

**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, November 3, 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, Ms. Natalie Jenkins, Administrative Assistant, Mrs. Rushe Hudzinski-Sero, Human Resources Director, Mr. Steve Liotta, County Engineer, Ms. G. Susan Hadley, Mrs. Ruth Lee and Mr. Rick Rafter

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

Administrative Assistant Jenkins explained that under Agenda New Business Number 13 need to omit Mac Weaver and add Michael Scott.

Vice-Chairperson Lewis made a motion to approve the Agenda Resolution with the change 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 Loper made a motion to approve the minutes for October 20, 2009 Board of Commissioners Meeting. Commissioner Brantley seconded the motion. The motion carried unanimously.

PUBLIC COMMENTS

There were no public comments.

9:00 a.m. APPEARANCE- Mr. Michael King from the Coastal Work Force presented the Board of Commissioners with a plaque showing their appreciation for supporting the Summer Youth Program.

CONSENT AGENDA

Vice-Chairperson Lewis made a motion to approve Consent Agenda (01) errors and releases for Mobile Homes and Property Taxes as submitted by the Tax Commissioner (see minute book page ____). Commissioner Brantley seconded the motion. The motion carried unanimously.

Chairman Zeigler read out loud Consent Agenda items number 03 through Number 09.

Commissioner Loper made a motion to approve the second readings to amend: (03) Zoning Map 374-15 for the application for rural business by Elkin B. Marin to operate a contracting and consulting business located at 3156 Midland Rd. with the following stipulation applicant shall meet all requirements of Sec. 3.15B, *Rural Business*, of the Effingham County Zoning Ordinance.

(04) Zoning Map 374-17 for the application by Timothy D. Miller to rezone 5 acres located on Midland Road from R-1 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.
5. Only site built homes shall be constructed on this property.

(05) Zoning Map 275-2B for the application by Wilmer Ray Nease to rezone 17.14 acres located at 1040 Sandhill Road to rezone from I-1 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.

(06) Zoning Maps 276-9 for the application by G. Susan Hadley to rezone 5 acres located at 583 Murray Hill Road from AR-1 to I-1 with the following stipulations:

1. Applicant shall meet all requirements of I-1 heavy zoning district with the exception there will be a 50 foot buffer on Thompson Landing Road.
2. Applicant shall meet all requirements of Sec. 3.17 of the Zoning Ordinance.
3. Applicant shall show proof of State mining permit.
4. All wetland impacts shall be approved by USACE.
5. Murray Hill Rd. shall serve as the entry and exit from the site.
6. Hours of operation shall be 7 a.m. to 6 p.m.
7. Applicant shall submit plat for approval by the Zoning Administrator

(07) Zoning Maps 309-9 for the application by Suzanne Parr to rezone 1.5 acres

located on Clys Kildare 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 Storm Water 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.

(08) Zoning Maps 319-38 for the application by Denise Morris to rezone 3 acres located on 4th street extension 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 Storm Water 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.

(09) Zoning Maps 461-37 for the application by Dewey Steele to rezone 5.40 acres located at 1688 Rincon Stillwell Road from R-1 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 Storm Water 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 Phillips seconded the motion (see minute book page). The motion carried unanimously.

OLD BUSINESS

CONSIDERATION TO APPROVE TYING THE EFFINGHAM COUNTY ANNEX INTO SPRINGFIELD'S WATER LINE AND APPROVING ANY RELATED COST (01): County Engineer Liotta presented the request to tie-onto the City of Springfield's water service. The County Annex, Recreation, Library, and Health Department are now being provided water from a well that is not permitted. This tie-on to the water line will allow better quality water to be supplied to these buildings.

Commissioner Loper made a motion to approve tying the Effingham County Annex into Springfield's water line and approving any related cost. Commissioner Phillips seconded the motion. The motion carried unanimously.

NEW BUSINESS

CONSIDERATION TO APPROVE A RENEWING SERVICE AGREEMENT WITH MOTOROLA THAT COVERS 3 SITES (01): Public Safety Director Ashcraft presented the request to renew the service agreement with Motorola. This contract was signed last year and there have been no changes from the previous contract.

