

**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 H. Phillips, Mr. Jeffrey A. Utley, Mr. Reginald S. Loper, Sr. and Mr. Robert Brantley met in regular session at 3:00 p.m. on Tuesday, September 1, 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, Mrs. Rushe Hudzinski-Sero, Human Resources Director, Mr. H. Cornell Mock, Sr., Mr. Larry Todd, Mr. Charles Patterson, Mr. Danny Anderson, Mr. Scott Bryson, Mr. Michael J. Stephens, Mr. Charles Hartzog, Mr. Roland Dann, Mr. Jim Simmons, Mr. Danny Mosley, Mr. Arthur Rudd, Sr, Ms. Sandra Fox, Ms. Rhonda Rodewolt, Ms. Alice Banks, Mr. Derrell E. Banks, Mr. D. M. Arnsdorff, Mr. M. C. Jaudon, Ms. Pearl Powell Boynes, Mr. Donnie Rahn, Mrs. Joyce Thompson, Mr. Stephen (Mack) Thompson, Mr. Bowie Evans Blackburn, Jr., Mrs. Rose Mary Tebeau, Mr. Roscoe Collins, Mr. Raymond Starling, Ms. Kimberly Young, Mr. Williams Hunter, Sr., Ms. Linda Jaudon, Mr. Gregory Hunter, Ms. Deloris Warren, Mr. Darrell Hunter, Mr. Freddy Long, Mr. Franklin Goldwire, Ms. Julie Weddle, Ms. Lucy Powell, Mrs. Carolyn Collins, Ms. Debra Gay, Ms. Karen Neidlinger, Mr. W. O. Lee, and Mr. Dallas Williams.

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 some changes that need to be made to the Agenda. First, an addition of New Business Number 11 – Consideration to approve R. B. Baker's Change order number 4 and 5 for Old August Road Phase I, second, an addition of New Business Number 12 – Consideration to approve a proposal with Port City Design Group, LLC to provide design, bidding, and construction services for water and sewer infrastructure at the Grandview tract, third, a a request to change

move Consent Agenda Number 02 to Old Business Number 02, fourth, move Consent Agenda Number 03 to Old Business Number 03 and fifth, remove Consent Agenda Number 6 from the agenda.

Commissioner Phillips made a motion to approve the Agenda Resolution with the changes requested by staff (see copy of agenda resolution on minute book page number _____). Commissioner Loper 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

Commissioner Phillips made a motion to approve the minutes for August 18, 2009 Board of Commissioners Meeting. Commissioner Utey seconded the motion. The motion carried unanimously.

PUBLIC COMMENTS

There were no public comments.

CONSENT AGENDA

Commissioner Utey made a motion to approve the second reading to amend the Zoning Map 301-52, 53 for the application by Patricia F. Saxon to rezone 1 acre located at 220 Saxon Drive from AR-1 to AR-2 (see minute book page __) with the following stipulations:

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.
5. Lots 301-52 and 53 shall be combined to meet the minimum requirements of the AR-2 zoning district.

Commissioner Loper seconded the motion. The motion carried unanimously.

Vice-Chairperson Lewis made a motion to approve errors and releases for Mobile Homes and Property Taxes as submitted by the Tax Commissioner (see minute book page _____). Commissioner Loper seconded the motion. The motion carried unanimously.

OLD BUSINESS

CONSIDERATION TO APPROVE THE FINAL PLAT, A LETTER OF CREDIT IN THE AMOUNT OF \$80,346 FOR BONDING OF ALL UTILITIES

AND INFRASTRUCTURE AND A LETTER OF CREDIT FOR A GRASSING BOND IN THE AMOUNT OF \$11,544 FOR HONEY RIDGE SUBDIVISION, FINAL PHASE (01): County Engineer Liotta explained that this item was tabled from the August 18, 2009 meeting. The items that were needed have not been reviewed by staff. Staff recommends removing this item from the agenda.

