

**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, May 15, 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. Ruth Lee, Mrs. Vickie Decker, Mr. Randy Shearouse, Mrs. Carolyn Y Collins, Mr. Kristopher Moutray, Ms. Kim Hooker, Ms. Dianna Medincamp, Mr. Charlie Kea, Mr. Travis C. Zittrouer, Mr. Michael Jones, Mr. Jarrod Wright, Mr. Ralph Graham, Mr. Kent Morgan, Ms. Bonnie Morgan, Ms. Teresa Bender, Mr. Francis Palmer, Mr. Alan Zipperer, Ms. Joan Stanton, Mr. Robert Stanton, Ms. Marie Hall, Mr. Leon J. Hall, Sr. Mr. Harold Brackett, Ms. Barbara Brackett, Mr. Mike Jomikonis, Mr. Mickey Kicklighter, Mr. Ray Connor, Mr. Ken Kocher, Mrs. Dorothy Kocker, Mr. Chris Hobbs, Mr. Gibson Huger, Ms. Linda Miner, and Ms. Patricia Norton.

**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**

County Administrator Crawley requested to remove New Business Number 1 per County Attorney as the alleged breach has not been decided by the Board of Tax Assessor and tabling Planning Board Number 1, 2, and 3 until the DRI is completed. At that time these items will be re-advertised in the paper and signage will be posted on the property. County Clerk Crawley requested to have

New Business Number 14 removed because there are no participants in the training.

Commissioner Kieffer made a motion to approve the Agenda with the removing New Business Number 1 and 14 and tabling Planning Board Number 1, 2, and 3 until the Zoning Department has received the DRI ( \_\_\_\_\_ ). Vice-Chairman Loper 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 interested in viewing these may do so in this office.

**MINUTES**

Commissioner Brantley made a motion to approve the minutes for the May 1, 2012 Commissioners meeting with the stated corrections. Commissioner Jones 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**

**CONSIDERATION TO APPROVE THE REQUEST FROM CLARA BARNES TO RELEASE THE COST OF BREACHING CUVA (01):** This item was removed during Agenda approval.

**CONSIDERATION TO APPROVE A RESOLUTION TO SET THE 2012 FIRE FEES (02):** County Administrator Crawley explained that staff would like to submit a revision to the fire fees.

Mr. Ashley Kieffer, Mrs. Carolyn Collins, Mr. David Baxton, Mr. Charlie Kea, Mr. Richard Hinson, and Mr. Allen Zipperer stated their concerns about the fire fees.

Chairman Zeigler made a motion to approve to set the 2012 Fire Fees using the existing 2011 Fire Fees Structures (see minute book page \_\_\_\_\_).

Commissioner Brantley seconded the motion. Commissioner Kieffer opposed the

motion. Chairman Zeigler, Vice-Chairman Loper, Commissioners Brantley, Jones, and Mason voted in favor of the motion. The motion carried.

**APPEARANCE**

**BUDDY HILL** – Mr. Buddy Hill and the residents on Stephens Drive would like to change the speed limit back to 25 miles per hour for the safety of the children, grandchildren and senior citizens walking. Staff was directed to look into the best way to handle classifying residential districts to run radar.

**JOAN STANTON** – Mrs. Joan Stanton would like the Board to consider allowing chickens in residential zoning.

Mr. Mike Jomkonis stated that he had no problem with chickens in residential zoning.

**CONSIDERATION TO APPROVE A MEMORANDUM OF AGREEMENT WITH THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COASTAL SERVICES CENTER (03):** GIS Interim Department Head Araya stated that the Memorandum of Agreement with National Oceanic and Atmospheric Administration (NOAA) is an umbrella agreement that covers basic geospatial services and data work needed by Effingham County. This agreement will give NOAA the ability to do work for Effingham County through approvals of small agreements called an annex. Approving the agreement will permit the County to apply less physical resources and deal with less overhead for projects that are needed. NOAA will solicit and manage the contracts. Approval of the Memorandum of Agreement does not obligate or commit Effingham County to purchase services and/or data.

