

**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, December 8, 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. Rushe Hudzinski-Sero, Human Resources Director, Mr. Val Ashcraft, Ms. Joanna Wright, Finance Director, Ms. Ruth Lee, Mr. Donald Caines.

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

Vice-Chairperson Lewis made a motion to approve the Agenda Resolution with the addition New Business Number 3 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 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.

CONSENT AGENDA

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

03. Commissioner Loper made a motion to approve the second readings to amend:

(01) Zoning Map 262-11 for the application by Jacquelyn W. Hedlund to rezone 3.53 acres located at Nixon Chapel Road 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 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 446-7 for the application by EMC Engineering Services Inc. to rezone 29.47 acres located at Highway 275 & Mill Pond Road from R-1 to I-1 for a light manufacturing facility with the following stipulations:

1. Each lot shall meet the requirements of the I-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. Use shall be made known prior to development plan review to determine proper buffer size.

(03) Zoning Map 462-47 for the application by Sammy H. & Jean E. Roddenberry to rezone 1.75 acres located at Barney Road to rezone from AR-1 to AR-2 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.

Commissioner Phillips seconded the motion. The motion carried unanimously.

Chairman Zeigler read out loud Consent Agenda items number 04 through Number 06.

Commissioner Loper made a motion to approve the second readings for:

- (04) Amend Article II- Noise Control Ordinance of the Code of Effingham County.
- (05) Amend Appendix C- Zoning Ordinance the Code of Effingham County.
- (06) Amend Appendix C- Zoning Ordinance of the Code of Effingham County

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

NEW BUSINESS

CONSIDERATION TO EXECUTE A MUTUAL AID AGREEMENT WITH PORT WENTWORTH FIRE DEPARTMENT (01): Public Safety Director Ashcraft presented the request to approve an agreement to give aid to Port Wentworth Fire Department.

Commissioner Phillips made a motion to table the agreement until the County Attorney reviews the mutual aid agreement with Port Wentworth Fire Department (see

minute book page __). Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO AMEND CHAPTER 75 SECTIONS 75-55, 75-56, 75-254 OF THE CODE OF EFFINGHAM COUNTY (02):

County Engineer Liotta presented a request to amend Chapter 75 Sections 55, 56, and 254 of the Code of Effingham County.

Commissioner Phillips made a motion to amend Chapter 75 Sections 55, 56, and 254 (see minute book page _____). Commissioner Utley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A WARRANTY DEED FOR GREYSTONE SUBDIVISION (03):

County Engineer Liotta presented a request to table a warranty deed for Greystone Subdivision because they did not provide a revised warranty deed.

Commissioner Loper made a motion to approve a warranty deed for Greystone Subdivision. (see minute book)_____. Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A RESOLUTION TO ADOPT THE FISCAL YEAR 2009 CAPITAL IMPROVEMENT ELEMENT (04): Zoning Administrator Shaw presented the request to approve a resolution to adopt the Fiscal Year 2009 Capital Improvement Element. The Capital Improvement Element update is an accounting of how impact fee collections were used. It must be submitted yearly to DCA for review and adopted by the Board of Commissioners.

Commissioner Phillips made a motion to approve a resolution to adopt the Fiscal Year 2009 Capital Improvement Element (see minute book)_____. Vice-Chairperson Lewis seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE 3 JOB DESCRIPTIONS AND PERSONNEL REALIGNMENT FOR DEPARTMENT 22 (05): Human Resources Director Hudzinski-Sero presented the request to realign Department 22 to increase efficiency.

Ms. Ruth Lee spoke about the realignment.

Commissioner Phillips made a motion to approve 3 job descriptions and personnel realignment for Department 22. Commissioner Brantley, Commissioner Utley, Chairman

Zeigler, and Vice-Chairperson Lewis approved. (see minute book)_____. Commissioner Loper opposed. The motion carried.

CONSIDERATION TO APPROVE THE BUDGET AMENDMENTS FOR YEAR ENDING- JUNE 30th, 2009 (06): Finance Director Wright presented the request to amend the budget due to fluctuations in the revenue and requests from department heads.

Commissioner Loper made a motion to approve the Budget amendments for Year ending- June 30th, 2009. (see minute book)_____. Commissioner Phillips seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A RESOLUTION REGARDING CABLE AND VIDEO PROVIDERS HOLD FRANCHISES ISSUED BY THE STATE OF GEORGIA (07): Project Manager Kobek explained in the past the County contracted with the local service providers for franchise fees and now the law has changed. The Consumer Choice for Television Act of 2007 allows the County to collect a franchise fee from all cable and video providers as compensation to the public for use of rights of way, etc.

