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 17, 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, Mr. Taylor Morgan, Mr. Tim Mathews, Mr. Frank Warner, Mr. Phillip King, Mrs. Carolyn Collins, Mrs. Ruth Lee, Mr. Mack Thompson, Mr. Wayne Hodges, and Mr. Jody Burns.

CALL TO ORDER

Chairman Zeigler called the regular meeting to order.

INVOCATION AND PLEDGE TO THE AMERICAN FLAG

Chairman Zeigler gave the invocation and the pledge to the American Flag.

AGENDA APPROVAL

Commissioner Kieffer made a motion to approve the Agenda (_____ _____). 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 the April 03, 2012 Commissioners meeting with the corrections stated. Commissioner Mason 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 AMENDING THE OFFICIAL CODE OF EFFINGHAM COUNTY FOR THE DISTANCE RESTRICTIONS WITHIN THE ALCOHOL ORDINANCE (01): County Administrator Crawley explained that the County currently prohibits the sale of distilled spirits in or within 100 yards of any church building. State law allows for the retail sale of malt beverages, wine and distilled spirits for consumption on premises unless prohibited by a county or municipality. Staff has given several alternatives as a guide for the Board and would like direction.

Mr. Charlie Kea and Mr. Phillip King gave their support of the changes to the Alcohol Ordinance.

Commissioner Jones made a motion to amend the County Ordinance to remove the separation requirement between churches and retail and/or business centers and to define the structures of the retail and business districts. Commissioner Brantley seconded the motion. Chairman Zeigler opposed the motion. Vice-Chairman Loper, Commissioners Brantley, Jones, Mason and Kieffer voted in favor of the motion. The motion carried.

CONSIDERATION TO APPROVE THE SERVICE DELIVERY WORKSHEETS (02): County Administrator Crawley explained that after months of discussion the Service Delivery Worksheets have been agreed upon and signed by the Cities.

Chairman Zeigler made a motion to approve the service delivery worksheets (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.

NEW BUSINESS

CONSIDERATION TO APPROVE HOW TO PROCEED WITH DRAINAGE IMPROVEMENTS ON RINCON STILLWELL ROAD (01): Civil Engineer Allen explained

that Ronald Morgan had requested some improvements be made to an existing outfall ditch from Rincon Stillwell Road that is located adjacent to and on his property. There is not an easement for the maintenance of the outfall ditch and the adjacent property owner does not want any maintenance performed on the outfall ditch. Similar projects have recently been performed by the Public Works Department.

Mr. Ron Morgan and Mrs. Charlene Morgan were at the meeting to answer any questions.

Commissioner Mason made a motion to table the item to later in the meeting. Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A PREVENTATIVE MAINTENANCE CONTRACT WITH EMERSON NETWORK POWER, LIEBERT SERVICES, INC. (02): E911 Director Spinks explained that the preventative maintenance contract between Emerson Network Power and ECBOC is up for renewal. Emerson Network Power is the sole source provider for preventative maintenance for this equipment and cannot be performed by a typical licensed electrician due to the proprietary parts and specialty tools. The warranty has expired on the UPS and PM visit ensure maximum reliability of 911 equipment by providing systematic inspections, detection and correction of incipient failures, either before they occur or before they develop into major defects that result in costly downtime. The total cost will be $4,250.

Vice-Chairman Loper made a motion to approve a preventative maintenance contract with Emerson Network Power, Liebert Services, Inc. (see minute book page _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A MEMORANDUM OF AGREEMENT WITH THE GEORGIA DEPARTMENT OF NATURAL RESOURCES – FLOOD RISK MAP PROJECT (03): County Engineer Liotta explained that Effingham County flood zone maps were updated, under an agreement with FEMA, in 2010 by the Georgia DNR-EPD from 1990's era paper flood insurance rate maps to digital format. Effingham County

was one of the last counties in the state to undergo this map modernization process. FEMA and the State are now beginning a new process, called Risk MAP, which will deliver flood hazard data in an even more advanced method. This program better defines flood risk by providing much more information than just flood zone boundaries on a map. DNR-EPD requires that the County review the scoping report and sign a memorandum of agreement before they will complete the mapping project. Staff has reviewed the report and has no issues with the proposed scope. Entering into this agreement will result in the County receiving better flood hazard data that will allow us to manage flood risk in our community more effectively.

Vice-Chairman Loper made a motion to approve a Memorandum of Agreement with Department of Natural Resources – Flood Risk MAP project (see minute book page _____). Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A LOCATION AGREEMENT WITH SCAD FOR THE USE OF THE HISTORIC EFFINGHAM COUNTY COURTHOUSE ON APRIL 20 THRU 22 (04): Director of Community Affairs Kobek explained that a group of SCAD students are shooting a movie in connection with a school project and have requested the use of the historic courthouse over a weekend to complete the project. Since there was an issue with a professor signing the Location Agreement, SCAD's media group has named the Effingham County Historic Courthouse as an additional insured and provided a certificate of insurance stating the same. The policy is good until January 1, 2013.