Vice-Chairman Loper made a motion to approve a Memorandum of Agreement with the NOAA Coastal Services Center (see minute book page \_\_\_\_). Commissioner Kieffer seconded the motion. The motion carried unanimously.

Commissioner Mason stepped down to possible conflict.

**CONSIDERATION TO APPROVE REIMBURSING JENK, LLC FOR THE INFRASTRUCTURE CONSTRUCTION COSTS OF A GRAVITY SEWER LINE CONNECTING THE WALKER BUILDING TO THE COUNTY SEWER LINE (04):** County Engineer Liotta explained that the Walker Building is located within Goshen Commercial Park

near the intersection of Hwy 21 and Goshen Extension. This building was originally constructed by Ed Beaty. No water/sewer/reuse fees were collected at permit issuance as the building was proposed to be connected to private water and the septic system at Beaty building next door. The building was purchased by Jenks, LLC. in April, 2008. The building was originally connected to the well water system owned by the developers of Goshen Commercial Park and that Jenks claims that a connection fee was paid at that time. Jenks constructed and connected a gravity sewer line crossing Goshen extension around May, 2008. The County proposed a water and sewer agreement in 2008 and again in 2010 but neither was signed by Jenks. Both agreements would have included reimbursement for the cost of construction of the gravity sewer line at the amount of \$31,556 and would require Jenks to pay the applicable water/sewer/reuse fees.

Attorney Mickey Kicklighter was on hand to represent Jenks, LLC.

Chairman Zeigler made a motion to do nothing. Commissioner Brantley seconded the motion. Commissioner Jones and Commissioner Kieffer opposed the motion.

After some discussion, Chairman Zeigler made a motion to remove his motion. Commissioner Jones seconded the motion. The motion carried unanimously.

Chairman Zeigler made a motion to do nothing until an agreement is reached. Commissioner Brantley seconded the motion. Commissioner Jones opposed the motion. Chairman Zeigler, Vice-Chairman Loper, Commissioners Brantley, Mason and Kieffer voted in favor of the motion. The motion carried.

**CONSIDERATION TO APPROVE ACCEPTING ROADS AND INFRASTRUCTURE**

**DEED FOR PHASE I AND II FOR TIMBERLAKE SUBDIVISION (05):** County Engineer Liotta explained that Timberlake Subdivision is located off Horsepen Road near Blue Jay Road. The development was planned for 426 lots, of which 180 have been platted and about 65 houses have been constructed. The subdivision is connected to County water and sewer and has its own pump station. Blue Jay Developers, LLC., of which, Mike Jenkins is currently the owner of the subdivision infrastructure. In December, 2006, the contractor and the developers were

notified by the county's engineering firm that the pump station located in Phase I had 6 punch list items that must be addressed before the County could accept ownership of the station. To date, three of these items have not been addressed. In March, 2010, an inspection on the roads and drainage was done, which resulted in eight comments and these items have not been corrected.

Attorney Mickey Kicklighter was on hand to represent Blue Jay Developers, LLC.

Chairman Zeigler made a motion to table until punch lists were handled. Commissioner Brantley seconded the motion. Vice-Chairman Loper, Commissioners Jones and Kieffer opposed. The motion died.

Commissioner Jones made a motion to table until the next meeting. Commissioner Kieffer seconded the motion. Chairman Zeigler and Commissioner Brantley opposed the motion. Vice-Chairman Loper, Commissioners Jones and Kieffer voted in favor of the motion. The motion carried.

Commissioner Mason resumed his seat.

**PLANNING BOARD**

**NEW BUSINESS**

**INDUSTRIAL DEVELOPMENT AUTHORITY – REZONING (1)(2)(3):** These items were tabled during Agenda approval.

**KAREN COATES – REZONING (01):** A Public Hearing was held on the application by Karen A. Coates for a conditional use to allow for one acre family cemetery located at 550 Egypt Ardmore Road Map and Parcel 245-11 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 Karen A. Coates for a conditional use to allow for one acre family cemetery located at 550 Egypt Ardmore Road Map and Parcel 245-11 with the following stipulations:

- (1) The cemetery must be surveyed.
- (2) The plat must be approved by the zoning administrator and recorded at the courthouse.

