

**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, November 17, 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, Natalie Jenkins, County Clerk (acting), Mr. Adam Kobek, Project Manager, Mr. Steve Liotta, County Engineer, Ms. Ruth Lee, Mr. Michael J. Stephens, Mr. Rick Rafter, Mr. Ed Brown, Ms. Barbara Prosser, Ms. Ann R. Purcell, Mr. Dave Howes, Mr. Rickey Kicklighter, Mr. Victor Weston.

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 there were some necessary additions to the Agenda. Addition of New Business Number 3 –Consideration to approve an agreement with EPD for coliform analysis- drinking water laboratory.

Commissioner Phillips made a motion to approve the Agenda Resolution with the addition New Business Number 3 Commissioner Loper seconded the motion. The motion carried unanimously.

MINUTES

Commissioner Loper made a motion to approve the minutes for the October 20, 2009 Board of Commissioners Meeting. Commissioner Utley seconded the motion. The motion carried unanimously.

PUBLIC COMMENTS

There were no public comments.

WORKSHOP- Hospital Modernization

Hospital Representative Rick Rafter presented the Board with a notebook outlining the Hospitals plan for expansion. Mr. Rafter and Mr. Richman answered questions from the Board.

OLD BUSINESS

CONSIDERATION TO APPROVE INTENT OF CONVEYING PROPERTY TO THE EFFINGHAM COUNTY HOSPITAL AUTHORITY FOR THE PROPOSED EXPANSION OF THE HOSPITAL (01) & CONSIDERATION TO APPROVE A RESOLUTION WHEREBY THE BOARD OF COMMISSIONERS WILL CONTINUE TO MAKE AVAILABLE TO HOSPITAL AUTHORITY UP TO 2 MILLS OF AD VALOREM TAX FUNDING EACH YEAR WHILE THE FINANCING OF THE HOSPITAL AUTHORITY'S PROPOSED MODERNIZATION IS OUTSTANDING AND FURTHER AUTHORIZES THE CHAIRMAN OF THE BOARD OF COMMISSIONERS TO NEGOTIATE AN APPROPRIATE CONTRACT FOR INDIGENT FUNDING, FOR REVIEW. (02):

County Administrator Crawley presented the request to combine the 2 items into one item. Mr. Crawley explained that the wording on the Agenda was wrong and should have the word intent added. County Attorney explained that it should be noted to combine the 2 agenda items. Commissioner Utey made a motion to combine the 2 agenda items. Commissioner Phillips seconded the motion. The motion carried unanimously.

Commissioner Phillips made a motion to approve Old Business 1 & Old Business 2 (see minute book page _____). Commissioner Utey seconded the motion. The motion carried unanimously.

NEW BUSINESS

CONSIDERATION TO APPROVE A SUBSTANTIAL COMPLETION WITH PINCO ON THE REUSE STORAGE TANK (01): County Engineer Liotta explained that the Board previously approved a contract with PINCO for the installation of a reuse storage tank. The substantial completion form is presented to be approved.

Commissioner Loper made a motion to approve a substantial completion with PINCO on the reuse storage tank (see minute book page ____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A RESOLUTION TO AUTHORIZE AND SUPPORT A FEASIBILITY STUDY OF A PATHWAY BETWEEN SPRINGFIELD AND GUYTON ALONG HIGHWAY 119 (02):

Zoning Administrator Shaw presented a request to approve a resolution to authorize and support a feasibility study of a pathway between Springfield and Guyton along Highway 119. The Coastal Regional Commission is seeking GDOT grant funds to produce feasibility studies of non automobile transportation facilities.

Commissioner Loper made a motion to approve a resolution to authorize and support a feasibility study of a pathway between Springfield and Guyton along Highway 119 (see minute book page _). Commissioner Phillips seconded the motion. Chairperson Lewis and Commissioner Utley approved. Chairman Zeigler and Commissioner Brantley opposed. The motion carried.

ADDITION TO AGENDA

CONSIDERATION TO APPROVE AN AGREEMENT WITH EPD FOR COLIFORM ANALYSIS AND DRINKING WATER LABORATORY

County Engineer Liotta presented a request to continue the use of an EPD laboratory to routinely test the water.

Commissioner Loper made a motion to approve an agreement with EPD for coliform analysis and drinking water laboratory. (see minute book) _____. Commissioner

DINNER BREAK

At 5:25 p.m., the Board took a break for dinner.

PLANNING BOARD PRESENTMENTS

Chairman Zeigler explained that Planning Board Old Business Number 01 was tabled during the agenda approval.

OLD BUSINESS

MICHAEL K. WOODS & DONALD JEFFCOAT – PUBLIC HEARING (01): This item was removed.

Commissioner Loper made a motion to remove this item. Commissioner Brantley seconded the motion. The motion carried unanimously.

ARTICLE II NOISE CONTROL ORDINANCE OF THE CODE OF EFFINGHAM COUNTY– PUBLIC HEARING (02): A Public Hearing was held on the Article II Noise Control Ordinance of the Code of Effingham County.

