

**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 15, 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. George Shaw, Zoning Administrator, Mrs. Patrice R. Crawley, County Clerk, Mr. Adam Kobek, Project Manager, Mr. Steve Liotta, County Engineer, Ms. Ruth Lee, Mr. Joel Rud, Ms. Pearl Boynes, Ms. Carolyn Collins, Mr. Bill McCall, Mr. Walt Gnann, Mr. Roscoe Collins, Mr. Jim Simmons, Mr. Bennie Edenfield, Ms. Amy Williams Rippey, Ms. Alma Zettler, Mr. Wendell Hodges, Mrs. Sherron Hodges, Mr. Alec Metzger, Mr. Andrew Ambrose, Ms. Yvette Warnock, Mr. Ellis Skinner, Mr. Howard A. Williams, and Mrs. Janis Bevill.

CALL TO ORDER

Chairman Zeigler called the meeting to order.

INVOCATION AND PLEDGE TO THE AMERICAN FLAG

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

AGENDA APPROVAL

County Administrator Crawley explained that the applicants for Planning Board Old Business number 2 requested to have their item tabled until the October 20th meeting from the Agenda. The Sheriff has requested that the Board add to the agenda the approval of a grant awarded for laptops to be placed in the deputies' cars. The approval documentation needs to be accepted by September 20, 2009.

Commissioner Loper made a motion to approve the Agenda Resolution with tabling Planning Board Old Business number 2 and adding New Business Number 10 – Consideration to approve grant with the American Recovery and Reinvestment Act Justice Assistance grant program Federal award number 2009-SB-B9-2806. Commissioner Brantley seconded the motion. The motion carried unanimously.

MINUTES

Commissioner Lewis made a motion to approve the minutes for the September 1, 2009 Board of Commissioners Meeting. Commissioner Loper seconded the motion. The motion carried unanimously.

PUBLIC COMMENTS

There were no public comments.

OLD BUSINESS

CONSIDERATION TO APPROVE THE SECOND READING THE ORDINANCE SECTION 14-56F PERMITS OF THE OFFICIAL CODE OF EFFINGHAM COUNTY (01): County Building Inspector Davis explained that the Board had approved the First Reading to the amendment of the Ordinance Section 14-56F of the Official Code of Effingham County at the September 1, 2009 Board of Commissioners Meeting.

Commissioner Loper made a motion to approve the second reading to amend Ordinance Section 14-56F Permits of the Official Code of Effingham County Georgia (see minute book page _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO REAPPOINT MIKE PARISH (BUILDER), RICHARD BURKE (HVAC), WAYNE WHITLEY (ELECTRICAL), AND TO APPOINT JAKE PATRICK (PLUMBING) TO THE CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS (02): County Clerk Crawley explained that the Board had tabled the First Reading of the reappointments to the Construction Board of Adjustments and Appeals at the October 21, 2008 Board of Commissioners Meeting.

Commissioner Phillips made a motion to approve the second reading to reappoint Mike Parish (builder) Richard Burke (HVAC), Wayne Whitley (electrical) and to appoint Jake Patrick (plumbing) to the Construction Board of Adjustments and Appeals with their terms to expire December 2012 (see minute book page _____). Vice-Chairperson Lewis seconded the motion. The motion carried unanimously.

NEW BUSINESS

CONSIDERATION TO APPROVE THE FINAL PLAT AND LETTERS OF CREDIT FOR HONEY RIDGE (01): County Engineer Liotta explained that Stephen Rigdon of Peoples State Bank & Trust requests final plat approval for the final phase of Honey Ridge Subdivision, located off of Honey Ridge Road. Water services are to be provided by the City of Guyton and sewer services will be provided by individual septic

tanks. Letters of credit have been received and will be released after a one year warranty period on all infrastructure and utilities..