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

**WILLIE G. MORGAN – PUBLIC HEARING (02):** A Public Hearing was held on the application by Willie G. Morgan to rezone 2.75 acres from R-1 to AR-2 located at 2885 Rincon Stillwell Road Map and Parcel 465-36 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 Willie G. Morgan to rezone 2.75 acres from R-1 to AR-2 located at 2885 Rincon Stillwell Road Map and Parcel 465-36 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 Jones seconded the motion. The motion carried unanimously.

**CHRIS HOBBS – REZONING (06):** A Public Hearing was held on the application by Chris Hobbs to rezone 15 acres from AR-1 to B-2 located off of Goshen Road Ext. Map and Parcel 465-2 in the Fifth District.

Zoning Administrator Shaw presented the request.

Mr. Chris Hobbs was available for any questions.

There were no objectors present.

Commissioner Kieffer made a motion to approve the First Reading for the application by Chris Hobbs to rezone 15 acres from AR-1 to B-2 located off of Goshen Road Ext. Map and Parcel 465-2 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.

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

**F. GIBSON HUGER – REZONING (07):** A Public Hearing was held on the application by F. Gibson Huger to rezone 2.88 acres from AR-2 to B-3 located at 6210 Hwy 21 South Map and Parcel 465-25 located in the Second District Zoning Administrator Shaw presented the request.

Mr. F. Gibson Huger was available for any questions. There were no objectors present.

Commissioner Jones made a motion to approve the First Reading for the application by F. Gibson Huger to rezone 2.88 acres from AR-2 to B-3 located at 6210 Hwy 21 South Map and Parcel 465-25 with the following stipulations:

- (1) Each lot shall meet the requirements of the B-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.

**RAY CONNOR – REZONING (08):** A Public Hearing was held on the application by Roy Connor for a conditional use to allow for a mobile office in a B-3 Zoning District located at 6210 Hwy 21 South Map and Parcel 465-25 located in the Second District.

Zoning Administrator Shaw presented the request.

Mr. Doug Morgan with EMC Engineer represented Mr. Connor.

Commissioner Jones made a motion to approve the application by Ray Connor for a conditional use to allow for a mobile office in a B-3 Zoning District located at 6210 Hwy 21 South Map and Parcel 465-25 with the follow stipulations:

- (1) Approval based on rezoning approval for the property.
- (2) Mobile office shall be part of an approval site plan.

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

**NEW BUSINESS CONTINUED**

**CONSIDERATION TO APPROVE CHANGING EMS REVENUE COLLECTION AND RECORDING TO AN ACCRUAL BASIS (06):** Finance Director Wright explained that in prior years the Board elected to record EMS revenue collection on a cash basis. In order to begin recording on an accrual basis entries and adjustments will need to be made to the financial statement to record accounts receivables outstanding and show prior period adjustments. Making this change will provide for greater transparency in the general operations of the service.

Commissioner Jones made a motion to approve changing EMS revenue collection and recording to an accrual basis. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE AN AUDIT FIRM FOR FISCAL YEAR 2012/2013**

**(07):** Finance Director Wright explained that each year by Georgia Law an audit must be conducted. The audit is conducted in order to meet state and federal requirements, insure the financial statements are presented fairly in all material aspects and are in conformity with generally accepted accounting principles known as GAAP. In March 2012 an RFP was released to solicit bids for audit services. A total of eight firms presented proposals. The review of the proposals show that the firm of Caines, Hodges and Pace had the greatest partner hours assigned, the lowest average hourly rate, no charge for consultation hours and 34 hours above other proposals to address areas and issues within the courts and elected officials offices.

Commissioner Brantley made a motion to approve Caines, Hodges and Pace as the audit firm for fiscal year 2012/2013. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE AN AGREEMENT WITH PENN CREDIT CORPORATION FOR DEBT COLLECTION SERVICES ON DELINQUENT ACCOUNTS (08):**

Finance Director Wright explained that during the past year there has been an increase in returned checks and non-payment of bills. Staff recommends employing a collection agency to act as our agent regarding default on payments owed. Collection agencies can employ their expertise and use the



most effective legal means available to recover delinquent accounts in the shortest possible time period. Staff has looked for entities which can handle the various types of delinquent accounts for the county and recommends Penn Credit. Penn Credit is headquartered in Harrisburg, Pennsylvania with 20 years of service of governmental entities. Debt collection services include utility bills, taxes, court cost and EMS billing. The rates will be 16.5% under 2 years old and 19% on all other accounts with set up and acceptance of electronic files included.

