

**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 8:30 a.m. on Tuesday, October 6, 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. Steve Liotta, County Engineer, Ms. Natalie Jenkins, Administrative Assistant, Ms. Connie Burns, Sanitation Director, Ms. Glenda King, Ms. Ann R. Purcell, Ms. Ruth Lee. Mr. Chap Bennett, Mr. John Henry, Mr. Alan Zipperer, Mr. Brett Bennett, Mr. C.R. Jackson, Mr. Brad Hale, Mr. Tom Moreland, Mr. Billy Gordon, Mr. Jerry Brinson, Mr. Lamar Allen, Representative Jon Burns, Mr. Brad Sapp, Mr. Glen Durrance, Mr. Bobby Parham, Senator Jack Hill, and Mr. Pat Donahue.

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 necessary additions to the Agenda. First, an addition of New Business Number 11 – Consideration to approve change order number 6 with R.B. Baker on the Old Augusta Road Phase I Project. An addition of New Business Number 12- Consideration to approve a Resolution for Sand Hill Baptist Church.

Vice- Chairperson Lewis 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 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

Commissioner Phillips made a motion to approve the minutes for September 15, 2009 Board of Commissioners Meeting. Commissioner Loper seconded the motion. The motion carried unanimously.

PUBLIC COMMENTS

There were no public comments.

CONSENT AGENDA

Chairman Zeigler read out loud Consent Agenda items number 01 through Number 04.

Commissioner Utley made a motion to approve the second readings to amend (01) Zoning Map 375-31 for the application by Alma S. Zettler to rezone 6.832 acres located at 869 Nease Rd. from AR-1 to AR-2 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.

(02) Zoning Map 296-23 for the application by Andrew D. Ambrose to rezone 2 acres located at 700 Floyd Ave. from AR-1 to AR-2 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. A new 60 foot easement shall access the property.

(03) Zoning Map 348-17 for the application by Gene A. & Mary Y. Warnock to rezone 7.29 acres located at 3525 Courthouse Road to rezone from AR-1 to AR-2 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. A new 60 foot easement shall access the property.

(04) Zoning Maps 475-46 & 476-44 for the application by Howard Williams to rezone 11.29 acres located at Old Augusta Road from AR-1 to AR-2 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.

Commissioner Brantley seconded the motion (see minute book page ____). The motion carried unanimously.

Vice-Chairperson Lewis made a motion to approve Consent Agenda (05) errors and releases for and Property Taxes as submitted by the Tax Commissioner (see minute book page ____). Commissioner Loper seconded the motion. The motion carried unanimously.

Commissioner Loper made a motion to approve Consent Agenda (06) release of penalties for Property Tax as submitted by the Tax Commissioner (see minute book page ____). Commissioner Brantley seconded the motion. The motion carried unanimously.

Chairman Zeigler recognized Ms. Ann Purcell, who is running for State Representative.

OLD BUSINESS

CONSIDERATION TO APPROVE LEED CERTIFICATION FOR THE HISTORIC EFFINGHAM COUNTY COURTHOUSE (01): Project Manager Kobek explained that this item was tabled from the April 21, 2009 meeting. It was brought before the building liaison committee. LEED is a third-party certification program and the nationally accepted benchmark for the design, construction and operation of high performance green buildings.

Mr. Mark Fitzpatrick from J.T. Turner explained to the Board the LEED certification process and benefits.

Mr. Michael Stephens questioned the LEED certification.

Commissioner Loper made a motion to approve the LEED certification for the Historic Effingham County Courthouse. Commissioner Brantley seconded the motion. Chairman Zeigler opposed the motion. Vice-Chairperson Lewis, Commissioner Phillips,

Commissioner Utley, Commissioner Loper and Commissioner Brantley voted in favor of the motion. The motion carried.

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 (02): Public Safety Director Ashcraft explained that the Georgia Forestry Commission 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 did 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. The item was tabled at the September 1, 2009 meeting. Staff recommended the second agreement for approval.

Commissioner Utley made a motion to approve the memorandum of agreement with the Georgia Forestry Commission for the county tower located near 2800 Courthouse Road (see minute book page _____). Commissioner Loper seconded the motion. The motion carried unanimously.

APPEARANCE

9:00 a.m. Michael Stephens – Mr. Michael Stephens requested that the Board remove the current tax assessors board and appoint new members. He also stated that there were no oaths of office on file for the Board of Tax Assessors.

NEW BUSINESS

CONSIDERATION TO APPROVE A NEW POSITION OF CHIEF DEPUTY TAX COMMISSIONER (01): Tax Commissioner McDaniel presented the request to restructure the tax commissioner’s office. In order to do so, a Deputy Tax Commissioner position would be replaced by the Chief Deputy Tax Commissioner position. This will allow expansion of duties and increased efficiency of the position. This position would need approximately \$4,000 from the frozen funds.

