

**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 8:30 a.m. on Tuesday, May 05, 2009 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, Mrs. Joanna Wright, Finance Director, Mrs. Patrice Crawley, County Clerk, Mr. Arthur Rud, Sr., Mr. John A. Henry, Mr. Ryan Moore, Mr. Chance Raehn, Mr. Daniel Adkins, Mrs. Ruth Lee, Mrs. Vera Jones, Mr. Alan Zipperer, Mrs. Linda McDaniel, Tax Commissioner, Mr. Jeremy Hill, and Mr. Roy Floyd.

**CALL TO ORDER**

Chairman Zeigler called the meeting to order.

**INVOCATION AND PLEDGE TO THE FLAG**

Chairman Zeigler gave the invocation and led the Pledge to the American Flag.

**AGENDA APPROVAL**

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

**CORRESPONDENCE**

Chairman Zeigler presented the previous month's correspondence. He reported that each Commissioner has been furnished a copy of all correspondence received and that these are available for all interested persons to review in the County Clerk's office.

**MINUTES**

Vice-Chairperson Lewis made a motion to approve the minutes for April 21, 2009 Board of Commissioners Meeting. Chairman Zeigler seconded the motion. The motion carried unanimously.

**PUBLIC COMMENTS**

Mrs. Ruth Lee commented on New Business Number 09 and Mr. Arthur Rud, Sr. and Mr. David Adkins commented on Old Business 01.

**CONSENT AGENDA**

Chairman Zeigler read out loud Items Number 01 through 12 on the Consent Agenda.

Commissioner Loper made a motion to approve the following:

01. Sanitation releases as submitted by the Sanitation Director;
02. Errors and releases for mobile homes as submitted by the Tax Commissioner;
03. Errors and releases for property tax as submitted by the Tax Commissioner;
04. Release of penalties as submitted by the Tax Commissioner;
05. The second reading of the amendment to Chapter 75 of the Official Code of Effingham County Georgia concerning the water meter fees;
06. The second reading to amend the Zoning Map 375-51 for the application by Southeast Engineering & Environmental to rezone 89 acres located on hwy 30 from R-1 to PD-R with the following stipulations:
  - 1 The reduced right of way width shall adhere to all requirements in the standards specifications.
  - 2 A water and sewer agreement shall be reached to account for the added density
  - 3 Per Sec. 7.1.3 Access to adjacent properties, staff recommends a street connection to the north, south, and east property boundaries to allow for connectivity of future development
  - 4 PD text shall be amended to reflect any stipulations by the Board of Commissioners;
07. The second reading to amend the Zoning Map 271-25 for the application by Stephanie & Nelson Galindez to rezone 2 acres located on Brittingham Road from AR-1 to AR-2 with the following stipulation
  - 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 Stormwater Management Local Design Manual
  - 3 All wetland impacts shall be permitted by USACE;
08. The second reading to amend the Zoning Map 435-46 for the application by EMC Engineering Services, Inc. to rezone 2.08 acres located on Hodgeville Road from AR-1 to B-3 with the following stipulations
  - 1 A 30 foot buffer shall be planted per the buffer ordinance and maintained between this parcel and all adjoining residential parcels
  - 2 No additional structures shall be constructed on this parcel
  - 3 A six foot privacy fence shall be built along the rear and side property boundary of parcel 435-47 and rear property boundary of 435-48
  - 4 The 25 foot right of way on Hodgeville Road side of parcel 435-49 shall remain free of all obstruction at all times to allow for safe passage of emergency vehicles
  - 5 Turning radius shall be sufficient to handle truck turning without encroaching into other lanes of traffic and must be constructed to county standards in the right of way;
09. The second reading to amend the Zoning Map 264-23 for the application by Lavon & Cecelia Morrell to rezone 4.18 acres located at 519 Savannah Town Rd from AR-2 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 wetland impacts shall be permitted by USACE
  - 4 Subdivision plat shall be approved by the Health Department and the Zoning Office;
10. The second reading to amend the Zoning Map 471-55 for the application by Kyle & Tami Houston to rezone 9.24 acres located at 433 Exley Road South from AR-1 to AR-2 with the following stipulation:
  - 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 Stormwater Management Local Design Manual
  - 3 All wetland impacts shall be permitted by USACE