Vice-Chairman Loper made a motion to approve an agreement with Penn Credit Corporation for debt collection services on delinquent accounts (see minute book page \_\_\_\_). Commissioner Brantley seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE AN EASEMENT WITH GEORGIA POWER AT THE GOSHEN ROAD PUBLIC SAFETY COMPLEX (09):** Community Relations Director Kobek explained that the Board previously approved the construction of the Goshen Road Public Safety Complex on lot 12 Goshen Park. Georgia Power will be providing the new service contract free of charge but they do require an easement.

Commissioner Brantley made a motion to approve an easement with Georgia Power at the Goshen Road Public Safety Complex (see minute book page \_\_\_\_). Commissioner Kieffer seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE TO AWARD AND ACCEPT A CONTRACT WITH JACK CARTER CONSTRUCTION FOR THE FOUNDATION CONSTRUCTION AT THE NEW SANITATION OFFICE BUILDING (10):** Community Relations Director Kobek explained that the County publically advertised a bid opportunity for the foundation construction of a new Sanitation Office Building. The building will house Sanitation staff and landfill operations and will be less than 2,000 square feet. Two bidders responded and attended the mandatory pre-bid meeting. Jack Carter Construction was the low bidder at \$21,191.

Mr. Theron Rahn with Jack Carter Construction was available for questions.

Vice-Chairman Loper made a motion to approve the award and accept a contract with Jack Carter Construction for the foundation construction at the new Sanitation office building (see minute book page \_\_\_\_). Commissioner Brantley seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE TO AWARD AND ACCEPT A CONTRACT WITH DON COLBERT CONSTRUCTION FOR THE FRAMING, SIDING, TRIM, WINDOWS, AND DOOR AT THE NEW SANITATION OFFICE BUILDING (11):** Community Relations Director Kobek explained that the County publically advertised a bid opportunity for the framing, siding, trim, windows and door of a new Sanitation Office Building. The building will house Sanitation staff and landfill operations and will be less than 2,000 square feet. Two bidders responded and attended the mandatory pre-bid meeting. Don Colbert Construction was the low bidder at \$63,194.57.

Commissioner Brantley made a motion to approve the award and accept a contract with Don Colbert Construction for the framing, siding, trim, windows, and door at the new Sanitation Office building (see minute book page \_\_\_\_). Vice-Chairman Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE TO AWARD AND ACCEPT A CONTRACT WITH DIXIE WATERWORKS FOR THE PLUMBING SERVICES AT THE NEW SANITATION OFFICE BUILDING (12):** Community Relations Director Kobek explained that the County publically advertised a bid opportunity for the plumbing services at the new Sanitation Office Building. The building will house Sanitation staff and landfill operations and will be less than 2,000 square feet. Three bidders responded and attended the mandatory pre-bid meeting. Dixie Waterworks was the low bidder at \$3,563.24.

Commissioner Brantley made a motion to approve the award and accept a contract with Dixie Waterworks for the plumbing at the new Sanitation Office building (see minute book page \_\_\_\_). Vice-Chairman Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE TO AWARD AND ACCEPT A CONTRACT WITH EFFINGHAM DRYWALL AND INSULATION AT THE NEW SANITATION OFFICE BUILDING (13):** Community Relations Director Kobek explained that the County publically

advertised a bid opportunity for drywall and insulation at the new Sanitation Office Building. The building will house Sanitation staff and landfill operations and will be less than 2,000 square feet. Two bidders responded and attended the mandatory pre-bid meeting. Effingham Drywall and Insulation was the only bidder at a price of \$30,100.