Vice- Chairperson Lewis made a motion to approve the final plat and letter of credit for Honey Ridge Subdivision, Final Phase. Commissioner Phillips seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE WARRANTY DEED FOR HONEY RIDGE SUBDIVISION (02): County Engineer Liotta explained that the final plat was approved by the Board and now the board needs to accept the Warranty Deed for Honey Ridge Subdivision.

Commissioner Utley made a motion to approve the warranty deed for Honey Ridge Subdivision, Final Phase with the stipulation that stated corrections be approved by the County Attorney before filing at Superior Court. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE FINAL PLAT FOR GREEN BRIDGE FARMS (03): County Engineer Liotta explained that Michael Maddox requests final plat approval for Green Bridge Farms Subdivision located off of Zittrouer Road. This subdivision consists of 10 lots. Water and sewer services will be provided by individual septic tanks and wells. The roads and drainage infrastructure will remain privately-owned therefore no warranty deed or maintenance bond is required. As stipulated in the variance approved by the Board on July 15, 2009, a statement that the roads shall remain private and shall be maintained by the residents of the neighborhood and shall be placed in all deeds in the development as well as on all plats. Trash pick up shall be at Zittrouer Road.

Commissioner Brantley made a motion to approve the final plat for Green Bridge Farms. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE CHANGE ORDER NUMBER 2 FOR THE EMS OMNIFLIGHT HEADQUARTERS (04): Project Manager Kobek explained that the Board had previously approved a lease agreement with OmniFlight. At the last meeting, the Board approved a change order for additional concrete and foundation improvements because the building was rated as an Essential Emergency Facility. The new change order requests an 18X38 metal canopy, additional steel and reinforcements, and a deduction for changing the roof panels of the maintenance bay to galvalume. The amount of the change order is a net increase of \$22,068.

Michael Stephens commented on the change order.

Commissioner Loper made a motion to approve the change order number 2 for the EMS OmniFlight headquarters (see minute book page _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN EASEMENT AGREEMENT WITH GEORGIA POWER AT 285 WEST 1ST STREET (05): Project Manager Kobek explained that in early 2009, the Board approved the construction of a new facility to house the County EMS headquarters and Omni/Flight. The building is in need of new electrical service, connecting from an existing pole beside the Gateway Service Center. The easement is 30 feet wide from the centerline of overhead power and 10 feet wide from the centerline of buried lines. The easement allows Georgia Power access to the property to install the new service.

Commissioner Phillips made a motion to approve an easement agreement with Georgia Power at 285 West 1st Street (see minute book page). Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO SURPLUS VEHICLES FOR DISPOSITION (06): Project Manager Kobek explained that from time to time the county has vehicles that are old, beyond the cost of repair, high mileage or unusable. There are now several vehicles that are ready to be moved from active service due to high mileage and excessive wear.

Vice-Chairman Lewis made a motion to surplus vehicles for disposition (see minute book page __). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A RESOLUTION REQUESTING A PERFORMANCE REVIEW OF THE EFFINGHAM COUNTY BOARD OF TAX ASSESSORS (07): County Administrator Crawley explained that O.C.G.A 48-5-295.1 allows the county governing authority, by resolution, to request a performance review of the county board of tax assessors. The Board will be required to pay all reasonable expenses incurred in the performance of the review board's duties, including mileage, meals, lodging, and cost of materials. Upon completion of the performance review, the review board will issue a written report to the Board of its findings which shall include such evaluation, judgment, and recommendations it deems appropriate.

Ms. Ruth Lee stated her concerns against the reevaluations of county property by the Tax Assessor's office.

Commissioner Brantley made a motion to approve the resolution requesting a performance review of the Board of Tax Assessors (see minute book page __).

Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A RESOLUTION TO ADD TWO MORE BOARD MEMBERS TO THE TAX ASSESSORS BOARD (08): County

Administrator Crawley explained that the Board has indicated a desire to increase the membership of the Effingham County Board of Tax Assessors to five members. O.C.G.A 48-5-290 (b) allows the Board, by resolution, to appoint not less than three and not more than five members to the county board of tax assessors. The Board of Commissioners established the membership of the board of tax assessors at three members and their terms at four years, by resolution dated August 19, 1997.

