

**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, June 05, 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. Steve Liotta, County Engineer, Mrs. Patrice R. Crawley, County Clerk, Mrs. Joanna Wright, Finance Director, Mr. George Shaw, Zoning Administrator, Mr. Rick Lott, Mr. Ashley Kieffer, Mrs. Ruth Lee, Mrs. Carolyn Collins, Mr. Jack C. Garvin, Mr. Jamey Stancell, Mr. Franklin Goldwire, Mr. Wilson Burns, and Mr. Stan Brading.

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 stated that there is a need for three additions to the agenda. Since the LOST negotiations are on a short time schedule, there is a need for the Board to approve going ahead to proceed with the negotiations. The Coastal Regional Commission Area on Aging has offered a grant the County a grant in the amount of \$5,000. This money needs to be spent by the end of July; therefore the Board needs to approve the acceptance of the grant. The apartment complex Goshen Crossing is proposing an additional project. To increase the developments chances to receive tax incentives from the Georgia Department of Community Affairs, the developers are requesting that the Board approve a Resolution and Letter of Support by the end of June.

County Administrator Crawley also requested that Old Business Number 2 be tabled or removed as the parties have not been able to get together to discuss the issue.

Commissioner Jones made a motion to approve the Agenda for the June 05, 2012 Commissioners Meeting with the addition of New Business 16 – Consideration to approve selecting two Commissioners to be involved in the LOST preliminary negotiation process,

New Business 17 – Consideration to approve accepting the Coastal Regional Commission Area Agency on Aging Grant in the amount of \$5,000, New Business 18 – Consideration to approve a Resolution and letter of support for the second phase of the Goshen Crossing Complex on Goshen Extension and to remove Old Business Number 01 from the Agenda. Commissioner Brantley seconded the motion. The motion carried unanimously.

MINUTES

Vice-Chairman Loper made a motion to approve the Board of Commissioners minutes for May 15, 2012. 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.

CONSENT AGENDA

Chairman Zeigler read out loud the Consent Agenda Items. Commissioner Kieffer abstained due to a possible conflict. Commissioner Jones made a motion to approve:

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

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

CONSIDERATION TO APPROVE THE SECOND READING TO AMEND MAP AND PARCEL NUMBER 465-2 FOR REZONING 15 ACRES FROM AR-1 TO B-2 LOCATED OFF OF GOSHEN ROAD EXT. WITH THE FOLLOWING STIPULATIONS (03):

1. Each lot shall meet the requirements of the B-2 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.

CONSIDERATION TO APPROVE THE SECOND READING TO AMEND MAP AND PARCEL NUMBER 451-11 FOR A CONDITIONAL USE TO ALLOW FOR ONE ACRE FAMILY CEMETERY LOCATED AT 550 EGYPT ARDMORE ROAD WITH THE FOLLOWING STIPULATIONS (04):

1. The cemetery shall be surveyed.
2. The plat shall be approved by the Zoning Administrator and recorded in the Clerk of Superior Court office.

CONSIDERATION TO APPROVE THE SECOND READING TO AMEND MAP AND PARCEL NUMBER 465-36 FOR REZONING 2.75 ACRES FROM R-1 TO AR-2 LOCATED AT 2885 RINCON STILLWELL ROAD WITH THE FOLLOWING STIPULATIONS (05):

1. Each lot shall meet the requirements of the AR-2 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.

CONSIDERATION TO APPROVE THE SECOND READING TO AMEND MAP AND PARCEL NUMBER 465-25 FOR REZONING 2.88 ACRES FROM AR-2 TO B-3 LOCATED AT 6210 HWY 21 SOUTH WITH THE FOLLOWING STIPULATIONS (06):

1. Each lot shall meet the requirements of the B-3 Zoning District.
2. Site development plans shall comply with the Effingham County Water Resources protection ordinance and the Stormwater 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.