Vice-Chairperson Lewis made a motion to remove the request to approve the final plat, a letter of credit in the amount of \$80,346 for bonding of all utilities and infrastructure and a letter of credit for grassing bond in the amount of \$11,544 for Honey Ridge Subdivision Final Phase. Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE SECOND READING TO AMEND THE ZONING MAP 365-22 BY LAWTON LANCASTER FOR A VARIANCE USE TO SUBDIVIDE A LOT OFF OF AN EASEMENT LOCATED AT 978 SPRINGFIELD EGYPT ROAD (02): County Administrator Crawley explained that request by Lawton Lancaster was moved from the Consent Agenda because the amendment in the Commissioners agenda book did not have the correct stipulation which should have stated the code section of the variance that was being requested.

Vice-Chairperson Lewis made a motion to approve the second reading to amend the zoning map 365-22 by Lawton Lancaster for a variance to subdivide a lot off an easement located at 978 Springfield Egypt Road with the following stipulation to grant an amendment to article VI, Section 6.1 of the Subdivision Regulations with the condition that there shall be no more subdivision of this parcel without access that meets county road standards (see minute book page ___). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE SECOND READING TO AMEND THE ZONING MAP 370C-10 FOR THE APPLICATION BY W. DARREL HUTCHESON FOR A VARIANCE OF SECTION 6.6 TO SUBDIVIDE A PARCEL LOCATED AT 518 SHIRLEY DRIVE (02): County Administrator Crawley explained that the request from W. Darrel Hutcheson was moved from the Consent Agenda because the amendment in the Commissioners agenda book did not have the correct stipulation which should have stated the code section of the variance that was being requested.

Commissioner Loper made a motion to approve the second reading to amend the zoning map 370C-10 for the application by W. Darrel Hutcheson for a variance of Section

6.6 to subdivide a parcel located at 518 Shirley Drive with the stipulation to grant an amendment to Article VI, Section 6.6 of the Effingham County Subdivision regulations (see minute book page ____). Commissioner Brantley seconded the motion. The motion carried unanimously.

NEW BUSINESS

CONSIDERATION TO APPROVE THE MEMORANDUM OF AGREEMENT BETWEEN THE EFFINGHAM BOARD OF COMMISSIONERS AND THE GEORGIA FORESTRY COMMISSION FOR THE COUNTY TOWER LOCATED AT 2800 COURTHOUSE ROAD (01): Public Safety Director Ashcraft explained that the Georgia Forestry currently leases space for an antenna and a radio at the tower site next to the county landfill. Georgia Forestry has submitted a new agreement for approval instead of renewing the agreement already in place. The new agreement does not contain adequate statements to protect the county. The missing statements concern restricted access to the site, restrictions on transmitter power level and confining the usage to a single radio system. Staff recommends denying the proposed agreement in its current form.

Commissioner Loper made a motion to table the memorandum of agreement with the Georgia forestry Commission for the county tower located near 2800 Courthouse Road. Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE LEASE AGREEMENT BETWEEN THE EFFINGHAM COUNTY BOARD OF COMMISSIONERS AND THE GEORGIA DEPARTMENT OF PUBLIC SAFETY FOR THE RADIO TOWER/ANTENNA AT 241 PUBLIC SAFETY BLVD (02): Public Safety Director Ashcraft explained that Georgia Department of Public Safety currently leases space on the dismantled tower that was near Effingham Hospital and needs to be relocated to the tower at the landfill site. State Patrol Post 42 will be the primary beneficiary of this equipment. The agreement is comprehensive and moving the equipment does not pose any technical problems.

Commissioner Phillips made a motion to approve the lease agreement between the Effingham County Board of Commissioners and the Georgia Department of Public Safety for the radio tower/antenna at 241 Public Safety Blvd (see minute book page ____). Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO AMEND THE FIRST READING OF THE ORDINANCE SECTION 14-56F PERMITS OF THE OFFICIAL CODE OF EFFINGHAM COUNTY (03): Building Official Davis explained the Construction Board of Adjustments and Appeals met on August 20th at the Annex and voted unanimously to amend Section 14-56 of the Official Code of Effingham County of the permits. Currently Section 14-56 does not have provisions for building that have been foreclosed on and/or permits that have been inactive for more than twelve months. By reducing cost as listed below: 75% of the original fee will be required if the house has not been dried in, 50% of the original fee will be required if the rough-in inspection has not been completed, and 25% of the original fee will be required if only a final inspection is needed.