Mr. Michael Stephens questioned the new position.

Ms. Ruth Lee spoke about the new position.

Commissioner Utley made a motion to approve the new position of chief deputy tax commissioner . Commissioner Phillips seconded the motion. Commissioner Loper and Commissioner Brantley opposed the motion. Chairman Zeigler, Vice-Chairperson

Lewis , Commissioner Phillips, Commissioner Loper voted in favor of the motion. The motion carried.

CONSIDERATION TO APPROVE STAFFING FOR THE UPCOMING SPECIAL ELECTION TO BE HELD ON NOVEMBER 3, 2009 (02):

County Administrator Crawley explained that a special election will be held on November 3, 2009. Elections and Registration Supervisor Gail Whitehead is requesting personnel for each polling location is staffed with one manager and two assistant managers who are assisted by Clerks. The estimated cost for required staffing for the Special Election is \$ 17,690.00.

Commissioner Loper made a motion to approve the staffing for the special election. Commissioner Phillips seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE eGPS BASE STATION LETTER OF AGREEMENT (03):

GIS Director Aycock presented the request that eGPS has offered Effingham County an opportunity to be part of a local GPS network that will allow data collection at survey-grade accuracy at no cost to the County. Effingham County will provide an internet connection from an existing DSL line. Also, an antenna will be mounted on the building.

Commissioner Phillips made a motion to approve the eGPS base station letter of agreement (see minute book page _____). Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A RESOLUTION TO TRANSMIT THE ANNUAL UPDATE OF CAPITAL IMPROVEMENTS ELEMENT FOR FISCAL YEAR 2009 (04):

Zoning Administrator Shaw presented the request to transmit the updated Capital Improvement Element Resolution. The Capital Improvement Element update is an accounting of how impact fee collections will be used. It must be submitted yearly to Department Community Affairs for review and then adopted by the Board of Commissioners.

Vice-Chairperson Lewis made a motion to approve the resolution to transmit the Capital Improvements Element for Fiscal Year 2009 (see minute book page _____). Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE SENIOR TAG AGENT, GED TEACHER, CHAPLIN, OFFICE ASSISTANT/ FIREFIGHTER, CHIEF DEPUTY TAX COMMISSIONER JOB DESCRIPTIONS (05):

Human Resources Director Hudzinski-Sero presented the request to approve the following job descriptions. Senior tag agent, GED teacher, and Chaplin positions have been updated to meet the requirements of the workers compensation classifications suggested by the ACCG auditor. The office assistant/firefighter is being re-titled to reflect a combination of responsibility and increase efficiency. The chief deputy tax commissioner position is a replacement for the deputy tax commissioner.

Commissioner Brantley made a motion to approve the job descriptions (see minute book page ____). Commissioners Utley seconded the motion. The motion carried unanimously.

CONSIDERATION TO PROCLAIM OCTOBER EFFINGHAM COUNTY NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH (06): Victim Witness Executive Director King requested the Board to proclaim October Effingham County National Domestic Violence Awareness Month. Domestic Violence continues to be the leading cause of injuries for girls and woman ages 15 to 44 in Georgia. Effingham County Victim Witness Assistance Program, Inc. provides a valuable service to crime victims and is the primary source of services for personal injury crime victims in Effingham County.

Ms. Gussie Nease and Mr. Michael Stephens spoke in favor of this Proclamation.

Commissioner Loper made a motion to Proclaim October Effingham County National Domestic Violence Awareness Month (see minute book page _____). Commissioner Phillips seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A PROCLAMATION OF THE GRAVE DEDICATION OF REVOLUTIONARY WAR SOLIDER CAPTAIN JAMES WILSON (07): Project Manager Kobek presented the Proclamation for the grave dedication of Captain James Wilson. James Wilson served as a Captain in the 10th North Carolina Regiment of the Continental Line during the Revolutionary War. He received a military Certificate of Georgia. The Wilson family settled in Ebenezer, Effingham County, Georgia prior to 1772. The Board is invited to attend the grave dedication on October 8, 2009.

Commissioner Utley made a motion to proclaim the grave dedication of Captain James Wilson (see minute book page ____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN ASSEMBLAGE PERMIT TO HOLD A TURKEY SHOOT FROM OCTOBER 8TH TO JANUARY 1ST (08): County Clerk Crawley explained that Albert Jackson requested an assemblage permit to hold a turkey shoot. The turkey shoot will be held from October 8, 2009 until January 1, 2010.