County Attorney Gotwalt stated that since Georgia Statue did not require that the members of the Tax Assessor Board be appointed by district then the Board of Commissioners should not make that requirement in Resolution. A policy on how the Tax Assessor’s Board is set up could be approved by the Board.

Commissioner Phillips made a motion to add two more board members to the tax assessors board (see minute book page __). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO DENY THE REQUEST TO PROVIDE WATER AND WASTEWATER SERVICES TO A 90 ACRE TRACT OF LAND LOCATED ON HIGHWAY 21, OWNED BY SPRINGFIELD INVESTMENT COMPANY (09):

County Administrator Crawley explained that Springfield Investment Company has requested water and wastewater services to an approximately 90 acre tract of land located on Highway 21 adjacent to the Effingham County Industrial Park. The County does not have the ability to provide the requested services. The owner would like to work with the City of Springfield to provide the requested services. The County must deny the owner’s request to allow the owner to move forward with Springfield.

Commissioner Utley made a motion to deny the approval of the water and wastewater services to a 90 acre tract of land located on Highway 21. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A GRANT WITH THE AMERICAN RECOVERY AND REINVESTMENT ACT JUSTICE ASSISTANCE GRANT PROGRAM FEDERAL AWARD NUMBER 2009-SB-B9-2806 (10): County

Administrator Crawley explained Sheriff had applied for a grant from the Office of the Justice Program for laptops for the deputies cars. These laptops will allow the deputies to be able to download necessary information quickly.

Commissioner Phillips made a motion to approve a grant with the American Recovery and Reinvestment Act Justice Assistance grant program federal award number 2009-SB-B9-2806 (see minute book page ____). Commissioner Brantley seconded the motion. The motion carried unanimously.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

Commissioner Phillips discussed the following:

- ◆ Road mowing grass on Highway 21

County Clerk Crawley discussed the following:

- ◆ Meeting with Judge Turner about Drug Court

County Administrator Crawley discussed the following:

- ◆ Old Augusta Phase I
- ◆ Old Augusta Road Phase II
- ◆ Morgan Road
- ◆ Highway 80 drainage issue still working with DOT
- ◆ Effingham Parkway and meeting with Mr. Bobby Parham
- ◆ Gateway Grant with Chamber
- ◆ Hotel/Motel tax
- ◆ Surface Treatment
- ◆ Courthouse update
- ◆ Water and Sewer infrastructure to Grand View
- ◆ Hospital Property Request
- ◆ House Bill 233
- ◆ Official Boards and their meeting locations
- ◆ Coastal Comprehensive Plan
- ◆ Discussion of ISO and Fire Service Area
- ◆ EFACEC
- ◆ Investment Review Meetings
- ◆ Steel Bridge

Chief Tax Assessor Bevill discussed the following:

- ◆ Appeals on reevaluation of property

Chairman Zeigler discussed the following:

- ◆ Coastal Regional Commission Council

DINNER BREAK

At 5:20 p.m., the Board took a break for dinner.

PLANNING BOARD PRESENTMENTS

Chairman Zeigler explained that Planning Board Old Business Number 02 was tabled during the agenda approval.

OLD BUSINESS

ELLIS SKINNER OF LES DEVELOPMENT – SKETCH PLAN APPROVAL

(01) – Zoning Administrator Shaw presented a sketch plan request from Ellis Skinner of

LES Development for the Bluejay Road Development formerly known as Magnolia Spring Map and Parcel 300-16.

Mr. Alec Metzger explained why the sketch plan should be approved.

Vice-Chairperson Lewis made a motion to deny the Sketch Plan. Commissioner Brantley seconded the motion. The motion carried unanimously.

MICHAEL K. WOODS & DONALD JEFFCOAT – PUBLIC HEARING (02)

This item was tabled to October 20th during the Agenda Approval.

