

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, July 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, Ms. Rushe Hudzinski-Sero, Human Resources Director, Mrs. Joanna Wright, Finance Director, Ms. Carole Hogge, Mr. James Groce, Jr., Mrs. Carolyn Collins, Mr. Charlie Kea, Mr. James Scott, Mr. Steve Collins, Mrs. Teri Collins, Judge Mosley, Mr. Franklin Goldwire, Mr. Bob Summers, Mr. Kevin Patterson, Mr. Jack Garvin, Ms. Julie Denton, Mr. David Exley, Mrs. Beverly Boyles, Mr. John Boyles, Mr. Stan Mann, Mr. Ralph Graham, Mr. Dennis Morris, Ms. Leighanne Erickson, and Mr. Jamey Stancell.

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 Jones made a motion to approve the Agenda. 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 Kieffer made a motion to approve the minutes for the June 12, 2012, June 19, 2012, June 26, 2012 and July 09, 2012 Commissioners meetings with the stated corrections. Commissioner Brantley seconded the motion. Chairman Zeigler abstained. The motion carried.

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 following items on the Consent Agenda:

- (01) Consideration to approve the Second Reading to amend Map and Parcel 373A-1 for a rural business to allow for a business sign located at 2526 Blue Jay Road with the stipulation that the applicant shall meet all requirements of Sec. 3.15B-Rural Business;
- (02) Consideration to approve the Second Reading to amend Map and Parcel 311-7 for a conditional use to allow for a one acre family cemetery located at 1960 Springfield Road with the stipulation that a plat of the cemetery shall be approved by the Zoning Administrator and recorded at the Effingham County Clerk of Superior Court office;
- (03) Consideration to approve the Second Reading to amend the Official Code of Effingham County Appendix C- Zoning Ordinance to allow for Bed & Breakfast lodging facilities in AR-1, AR-2 and all commercial districts

Vice-Chairman Loper made a motion to approve number 01, 02, and 03 of the Consent Agenda (see minute book page _____). Commissioner Jones seconded the motion. The motion carried unanimously.

NEW BUSINESS

CONSIDERATION TO APPROVE A REQUEST FROM BEVERLY BOYLES AND JAMES GROCE, JR TO QUITCLAIM A PORTION OF THE UNOPENED LANE OF 5TH STREET SOUTH IN PINEORA (01): County Clerk Crawley explained that Mrs. Boyles and Mr. Groce have both requested that the unopened 5th Street South in Pineora be deeded to them. Currently Mrs. Boyles uses the unopened lane as her main drive and Mr. Groce uses it get to the back portion of his property.

Beverly Boyles and James Groce, Jr. were both present to answer questions.

Commissioner Jones made a motion to quitclaim the unopened lane of 5th Street South in Pineora that is between Block 14 and 18 as noted in the Recorded Plat of Pineora, Georgia dated November 27, 1954 that was laid out for and by direction of J.D. Hagin equally between James Groce, Jr. and Beverly & John Boyles, Jr. with the condition that the owners of said property have a life easement for the use of the driveway (see minute book page _____). Vice-Chairman Loper seconded the motion. The motion carried unanimously.

OLD BUSINESS

CONSIDERATION TO APPROVE THE FIRST READING OF THE BUDGET FOR FY 2012/2013 (01): Community Relations Director Kobek gave a presentation to the Board on the proposed Budget.

Vice-Chairman Loper made a motion to approve the First Reading of the Budget for FY 2012/2013 as presented with the exception of removing the dispatch from the Sheriff's Department and adding four of the Sheriff's dispatch employees to 911 with a deduction of \$156,000 from the budget number of \$26,578,001.54

Judge Mosley questioned if there were any different changes to the Probate Office?

County Administrator Crawley stated that Probate Office will stay the same as stated at the July 19th meeting.

Commissioner Brantley seconded the motion. Chairman Zeigler, Commissioners Jones and Kieffer voted against the motion. Vice-Chairman Loper, Commissioners Mason and Brantley voted for the motion. Motion dies.

Chairman Zeigler made a motion to approve the First Reading of the Budget for FY 2012/2013 as presented with the reduction of the Sheriff's Department to the amount in option 1 of the presentation, which is a budget reduction of \$519,997. Commissioner Brantley seconded the motion.