Commissioner Utey made a motion to approve renewing the service agreement with Motorola that covers 3 sites (see minute book page ____). Chairperson Lewis seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A BUDGET AMENDMENT FOR FISCAL YEAR ENDING JUNE 2009 (02): Finance Director Wright presented the

request to approve amending the Fiscal Year Ending June, 2009 budget. Each year the board approves a tentative budget for the year. During the year the Board of Commissioners receive requests from agencies and department heads to adjust the budget.

Commissioner Phillips made a motion to approve the budget amendment for fiscal year ending June 2009 as presented (see minute book page). Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN AUDIT ENGAGEMENT LETTER AND EXERCISE IN FIRST AUDIT CONTRACT RENEWAL OPTION WITH CAINES, HODGES, PACE & COMPANY TO PROVIDE SERVICES FOR EFFINGHAM COUNTY (03): Finance Director Wright presented the request to exercise the first contract renewal option with the auditors. In 2007, the Board signed a contract with them and the contract included a provision for two additional years.

Commissioner Phillips made a motion to approve an audit engagement letter and exercise in first audit contract renewal option with Caines, Hodges, Pace & Company to provide services for Effingham County (see minute book page ____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE NEW JOB DESCRIPTIONS AND PAY GRADE/CLASSIFICATION FOR POLL WORKER, POLL WORKER-ASSISTANT MANAGER, AND POLL WORKER- MANAGER (04): Human Resources Director Hudzinski-Sero presented a request for approval of new job descriptions. In the past years poll workers have been contractors but due to the SS8-IRS inquiry and several regulations changing in regard to taxation/payroll laws and homeland security requirements, its been recommended to change their status to temporary employees during elections.

Commissioner Loper made a motion to deny approval and move positions for review into the next budget year. There was no second, therefore the motion dies.

Commissioner Phillips made a motion to approve new job descriptions and pay grade/classification for poll worker, poll worker-assistant manager, and poll worker-manager (see minute book page _). Commissioner Brantley seconded the motion. Commissioner Loper opposed. Commissioner Phillips, Commissioner Brantley, Commissioner Utley, Chairperson Lewis and Chairman Zeigler voted in favor of the motion. The motion carried.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

Hospital Authority Representative Rick Rafter discussed the request from the Hospital Authority concerning the HUD grant.

NEW BUSINESS CONTINUED:

CONSIDERATION TO APPROVE A PART TIME OFFICE ASSISTANT FOR THE PROBATE COURT (05): Human Resources Director Hudzinski-Sero presented the request to approve a part time office assistant for Probate Court. As of January 2009 a new Probate Judge was elected and after reviewing her personnel and job duties the Judge needs more assistance in her office. The part time office assistant will be used for emergency help in the Probate Office.

Probate Judge Beth Rahn- Mosley explained the need for this position.

Commissioner Utley made a motion to approve a part time office assistant for the probate court. Commissioners Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE 16 EMERGENCY HOURS FOR USE BY A STAFF MEMBER IF THEY OR A PERSON THEY ARE THE PRIMARY CARETAKER FOR IS INFECTED BY H1N1 (06): Human Resources Director Hudzinski-Sero presented the request to approve 16 emergency hours if an employee or if an immediate family member is infected with H1N1. Per the Center for Disease Control (CDC) the effects of 2009 H1N1 influenza are at this point unknown for the upcoming fall/winter season. It may or may not have substantial impact on absenteeism, though some increase in absenteeism over the season is anticipated. The approval of 16 emergency hours would encourage those with a small amount of accrued personal time or a new employee to stay home to care for them or family member. This reduces potential exposure of the virus to other staff members and/or citizens. The 16 emergency hours can only be accessed if the employee meets the Family Medical Leave Act requirements for serious illness and provides a physician note indicating a diagnosis of H1N1.

Commissioner Loper made a motion to approve 16 emergency hours for use by a staff member if they or a person they are the primary caretaker for is infected by H1N1 (see minute book page _____). Commissioner Utley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE CHRISTMAS HOLIDAY OBSERVANCE FOR 2010 THURSDAY- 12/23/10 & FRIDAY 12/24/10 (07):

Human Resources Director Hudzinski-Sero requested to approve Christmas Holiday observance for 2010. This needs to be approved for the Court to set up their schedule for 2010.

