

**THE EFFINGHAM COUNTY
COMMISSIONERS' MEETING**

The Board of Commissioners of Effingham County, Georgia, Mr. C. D. Zeigler, Chairman, Mrs. Myra W. Lewis, Vice-Chairperson, Mr. Jeffrey A. Utley, Mrs. Verna H. Phillips, Mr. Reginald S. Loper, Sr. and Mr. Robert Brantley met in regular session at 9:00 a.m. on Tuesday, February 17, 2009 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, Project Manager, Mr. George Shaw, Zoning Administrator, Mrs. Patrice R. Crawley, County Clerk, Mr. Jeff Kramer, Mr. Harvey Kieffer, Mrs. Ruth Lee, Mr. Frank Arden, Mrs. Ramona Bartos, Mr. Murray Marshall, Mr. Joe Marshall, Ms. Magdalene Cope, Mr. Thomas Kessler, Mr. Stephen R. Newsome, Ms. Shannon Lee, Mr. Ryan Thompson, Mr. Darren Hollingsworth, Mr. Glenn Jackson, and Mr. Johnnie Jackson.

CALL TO ORDER

Chairman Zeigler called the meeting to order.

INVOCATION

Vice-Chairperson Lewis gave the invocation.

PLEDGE TO THE AMERICAN FLAG

Commissioner Utley led the Pledge to the American Flag.

AGENDA APPROVAL

Commissioner Phillips made a motion to approve the Agenda Resolution (see copy of agenda resolution on minute book page number _____). Commissioner Loper seconded the motion. The motion carried unanimously.

WORKSHOP

The following items were discussed at the Workshop with the Board and Staff:

- ◆ Mission Statement- "It is our responsibility to provide through the highest integrity a county government which will assure our citizens a safe and healthy environment to encourage and promote a high quality of life".
- ◆ Goals from the March 2007 Retreat and which goals that were accomplished and goals still in progress.
- ◆ Transportation Goals
- ◆ Building Master Plan
- ◆ Current water and sewer projects

The Board recessed for lunch.

The Board reconvened at 2:00 p.m. to go into the Standard Meeting.

MINUTES

Commissioner Utley made a motion to approve the minutes for the February 03, 2009 Board of Commissioners Meeting. Commissioner Loper seconded the motion. The motion carried unanimously.

PUBLIC COMMENTS

Mr. Hubert Sapp and Mr. Harvey Kieffer requested to speak at New Business Number 1. Mrs. Ruth Lee stated her opinion on New Business Number 1.

Old Business

CONSIDERATION TO APPROVE A WATER AND SEWER AGREEMENT WITH CLOVER POINT AT BELMONT GLEN, PHASE IA (01): County Engineer Liotta stated that in the previous workshop he had given current information on water and sewer now it was up to the board as to how they wanted to move forward.

Mr. Jeff Kramer, the developer of Clover Point, stated that he had been working on the water and sewer agreement and letter of credit to work with Effingham County and the Bank for several months.

Chairman Zeigler made a motion to table the water and sewer agreement with Clover Point at Belmont Glen, Phase IA. Vice-Chairman Lewis seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE FINAL PLAT FOR CLOVER POINT AT BELMONT GLEN, PHASE IA (02): Commissioner Loper made a motion to table the final plat for Clover Point at Belmont Glen, Phase IA. Chairperson Zeigler seconded the motion. The motion carried unanimously.