Vice-Chairman Loper, Commissioners Jones and Kieffer opposed the motion. Chairman Zeigler, Commissioners Brantley and Mason voted for the motion. The motion dies.

Commissioner Jones made a motion to approve the First Reading for the third presented Budget for FY 2012/2013 \$26,578,001.54 with the reduction of \$127,000 that the Sheriff volunteered from his department and adding back in tax revenue \$158,164. Commissioner Kieffer seconded the motion. Chairman Zeigler, Vice-Chairman Loper, Commissioners Mason and Brantley opposed the motion. Commissioners Jones and Kieffer voted in favor of the motion. The motion dies.

Carole Hogge stated her concerns for the proposed budget.

Chairman Zeigler made a motion to approve the First Reading of the Budget for FY 2012/2013 as presented in the amount of \$26,578,001.54.

The motion dies from lack of a second vote.

Commissioner Kieffer made a motion to approve the First Reading of the Budget for FY 2012/2013 as presented \$26,578,001.54 minus the \$127,473 from the Sheriff's Department and adding the expected revenue from the tax sale in the amount of \$31,181. Commissioner Jones seconded the motion. Chairman Zeigler, Commissioners Brantley and Mason opposed the motion. Vice-Chairman Loper, Commissioners Jones and Kieffer voted in favor of the motion. The motion dies.

Commissioner Mason made a motion to approve the First Reading of the Budget for FY 2012/2013 as presented \$26,578,001.54 minus the reduction of the Sheriff's Department in the amount of \$127,000 and adding \$50,000 reduction in the Sheriff's Office with a final proposed Budget of \$26,576,231.54. Commissioner Jones seconded the motion. The motion carried unanimously.

PUBLIC HEARING

6:30 p.m. – Millage Rate – A public hearing was held concerning the adoption of the following millage rate: County Government 8.558, Hospital 2.35, Industrial Development Authority 2.00, Board of Education 16.897 and the State of Georgia .25, totaling 30.055. The reason of the increase is due to the Hospital Authority's proposal not to rollback its millage rate which will constitute an increase. The proposed tax increase for a home with a fair market value of \$100,000 is approximately \$6.19 and the proposed tax increase for non-homestead property with a fair market value of \$300,000 is approximately \$20.64.

There was no public input concerning the Millage Rate increase. The Public Hearing is closed.

PLANNING BOARD

OLD BUSINESS

FRANK & MYRA LEWIS – PUBLIC HEARING (01): County Administrator Crawley explained that Mr. and Mrs. Lewis would like to remove their application for rezoning.

Chairman Zeigler made a motion to remove Frank & Myra Lewis' rezoning application. Commissioner Kieffer seconded the motion. The motion carried unanimously.

NEW BUSINESS

KIMBERLE J. MORRIS – PUBLIC HEARING (02): A Public Hearing was held on the application by Kimberle Morris to rezone 16.34 acres from AR-2 to B-3 map and parcel 305-4 located off Old River Road in the First District.

County Administrator Crawley presented the request.

The applicant's husband, Dennis Morris was available for questions.

There were no objectors present.

Commissioner Brantley made a motion to approve the First Reading for the application by Kimberle Morris to rezone 16.34 acres from AR-2 to B-3 map and parcel 305-4 located off Old River Road with the following stipulations:

1. Each lot shall meet requirements of the B-3 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 Loper seconded the motion. The motion carried unanimously.

BRIAN ERICKSON – PUBLIC HEARING (03): A Public Hearing was held on the application by Brian Erickson to rezone 26.11 acres from R-1 to AR-1 to allow livestock on map and parcel 451-33 located off Goshen Road in the Second District.

County Administrator Crawley presented the request.

There were no objectors present.

Commissioner Jones made a motion to approve the First Reading for the application by Brian Erickson to rezone 26.11 acres from R-1 to AR-1 to allow livestock on map and parcel 451-33 located off Goshen Road in the Second District with the following stipulations:

1. Each lot shall meet 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

Commissioners Kieffer seconded the motion. The motion carried unanimously.