CONSIDERATION TO APPROVE THE SECOND READING TO AMEND MAP AND PARCEL NUMBER 465-25 FOR A CONDITIONAL USE TO ALLOW FOR A MOBILE HOME OFFICE IN A B-3 ZONING DISTRICT LOCATED AT 6210 HWY 21 SOUTH (07).

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

Commissioner Kieffer rejoined the meeting.

OLD BUSINESS

CONSIDERATION TO APPROVE THE SECOND READING TO AMEND MAP AND PARCEL 378-42 TO REZONE 12.18 ACRES FROM I-1 TO AR-1 LOCATED OFF OF U.S. HWY 80 OWNED BY HENRY MORGAN (01):

Zoning Administrator Shaw explained that Mr. Morgan has not received the closure paperwork from EPD.

Vice-Chairman Loper made a motion to table this item to October 16th.

Commissioner Mason seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE ACCEPTING ROADS AND INFRASTRUCTURE DEED FOR PHASE I AND II FOR TIMBERLAKE SUBDIVISION

(01): This item was tabled during approval of the Agenda.

NEW BUSINESS

Commissioner Kieffer stepped down for this item, due to a possible conflict.

CONSIDERATION TO APPROVE THE REQUEST FOR 21 SOUTH PROPERTIES, LLC. TO RELEASE 2011 FIRE FEES (01):

Mr. Ashley Kieffer, one of the owners of 21 South Properties, LLC., stated that in 2011 he paid \$4,000 in fire fees for storage units and offices on four parcels. Parcel 465M-12 is charged for 4 dwellings and houses storage units, parcel 4650-11 is charged for 6 dwellings and houses storage units, parcel 465m-11 is charged for 3 dwellings and houses storage units and offices, and parcel 465m-10 charged for 3 dwellings houses storage units. Mr. Kieffer requests that out of these four parcels he be charged for three dwellings at the cost of \$750. The amount to be released would be \$3,250.

Commissioner Mason made a motion to release the following: parcel 465m-12 4 dwellings, parcel 4650-11 5 dwellings, parcel 465m-11 1 dwelling, and parcel 465m-10 3 dwelling total of 13 dwellings. The amount of fire fees to be released would be \$3,250. Commissioner Jones could second the motion. The motion carried unanimously.

Commissioner Kieffer rejoined the meeting.

APPEARANCE

MS. DEBORAH GAY – Ms. Gay was not present at the meeting.

NEW BUSINESS - CONTINUED

CONSIDERATION TO APPROVE APPOINTING ED MYRICK EMA DIRECTOR FOR EFFINGHAM COUNTY (02): County Administrator Crawley explained that Mr. Ed Myrick was hired as Public Safety Director several months ago. Currently Fire Chief Val Ashcraft serves as interim EMA Director, subsequent to the resignation of Mr. Walter Wright. The Board is responsible for the emergency management operations of the County during significant events of either man made or natural disasters. The Board has the authority to appoint any individual as EMA Director, who will have the responsibility of planning and implementing disaster preparedness plans and operations. Letter correspondence has been provided to each of the municipalities by staff, outlining the Board's consideration of appointing Ed Myrick as EMA Director. The duties of EMA Director are currently outlined within the job description of Public Safety Director. This is only the addition of another title, not a change in compensation.

Commissioner Kieffer made a motion to approve appointing Ed Myrick EMA Director for Effingham County. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE INFRASTRUCTURE INCLUDING PUMP STATION PARCEL FOR SOUTHBEND SUBDIVISION (03): County Engineer Liotta explained that the Bank of Newington and the Southbend Homeowners Association offer the County ownership infrastructure in Southbend subdivision, located off Hwy 30. Staff recommends accepting ownership of the infrastructure including pump station parcel.

