THE EFFINGHAM COUNTY
COMMISSIONERS' MEETING

The Board of Commissioners of Effingham County, Georgia, Mr. C. D. Zeigler, Chairman, Mrs. Myra W. Lewis, Vice-Chairperson, Mrs. Verna Phillips, Mr. Jeffrey A. Utley, Mr. Reginald S. Loper and Mr. Robert Brantley met in regular session at 5:00 p.m. on Tuesday, November 02, 2010 in the Commissioners' Meeting Room at the Effingham County Administrative Complex.

PERSONS ATTENDING THE MEETING

Mr. Eric Gotwalt, Assistant County Attorney, Mr. David Crawley, County Administrator, Mr. Adam Kobek, Project Manager, Mr. George Shaw, Zoning Administrator, Ms. Rushe Hudzinski-Sero, Human Resources Director, Mrs. Patrice Crawley, County Clerk, Mr. Steve Liotta, County Engineer, Mrs. Ruth Lee, Mr. Murray Marshall, Mr. Jim Marshall, Mr. Dennis Jones, and Mrs. Vera Jones.

CALL TO ORDER

Chairman Zeigler called the meeting to order.

INVOCATION AND PLEDGE TO THE FLAG

Vice-Chairperson Lewis gave the invocation and led the Pledge to the American Flag.

AGENDA APPROVAL

County Administrator Crawley explained that there were two items that needed to be added to the agenda due to time restraints.

Commissioner Phillips made a motion to approve a Resolution to Approve the Agenda with the addition to New Business Number 13 – Consideration to approve Memorandum of Understanding and New Business Number 14 – Consideration to approve a Right of Entry and Temporary Construction Easement (see minute book page _____). Commissioner Loper seconded the motion. The motion carried unanimously.

MINUTES

Commissioner Loper made a motion to approve the minutes for the October 12, 2010 Special Called Meeting and October 19, 2010 Commissioners

Meeting. Commissioner Brantley seconded the motion. The motion carried unanimously.

PUBLIC COMMENTS

Chairman Zeigler stated that anyone who wanted to comment on any agenda item may do so when the item is presented.

CONSENT AGENDA

CONSIDERATION TO APPROVE THE SECOND READING TO AMEND THE ZONING MAP 465-2 BY CHRIS HOBBS TO REZONE .27 ACRES LOCATED OFF OF GOSHEN ROAD EXT FROM B-3 TO B-2 (01), CONSIDERATION TO APPROVE THE SECOND READING TO AMEND THE ZONING MAP 302D-1A BY DENNIS MORRIS TO REZONE .12 ACRES LOCATED AT 112 SHIMMERING DELL DR. FROM AR-1 TO AR-2 (02) AND CONSIDERATION TO APPROVE THE SECOND READING TO AMEND THE ZONING MAP 354-8 BY THEODORE A. BLASKE TO REZONE 29.10 ACRES LOCATED AT 6836 HWY 17 SOUTH FROM R-1 TO AR-1 (03): Commissioner Brantley made a motion to approve the Second Reading to Amend the Zoning Map as follows:

(01) Map and Parcel 465-2 by Chris Hobbs to rezone .27 acres located off of Goshen Road Ext. from B-3 to B-2 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 Stormwater Management Local Design Manual.
3. All wetlands impacts shall be permitted by USACE.
4. Subdivision plat shall be approved by the Health Department and the Zoning Office.

(02) Map and Parcel 302D-1A by Dennis Morris to rezone .12 acres located at 112 Shimmering Dell Dr. from AR-1 to AR-2 with the following stipulations:
1. This parcel shall be combined with 302-150. It cannot be a standalone property.
2. Each lot shall meet the requirements of the AR-2 zoning district
3. Site Development plans shall comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
4. All wetlands impacts shall be permitted by USACE.
5. Subdivision plat shall be approved by the Health Department and the Zoning Office.

(03) Map and Parcel 354-8 by Theodore A. Blaske to rezone 29.10 acres located at 6836 Hwy 17 south from R-1 to AR-1 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 Stormwater Management Local Design Manual.
3. All wetlands impacts shall be permitted by USACE.
4. Subdivision plat shall be approved by the Health Department and the Zoning Office.