CONTINUE NEW BUSINESS

CONSIDERATION TO APPROVE NO CHANGES TO THE COUNTY RETIREMENT PROGRAM INVESTMENT PLATFORMS (02): Human Resources Director Hudzinski-Sero explained that Board of Commissioners requested that Merrill Lynch provide a report on the county retirement plans quarterly, actuarial report yearly, and request any investment changes as necessary. Staff recommends no changes at this time.

Commissioner Brantley made a motion to approve no changes to the County Retirements Program Investment Platform. Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN AGREEMENT WITH THE STATE OF GEORGIA TO HOUSE INMATES AT THE EFFINGHAM COUNTY PRISON (03): Warden Spears explained that the annual agreement with the State of Georgia stipulates how many inmates the County is able to accept and the amount of compensation for housing inmates of Effingham County Prison. Currently, the County receives \$20 per inmate, per day, payable monthly. The inmate population will be decreased from 220 to 192; which will clear out one full dorm to house more county inmates and to ease housing constraints with the Jail. The state will pay for medical expenses in excess of \$1,000 and the agreement will be in effect until June 30, 2013.

Vice-Chairman Loper made a motion to approve an agreement with the State of Georgia to House Inmates at the Effingham County Prison (see minute book page ____). Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN ANNEX AGREEMENT WITH THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA) AND COASTAL SERVICES CENTER (CSC) FOR AERIAL IMAGERY (04): GIS Interim Department Head Araya explained that per the Memorandum of Agreement that was previously approved, a smaller agreement called an annex is required, which will give NOAA the ability to do work for Effingham County. This annex agreement will cover the Aerial photography project and Planimetrics which will be purchased by Effingham County through NOAA. NOAA will solicit and manage contracts with vendors, handle finances, select quality through bids, and QA/QC services and/or data to ensure the vendors meet specific requirements.

Commissioner Brantley made a motion to approve an annex agreement with the National Oceanic and Atmospheric administration (NOAA) and Coastal Services Center (CSC) for aerial imagery (see minute book page ____). Chairman Zeigler 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.

CONSIDERATION TO APPROVE AN AUTHORIZATION OF \$353,779.26 TO THE CITY OF SPRINGFIELD PER THE SERVICE DELIVERY AGREEMENT (05): Finance Director Wright explained that County entered into a service delivery agreement with the municipalities. As part of that agreement, the county

agreed to provide additional funding for the municipalities. The City of Springfield submitted a request in the amount of \$353,779.26.

Vice-Chairman Loper made a motion to approve an authorization of \$353,779.26 to the City of Springfield per the Service Delivery Agreement. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN AUTHORIZATION OF \$781,400.33 TO THE CITY OF RINCON PER SERVICE DELIVERY AGREEMENT (06):

Finance Director Wright explained that County entered into a service delivery agreement with the municipalities. As part of that agreement, the county agreed to provide additional funding for the municipalities. The City of Rincon submitted a request in the amount of \$781,400.33.

Commissioner Jones made a motion to approve an authorization of \$781,400.33 to the City of Rincon per the Service Delivery Agreement. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A CONTRACT WITH COASTAL GEORGIA REGIONAL DEVELOPMENT CENTER TO BE THE PROVIDER OF AGING SERVICES TO OUR SENIOR CITIZENS IN EFFINGHAM COUNTY (07):

Finance Director Wright explained that each year County renews a contract with Coastal Georgia Regional Development Center to be the provider of Aging Services to our senior citizens in Effingham County. The contract provides federal and state funding of \$159,121 to serve 9,241 congregate meals and \$19,139 of home delivered meals.

Commissioner Jones made a motion to approve a contract with Coastal Georgia Regional Development Center to be the provider of aging services to our Senior Citizens in Effingham County (see minute book page ____). Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A RESOLUTION REGARDING REVIEW AND APPROVAL OF MINUTES FOR EXECUTIVE SESSION (08):

County Clerk Crawley explained that new law requires that executive session minutes be kept of the Board of Commissioners. ACCG suggests that a Resolution be passed regarding the review and approval of minutes of executive session.