There were not public comments.

Commissioner Loper made a motion to amend the First Reading of the Ordinance Section 14-56F permits of the Official Code of Effingham County. Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE CHANGE ORDER NUMBER 1 FOR THE REUSE STORAGE TANK WITH PINCO (04): County Engineer Liotta explained that staff pursued a reuse grant from GEFA and on August 27, 2008, \$100,000 was awarded to offset the cost of a reuse water storage tank to be constructed at the Effingham County South Urban Water Reuse plant. On February 3, 2009, the Board awarded the project to the low bidder PINCO, in the amount of \$589,900. This bid amount included two alternates for electrical work, since the necessity of each could not be determined until the project construction was underway. Construction is ongoing and expected to be substantially completed by late September. It has been determined that bid alternate #1 (\$9,800) was unnecessary and can be deleted from the project at this time. Bid alternate #2 (\$10,100) was necessary and this work has been completed. However, two minor additions need to be made to the project at this time; to make changes to a value vault to improved access during flooding events (\$2,470) and to add labeling to the tank as requested by EPD (\$1,200). Even with these minor additions, the attached change order will reduce the total cost of the project by \$6,130.

Commissioner Phillips made a motion to approve the change order number 1 for the reuse storage tank with PINCO (see minute book page ____). Commissioner Loper seconded the motion. The motion carried unanimously.

APPEARANCE

9:00 a.m. Ruth Lee – Mrs. Ruth Lee and Mr. Mark Czachowski requested on behalf of the Tax Payers (1) petition the County Commissioners to pass a resolution to urge the Effingham County Board of Tax Assessors to nullify the 2009 property re-assessments and return the property assessments in Effingham County to the 2008 level, (2) petition the Commissioners to pass a resolution asking the State Department of Revenue to carry out a performance review of the Board of Tax Assessors, and (3) petition the Commissioners to pass a resolution expanding the present Board of Tax Assessors to the legal capacity of five members, with one being appointed from each commission district.

Mr. Raymond Starling, Mr. Michael J. Stephens, Ms. Delores Warren, and Ms. Kim Young stated their concerns about the property assessments.

CONSIDERATION TO APPROVE THE AGREEMENT BETWEEN AMERICAN RECOVERY AND REINVESTMENT ACT AND COASTAL REGIONAL COMMISSION AREA AGENCY ON AGING WITH THE BOARD OF COMMISSIONERS (05): Finance Director Wright explained that as part of the funding for the seniors program the Coastal Regional Commission Area Agency on Aging has received federal stimulus funding through the American Recovery and Reinvestment Act. The funding is for 15 months for nutrition service. Staff requests approval of the contract to receive the additional funding. The contract provides federal funding of \$12,092 to serve congregate & home delivered meals and it requires a local match of \$2,134.

Commissioner Brantley made a motion to approve the agreement between American Recovery and Reinvestment Act and Coastal Regional Commission Area Agency on Aging with the Board of Commissioners (see minute book page __). Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AMENDMENT NUMBER 10 TO THE AGREEMENT FOR OPERATIONS, MAINTENANCE AND MANAGEMENT SERVICES WITH OMI (06): Purchasing Agent Newland explained that OMI has provided management, operations, repairs and maintenance of all county roads in Effingham County since September, 2001. Amendment Number 10 of the agreement covers the 2009-2010 fiscal year. The base fee is the sum of the estimated direct cost plus overhead cost plus the management fee and can be adjusted throughout the contract year if there is a change in scope of services and items that affect the estimated direct cost.

Mrs. Sue Tebeau questioned the contract with OMI.