NEW BUSINESS

CONSIDERATION TO APPROVE A DESIGN BUILD TEAM TO REHABILITATE THE COURTHOUSE (01): Project Manager Kobek explained that at the August 19, 2008 Commissioners meeting, the Board authorized a Resolution establishing a Historic Courthouse Ad Hoc Work Group to make recommendations, propose project parameters and specifications and identify criteria for the selection of qualified professionals to plan and perform the work necessary to restore the historic Courthouse. The Committee requested that firms prequalify as a team consisting of an architect and primary contracting firms, so that the committee could take good look at

project experience, financial capabilities and management practices of each team. The second phase of the selection process was a proposal, the committee requested each firm layout the current conditions, their project approach, and recommend a scope of services and prices. Lastly the committee interviewed the finalist design build teams. Of the twenty-five prequalification packages received, the committee chose to request proposals from a total of five design build teams. Of the five short listed teams a total of four proposals were reviewed and the committee decided to interview three proposers. The committee felt that all three were well qualified but the team of Lord Aeck and Saragent and New South Construction would be best suited for the job. After the Board chooses a candidate from the three listed candidates, a contract will be drafted and approved.

Mr. William Summerlin, Mr. Hubert Sapp, Mrs. Ramona Bartos, and Mr. Harvey Kieffer gave their thoughts about the Historic Courthouse rehabilitation.

Commissioner Loper made a motion to approve New South – Lord Aeck and Sargent. Motion dies for lack of a second.

Commissioner Brantley made a motion to table the design build team to rehabilitate the courthouse. Motion dies for lack of a second.

Chairman Zeigler made a motion to approve J.T. Turner Construction – Hussey Gay, Bell & DeYoung as the design team to rehabilitate the courthouse. Commissioner Utley seconded the motion. Commissioner Loper and Brantley opposed the motion. Chairperson Zeigler, Vice-Chairperson Lewis, Commissioner Phillips, and Commissioner Utley voted in favor of the motion. The motion carried.

RECESS

The Board recessed.

The Board reconvened at 4:30 p.m.

NEW BUSINESS CONTINUED

CONSIDERATION TO APPROVE A SERVICE AGREEMENT WITH MOTOROLA (02): Public Safety Director Ashcraft explained that the Motorola agreement provides maintenance services for two radio sites containing over 62 equipment items. The first tower is located at 241 Public Safety Boulevard and the second is at 3576 Hwy 21 north where the county leases tower space from Verizon. The service is essential to ensure the proper operation of the radio system and the monthly cost is \$3,043.15.

Commissioner Loper made a motion to approve a service agreement with Motorola (see minute book page ____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN AGREEMENT BETWEEN EFFINGHAM COUNTY AND GEORGIA ENVIRONMENTAL FACILITIES AUTHORITY FOR THE SEWER GRANT PROGRAM (03): County Engineer Liotta explained that the staff pursued a reuse grant from Georgia Environmental Facility Authority and was awarded to offset the cost of a reuse water storage tank to be constructed at the Effingham County South Urban Water Reuse plant.

Vice-Chairperson Lewis made a motion to approve an agreement between Effingham County and Georgia Environmental Facilities (see minute book page ____). Chairman Zeigler seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A DEFINED BENEFIT TRUST AGREEMENT (04): Human Resources Director Hudzinski-Sero stated that in December 2007, the Board voted to accept the retirement contract providers changing from Charles Schwab and San Francisco/GEBCorp to Merrill Lynch Savannah/TEGRA. Additionally, the Board's decision granted the removal for the DB from pooled funds through ACCG/GebCorp to a separated (individual) Defined Benefit plan for Effingham County. The Board of Commissioners agreed to be the Trustee for the Defined Benefit plan on August 19, 2008 and as Trustee the board approved a "moderate platform" investment policy statement on December 9, 2008 guiding the initial investment elections for the monies at the time transfer. Within this transition, the Board of Commissioners is the Trustee of the Defined Benefit plan. The Board must approve an initial Trust agreement with TEGRA to meet the final stipulations from ACCG to release and transfer the funds. Staff recommends approving the defined benefit trust agreement.

Commissioner Phillips made a motion to approve a Defined Benefit Trust Agreement (see minute book page ____). Chairman Zeigler seconded the motion. The motion carried unanimously.