- 4 Subdivision plat shall be approved by the Health Department and the Zoning Office;
11. The second reading to amend the Zoning Map 465M-22 for the application by Rincon First Christian Church for an amendment of the stipulations to the original conditional use approval located at 5835 Highway 21 South with the following stipulations:
- 1 ~~Acceleration and deceleration lanes to be approved by GDOT shall be added on Hwy 21 to facilitate safe access and egress from the property~~
  - 2 The use shall be limited to an after school child care program only (approved December 11, 2007)
  - 3 The buses shall only access Elm Street for transportation children to the program (approved May 5, 2009);
12. The second reading to amend the Zoning Map 222-7, 8 for the application by Effingham County (property of Woodrow & Betty Hall) located at 815 Shearwood Road from AR-1 to I-1 with the following stipulations:
- 1 Each lot shall meet the requirements of the I-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 wetland impacts shall be permitted by USACE
  - 4 Subdivision plat shall be approved by the Health Department and the Zoning Office.

Chairman Zeigler seconded the motion. The motion carried unanimously.

### **OLD BUSINESS**

**SOUTHERN LAND INVESTORS – REZONING (01):** A rezoning was held on the application by Southern Land Investors to rezone 34.38 acres located at the corner of Hwy 21 & Savannah Town Rd from Map 264 Parcel 12 AR-1 to B-3 in the Third District. The public hearing was held April 21, 2009.

Mr. David Adkins and Mr. Danny Anderson presented the request.

Mr. Arthur Rud, Sr. stated his concerns about the rezoning.

Commissioner Utley made a motion to approve the First Reading of the amendment to the Effingham County Zoning Ordinance, Map and Parcel No. 264-12 to rezone 34.38 acres located at the corner of Hwy 21 & Savannah Town Rd from AR-1 to B-3 with the following stipulations:

1. A 50 foot buffer must be maintained
2. A conditional use for a Rehabilitation Center for Developmentally Disabled Persons only
3. Any other commercial use will need to be approved by the Board of Commissioners

Commissioner Loper seconded the motion. The motion carried unanimously.

**AMENDMENT TO ARTICLE IV OF THE OFFICIAL CODE OF EFFINGHAM COUNTY SUBDIVISION REGULATIONS (02):** The amendment to Article IV of the Official Code of Effingham County Subdivision Regulations was heard. The public hearing was held April 21, 2009.

County Engineer Liotta presented the request.

Commissioner Utley made a motion to approve the First Reading of the Official Code of Effingham County Subdivision Regulations. Chairman Zeigler seconded the motion. The motion carried unanimously.

**NEW BUSINESS**

**CONSIDERATION TO APPROVE BUDGET AMENDMENT FOR FISCAL YEAR ENDING JUNE 2009 (01):** Finance Director Wright explained that during the year, staff records the financial transactions of the county. Each quarter and at year-end the staff constructs and makes as many of the year-end entries as possible. The budget amendments are necessary to comply with the directives and requirements concerning presentations of the financial statements and audit requirements.

Commissioner Phillips made a motion to approve budget amendments for fiscal year ending June, 2009 (see minute book page \_\_\_\_\_). Commissioner Brantley seconded the motion. The motion carried unanimously.

**DISCUSSION ON MODIFYING THE WATER AND SEWER ORDINANCE (02):** County Engineer Liotta explained that the water and sewer fees and charges are administered under the provisions of Article IV of the utility ordinance, Chapter 75. Additionally, the rates for water and sewer consumption are included in Article II of Chapter 75. Staff from the Finance and Water/Sewer Departments have been meeting over the past few months trying to reconcile current billing practices to the ordinances.

Mr. Alan Zipperer, Mrs. Vera Jones, and Mrs. Ruth Lee stated their concerns about the modification of the water and sewer ordinance.

The Board and Staff discussed the modification of the water and sewer ordinance.