GLOBAL ONE, LLC – PUBLIC HEARING (03): The applicant for Global One, LLC was not present. Therefore, this item was held until end of the meeting

NEW BUSINESS

ALMA ZETTLER– PUBLIC HEARING (04): A Public Hearing was held on the application by Alma Zettler to rezone 6.83 acres located at 869 Nease Road from AR-1 to AR-2 map 375 parcels 31 in the First District.

Zoning Administrator Shaw presented the request.

There were no objectors present.

Commissioner Brantley made a motion to approve the First Reading of the amendment to the Effingham County Zoning Ordinance, Map and Parcel No. 375, 31 to rezone 6.83 acres located at 869 Nease Rd. from AR-1 to AR-2 with the following stipulations:

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 Loper seconded the motion. The motion carried unanimously.

ANDREW D. AMBROSE – PUBLIC HEARING (05): A Public Hearing was held on the application by Andrew D. Ambrose to rezone 2 acres located at 700 Floyd Ave. from AR-1 to AR-2 map 296 parcels 23 in the Second District.

Zoning Administrator Shaw presented the request.

Mr. Ambrose presented a copy of the new plat.

Ms. Sherron Hodges spoke about the request.

Vice-Chairperson Lewis made a motion to approve the First Reading of the amendment to the Effingham County Zoning Ordinance, Map and Parcel No. 296-23 to rezone 2 acres located at 700 Floyd Ave. from AR-1 to AR-2 with the following stipulations:

1. The health department approves parcel for subdivision.
2. All lots meet the requirements of the AR-2 Zoning District.
3. Site development plans comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
4. All wetland impacts permitted by USACE.
5. Plat must be approved by the Health Department and the Zoning Office.
6. A new 60 foot easement must access the property.

Commissioner Phillips seconded the motion. The motion carried unanimously.

GENE A. & MARY Y. WARNOCK – PUBLIC HEARING (06): A Public Hearing was held on the application by Gene A. & Mary Y. Warnock to rezone 7.29 acres located at 3525 Courthouse Road from AR-1 to AR-2 map 348 parcels 17 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. 348, 17 to rezone 7.29 acres located at 3525 Courthouse Road from AR-1 to AR-2 with the following stipulations:

1. All lots meet 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. Plat must be approved by the Health Department and the Zoning Office.
5. A new 60 foot easement must access the property.

Commissioner Loper seconded the motion. The motion carried unanimously.

HOWARD A. WILLIAMS – PUBLIC HEARING (07) and (08): A Public Hearing was held on the application by Howard A. Williams to rezone 11.29 acres located at 851 Old Augusta Road from AR-1 to AR-2 map 475 parcels 46, 44 in the Fifth District.

Zoning Administrator Shaw presented the request.

There were no objectors present.

Commissioner Phillips made a motion to approve the First Reading of the amendment to the Effingham County Zoning Ordinance, Map and Parcel No. 475- 46, 44 to rezone 11.29 acres located at 851 Old Augusta Road from AR-1 to AR-2 with the following stipulations:

1. All lots meet the requirements of the AR-2 Zoning District.
6. Site development plans comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
7. All wetland impacts permitted by USACE.
8. Plat must be approved by the Health Department and the Zoning Office.
9. A new 60 foot easement must access the property.

Commissioner Loper seconded the motion. The motion carried unanimously.

OLD BUSINESS – CONTINUED

GLOBAL ONE, LLC. – PUBLIC HEARING (03): A representative of Global One, LLC. was not present.

Chairman Zeigler made a motion to remove the request from Global One, LLC from the agenda. Commissioner Brantley seconded the motion. Commissioner Loper opposed the motion. Chairman Zeigler, Vice-Chairperson Lewis, Commissioner Phillips, Commissioner Utley, and Commissioner Brantley voted in favor of the motion. The motion carries.

EXECUTIVE SESSION

At 6:40 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 7:43 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