Zoning Administrator Shaw presented the request.

There were no objectors present.

Commissioner Brantley made a motion to approve Article II Noise Control Ordinance of the Code of Effingham. Commissioner Loper seconded the motion. The motion carried unanimously.

NEW BUSINESS

JACQUELYN W. HEDLUND – PUBLIC HEARING (03): A Public Hearing was held on the application by Jacquelyn W. Hedlund to rezone 3.53 acres located at Nixon Chapel Road from AR-1 to AR-2 Map 262 Parcels 11 in the Third District.

Zoning Administrator Shaw presented the request.

There were no objectors present.

Commissioner Utley made a motion to approve the First Reading of the amendment to the Effingham County Zoning Ordinance, Map and Parcel No. 262-11 to rezone located off Nixon Chapel Rd. from AR-2 to AR-1 with the following stipulations:

1. Parcel 262-11 shall be combined with 262-12 to 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 the USACE.
4. Subdivision plat shall be approved by the Health Department and the Zoning Office.

Commissioner Phillips seconded the motion. The motion carried unanimously.

EMC ENGINEERING SERVICES, INC. – PUBLIC HEARING (04): A Public Hearing was held on the application by EMC Engineering Services, Inc. to rezone 29.47 acres located at 1204 Mill Pond Road from R-1 to I-1 map 446 parcels 7 in the Fourth District.

Zoning Administrator Shaw presented the request.

There were no objectors present.

Commissioner Loper made a motion to approve the First Reading of the amendment to the Effingham County Zoning Ordinance, Map and Parcel No. 446-7 to rezone 29.47 acres located at 1204 Mill Pond Road from R-1 to I-1 with the following stipulations:

1. Each lot shall meet the requirements of the AR-1 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 shall be approved by the Health Department and the Zoning Office.

5. Use shall be known prior to development plan review to determine proper buffer size..

Commissioner Phillips seconded the motion. The motion carried unanimously.

SAMMY H. & JEAN E. RODDENBERRY– PUBLIC HEARING (05): A Public Hearing was held on the application by Sammy H. & Jean E. Roddenberry to rezone 1.75 acres located off Barney Road from AR-1 to AR-2 map 462 parcels 47 in the Fourth District.

Zoning Administrator Shaw presented the request.

There were no objectors present.

Commissioner Loper made a motion to approve the First Reading of the amendment to the Effingham County Zoning Ordinance, Map and Parcel No. 462-47 to rezone 1.75 acres located off Barney Road from I-1 to AR-1 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 shall be approved by the Health development and the Zoning Office.

Commissioner Brantley seconded the motion. The motion carried unanimously.

AMENDMENT TO APPENDIX C- ZONING ORDINANCE THE CODE OF EFFINGHAM COUNTY- SECTIONS 3.19, 3.30.5, 5.8, 5.9 & 5.10 (06): A Public Hearing was held on the Amendment to Appendix C- Zoning Ordinance of the Code of Effingham County.

Zoning Administrator Shaw presented the request.

There were no objectors present.

Commissioner Loper made a motion to approve the First Reading of the amendment to appendix C – Zoning Ordinance of the code of Effingham County.

Commissioner Phillips seconded the motion. The motion carried unanimously.

AMENDMENT TO APPENDIX C- ZONING ORDINANCE OF THE CODE OF EFFINGHAM COUNTY- SECTION 5.4 (07): A Public Hearing was held on the Amendment to Appendix C- Zoning Ordinance of the Code of Effingham County- Section 5.4.

Zoning Administrator Shaw presented the request.

There were no objectors present.

Commissioner Loper made a motion to approve the First Reading of the amendment to appendix C- Zoning Ordinance of the code of Effingham County Section 5.4

Commissioner Brantley seconded the motion. The motion carried unanimously.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

Commissioner Loper discussed the following:

- ◆ Log Landing Road
- ◆ Pleasant Acres Road

Chairman Zeigler discussed the following:

- ◆ Hospital Authority

Commissioner Phillips discussed the following:

- ◆ Department of Revenue Update
- ◆ Service Delivery Strategy
- ◆ Thanking the Zoning Administrator

County Clerk (acting) Jenkins discussed the following:

- ◆ Employee Christmas Lunch

County Administrator Crawley discussed the following:

- ◆ Georgia Power Easement
- ◆ Old Augusta Road Phase I
- ◆ Old Augusta Road Phase II
- ◆ Highway 80 drainage issue still working with DOT
- ◆ Effingham Parkway
- ◆ Surface Treatment
- ◆ EMS Omni Flight status
- ◆ Steel Bridge
- ◆ ACCG 12th district meeting
- ◆ Drug Court Update
- ◆ Enterprise Zone Meeting
- ◆ October Financial Meeting

EXECUTIVE SESSION

At 7:24 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 8:01 p.m. Commissioner Phillips made a motion to adjourn the meeting. Vice- Chairperson Lewis seconded the motion. The motion carried unanimously.