**CONSIDERATION TO APPROVE A PROPOSAL WITH PORT CITY DESIGN GROUP, LLC. FOR THE REHABILITATION OF PUMP STATION #5 (PARK WEST) (03):** County Engineer Liotta explained that pump station number 5 at the entrance to Park West subdivision, was constructed by the County under the GEFA-funded project called "Phase I, Division B, Part 3". Currently, pump station #5 is designed for 850 gallons per minute (gpm) peak flow. However, the County has water/sewer agreements, approved engineering plans, or is otherwise aware of developments that will total almost 3000 ERUs, which will require a peak flow capability of over 1500 gpm. An upgrade to the lift station will be needed to accommodate this flow. Staff solicited a quote from Port City Design Group for engineering design to the lift station upgrade project. The estimated fees are \$24,500. Since the same engineers

designed the original pump station, it would be highly inefficient to bring in another engineering firm to design this upgrade. Reimbursement draw request cannot be made from the “stimulus” funds until a GEFA grant contract is executed and construction is underway.

Commissioner Phillips made a motion to approve a proposal with Port City Design Group, LLC for the rehabilitation of pump station number 5 (Park West) (see minute book page \_\_\_\_). Commissioner Loper seconded the motion. The motion carried unanimously.

**PRESENTATION OF THE REMI MODEL (10):** Dr. Phyllis Isley with Georgia Southern University gave a presentation of the REMI Model. This model is used to analyze the economic impact of the proposed Effingham Parkway on the regional and sub-regional, economy and the impacts on the cities within Effingham County, Ga and the economic impact on Chatham County. The proposed parkway will follow State Road 119 in Central Effingham County, traveling along a southeastern route into northern Chatham County terminating at I-95.

**CONSIDERATION TO APPROVE A PROPOSAL WITH ENGINEERED RESTORATIONS, INC. FOR ADDITIONAL WORK ON STILLWELL ROAD BRIDGE (04):** Project Manager Kobek explained that the Board approved a corrective maintenance contract with Engineered Restorations, Inc. on June 17, 2008. The work is now complete or nearing completion. The contractor has returned with an additional scope of work to improve the east abutment by repairing an overlay with a 20x30 concrete approach slab. The total cost of these improvements will be \$9,500. The existing asphalt overlay from approach slab will be removed and replaced. The Overlay will be finished flush with adjacent bridge deck and asphalt pavement to provide a smooth transition. OMI will provide the necessary traffic control.

Commissioner Loper made a motion to approve a proposal with engineered Restorations, Inc. for additional work on Stillwell Road Bridge (see minute book page \_\_\_\_). Commissioner Brantley seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE AN AGREEMENT WITH SOUTHEASTERN SYSTEM TECHNOLOGIES FOR FIRE ALARM TESTING (05):** Project Manager Kobek explained that as part of the construction of the new Multi-Agency Call Center, a new fire alarm system was installed and it is currently under a parts and labor warranty until January 29, 2010. The National Fire Alarm Code requires that

each fire alarm be tested and this contract covers the necessary testing of all components of the new fire alarm system. The proper testing of the fire alarm system will insure that the system is fully functional and code compliant. The technicians are manufactured certified and specially trained in providing code complaint. The total cost of the fire alarm is \$981 per year for two years.

Commissioner Brantley made a motion to approve an agreement with Southeastern System Technologies for fire alarm testing (see minute book page \_\_\_\_).

Commissioner Utley seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A RENTAL AGREEMENT WITH THE DEPARTMENT OF JUVENILE JUSTICE FOR OFFICE SPACE (06):** Project Manager Kobek explained that the State Properties Commission has prepared a rental agreement for the Department of Juvenile Justice for the building located at 508 Pine Street. Either party may terminate the rental agreement by giving 60 day prior written notice. The County has entered into this same rental agreement in the years past.

Commissioner Loper made a motion to approve a rental agreement with the Department of Juvenile Justice for office space (see minute book page \_\_\_\_).

Commissioner Brantley seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE AN AGREEMENT WITH GASBOY FOR THE BACKYARD FUEL SYSTEM (07):** County Clerk Crawley explained that Gasboy has been the vendor who provides support for the backyard fuel system since 2000. The agreement covers upgrades to the fuel system at no charge. The terms of the agreement is one year and can be terminated upon thirty days written notice by either party. The cost for the agreement is \$725 a year.