CONSIDERATION TO APPROVE ERRORS AND RELEASES FOR MOBILE HOME TAX AS PRESENTED BY THE TAX COMMISSIONER (04): Commissioner Phillips made a motion to approve errors and releases for mobile home tax as presented by the Tax Commissioner (see minute book _____). Vice-Chairperson Lewis seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE ERRORS AND RELEASES FOR PROPERTY TAXES AS PRESENTED BY THE TAX COMMISSIONER (05): Commissioner Loper made a motion to approve Errors and Releases for Property Taxes as presented by the Tax Commissioner (see minute book _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

OLD BUSINESS

CONSIDERATION TO APPROVE THE SECOND READING TO AMEND THE ZONING MAP 272-42 BY E. H. FORTITUDE, INC. TO REZONE .20 ACRES OFF OF ARCHER ROAD FROM AR-1 TO R-1 (01): Zoning Administrator Shaw explained that when the first reading was heard, the Board's motion stated that it approved with the staff recommendation. Staff recommendation had a typographic error. Staff wanted to correct the error and bring to the Board.

Vice-Chairperson Lewis made a motion to approve the Second Reading to amend Zoning Map 272-42 by E. H. Fortitude, Inc. to rezone .20 acres off of Archer Road from AR-1 to R-1 with the following stipulations:

1. This parcel must be combined with 272D-17. It cannot be a standalone property.
2. Each lot shall meet the requirements of the R-1 zoning district.
3. Site development plans shall comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
4. All wetlands impacts shall be permitted by USACE.
5. Subdivision plat shall be approved by the Health Department and the Zoning Office.

Commissioner Brantley seconded the motion. The motion carried unanimously.

NEW BUSINESS

RETIREMENT OVERVIEW (01): Mrs. Gini Nichols with Merrill Lynch gave an overview of the county retirement plans.

CONSIDERATION TO APPROVE A MEMORANDUM OF UNDERSTANDING WITH THE DEPARTMENT OF HOMELAND SECURITY FOR THE E-VERIFY PROGRAM (02): Human Resources Director Hudzinski-Sero explained that the County is required to utilize the E-Verify program to determine eligibility for employment for all new County employees. The Memorandum of Understanding is now due between Effingham County Board of Commissioners and the Department of Homeland Security – Verification Division.

Commissioner Loper made a motion to approve a Memorandum of Understanding with the Department of Homeland Security for the E-Verify Program (see minute book _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE REPLACEMENT OF MIKE PARRISH TO THE CONSTRUCTION BOARD OF ADJUSTMENT & APPEALS (03): Building Official Davis explained that the bylaws of the Construction Board of Adjustment & Appeals state that the continued absence of any member from required meetings of the board, shall at the discretion of the Board of Commissioners, render any such member subject to immediate removal from office. The last meeting that Vice Chairman Parrish had attended was January 12, 2009. An advertisement was run for anyone interested in serving on the board to contact staff. There was no response from the public. The Construction Board met on September 8, 2010 and voted to recommend to the Board of Commissioners the following candidates: Scott Kieffer and/or Joe Marchese to fill the unexpired term left by Mike Parrish whose term expires December, 2012.

Chairman Zeigler made a motion to approve the replacement of Mike Parrish to the Construction Board of Adjustment & Appeals with Joe Marchese. Commissioner Phillips seconded the motion. The motion carried unanimously.

DISCUSSION ON REVISION TO THE EFFINGHAM COUNTY WATER AND SEWER ORDINANCE CHAPTER 75 (04): County Engineer Liotta explained that water and wastewater regulation is administered under the provision of the utility ordinance, Chapter 75 of the Official Code of Effingham County. More specifically, fees and charges are addressed in Article IV of Division 3. Staff has identified several

sections of Chapter 75 that are in need of revisions. The first reading of the amendment will be before the Board at their November 16th meeting.

Commissioner Loper stepped down for possible conflict of interest.

CONSIDERATION TO APPROVE THE WARRANTY DEED FOR EAGLE POINTE PHASE I, II, & IV (05): County Engineer Liotta explained that Keith Johnson and Springfield Investment has requested that the County accept ownership and maintenance of the infrastructure (roads and drainage, not including ponds) for Eagle Pointe Phase I, II, and IV, located off of Mock Road. Phase III is not to be included at this time.

Commissioner Phillips made a motion to approve the warranty deed for Eagle Pointe Phase I, II, & IV (see minute book _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

Commissioner Loper rejoined the meeting.