Commissioner Jones made a motion to approve the award and accept a contract with Effingham Drywall and Insulation at the new Sanitation Office building (see minute book page \_\_\_\_\_). Vice-Chairman Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE COMMISSIONER TRAVEL TO THE ACCG 2012**

**MOBILE CLASSROOM (14):** This item was removed during the agenda approval.

**CONSIDERATION TO APPROVE THE SALVATION ARMY TO APPLY FOR A DEPARTMENT OF COMMUNITY AFFAIRS 2012 EMERGENCY SOLUTIONS GRANT (15):**

County Clerk Crawley explained that the Salvation Army is applying for the 2012 Emergency Solutions Grant through the Department of Community Affairs for Chatham, Effingham and Bryan Counties. The Salvation Army is asking for at least \$20,000 to be used in Effingham County for case management and financial assistance to keep people in housing so that they do not become homeless. The Salvation Army will receive, administer, and disburse the funds and Effingham County can withdraw their support at anytime.

Vice-Chairman Loper made a motion to approve the Salvation Army to apply for a Department of Community Affairs 2012 Emergency Solutions Grant (see minute book page \_\_\_\_\_). Commissioner Kieffer seconded the motion. The motion carried unanimously.

**REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF**

Chairman Zeigler discussed the following:

- ◆ Sheriff's dispatch section needs assessment and possibility of having a public meeting to discuss
- ◆ Ways to help save money on the Budget – look at the retirement, County Commissioners forgoing their salary and subcontracting EMS Services
- ◆ Fire fee information – would like the total square foot of the County and the percentage of residential, commercial, and industrial

Vice-Chairman Loper discussed the following:

- ◆ Dogs at Baker Pond and the nuisance they cause

Commissioner Mason discussed the following:

- ◆ Policy on how to handle items that staff needs to address

County Clerk Crawley discussed the following:

- ◆ ACCG Policy meetings – Please let Patrice Crawley know which policy the Commissioners would like to be signed up for.
- ◆ Budget Committee Meeting on Friday, May 18<sup>th</sup> at 9:00 a.m. Chairman Zeigler, Commissioners Brantley and Jones are on this committee

County Attorney Gotwalt discussed the following:

- ◆ Putting SPLOST on the referendum

County Administrator Crawley discussed the following:

- ◆ Public hearing on the 96.58 acres to be transferred to the Board of Education
- ◆ Hospital property request. Board would like leasing the property to them.
- ◆ LOST Negotiation – setting up a pre-negotiation meeting with the cities.
- ◆ Request to cancel the July 3<sup>rd</sup> meeting.
- ◆ Changes to Budget Calendar
- ◆ Open Records Act and identifying the Clerk as agent for open records request.
- ◆ ACCG Summer Regional Membership meeting – Closes meeting will be Emanuel County, Thursday, June 28<sup>th</sup> from 10 to 3. Let Patrice Crawley know if you would like to attend
- ◆ Chamber Membership Directory – purchasing an ad
- ◆ Emergency Notification – Public Safety Director Myrick will be establishing a group contact to provide notification of significant emergency events which will include the Board and relevant staff.
- ◆ CGI Video Showcase – pre-production activities have begun which include videos of a welcome, education and quality of life. Staff recommends the additional video be on tourism and the communities of Effingham County.
- ◆ Request from Melissa Reagan, County Farmer Market for the County to sponsor the market.
- ◆ Storm water utility fee – as mandated by the Service Delivery Agreements, there will be a workshop at the next Board meeting to present information on the fee

**EXECUTIVE SESSION**

At 8:44 p.m., Chairman Zeigler made a motion to go into Executive Session to discuss personnel, property, and pending litigation. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

Commissioners Jones and Kieffer left the meeting.

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

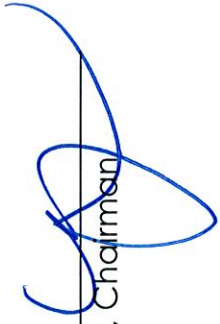
At 9:13 p.m. Chairman Zeigler made a motion to go back into Regular Session. Commissioner Brantley seconded the motion. The motion carried unanimously.

**MINUTES**

Chairman Zeigler made a motion to approve the April 17, 2012 Executive Session Minutes. Commissioner Brantley seconded the motion. The motion carried unanimously.

**ADJOURNMENT**

At 9:15 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