CONSIDERATION TO ACCEPT SUBSTANTIAL COMPLETION OF THE EFFINGHAM COUNTY MULTI-AGENCY CALL CENTER (05): Project Manager Kobek explained that last year the Board approved the construction of the Multi-Agency Call Center to be located at Courthouse Road. On February 4th all engineers, architects, and construction personnel were on site to review the construction progress and all

recommend substantial completion be accepted. Substantial completion is important as some of the subcontractors require a Certificate of Occupancy before they will begin installation. Once Substantial Completion is accepted, the County owns the building and operating expenses, utilities and insurance coverage becomes the county's responsibility. All warranties begin on the date of substantial completion. Staff recommends the Board to accept substantial completion of the Effingham County Multi-Agency Call Center.

Commissioner Loper made a motion to accept substantial completion of the Effingham County Multi-Agency Call Center (see minute book page ____). Commissioner Utey seconded the motion. The motion carried unanimously.

CONSIDERATION TO ENDORSE THE REQUEST FROM THE CITY OF GUYTON TO ANNEX PROPERTY LOCATED ON OR OFF RIVERSIDE DRIVE

(06): County Administrator Crawley explained that the City of Guyton has submitted a request for the annexation by legislative enactment. Staff was first contacted by Representative Jon Burns concerning the City's request. Representative Burns requested that the City provide a copy of the proposed legislation to the Board of Commissioner for review. The subject land is not contiguous to the City of Guyton and is over 2,000 feet from existing City limits at its closest point. The proposed annexation is adjacent to several County roads. The City of Guyton has not formerly contacted the County concerning their request. The subject land is outside the City's existing service area.

City of Guyton Attorney Ramona Bartos explained the position of the City of Guyton.

Mr. Frank Arden and Mr. William Summerlin gave their thoughts concerning the annexation.

Chairman Zeigler made a motion to amend the agenda by changing the words approve to endorse of New Business Number 06. Commissioner Brantley seconded the motion. The motion carried unanimously.

Chairman Zeigler made a motion to deny the County's endorsement of the request from the City of Guyton to annex property located on or off Riverside Drive and to send a letter to the State Representatives stating such. Commissioner Loper seconded the motion. The motion carried unanimously.

DINNER BREAK

At 5:29 p.m., the Board broke for dinner.

PLANNING BOARD PRESENTMENTS

The Board reconvened at 6:00 p.m. for Planning Board Presentments.

OLD BUSINESS

DESIGN DEVELOPERS, LLC – PUBLIC HEARING (01): Zoning Administrator Shaw explained that Mr. Ellis Skinner with Design Developers, LLC requests to withdraw his application.

Chairman Zeigler made a motion to withdraw Design Developers, LLC application. Vice-Chairperson Lewis seconded the motion. The motion carried unanimously.

EMILEO & ISABELLA PEPE – PUBLIC HEARING (02): Zoning Administrator Shaw explained that Emileo & Isabella Pepe requests a conditional use to live in a motor home for up to two years while waiting for a new home to be constructed. Staff would not object to a conditional use permit for this purpose, if the time frame was shorter and the applicant had approved building plans and permits to build a house.

There were no public comments.

Commissioner Utley made a motion to table the request for the conditional use to place a camper on their property located at 5293 Hwy 119 north while constructing a home to the March 17th meeting and that a letter be sent stating that the building permit must be purchased prior to the March 17th meeting.

NEW BUSINESS

DON GOSS – PUBLIC HEARING (03): A Public Hearing was held on the application by Don Goss to rezone 17.06 acres located at 2027 Reedsville Road from AR-1 to AR-2 Map and Parcel 402-32 in the Third District.

Mr. Don Goss presented the request.

There were no objectors present.

Commissioner Utley made a motion to approve the First Reading of the amendment to the Effingham County Zoning Ordinance, Map and Parcel No. 402-32 to rezone 17.06 acres located at 2027 Reedsville Road from AR-1 to AR-2 with the following stipulations:

1. The lot meets the requirements of the AR-2 Zoning District.
2. Site development plans comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
3. All wetland impacts permitted by USACE.
4. Subdivision plat must be approved by the Health Department and the Zoning Office.

