Judicial Complex for consulting on grounds maintenance.

Chairman Zeigler made a motion to approve awarding a bid for turf grass maintenance to The Greenery Inc. (see minute book page _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE 2012-2013 SAFETY DISCOUNT VERIFICATION FORM FOR INTERLOCAL RISK MANAGEMENT AGENCY AND GROUP SELF-INSURANCE WORKERS' COMPENSATION FUND WITH ACCG (07): County Clerk Crawley explained that ACCG handles the Board of Commissioners workers' compensation and the property & liability insurance program. ACCG offers a 7.5% safety discount for workers compensation and a 5% safety discount for property & liability insurance. To receive these discounts, the Board must verify that they have a safety coordinator who follows the ACCG safety guidelines, and who the insurance contacts are for workers compensation and property & liability. The Board has complied with all the requirements, therefore staff recommends approval.

Vice-Chairman Loper made a motion to approve 2012-2013 safety discount verification form from interlocal risk management agency and group self-insurance workers' compensation fund with ACCG (see minute book page ____). Chairman Zeigler seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE REQUEST BY THE EFFINGHAM COUNTY BOARD OF EDUCATION TO REDUCE THE TAX COLLECTION FEE FROM 2.5% TO 1% FOR THE NEXT FISCAL YEAR (08): County Administrator Crawley explained that the Board of Education has requested that the Board of Commissioner consider reducing the fees charged for the collection of school system property tax from 2.5% to 1.0%. Currently the Board of Education receives the largest portion of property tax collected within Effingham County with a millage rate of 15.33 compared to the County's rate of 8.558. The Tax Commissioner and Tax Assessors offices provide the largest portion of support to the setting, billing, and collection of taxes and have a combined budget of \$1,499,590.37 for Fiscal Year 2012. The collection fee paid by the Board of Education only covers 43.27% of the budget for these offices.

Board of Education Superintendent Randy Shearouse was on hand to answer any questions the Board may have.

Chairman Zeigler made a motion to deny the request by the Effingham County Board of Education to reduce the Tax Collection Fee from 2.5% to 1% for

the next fiscal year. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

Commissioner Kieffer discussed the following:

- ◆ Speeding on Stephenson and some signs put up to help slow people down
- ◆ Gibson Huger

Commissioner Kieffer excused himself from the meeting.

Commissioner Brantley discussed the following:

- ◆ Mosquito control in Effingham County

Chairman Zeigler discussed the following:

- ◆ Savannah feed the hungry program

Commissioner Mason discussed the following:

- ◆ Having a policy on how to direct County Staff

County Clerk Crawley discussed the following:

- ◆ ACCG annual meeting coming up. Please let me know who would like to attend and what they would like to attend

County Administrator Crawley discussed the following:

- ◆ April 12th meeting with citizen's group concerned about the Central School site
- ◆ Georgia Pacific Landfill sludge cell is moving forward
- ◆ Additional boat landing request for the Savannah River
- ◆ Georgia Trust invite on April 20th
- ◆ Budget meetings are continuing through April 20th. The Digest is estimated to decrease by 5%
- ◆ Auditor RFP are currently under review
- ◆ Staff is working to prepare information for the Board concerning LOST
- ◆ Mosquito Control – Staff will pull old data and also try to get in information on the cost of mosquito control

Director Community Relations Kobek discussed the following:

- ◆ Bidding out of on call services and not a lot of local participation

EXECUTIVE SESSION

At 7:50 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.

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.

At 8:05 p.m. the Board reconvened into Regular Session.

ADDITION TO THE AGENDA

Chairman Zeigler made a motion to add New Business Number 09 – Consideration to approve entering into a contract with Dubberly & McGovern to represent Reginald Loper for the Benjamin R. Roach vs. Effingham County Georgia in a Civil Action (see minute book page). Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE ENTERING INTO A CONTRACT WITH DUBBERLY & MCGOVERN TO REPRESENT REGINALD LOPER FOR THE BENJAMIN R. ROACH VS. EFFINGHAM COUNTY GEORGIA IN A CIVIL ACTION (09): Chairman Zeigler made a motion to approve a contract with Dubberly & McGovern to represent Reginald Loper for the Benjamin R. Roach vs. Effingham County Georgia in a Civil Action. Commissioner Jones seconded the motion. The motion carried unanimously.

CONTINUE OF WORKSHOP

SANITATION – Finance Director Wright gave an overview of the Sanitation Fees.

ADJOURNMENT

At 9:03 p.m., Vice-Chairman Loper made a motion to adjourn the meeting. Chairman Zeigler seconded the motion. The motion carried unanimously.

C. D. Zeigler, Chairman

Patrice R. Crawley, County Clerk