Commissioner Phillips made a motion to amend number 10 to the agreement for operations, maintenance and management services with OMI (see minute book page ____). Chairman Zeigler seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE CONTRACT FOR MAJOR MEDICAL/RX/DENTAL/VISION/FLEX AND SUPPLEMENTAL INSURANCE (INCLUDING LIFE AND STD/LTD) FOR EFFINGHAM COUNTY EMPLOYEES

(07): Human Resources Director Hudzinski-Sero explained that Effingham County has received the Guardian/AFLAC plan renewals. Projections for benefit cost approved in the 2009/2010 budget completely support the renewal. Plan will be as follows: major medical plan/RX – increase 10%, dental plan – increase 14%, vision plan – no increase, STD/LTD – increase 17%, AD&D/Life – no increase, EAP – no increase, co-pay reduction to \$25, deductible remains at \$1,000, generic prescription \$15, preferred \$35, non-preferred \$55, addition critical illness supplemental, managed care letter from the Board of Commissioners for dental – encouraging network usage, and wellness biometric screening – paid in full by Guardian with 50 participant minimum.

Commissioner Phillips made a motion to approve the Chairman to sign the contract with Guardian for the renewal of major medical/RX/dental/vision/flex and supplemental insurance (including life and STD/LTD for Effingham County employees (see minute book page ____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE CHANGE ORDER NUMBER 1 FOR EMS/OMNI FLIGHT CENTER (08):

Project Manager Kobek explained that in early 2009 the Board approved the construction of a new facility to house the County EMS headquarters and OmniFlight, a medical helicopter service. The earthwork is underway and a contract was executed in June 2009 for the construction of the building. The contractor is to provide engineered plans for review for submittal to the proper building authority. Once the plans were submitted there were discrepancies from what the County specified and what the engineer believes is required to do. The additional work consists of 6' concrete, rather than the 4' specified on the landing pad and maintenance shelter, deeper footers and turndowns, additional rebar for the footings, welded wire in lieu of fiber mesh and labor for changes in foundation work. Additional foundation work will

cost \$19,000 and the sidewalk can be added for an additional \$3,500 or inmates can pour.

Commissioner Utley made a motion to approve change order number 1 EMS/OMNI Flight Center for foundation work only (see minute book page _____).

Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE COMMISSIONERS TRAVEL SCHEDULE (09): County Clerk Crawley explained that there were a few upcoming events requiring travel for the Board of Commissioners that needs to be approved.

Commissioner Brantley made a motion to approve the travel scheduled for September 2nd, September 3rd, and October 7th thru 9th for the Commissioners. Commissioner Utley seconded the motion. The motion carried unanimously.

CONSIDERATION TO AUTHORIZE THE CHAIRMAN TO EXECUTE LETTERS TO THE BUILDING GRIEVANCE BOARD, BOARD OF ELECTIONS AND TAX ASSESSORS BOARD CONCERNING MEETING LOCATION (10):

County Administrator Crawley explained that during the August 18th board meeting, staff discussed with the board the need to improve transparency in government. Meeting location and accessibility has been a concern expressed by the public. Staff has drafted letters to the Building Grievance Board, Board of Elections and Tax Assessors Board requesting that all public meetings are conducted at the Board of Commissioners meeting room at the Effingham County Administrative Complex. Requesting all meetings of the boards associated with County Government would improve and enhance public participation.

Commissioner Loper made a motion to authorize the Chairman to execute letters to the Building Grievance Board, Board of Elections and Tax Assessors Board concerning meeting location. Commissioner Brantley seconded the motion. The motion carried unanimously.

ADDITION TO THE AGENDA

CONSIDERATION TO APPROVE R. B. BAKER'S CHANGE ORDER 4 AND 5 FOR THE OLD AUGUSTA ROAD PHASE I (11): County Administrator Crawley explained that in early 2008 the board executed a contract for the construction of Old Augusta Road Project Phase I. The work has been ongoing since April of 2008 and is approaching completion. During the course of the project the Board has authorized change orders for subsurface problems, change in the scope of work or other issues that

have arisen. Change order number 4 is for a guardrail to provide vehicular protection from a large transmission power pole and change order number 5 is to provide rip-rap at the outfalls and cross drains. The urgency of the change orders is to keep the project moving.