Commissioner Loper seconded the motion. The motion carried unanimously.

NICHOLAS MULLER – PUBLIC HEARING (04): A Public Hearing was held on the application by Nicholas Muller to rezone 5 acres located at 438 Kessler Loop from AR-1 to AR-2/B-1 Map 397 Parcel 67 in the First District.

Mr. Nicholas Muller presented the request.

There were no objectors present.

Mr. Thomas Kessler and Mr. Tim Kessler stated that they approve the rezoning.

Commissioner Brantley made a motion to approve the First Reading of the amendment to the Effingham County Zoning Ordinance, Map and Parcel No. 397-67 to rezone 5 acres located at 438 Kessler Loop from AR-1 to AR-2/B-1 with the following stipulations:

1. The lot meets the requirements of the B-1 and AR-2 Zoning District.
2. Site development plans comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
3. All wetland impacts permitted by USACE.
4. Subdivision plat must be approved by the Health Department and the Zoning Office.

Commissioner Loper seconded the motion. The motion carried unanimously.

WILMER NEASE – PUBLIC HEARING (05): A Public Hearing was held on the application by Wilmer Nease to rezone 94.51 acres located off of Sandhill Road from I-1 to AR-1 Map and Parcel 275-1 in the Second District.

Zoning Administrator Shaw presented the request.

There were no objectors present.

Vice-Chairperson Lewis made a motion to approve the First Reading of the amendment to the Effingham County Zoning Ordinance, Map and Parcel No. 275-1 to rezone 94.51 acres located off of Sandhill Road with the following stipulations:

1. The lot meets the requirements of the AR-1 Zoning District.
2. Site development plans comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
3. All wetland impacts permitted by USACE.
4. Subdivision plat must be approved by the Health Department and the Zoning Office.

Chairman Zeigler seconded the motion. The motion carried unanimously.

SOUTHBROOK, LLC. – PUBLIC HEARING (06): A Public Hearing was held on the application by Southbrook, LLC to rezone 22.52 acres located on hwy 17 South from R-1 to R-1A Map 326A Parcel 1-18 in the Second District.

Mr. Glenn Jackson, Mr. Darren Hollingsworth, Ms. Sharon Lee and Mr. Stephen Newsome presented the request.

There were no objectors present.

Vice-Chairperson Lewis made a motion to approve the First Reading of the amendment to the Effingham County Zoning Ordinance, Map and Parcel 326A-1-18 to rezone 22.52 acres located on Hwy 17 South from R-1 to R-1A with the following stipulations:

1. Each lot meets the requirements for the R-1A zoning district.
2. Site development plans comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
3. All wetland impacts permitted by USACE.
4. Subdivision plat must be approved by the Health Department and the Zoning Office.
5. All non site built structures must meet all of the design criteria set forth in 5.4.1.2 of the Effingham County Zoning Ordinance.
6. Fence around the property be installed and maintained by the Homeowner Association.

Commissioner Utley seconded the meeting. The motion carried unanimously.

CHERYL & KELLY DICKEY – PUBLIC HEARING (07): A Public Hearing was held on the application by Cheryl & Kelly Dickey to rezone 3 acres located on Kieffer Hill Rd from AR-1 to AR-2 Map 387 Parcel 30 in the Third District.

Mr. Kelly Dickey presented the request.

There were no objectors present.

Commissioner Utley made a motion to approve the First Reading of the amendment to the Effingham County Zoning Ordinance, Map and Parcel 387-30 to rezone 3 acres located on Hwy 17 South from AR-1 to AR-2 with the following stipulations:

1. Each lot meets the requirements for the AR-2 zoning district.
2. Site development plans comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
3. All wetland impacts permitted by USACE.
4. Subdivision plat must be approved by the health Department and the Zoning Office.

Commissioner Loper seconded the motion. The motion carried unanimously.