Commissioner Jones made a motion to approve the infrastructure including pump station parcel for Southbend Subdivision (see minute book page _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AMENDING THE MEMORANDUM OF AGREEMENT FOR THE SAVE PROGRAM (04): Zoning Administrator Shaw explained that the Department of Homeland Security and the US Citizenship and Immigration Services (USCIS) designed a program named the Systematic Alien Verification of Entitlements (SAVE). This is an intergovernmental initiative to aid benefit-granting agencies in determining an applicant's immigration status. Furthermore, it ensures that only entitled applicants receive Federal, State or Local public benefits and licenses. Said entity requires the attached addendum to be updated on a yearly basis for payment and budgeting information.

Vice-Chairman Loper made a motion to approve amending the Memorandum of Agreement for the SAVE program (see minute book page _____). Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN ASSEMBLAGE PERMIT FOR THE CHAMBER OF COMMERCE TO HOLD THE OKTOBERFEST ON SEPTEMBER 28 AND 29 AT THE INTERSECTION OF MCCALL ROAD AND HWY 21 (05): Zoning Administrator Shaw explained that the Effingham Chamber of Commerce represented by Rick Lott has requested a special event permit for Oktoberfest. This event is to be held on September 28th noon to 11 pm and 29th 9 am to 11 pm in front of the shopping plaza a McCall and Hwy 21. The event is also requesting a special alcohol permit.

Commissioner Jones made a motion to approve an assemblage permit for the Chamber of Commerce to hold the Oktoberfest on September 28 and 29 at the intersection of McCall Road and Hwy 21. Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE MAINTENANCE IN LIEU OF RENT (MIL) FOR THE DEPARTMENT OF FAMILY AND CHILDREN SERVICES (06): Finance Director Wright explained that the Department of Family and Children Services rents the DFCS building located behind and between the Administration Complex and the Judicial Complex to house their operations. The actual MIL agreement requires us to provide space and services such as electricity, water, and cleaning. The expenses are tracked separately.

Commissioner Brantley made a motion to approve the maintenance in lieu of rent

(MIL) for the Department of Family and Children Services (see minute book page ____). Vice-Chairman Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A CONTRACT WITH MULTIVISTA FOR PHOTOGRAPHIC CONSTRUCTION DOCUMENTATION OF THE SHERIFF'S OFFICE

AND JAIL PROJECT (07): Community Relations Director Kobek explained that MultiVista offers photographic construction documentation for the Sheriff's complex and jail. Some members of the Design Build team have used the service in the past and speak highly of the services. The project will come with a print set of as builts. The total proposed contract value is \$21,175; \$5,320 is due for set up, then \$755 per month for 21 months.

Commissioner Mason made a motion to not approve a contract with MultiVista. Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A CONTRACT WITH THE GREENERY, INC. FOR CHEMICAL TREATMENTS OF THE RECREATION COMPLEXES (08):

Community Relations Director Kobek explained that the Board accepted the bid for the Greenery in April of this year for pesticide and fertilizer applications on the ball fields at the recreation complex's, soil testing and irrigation inspections with bi-weekly consultation visits are included for the Sports Complexes, Judicial Complex and the historic Courthouse. The price for these services is \$26,040.

Commissioner Jones made a motion to approve a contract with the Greenery, Inc. for chemical treatments of the recreation complexes (see minute book page ____). Vice-Chairman Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AWARDING THE BID AND THE CONTRACT WITH AIKEN HARPER ELECTRICAL SERVICES, INC. FOR ELECTRICAL SERVICE

FOR THE NEW SANITATION OFFICE (09): Community Relations Director Kobek explained that the county publically advertised a bid opportunity for the electrical services at the new Sanitation Office Building. The building will be just under 2,000 square feet and house sanitation staff and landfill operations. Two bidders attended the mandatory pre-bid meeting. Aiken Harper Electrical Services, Inc. was the lowest bidder at a price of \$32,654.