Chairperson Lewis made a motion to approve Christmas Holiday observance for 2010 Thursday 12/23/10 & Friday 12/24/10. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE STRUCTURE OF THE INVESTMENT RETIREMENT COMMITTEE AND INVESTMENT OF THE CURRENT CASH BALANCE (08): Human Resources Director Hudzinski-Sero and Mrs. Gini Nichols with Merrill Lynch explained that the final transfer of funds for the Defined Benefit Plan from ACCG to Merrill Lynch Savannah/TEGRA was completed on April 1, 2009. Currently all decisions are made by the full Board and require a presentation given in a predetermined or requested schedule with the Commissioners. In consideration of potential losses occurring during a downturn due to the Board set meeting schedule, additional option structures need to be reviewed. Option 1 – Full Board of Commissioner structure, which is the current status and to invest the current cash balance of \$1,276,420 into the moderate platform. Option 2 – Investment Committee Decision Structure – Review meetings to be held with three appointed Commissioners, County Administrator, and Human Resources Director – to act as the Investment Retirement Committee. The appointed committee will make the investment decisions. Review presentation will be given to the appointed Investment Committee quarterly and a once a year to the full Board or anytime the Board deems otherwise necessary and invest the current cash balance of \$1,276,420 into the moderate platform. Option 3 – Board of Commissioners Decision Structure – review meetings to be held with three appointed Commissioners, County Administrator, and Human Resources Director to act as the Investment Retirement Review Committee. This Committee will review and make recommendations to the full Board of Commissioners for approval. Quarterly reviews will be presented to the committee and once a year to the full Board for approval. Quarterly reviews will be presented to the Committee and once a year to the full Board unless deems otherwise necessary and investment of the current cash balance of \$1,276,420 into the moderate platform. Staff recommends Option Number 2 to ensure timely management of funds during market fluctuations.

Chairperson Zeigler made a motion to approve the Full Board of Commissioners Structure with a monthly update and investment of the current cash balance of \$1,276,420 into the moderate platform. Commissioner Brantley seconded the motion. The motion carried unanimously.

Mrs. Gini Nichols with Merrill Lynch/TEGRA gave an overview of the Effingham County Board of Commissioners portfolio. After reviewing the portfolio, Mrs. Nichols suggested to invest only \$500,000 in the moderate platform and to keep the remainder amount in the cash.

Chairman Zeigler made a motion to add an addition to the agenda to approve investment of the Current Cash Balance.

Chairman Zeigler removed his motion.

Chairman Zeigler made a motion to amend the previous motion to clarify how to invest the current cash balance by putting \$500,000 in moderate platform and to keep the remainder amount in cash. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A WORK AUTHORIZATION WITH MORELAND ALTOBELLI TO COMPLETE HYDROLOGICAL STUDY AT DASHER CREEK ON OLD AUGUSTA ROAD PHASE II (09): Project Manager Kobek explained that planning and engineering for Old Augusta Phase II is underway and that a hydrological study will show engineers how high the road should be to prevent overtopping of the roadway and proper drainage to handle flood waters moving below the road.

Commissioner Phillips made a motion to approve a work authorization with Moreland Altobelli to complete hydrological study at Dasher Creek on Old Augusta Phase II (see minute book page __). Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE ADDITIONAL WORK FOR SIGNALIZATION AT THE INTERCHANGE OF SR 21 AT OLD AUGUSTA ROAD (10): Project Manager Kobek explained that Old Augusta Road will be completed in November and there will be need for signalization at this intersection.

Commissioner Brantley made a motion to approve additional work for signalization at the interchange of SR 21 at Old Augusta Road (see minute book page ____). Commissioner Loper seconded the motion. The motion was carried unanimously.

CONSIDERATION TO APPROVE A WORK AUTHORIZATION WITH MORELAND ALTOBELLI FOR PRECONSTRUCTION ACTIVITIES ON HERBERT KESSLER ROAD (11): Project Manager Kobek explained that the County had prescriptive rights on Herbert Kessler Road. This Road is currently half surface treated and by these preconstruction activities being approved it will allow many issues to be resolved.

Vice-Chairperson Lewis made a motion to approve a work authorization with Moreland Altobelli for preconstruction activities on Herbert Kessler Road (see minute book page ____). Commissioner Loper seconded the motion. Chairman Zeigler and Commissioner Phillips opposed. Vice-Chairperson Lewis, Commissioner Loper, Commissioner Utey and Commissioner Brantley voted in favor of the motion. The motion carried.