BEVERLY SMITHEY – PUBLIC HEARING (08): A Public Hearing was held on the application by Beverly Smithey to rezone 3.54 acres located at 631 & 639 Ebenezer Road from AR-1 to AR-2 Map 446 Parcel 43-45 in the Fourth District.

Zoning Administrator Shaw presented the request.

There were no objectors present.

Commissioner Loper made a motion to approve the First Reading of the amendment to the Effingham County Zoning Ordinance, Map and Parcel 446-43-45 to rezone 3.54 acres located at 631 & 639 Ebenezer Road from AR-1 to AR-2 with the following stipulation:

1. Each lot meets the requirements of the AR-2 zoning district.
2. Site development plans comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
3. All wetland impacts permitted by USACE.
4. Subdivision plat must be approved by the Health Department and the Zoning Office.

Commissioner Brantley seconded the motion. The motion carried unanimously.

ROXANN SAMPSON – PUBLIC HEARING (09): A Public Hearing was held on the application by Roxann Sampson for rural business approval to operate a bakery from her home located at 1409 Ebenezer Road Map 460B Parcel 2 in the Fourth District.

Zoning Administrator Shaw explained the request.

There were no public objections.

Commissioner Loper made a motion to approve the application by Roxann Sampson for rural business approval to operate a bakery from her house located at 1409 Ebenezer Road Map 460B Parcel 2 with the following stipulations:

1. Must meet all requirements of Sec. 3.15B Rural Business in the Effingham County Zoning Ordinance.
2. A parking plan must be approved by the Zoning Administrator.

Commissioner Phillips seconded the motion. The motion carried unanimously.

CONTINUE NEW BUSINESS

CONSIDERATION TO APPROVE RIGHT OF WAY EASEMENT WITH ELBA EXPRESS (09): County Administrator Crawley explained that Elba Express Company, LLC is working to complete the construction of a new gas line through Effingham County. The construction of said line will impact 3 parcels owned by Effingham County. The request is for 4.27 acres of temporary work space and 1.4 acres of permanent right-of-way. Total compensation will be \$44,350. Staff recommends approval by the Board.

Commissioner Phillips made a motion to approve the right of way easement with Elba Express once staff and attorney concerns are met. Chairman Zeigler seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AUTHORIZATION TO PROCEED TO THE BUREAU OF BUSINESS RESEARCH AND ECONOMIC DEVELOPMENT OF GEORGIA SOUTHERN UNIVERSITY FOR THE REMI MODEL OF EFFINGHAM PARKWAY (08): County Administrator Crawley explained that the Board of Commissioners has work diligently to promote the construction of Effingham Parkway. At this time and based on the current information obtained Effingham Parkway clearly ranks as the County's most important transportation project. The project will not

only improve the County's transportation system, but will also be a significant and positive economic benefit for the County. However, the economic benefit is only an assumption at this time due to a lack of any empirical data to support the opinion.

Discussion have lead to a model created by Regional Economic Model, Inc. (REMI) model is intended to allow government decision – makers to test the economic effects on their policies before they are implemented. The Bureau of Business Research and Economic Development at Georgia Southern University have the ability and experience to use REMI model to provide economic impact analysis. Staff requests a scope of work and cost associated with the analysis of the economic impacts of the Effingham Parkway. The proposed cost for the project is \$12,000. Results provided by the model will be used to determine the viability of the Effingham Parkway and its findings will be used to provide further justification and support for project funding.

Commissioner Brantley made a motion to proceed to the Bureaus of Business research and Economic Development of Georgia Southern University for the REMI model. Chairman Zeigler seconded the motion. The motion carried unanimously.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

County Administrator Crawley discussed the following:

- ◆ ACCG Legislative update
- ◆ Lobbyist for House Bill 277

ADJOURNMENT

At 6:56 p.m. Chairman Zeigler made a motion to adjourn the meeting. Commissioner Phillips seconded the motion. The motion carried unanimously.

C. D. Zeigler, Chairman

Patrice R. Crawley, County Clerk