Vice-Chairman Loper made a motion to approve awarding the bid and the contract

with Aiken Harper Electrical Services, Inc. for electrical services for the new Sanitation Office (see minute book page _____). Chairman Zeigler seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AWARDING THE BID AND THE CONTRACT WITH JACK CARTER CONSTRUCTION FOR ROOFING CONSTRUCTION FOR THE NEW SANITATION OFFICE (10): Community Relations Director Kobek explained that the county publically advertised a bid opportunity for the roofing construction at the new Sanitation Office Building. The building will be just under 2,000 square feet and house sanitation staff and landfill operations. Two bidders attended the mandatory pre-bid meeting. Jack Carter Construction was the lowest bidder at a price of \$21,835.

Commissioner Brantley made a motion to approve awarding the bid and the contract with Jack Carter Construction for roofing construction for the new Sanitation Office (see minute book page _____). Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AWARDING THE BID AND THE CONTRACT WITH COASTAL GEORGIA MECHANICAL FOR HVAC INSTALLATION OF THE NEW SANITATION OFFICE BUILDING (11): Community Relations Director Kobek explained that the county publically advertised a bid opportunity for the HVAC installation at the new Sanitation Office Building. The building will be just under 2,000 square feet and house sanitation staff and landfill operations. Two bidders attended the mandatory pre-bid meeting. Coastal Georgia Mechanical was the lowest responsive and responsible bidder at a price of \$19,325.

Vice-Chairman Loper made a motion to approve awarding the bid and the contract with Coastal Georgia Mechanical for HVAC Installation of the New Sanitation Office Building (see minute book page _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE GASBOY AGREEMENT FOR THE BACKYARD FUEL SYSTEM (12): County Clerk Crawley explained that Gasboy is the vendor who provides support for the backyard fuel system. The cost for the services is \$725 a year.

Commissioner Jones made a motion to approve the Gasboy agreement for the

backyard fuel system (see minute book page _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE REAPPOINTING KAY JONES TO THE DEPARTMENT OF FAMILY AND CHILDREN SERVICES BOARD TO REPRESENT THE FIFTH DISTRICT (13): County Clerk Crawley explained that Kay Jones' term on the DFCS Board for the Fifth District is expiring. Ms. Jones would like to continue to serve on the DFCS Board.

Commissioner Kieffer made a motion to approve reappointing Kay Jones to the Department of Family and Children Services Board to represent the Fifth District. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE APPOINTING COREY KESSLER TO THE RECREATION COMMISSION BOARD TO REPRESENT THE FIFTH DISTRICT (14): County Clerk Crawley explained that Mr. Ron Morgan represents the Fifth District on the Recreation Commission Board. His term is up and does not want to be reappointed. Commissioner Kieffer has proposed Corey Kessler to replace Mr. Morgan.

Commissioner Kieffer made a motion to approve appointing Corey Kessler to the Recreation Commission to Represent the Fifth District. Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE CANCELING THE JULY 3RD BOARD OF COMMISSIONERS MEETING (15): County Clerk Crawley explained that in the past the Board has canceled the first Commissioners meeting in July due to the holiday.

Vice-Chairman Loper made a motion to approve canceling the July 3rd Board of Commissioners Meeting. Commissioner Jones seconded the motion. The motion carried unanimously.

ADDITIONS TO THE AGENDA

CONSIDERATION TO APPROVE SELECTING TWO COMMISSIONERS TO BE INVOLVED IN THE LOST PRELIMINARY NEGOTIATION PROCESS (16): County Administrator Crawley explained that on May 21st, City Managers and the County Administrator met to discuss LOST negotiation procedures. A tentative procedure and calendar were outlined during the meeting. It was discussed to have two elected officials and the manager or administrator to participate in preliminary negotiations. Formal

negotiations would not begin until early July.

Commissioner Brantley made a motion to approve Commissioners Jones, Kieffer and Vice-Chairman Loper as an alternate to be involved in the LOST preliminary negotiation process. Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE ACCEPTING THE COASTAL REGIONAL COMMISSION AREA AGENCY ON AGING GRANT IN THE AMOUNT OF \$5,000 (17):

Finance Director Wright explained that each year the County renews a contract with Coastal Georgia Regional development Center to be the provider of Aging Services to the senior citizens in Effingham County. The Senior Center provides meals, recreation and activities to Effingham County seniors. Effingham County has been presented with the opportunity to receive \$5,000 in an additional grant funding. This grant funding is intended for program development and improvements that promote healthy aging and should only be uses on materials, training, and equipment that will enhance the nutrition and day programs. The funds must be spent prior to June 30, 2012.

