

**THE EFFINGHAM COUNTY  
COMMISSIONERS' MEETING**

The Board of Commissioners of Effingham County, Georgia, Mr. C. D. Zeigler, Chairman, Mrs. Myra W. Lewis, Vice-Chairperson, Mr. Jeffrey A. Utley, Mrs. Verna H. Phillips, Mr. Reginald S. Loper and Mr. Robert Brantley met in regular session at 8:30 a.m. on Tuesday, February 02, 2010 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, Mr. John Beall, Ms. Ruth Lee, and Mr. Mack Thompson.

**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**

Commissioner Phillips made a motion to approve the Agenda Resolution with the (see copy of agenda resolution on minute book page number \_\_\_\_\_). Commissioner Brantley 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**

Vice-Chairperson Lewis made a motion to approve the minutes for January 19, 2010 Board of Commissioners Meeting and January 21, 2010 Workshop. Commissioner Loper seconded the motion. The motion carried unanimously.

**PUBLIC COMMENTS**

Chairman Zeigler stated that anyone who wanted to comment on any agenda item may do so when the item comes up.

**CONSENT AGENDA**

Chairman Zeigler read out loud items 1 and 2 on the Consent Agenda.

Commissioner Loper made a motion to amend the following Zoning Maps:

(01) Zoning Map 303-21 for the application by Tommy Strickland to rezone 453.04 acres located off Harvey Road from I-1 to R-2/AR-1 with the following stipulations:

1. All lots shall meet the requirements of the AR-1 or R-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 420-21 for the application by Clio Investment Company for conditional use to construction and demolition recycling center and landfill with the following stipulations:

1. The landfill shall be approved by EPD
2. All buildings shall be renovated to current code, demolished, or secured to prevent injury.
3. The bulk liquid tanks shall be inspected to ensure that they are still safe and not leaking. Any necessary repairs shall take place prior to any development.
4. Soil testing shall be done throughout the site to check for existing pollution problems. Any necessary repairs shall take place prior to any development.
5. The landfill shall be located at least 1000 feet from the Savannah River.
6. The site shall adhere to the heavy industrial buffer requirements.
7. The site shall meet all other conditions of the I-1 district.
8. Any subdivision shall be approved by the Zoning Administrator and the Effingham County Health Department.

Commissioner Brantley seconded the motion. The motion carried unanimously.

Chairman Zeigler read out loud items 3 and 4 on the Consent Agenda.

Commissioner Brantley made a motion to approve the release of Errors and Releases for Property Tax and Release of Penalties as submitted by the Tax Commissioner (see minute book page \_\_\_\_). Commissioner Utley seconded the motion. The motion carried unanimously.

### **Old Business**

**CONSIDERATION TO EXECUTE A MUTUAL AID AGREEMENT WITH THE PORT WENTWORTH FIRE DEPARTMENT (01):** Fire Chief Ashcraft explained that the mutual aid agreement with the City of Port Wentworth will benefit the county as well as Port Wentworth should one of the fire departments become temporarily overloaded. The mutual aid agreement is the governance document that addresses issues of cost reimbursement and risk management. The annual operating plan is controlled at the department level and contains operational and procedural language for use when the plan is activated.

Commissioner Loper made a motion to execute a mutual aid agreement with the Port Wentworth Fire Department (see minute book page \_\_\_\_). Commissioner Utley seconded the motion. The motion carried unanimously.

### **New Business**

**CONSIDERATION TO APPROVE A CONTRACT FOR THE SANDHILL BALL FIELD MAINTENANCE PROJECT (01):** Purchasing Agent Newland explained that an invitation to bid was issued, publicly advertised, mailed to bidders and publicly opened January 14, 2010 for the Sandhill Ball Field Maintenance Project. Bidders were requested to submit bids for maintenance and complete restoration of five ball fields located at the Sandhill Recreation Complex. Specifications include spray herbicide to kill grass and weeds, spread fill-dirt, grade and roll entire outfield, lay sod and apply lime to each field. Four bids were received and Rain-N-Shine submitted the lowest bid. Staff recommends that the board approve the bid and contract to Rain-N-Shine for the Sandhill Ball Field Maintenance Project.

Commissioner Phillips made a motion to award the bid and approve the contract with Rain-N-Shine for the Sandhill Ball Field Maintenance Project (see minute book page \_\_\_\_\_). Vice-Chairperson Lewis seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A PROBATION SERVICE CONTRACT WITH STATE COURT, CITY OF SPRINGFIELD, AND THE CITY OF GUYTON (02):** Chief Probation Officer Zittrauer explained that a probation contract is required by policy under the rules and regulation of the County and Municipal Probation Advisory Council a branch of the Administrative Office of the Courts. The fee for probation services have increased from \$40 a month to \$50 a month.