Vice-Chairman Loper made a motion to approve a Resolution regarding review and approval of minutes of executive session (see minute book page _____). Chairman Zeigler seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE REAPPOINTING KIM WARNOCK TO THE COASTAL AREA DISTRICT DEVELOPMENT AUTHORITY (09): County Clerk Crawley explained that the Coastal Area District Development Authority is an economic development lender providing commercial lending assistance to businesses in Effingham County. Currently, Kim Warnock is representing Effingham County and would like to continue to serve.

Commissioner Kieffer made a motion to approve reappointing Kim Warnock to the Coastal Area District Development Authority. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE REAPPOINTING DAVID ADKINS AND MICHAEL KING TO THE COASTAL WORKFORCE DEVELOPMENT BOARD (10): County Clerk Crawley explained that the focus on the Coastal Workforce Development Board is on strategic planning, policy development and oversight of the local workforce system. Currently David Adkins and Michael King are representing Effingham County on this board and are willing to continue to be a representative.

Commissioner Jones made a motion to approve reappointing David Adkins and Michael King to the Coastal Workforce Development Board. Chairman Zeigler seconded the motion. The motion carried unanimously.

OLD BUSINESS CONTINUE

CONSIDERATION TO APPROVE A RESOLUTION TO REQUEST THE ELECTION SUPERINTENDED TO CALL AN ELECTION OF THE VOTER TO MODIFY THE SPECIAL PURPOSE LOCAL OPTION SALES TAX (SPLOST) (02): County Administrator Crawley explained that there were still a few options that need to be discussed and it would be better to have this discussion in a workshop.

Commissioner Jones made a motion to table this item to July 26, 2012. Chairman Zeigler seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE SECOND READING AND ORDINANCE OF THE BUDGET FOR FY 2012/2013 (03): County Administrator Crawley explained that due to state requirements, this item had to be advertised one week from the July 09th meeting in the legal organ before the Board can vote on it. Therefore this item needs to be tabled to July 26, 2012.

Chairman Zeigler made a motion to table this item until July 26, 2012. Commissioner Jones seconded the motion. The motion carried unanimously.

EXECUTIVE SESSION

At 7:51 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 and property. (See copy of Chairperson’s affidavit on minute book page number _____).

At 8:17 p.m. Chairman Zeigler made a motion to go back into Regular Session. Commissioner Kieffer seconded the motion. The motion carried unanimously.

PUBLIC HEARING

8:00 p.m. – FINANCING OF THE RENOVATION AND EXPANSION OF THE COUNTY’S SHERIFF’S OFFICE AND THE COUNTY JAIL: County Administrator Crawley explained that the purpose of the hearing was to receive comments concerning the advisability of Effingham County Board of Commissioners entering into a multiyear lease agreement with ACCG in connection with the financing of the renovation and expansion of the County’s Sheriff’s Office and County Jail. This financing will be obtained from proceeds received from the sale of ACCG’s certificates of participation in the maximum aggregate principal amount of \$15,200,000. A notice of the hearing was published on July 03, and 10 in the Effingham Herald.

No persons appeared at the hearing who asked to be heard with respect to the proposed financing and no written comments were received.

At 8:21 p.m. the public hearing was closed.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

Commissioner Mason discussed the following:

- ◆ Recycle bank and issue about it not working the way it was suppose to or not
- ◆ Agenda online for the Commissioners

Commissioners Kieffer discussed the following:

- ◆ Median on Hwy 21 to be cut

County Administrator Crawley discussed the following:

- ◆ Central School site
- ◆ Hospital property request
- ◆ Budget Calendar update
- ◆ Jail Financing Calendar
- ◆ IDA DRI for the Research Forest
- ◆ Atlas Sand Boundary inquiry
- ◆ ACCG Fall Meeting will be in Athens
- ◆ Community Retreat – August 23rd and 24th

EXECUTIVE SESSION MINUTES

Commissioner Mason made a motion to approve the Board of Commissioners

executive session minutes for June 19, 2012. Vice-Chairman Loper seconded the motion.

The motion carried unanimously.

ADJOURNMENT

At 8:34 p.m., Chairman Zeigler made a motion to adjourn. Commissioner Loper seconded the motion. The motion carried unanimously.

Reginald Loper, Sr., Vice-Chairman

Patrice R. Crawley, County Clerk