CONSIDERATION TO APPROVE THE WARRANTY DEED FOR BUCKINGHAM PHASE I-A (06): County Engineer Liotta explained that D. M. Jones Construction requests that the County accept ownership and maintenance of the infrastructure (roads, water, sewer including lift station, reuse, and drainage not including ponds) for Buckingham Phase I-A, located off of Noel C. Conaway Rd.

Commissioner Loper made a motion to approve the Warranty Deed for Buckingham Phase I-A (see minute book _____). Commissioner Phillips seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE WARRANTY DEED FOR ZIPPERER PLACE (07): County Engineer Liotta explained that Habersham Atlantic requests that the County accept ownership and maintenance of the infrastructure (roads and drainage, not including ponds) for Zipperer Place, located off of Zipperer Road.

Commissioner Brantley made a motion to approve the warranty deed for Zipperer Place (see minute book _____). Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN AGREEMENT WITH POINT & PAY (08): County Administrator Crawley explained that currently the county only accepts check or cash payments for water and sewer billing. The current financial

software already has an interface built for this vendor. There is no cost to the County, only a convenience fee to be paid by the consumer.

Commissioner Loper made a motion to approve an agreement with Point & Pay (see minute book _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT WITH GEFA FOR THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT PROGRAM (09): Project Manager Kobek explained the Board of Commissioners partnered with the Board of Education on an application with GEFA for the Energy Efficiency and Conservation Block Grant Program. An award of $300,000 in non-matching funds was received. An amendment to the Intergovernmental Agreement is needed concerning the required Davis Bacon Reporting of Wage Determination to be part of the original agreement. The amendment clarifies wage determination for laborers involved in the projects.

Commissioner Phillips made a motion to approve an agreement to the Intergovernmental Agreement with GEFA for the Energy Efficiency and Conservation Block Grant Program (see minute book _____). Commissioner Utley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A LICENSE AGREEMENT WITH IRON DATA FOR THE BOARD OF EQUALIZATION (10): Project Manager Kobek explained that in 2008, legislation passed the Georgia General Assembly giving care, custody and control of the Board of Equalization duties to the Clerk of Superior Court. Iron Data software can create, track, manage real and personal property, scans and retrieves images of appeal proceedings and documents, produces calendars and notices, manages and tracks board members certifications, training and term limits, check processing and payment history. Previously this work was handled by a temporary part time worker. This program is requested by the Clerk of Courts and IT has reviewed the agreement and its components and has no issues with its installation.

Commissioner Brantley made a motion to approve a license agreement with Iron Data for the Board of Equalization (see minute book _____). Commissioner Utley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AMENDING THE RESOLUTION WHICH ESTABLISHED THE TRANSPORTATION ADVISORY BOARD (11): County Administrator Crawley explained that the Board approved a resolution to establish a Transportation Advisory Board on February 3, 2009. The Transportation Advisory Board consisted of the County Commissioner Chairperson, the Mayors from each of the three cities, the Chairman of the IDA, the Chairman of the School Board and two at large citizens. The Transportation Advisory Board has had several meetings where it has been difficult to have a quorum of members in attendance. The Transportation Advisory Board would like for the Board of Commissioners to expand the membership of the Board to increase attendance. The new Transportation Advisory Board will consist of (1) Effingham County Board of Commissioner Chairperson or a Commissioner or the County Administrator (2) City of Guyton Mayor or Mayor Pro-tem, or City Manager (3) City of Rincon Mayor or Mayor Pro-Tem (4) City of Springfield Mayor or Mayor Pro-Tem, or City Manager (5) Effingham County Industrial Development Authority Chairperson or Vice-Chairperson or CEO (6) Effingham County School Board Chairperson or School Board Member or Superintendent and (7) two citizens appointed by the Board of Commissioners.

Commissioner Phillips made a motion to amend the Resolution which established the Transportation Advisory Board (see minute book _____). Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE EXTENDING THE FOUR DAY WORK WEEK (12): County Administrator Crawley explained that during last year's budget preparation, the Board requested that staff explore all options for saving tax dollars. A proposal was brought before the Board in June of this year for a pilot program implementing the four day work week schedule from July 12 to November 12, 2010. During the pilot project about half of County operations worked a four day work week and half worked the traditional five day work week.

During the four day work week a public survey was offered online and at all County offices, 116 respondents answered the survey. 91% believed the expanded hours are beneficial to County residents. 66% anticipate using County services during the expanded hours. After looking at all of the figures, staff anticipated from $60,000 to $100,000 annual savings.