Commissioner Brantley made a motion to approve an agreement with Gasboy for the Backyard Fuel System (see minute book page \_\_\_\_). Chairman Zeigler seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A COMMUNITY DEVELOPMENT BLOCK GRANT UNDER THE EMPLOYMENT INCENTIVE PROGRAM (EIP) FROM THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS FOR \$500,000, TO ENTER INTO AN AGREEMENT WITH EFFINGHAM COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY, GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS, AND EFACEC AND TO OPEN A BANK ACCOUNT TO MANAGE FUNDS FOR THIS GRANT (08):** County Administrator Crawley

explained that on behalf of the Effingham County Industrial Development Authority, Effingham County made application for a Community Development Block Grant in the amount of \$500,000 for the construction of a rail spur to service EFACEC Power Transformers, Inc. The Board previously approved the application for the grant funds. The IDA will pay for all cost associated with the grant application and additional administration of the grant. Effingham County will act as the fiscal agent for the grant.

Mr. John Henry and Mr. Ryan Moore with the IDA were present to answer any questions.

Commissioner Brantley made a motion to approve a Community Development Block Grant under the EIP from the Georgia Department of Community affairs for \$500,000, to enter into an agreement with Effingham County Industrial Development Authority, Georgia Department of Community affairs, and EFACEC and to open a bank account to manage funds for this grant (see minute book page \_\_\_\_). Commissioner Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE DONATING TO THE INDEPENDENCE DAY FIREWORKS DISPLAY AT THE EFFINGHAM COUNTY HIGH SCHOOL**

**(09):** County Administrator Crawley explained that the City of Springfield is requesting that funds be donated to help with the continuation of the 4<sup>th</sup> of July fireworks at Effingham County High School. It is estimated that 5,000 people were in attendance at last years fireworks display. This event has been a community event for several years and all residents are invited to attend fir free. The concession proceeds will support the ECHS band.

Mrs. Ruth Lee commented that the Board should support the Fourth of July Fireworks.

Commissioner Phillips made a motion to approve donating to the Independence Day Fireworks Display at the Effingham County High School, not to exceed \$5,000. Commissioner Brantley seconded the motion. Chairman Zeigler opposed the motion. Vice-Chairperson Lewis, Commissioner Brantley, Commissioner Loper, Commissioner Uteley, and Commissioner Phillips voted in favor of the motion. The motion carried.

**REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF**

Commissioner Loper discussed the following:

- ◆ Regional Water Council meeting

Chairman Zeigler discussed the following:

- ◆ RDC letter of support

- ◆ MCUDA appointments
- ◆ RDC appointment of one person

Vice-Chairperson Lewis discussed the following:

- ◆ Savannah Technical College meeting
- ◆ Ordinance on protecting recreation facilities
- ◆ Storage units at the Sheriff's Department

Commissioner Phillips discussed the following:

- ◆ Dumpster at Waterford Commercial Park
- ◆ Hadden Lake Road

Commissioner Utley discussed the following:

- ◆ OMNI Flight

County Clerk Crawley discussed the following:

- ◆ City of Rincon's support of the Summer Food Program

Zoning Administrator Shaw discussed the following:

- ◆ Noise Ordinance

### **LUNCH**

At 11:57 a.m., the Board of Commissioners recessed to have lunch.

### **EXECUTIVE SESSION**

At 1:00 p.m., Chairman Zeigler made a motion to go into Executive Session to discuss personnel, property and pending litigation. Commissioner Brantley seconded the motion. The motion carried unanimously.

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

### **RECONVENED**

At 1:29 p.m., the Board reconvened their meeting.

### **CONTINUED - REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF**

County Administrator Crawley discussed the following:

- ◆ Service Delivery Strategy

### **BUDGET WORKSHOP**

County Administrator Crawley, Finance Director Wright, Human Resources Director Hudzinski-Sero, Project Manager Kobek discussed the 2009/2010 budget with the Board of Commissioners.

### **ADJOURNMENT**

At 3:51 p.m., Chairman Zeigler made a motion to adjourn the meeting and reminded everyone of the Service Delivery Strategy with the Cities of Guyton, Rincon, and Springfield at 6:30 p.m. that will be held at the City of Rincon's Chambers.



Commissioner Brantley seconded the motion. The motion carried unanimously.

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C. D. Zeigler, Chairman

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Patrice R. Crawley, County Clerk