Commissioner Utlely made a motion to approve the assemblage permit. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE CHANGE ORDER NUMBER 1 & 2 FOR THE HISTORIC COURTHOUSE REHABILITATION (09): Project Manager Kobek stated that in most rehabilitation projects, involving older buildings, hidden items, under floor joints and hidden pockets are found to be lacking in structural integrity. Asbestos was also found in the tile and the stairway.

Mr. Michael Stephens asked if this was the same Courthouse that received the LEED certification.

Mrs. Ruth Lee stated that the Courthouse was a jewel for the County.

Commissioner Phillips made a motion to authorize change orders 1 & 2 for the Historic Courthouse (see minute book page ____). Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A POLICY ON APPOINTING THE BOARD OF TAX ASSESSORS (10): County Administrator Crawley stated that at the September 15, 2009 meeting the Board of Commissioners approved a Resolution to increase the membership of the Board of Assessors from 3 to 5 members. The two new members will assume their position immediately upon appointment by the Board. The County Attorney has provided a memorandum which outlines the terms, duties, qualifications, training requirements, etc. County Administrator Crawley suggested to the Board that they table this item until the October 20, 2009 meeting. This would give the Board enough time to submit and review their nominees for the Board of Assessors.

Ms. Ruth Lee suggested that the Board should take action and appoint the new members today.

Ms. Sherry Loper asked the Board if they were planning on changing the process of appointing members for the Board of Assessors or for all the board and committees.

Chairman Zeigler made a motion to table the policy on appointing the Board of Tax Assessors. Commissioner Phillips 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 was carried.

ADDITION TO THE AGENDA

CONSIDERATION TO APPROVE R. B. BAKER’S CHANGE ORDER 6 FOR THE OLD AUGUSTA ROAD PHASE I (11): County Administrator Crawley stated that on September 29, 2009 staff was notified that there could be a possible drainage issue involving the median crossover at State Route 21. It was not take in account that a portion of the median drainage system would be covered with a new crossover, which will cause a 30 day delay.

Commissioner Loper made a motion to approve R. B. Baker’s change order number 6 for the Old Augusta Road Phase I (see minute book page ____). Commissioner Phillips seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A RESOLUTION FOR SAND HILL BAPTIST CHURCH (12): County Administrator Crawley explained that a request from Sand Hill Baptist Church for the Board to approve a Resolution. The Resolution welcoming Sand Hill Baptist Church its second century of serving the citizens and residents of our community and thank the congregation and leadership for its continued support of all people.

Commissioner Lewis made a motion to approve a Resolution for Sand Hill Baptist Church (see minute book page ____). Commissioner Loper seconded the motion. The motion carried unanimously.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

Commissioner Phillips discussed the following:

- ◆ Drainage issues
- ◆ Slow Children at Play Signs
- ◆ IDA Meeting

County Administrator Crawley discussed the following:

- ◆ Old Augusta Road Phase I
- ◆ Old Augusta Road Phase II
- ◆ Hwy 80 drainage
- ◆ Gateway Grant with Chamber
- ◆ Surface Treatment Update
- ◆ Connie Burns- awarded Solid Waste Professional for the State of Georgia
- ◆ Speed Bumps
- ◆ Victim Witness Banquet
- ◆ Courthouse- removed safe
- ◆ EMS/Omni Flight update
- ◆ Morgan Road Update
- ◆ Egypt Fire Station completed
- ◆ Tuckasee King Landing Update
- ◆ Hospital Property

- ◆ Coastal Comprehensive Plan Update

County Engineer Steve Liotta discussed the following:

- ◆ Flood Map Meeting

Chairman Zeigler discussed the following:

- ◆ Service Delivery

EXECUTIVE SESSION

At 11:03 a.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 and pending litigations. (See copy of Chairperson's affidavit on minute book page number _____).

APPEARANCE- 11:30- Mr. Bobby Parham, Representative of Georgia Department Of TRANSPORTATION BOARD (GDOT)

A presentation was given by Mr. Tom Moreland, Mr. Brad Hale, and Mr. Jerry Brinson from Moreland Altobelli on the status of Effingham Parkway. They spoke to the Board of Commissioners and GDOT Board Representative about the progress of the roadway.

EXECUTIVE SESSION

At 12:40 p.m., Chairman Zeigler made a motion to go into Executive Session to discuss personnel, property, and pending litigation. Commissioner Loper seconded the motion. The motion carried unanimously.

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

ADJOURNMENT

At 1:13 p.m., Chairman Zeigler made a motion to adjourn the meeting. Vice-Chairperson Lewis seconded the motion. The motion carried unanimously.

C. D. Zeigler, Chairman

Patrice R. Crawley, County Clerk