Commissioner Jones made a motion to approve accepting the Coastal Regional Commission Area Agency on Aging Grant in the amount of \$5,000. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A RESOLUTION AND LETTER OF SUPPORT FOR THE SECOND PHASE OF GOSHEN CROSSING COMPLEX ON GOSHEN EXTENSION (18):

County Administrator Crawley explained that REA Development Company is seeking to build a multi-family housing complex using the low income housing tax credit program through Georgia DCA. Goshen Crossing complex on Goshen Extension Phase I is filling up quickly which shows the need for this type of housing. REA Development is requesting a resolution and letter of support for Phase II.

Stan Brading with REA answered questions concerning the request.

Commissioner Brantley made a motion to approve a Resolution and Letter of Support for the Second Phase of Goshen Crossing Complex on Goshen Extension (see minute book page _____). Commissioner Jones 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.

WORKSHOP

STORMWATER UTILITIES: County Engineer Liotta explained that the concept of a stormwater utility was brought up by the Cities during the Service Delivery negotiations. Staff summarized all of the information developed as an update to the Stormwater Management Plan Funding Feasibility Study completed in 2005. The next steps, if the County and/or Cities elect to move forward, would be to include updating GIS data, obtaining specific cost data for the current levels of service provided by each City that is interested and a Public Education Program.

EXECUTIVE SESSION

At 7:17 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.

County Administrator Crawley and Commissioners discussed personnel, property, and 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 8:03 p.m., the Board reconvened into Regular Session.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

Commissioner Brantley discussed the following:

- ❖ Budget Committee – How the Committee is handled and what the procedures are.
- ❖ Allowing chickens in a residential zoning. Board requested staff do a study on this issue and present the finding to them.

Commissioner Mason discussed the following:

- ❖ Point system in the Recycling Bank.

Commissioner Kieffer discussed the following:

- ❖ Hwy 21 grass being cut.

County Administrator Crawley discussed the following:

- ❖ Central School Site – Next Step is for the Board of Education to declare the Central School Site surplus and for the Board of Commissioners to vote to transfer the property.
- ❖ Hospital Property Request – Need to set up a meeting with the Hospital to discuss further.
- ❖ SPLOST Referendum – Referendum will be BOC meeting for June 19th
- ❖ Budget Calendar – dates have change.
- ❖ ACCG Summer Regional Membership Meetings – If you plan on attending let the County Clerk know.
- ❖ King Finishing – The County has submitted three projects for consideration of funding under the consent order for King Finishing. The projects include improvements to Steel Bridge, improvements to the spillway at Atlas Sand, and the

acquisition of additional property and construction of a new boat ramp along the river adjacent to Atlas Sand.

- ❖ Georgia Magazine – County was spotlighted in the Georgia Magazine.
- ❖ Financial Summary – Summary given through April, 2012.
- ❖ Dispatch – A meeting with the Sheriff to discuss his dispatch.
- ❖ Fire Fees – Possible amendment.
- ❖ Local Government status – What to do to get Effingham County up to local government status.

EXECUTIVE SESSION MINUTES

Commissioners Jones and Kieffer abstain due to not being in Executive Session.

Chairman Zeigler made a motion to approve the Board of Commissioners executive session minutes for May 15, 2012. Commissioner Brantley seconded the motion. The motion carried unanimously.

ADJOURNMENT

At 8:53 p.m., Chairman Zeigler made a motion to adjourn the meeting. Commissioner Jones seconded the motion. The motion carried unanimously.

C. D. Zeigler, Chairman

Patrice R. Crawley, County Clerk