CONSIDERATION TO APPROVE AN ASSEMBLAGE PERMIT FOR ST. BONIFACE CATHOLIC CHURCH TO HOLD A TURKEY SHOOT ON NOVEMBER 7, 2009 FROM 6:30 P.M. TO 9:00 P.M. (12): County Administrator Crawley presented a request from St. Boniface Catholic Church to hold a turkey shoot. The turkey shoot will be held on November 7, 2009 from 6:30 p.m. until 9:00 p.m.

Commissioner Loper made a motion to approve an assemblage permit for St. Boniface Catholic Church to hold a turkey shoot (see minute book page ____). Commissioner Phillips seconded the motion. The motion carried unanimously.

CONSIDERATION TO REAPPOINT FREDDIE LONG (BUILDER), THERON RAHN (ELECTRICAL), LEE TALTON (ALTERNATE BUILDER), MICHAEL SCOTT (ALTERNATE HVAC), AND TO APPOINT ROSS MCGOWAN (PLUMBING) TO THE CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS (13): Building Official Davis explained that the Construction Board of Adjustments and Appeals has 3 regular members and two alternates that their term expires December 31, 2009

Commissioner Utey made a motion to reappoint and appoint members to the Construction Board of Adjustment and Appeals. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE ONE BOARD OF COMMISSIONERS MEETING IN DECEMBER (14): County Administrator Crawley explained that in the past the Board has only had one meeting in December due to the holidays. The Board

currently has 2 meetings in the month of December. The request is to combine the 2 meetings and have it on December 8th.

Commissioner Phillips made a motion to approve one Board of Commissioners meeting in December. Vice-Chairperson Lewis seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A LETTER OF SUPPORT FOR UTILIZATION OF ONE-GEORGIA FUNDS BY THE SAVANNAH ECONOMIC DEVELOPMENT AUTHORITY FOR SITE DEVELOPMENT AND INFRASTRUCTURE FOR THE MITSUBISHI POWER SYSTEM AMERICAS FACILITY (15): County Administrator Crawley explained that Mitsubishi will be constructing a manufacturing plant on the Mega Site in Chatham County. The Savannah Economic Development Authority has applied for the use of EDGE funds available through the One-Georgia Authority. The funds will be used to construct a rail spur and barge crane for use by Mitsubishi. A letter was asked from the Board in order to get the funds.

Vice-chairperson Lewis made a motion to approve a letter of support for utilization of One-Georgia funds by the Savannah Economic Development Authority for site development and infrastructure for the Mitsubishi Power System Americas Facility. Commissioner Phillips seconded the motion. The motion carried unanimously.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF
CONTINUED:

Chairman Zeigler discussed the following:

- ◆ Meeting with DCA

Vice-Chairperson Lewis discussed the following:

- ◆ Repairs on Old River Road

Commissioner Phillips discussed the following:

- ◆ Old Augusta Road I
- ◆ Old Augusta Road II
- ◆ Golden Road
- ◆ Ridgecrest Subdivision

Administrative Assistant Jenkins discussed the following:

- ◆ Employee Christmas Dinner
- ◆ ACCG 12th District Meeting

Zoning Administrator Shaw discussed the following:

- ◆ Planning Board Member reappointment

County Administrator Crawley discussed the following:

- ◆ Old Augusta Road Phase I
- ◆ Old Augusta Road Phase II
- ◆ Conner issue

- ◆ Highway 80
- ◆ Effingham Parkway
- ◆ Surface Treatment Completed
- ◆ Courthouse Update
- ◆ Tuckasee Landing
- ◆ Performance Review
- ◆ Board of Elections
- ◆ Coastal Comprehensive Plan
- ◆ Special Called Meeting on November 9th, 2009
- ◆ EPD Director

County Attorney Gotwalt discussed the following:

- ◆ Tax Assessors Meeting

DINNER BREAK- The Board broke for Lunch at 12:18 p.m.

EXECUTIVE SESSION

At 12:50 p.m. Chairman Zeigler made a motion to go into Executive Session to discuss personnel, property, and pending litigation. Commissioner Phillips 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 1:58 p.m., Chairman Zeigler made a motion to adjourn the meeting. Vice-Commissioner Brantley seconded the motion. The motion carried unanimously.

C. D. Zeigler, Chairman

Natalie Jenkins, Administrative Assistant