Commissioner Phillips made a motion to approve R. B. Baker's change order number 4 and 5 for the Old Augusta Road Phase I (see minute book page __). Vice-Chairperson Lewis seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A PROPOSAL WITH PORT CITY DESIGN GROUP, LLC TO PROVIDE DESIGN, BIDDING, AND CONSTRUCTION SERVICES FOR ONSITE WATER AND SEWER INFRASTRUCTURE AT THE GRANDVIEW TRACT (12): County Administrator Crawley explained that the board previously executed a proposal with Port City Design Group, LLC to provide design, bidding, and construction services for water and sewer infrastructure at the Grandview tract. The property is located at the intersection of Old Augusta Road and Fort Howard Road. The developer believes that the construction of a light industrial manufacturing facility is immediate and on several occasions has urged the County to construct water and sewer infrastructure as outlined in the above referenced agreement. Staff recently met with the developer and two board members to discuss an interim strategy that would allow the development of the proposed industrial facility. The interim strategy consists of providing an onsite well and septic system that would meet the demands of the proposed industry and not require the extension of infrastructure up Old Augusta Road at this time. The interim strategy would also allow the Board to determine the development potential and determine the return on taxpayer investment prior to committing the significant investment in infrastructure along Old Augusta Road. Staff was directed to obtain a cost estimate from Port City Design Group for the design, bidding, and construction review services for an onsite well and sewer system. Moving forward with the interim strategy would allow the County to provide services for what the developer has indicated is a high priority project.

Commissioner Loper made a motion to approve a proposal with Port City Design Group, LLC to provide design, bidding, and construction services for onsite water and sewer infrastructure at the Grandview tract (see minute book page __). Commissioner Phillips seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE STAFF TO REQUEST A PERFORMANCE REVIEW OF THE BOARD OF TAX ASSESSORS (13): County Administrator Crawley explained that it has been requested that a performance review of the Board of Tax Assessors be obtained. Staff request for direction from the Board how to proceed.

Commissioner Loper made a motion to direct staff to do what was necessary to request a performance review as quick as possible of the Board of Tax Assessors. Chairman Zeigler seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE TWO ADDITIONAL MEMBERS TO THE BOARD OF TAX ASSESSORS (14): County Administrator Crawley explained that it has been requested that two additional members be added to the Board of Tax Assessors.

Commissioner Brantley made a motion to direct staff to prepare the appropriate review for the resolution for the September 15th Board Meeting. Chairman Zeigler seconded the motion. The motion carried unanimously.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

Commissioner Phillips discussed the following:

- ◆ Port of Savannah 2009 State of the Port Address

Chairman Zeigler discussed the following:

- ◆ Congressman Barrow meeting was cancelled

County Administrator Crawley discussed the following:

- ◆ Old Augusta Road Phase I
- ◆ Old Augusta Road Phase II
- ◆ Morgan Road status
- ◆ Hwy 80 drainage
- ◆ Effingham Parkway
- ◆ Gateway Grant with Chamber
- ◆ Sheriff's Administration
- ◆ EMS/Omni Flight update
- ◆ Water and Sewer Issue
- ◆ City of Guyton water and sewer
- ◆ Hospital Property
- ◆ Chamber retreat
- ◆ County Owned Property
- ◆ Third Street North in Pineora

Project Manager Kobek discussed the following:

- ◆ Courthouse update

Zoning Administrator Shaw discussed the following:

- ◆ Noise ordinance and commercial district

EXECUTIVE SESSION

At 11:22 p.m., Chairman Zeigler made a motion to go into Executive Session to discuss personnel, property and pending litigation. Vice-Chairperson Lewis 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 _____).

ADJOURNMENT

At 12:20 p.m., Commissioner Loper 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