Mr. Taylor Morgan from SCAD was there to answer any questions.

Mrs. Ruth Lee gave her support in allowing the use of the Historic Courthouse.

Commissioner Brantley made a motion to approve allowing SCAD to use the Historic Courthouse from April 20 thru 22 to shoot a movie. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE COMMISSIONER TRAVEL (05): County Clerk Crawley explained that ACCG will be hosting their annual meeting in Savannah

April 27th thru April 30th. At this meeting, the Board will have opportunity to attend certain training that is being offered.

Commissioner Jones made a motion to approve Commissioner Travel for the Board to attend ACCG's annual meeting in Savannah April 27th thru April 30th. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONTINUE OF CONSIDERATION TO APPROVE HOW TO PROCEED WITH DRAINAGE IMPROVEMENTS ON RINCON STILLWELL ROAD (01): Mr. Ron Morgan stated that he would be okay for the installation of pipe on his property.

Commissioner Mason made a motion to approve biding for the installation of approximately 300 feet of pipe on Mr. Ron Morgan's property to bypass the section that cannot be maintained. If the bids received are higher than $15,426 then the item should be brought back before the Board. Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE SUMMER FOOD PROGRAM CONTRACT (06): County Clerk Crawley explained that for past several years, the Board of Commissioners has participated in the summer Food Service Program. This program offers nutritious summer lunch meals for children in the Guyton, Clyo and Springfield area. Some of the costs of the program are reimbursed from state/federal funds.

Commissioner Brantley made a motion to approve the Summer Food Program Contract (see minute book page _____). Vice-Chairman Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A CONTRACT WITH THE CONNER LAW GROUP PC TO REPRESENT C. D. ZEIGLER IN THE OLD AUGUSTA CASE (07): County Clerk Crawley explained that Chairman Zeigler would like to be personally represented by a separate attorney than the one who is representing in the County in the Old Augusta Development Group.

Mr. Tim Mathews and Mrs. Carolyn Collins stated their concerns about this contract.

Chairman Zeigler abstained from this issue.

Vice-Chairman Loper made a motion to approve a contract with the Conner Law Group PC to represent C.D. Zeigler in the Old Augusta Case (see minute book page _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

WORKSHOP

FIRE FEES: Finance Director Wright gave the Board an overview of different scenarios dealing with Fire Fees.

Due to time, the workshop continued after the Planning Board presentments.

PLANNING BOARD

NEW BUSINESS

BETTY LONG – REZONING (01): A Public Hearing was held on the application by Betty J. Long to rezone 1 acre to combine with adjoining property located at 494 Waldhour Road from R-1 to AR-1 Map 460 Parcel 28A located in the Fifth District.

Zoning Administrator Shaw presented the request.

There were no objectors present.

Commissioner Kieffer made a motion to approve the First Reading for the application by Betty J. Long to rezone 1 acre to combine with adjoining property located at 494 Waldhour Road from R-1 to AR-1 Map 460 Parcel 28A 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 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 Jones seconded the motion. The motion carried unanimously.

WAYNE E. HODGES – PUBLIC HEARING (02): A Public Hearing was held on the application by Wayne E. Hodges to rezone 2.93 acres located at 1496 Hodgeville Road from R-1 to AR-2 Map 435 and Parcel 7A located 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 Wayne E. Hodges to rezone 2.93 acres located at 1496 Hodgeville Road from R-1 to AR-2 Map 435 and Parcel 7A 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.

WORKSHOP CONTINUED

Staff was given the direction for no property tax scenarios, but, fire fees based on a structure stories, rural business, churches, government, and schools will pay a fee.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

Chairman Zeigler discussed the following:
- CRC report on using propane gas for county vehicles

County Clerk Crawley discussed the following:
- Request to come before the Board to discuss having chickens in the Rural Zoning

County Administrator Crawley discussed the following:
- Traffic signal at Old Augusta and Hwy 21
- Hospital request for property to use for parking
- The request for a bed and breakfast ordinance; should staff move forward. The answer was yes.
- OMNI flight would like to put up a fence around the building at their cost
- Laurel Mill cost to fix – bring back estimate
- Central School Site moving forward
- WTOC Sky Cam at the Judicial Complex provide space

EXECUTIVE SESSION

At 8:06 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, personnel and property. (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.

ADJOURNMENT

At 8:32 p.m., Chairman Zeigler made a motion to adjourn. Commissioner Brantley seconded the motion. The motion carried unanimously.

_____ _____

Reginald Loper, Sr. Vice-Chairman Patrice R. Crawley, County Clerk