Mrs. Ruth Lee and Mrs. Vera Jones gave their thoughts on the four day work week.

Commissioner Phillips made a motion to continue the four day work week as is until the end of the calendar year. Vice-Chairperson Lewis seconded the motion. Chairman Zeigler, Commissioner Utley, Commissioner Loper, and Commissioner Brantley opposed the motion. The motion dies.

Commissioner Loper made a motion to not extend the four day work week except the road department in the summer months. Chairman Zeigler, Vice-Chairperson Lewis, Commissioner Phillips, and Commissioner Utley opposed the motion. The motion dies.

Commissioner Brantley made a motion to extend the four day work week, but for the day off to be Monday instead of Friday. Chairman Zeigler seconded the motion. The extended hours will start November 15th and end December 31st. Chairman Zeigler removed his second. Commissioner Phillips seconded the motion. Chairman Zeigler and Commissioner Loper opposed the motion. Vice-Chairperson Lewis, Commissioner Phillips, Commissioner Utley, and Commissioner Brantley voted in favor of the motion. The motion carries.

ADDITION TO THE AGENDA

CONSIDERATION TO APPROVE MEMORANDUM OF UNDERSTANDING WITH THE EFFINGHAM COUNTY BOARD OF EDUCATION FOR IMPLEMENTATION OF RENEWABLE ENERGY TECHNOLOGY UNDER THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT PROGRAM (13): County Administrator Crawley explained that the Board in conjunction with the Board of Education was approved for a non-matching grant through GEFA for federal energy efficiency grant in June, 2010. The amount of the grant is $300,000. A Memorandum of Understanding will set the procedures on requesting payments from the grant, project administration and

reimbursements of the grant between the Board of Commissioners and the Board of Education.

Commissioner Loper made a motion to approve a Memorandum of Understanding with the Effingham County Board of Education for implantation of renewable energy technology under the energy efficiency and conservation block grant program (see minute book _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A RIGHT OF ENTRY AND TEMPORARY CONSTRUCTION EASEMENT (14): County Administrator Crawley explained that the Board of Commissioners have water, gravity sewer, and sewage force main lines existing in a 40' wide permanent easement across 1750' of lands owned by Hansjoachim Neckenig, located at the end of Goshen Extension. It was recently determined that the water line was partially installed outside the easement by as much as 4' over a total distance of about 450'. While asking Mr. Neckenig for additional 5' of easement was considered, it was determined that the contractor could instead move the pipe back into the easement. The work is tentatively scheduled for November 5th.

Commissioner Utley made a motion to approve a Right of Entry and Temporary Construction Easement (see minute book _____). Commissioner Loper seconded the motion. The motion carried unanimously.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF:

Chairman Zeigler discussed the following:

- Information requested from another County Commissioner in another County concerning procedures of the Board of Commissioners

Project Manager Kobek discussed the following:

- Courthouse reopening

County Administrator Crawley discussed the following:

- Regional Transportation Roundtable, House Bill 277
- Insurance Committee
- Landfill Project Committee
- Jail interviews
- Old Augusta Phase IIA
- Glen Durrence Retirement Reception
- Middle Coastal Unified Development Authority

EXECUTIVE SESSION

At 6:38 p.m., Chairman Zeigler made a motion to go into Executive Session to discuss personnel, property and pending litigation. Commissioner Phillips seconded the motion. The motion carried unanimously.

County Administrator Crawley and Commissioners discussed pending litigations. (See copy of Chairperson's affidavit on minute book page number _____).

The Board went back into Regular Session at 7:54 p.m.

ADDITION TO THE AGENDA

Commissioner Phillips made a motion to approve adding Consideration to approve service delivery strategy as presented in Executive Session. Commissioner Brantley seconded the motion.

CONSIDERATION TO APPROVE SERVICE DELIVERY STRATEGY AS PRESENTED IN EXECUTIVE SESSION (15): Commissioner Phillips made a motion to approve service delivery strategy as presented in Executive Session with the stipulation that two other cities approve. Chairman Zeigler seconded the motion. The motion carried unanimously.

ADJOURNMENT

At 7:55 p.m., Chairman Zeigler made a motion to adjourn the meeting. Commissioner Brantley seconded the motion. The motion carried unanimously.

_____ _____

C. D. Zeigler, Chairman Patrice R. Crawley, County Clerk