Vice- Chairperson Lewis made a motion to approve a resolution regarding cable and video providers hold franchises issued by the State of Georgia. (see minute book)_____. Commissioner Utley seconded the motion. The motion carried unanimously.

CONSIDERATION TO EXECUTE AN EASEMENT WITH GEORGIA POWER AT 809 LOW GROUND ROAD (08): Project Manager Kobek explained that from time to time Georgia Power requests permission to facilitate improvements or provide new service to customers along property owned by the County. An easement is requested in order to serve a new customer.

Commissioner Loper made a motion to approve an easement with Georgia Power at 809 Low Ground Road. (see minute book)_____. Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE FINAL DESIGN AND BUDGET FOR THE REHABILITATION OF THE HISTORIC EFFINGHAM COUNTY COURTHOUSE (09): Project Manager Kobek presented the request of the Final Design that was presented to the Building Liaison Committee.

Commissioner Loper made a motion to approve the final design and budget for the rehabilitation of the historic Effingham County Courthouse. (see minute book)_____. Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN AGREEMENT BETWEEN THE BOARD OF COMMISSIONERS OF BRYAN COUNTY FOR THE USE OF EFFINGHAM COUNTY PRISON INMATE LABOR BY BRYAN COUNTY (10):

County Administrator Crawley explained the Warden would like to reduce cost at the Prison and increase the number of inmates that leave the prison for work detail. This will be provided by sending inmates to the surrounding local governments.

Commissioner Brantley made a motion to approve an agreement between the Board of Commissioners of Bryan County for the use of Effingham County prison inmate labor by Bryan County. (see minute book)_____. Commissioner Phillips seconded the motion. The motion carried unanimously.

AUDIT PRESENTATION (11): Finance Director Wright presented the financial statements to the Board. Auditor Donald Caines went over his audit of the County to the Board.

EXECUTIVE SESSION

At 4:35 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 _____).

PLANNING BOARD PRESENTMENTS

NEW BUSINESS

CHARLOTTE GOLDWIRE – PUBLIC HEARING (01): A Public Hearing was held on the application by Charlotte Goldwire to rezone 3.22 acres located at Savannah Town Road from AR-1 to AR-2 Map 246 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. 246-11 to rezone located off Savannah Town 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 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 Loper seconded the motion. The motion carried unanimously.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

Commissioner Brantley discussed the following:

- ◆ Highway 80 Status

Chairman Zeigler discussed the following:

- ◆ Habitat for Humanity

Commissioner Phillips discussed the following:

- ◆ Westwood Issues
- ◆ Greystone Roads
- ◆ DOR Report

Commissioner Utley discussed the following:

- ◆ EMS/OmniFlight site
- ◆ Email from Guyton

County Administrator Crawley discussed the following:

- ◆ Old Augusta Road Phase I
- ◆ Old Augusta Road Phase II
- ◆ Highway 80 drainage issue still working with DOT
- ◆ Effingham Parkway
- ◆ I-16 Old River Road Update
- ◆ Transportation Advisory Board- reschedule due to holidays
- ◆ EMS OmniFlight Update
- ◆ City of Rincon-Westwood Heights meeting
- ◆ Steel Bridge
- ◆ Habitat for Humanity
- ◆ Effingham Arts Council
- ◆ Employee Luncheon- December 11th
- ◆ Effingham Day at the Capital
- ◆ Drug Court Update
- ◆ Board of Equalization Update
- ◆ Guyton Letter Update

EXECUTIVE SESSION

At 6:46 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 _____). At 7:30 p.m., Chairman Zeigler made a motion to return to regular session. Commissioner Brantley seconded the motion. The motion carried unanimously.

ADDITIONS TO AGENDA

CONSIDERATION TO APPROVE PROPERTY ACQUISITION FROM GREG HOWZE GOSHEN COMMERCIAL PARK AND WELL SITE PHASE II LOT 12A (12): Chairman Zeigler made a motion to approve the property acquisition. Commissioner Loper seconded the motion. The motion carried unanimously.

ADJOURNMENT

At 7:32 p.m. Chairman Zeigler made a motion to adjourn the meeting. Commissioner Loper seconded the motion. The motion carried unanimously.

C. D. Zeigler, Chairman

Natalie Jenkins, Administrative Assistant