Commissioner Brantley made a motion to approve a Probation Service Contract with State Court, City of Springfield, and the City of Guyton (see minute book page \_\_\_\_\_). Commissioner Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE BUDGET AMENDMENTS FOR FY 2010 (03):** Finance Director Wright explained that on August 4, 2009 the Board of Commissioners approved the Fiscal Year 09/10 budget. Budget amendments are necessary in order to adjust the original budget expenditures and revenues to levels which meet or exceed actual. State law requires that all budget amendments to be reviewed and approved by the Board. Staff recommends that the Board approve suggested amendments.

Commissioner Phillips made a motion to approve budget amendments for Fiscal Year 2010 (see minute book page \_\_\_\_\_). Commissioner Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE UPCOMING COMMISSIONERS TRAINING FOR ACCG 2010 LEGISLATIVE CONFERENCE HELD ON FEBRUARY 8<sup>TH</sup> AND 9<sup>TH</sup> AND THE HOSPITAL MEETING WITH HUD ON FEBRUARY 24<sup>TH</sup> AND 25<sup>TH</sup> TO WASHINGTON D.C. (04):** County Clerk Crawley explained that ACCG will be holding their 2010 legislative conference which Commissioner Loper will be attending. The Hospital has requested that the Board send two representatives to the HUD meeting in Washington D.C. Commissioner Phillips and Brantley have agreed to attend.

Vice-Chairperson Lewis made a motion to approve Commissioner Loper to attend ACCG 2010 legislative conference and for Commissioner Phillips and Brantley to attend the HUD meeting in Washington. Commissioner Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPOINT A REPRESENTATIVE FOR THE TAX ASSESSOR BOARD (05):** County Clerk Crawley explained that Mr. Marcus Kessler's term on the Tax Assessor Board will expire March 2010. There have been two people who have been interested in serving on the Tax Assessor Board, which are Marcus Kessler and Loyd Trimm.

Commissioner Brantley made a motion to appoint Loyd Trimm to serve on the Tax Assessor Board. Commissioner Phillips seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE AN ENGAGEMENT LETTER TO HIRE LEE, BLACK, ROUSE & HOLLIS, P.C. TO REPRESENT THE EFFINGHAM COUNTY BOARD OF TAX ASSESSORS IN ARBITRATIONS AND ANY APPEALS THERE FROM (06):** County Attorney Gotwalt explained that there have been three arbitrations that the Board of Assessors need to be represented in. Mr. Christopher Rouse has been asked and has agreed to represent the Board of Assessors in all three arbitrations and any appeals therefrom.

Vice-chairperson Lewis made a motion to approve an engagement letter to hire attorney Christopher Rouse to represent the Board of Assessors in three arbitrations and any appeals therefrom. Commissioner Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE SUPPLEMENTAL AGREEMENT NUMBER ONE OF PROJECT FRAMEWORK AGREEMENT (PFA) FOR**

**EFFINGHAM PARKWAY (07):** County Administrator Crawley explained that the Effingham County Board of Commissioners received a Federal earmark of 4 million dollars for the design and construction of Effingham Parkway. On October 17, 2006, Effingham County executed a PFA with the Department of Transportation (DOT) to receive reimbursement of funds expended in association with Effingham Parkway. The PFA agreement specified milestones to be completed before reimbursement could be received by DOT prior to receiving any reimbursement. Moreland Altobelli has submitted the concept report to DOT and has responded to several sets of comments. DOT has most recently requested additional information that is outside the scope of requirements of the concept report. The additional information requested will require further work and therefore funds to be invested by the County. To facilitate the reimbursement to the County, DOT has agreed to amend the current PFA to allow the County to receive reimbursement for the funds expended to date. Approximately \$900,000 has been expended in association with Effingham Parkway. DOT has agreed to modify the current PFA to allow the County to seek reimbursement for funds expended.

Commissioner Phillips made a motion to approve the supplement agreement number one of the project framework agreement for Effingham Parkway (see minute book page \_\_\_). Commissioner Loper seconded the motion. The motion carried unanimously.

**REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF**

Mr. Jasper Lee discussed the following:

- ◆ More firemen at the Fire Department

Commissioner Brantley discussed the following:

- ◆ Drainage in the County

Vice-Chairperson Lewis discussed the following:

- ◆ Drainage on personal property
- ◆ People who could help with the road problems in the county

County Engineer Liotta discussed the following:

- ◆ EPD meeting in Atlanta

Finance Director Wright discussed the following:

- ◆ Paying off fire leases

County Administrator Crawley discussed the following:

- ◆ Old Augusta Phase II
- ◆ Hwy 80
- ◆ Effingham Parkway
- ◆ I-16 and Old River Road
- ◆ OMNI Flight
- ◆ Guyton wastewater
- ◆ Ash Roads
- ◆ Resurfacing of roads

- ◆ Choate Construction concern with the Hospital

Commissioner Phillips discussed the following:

- ◆ Transportation

County Clerk Crawley discussed the following:

- ◆ Meeting with the City of Springfield

**EXECUTIVE SESSION**

At 9:53 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, property and pending litigations. (See copy of Chairperson’s affidavit on minute book page number \_\_\_\_\_).

**ADJOURNMENT**

At 11:10 a.m., Chairman Zeigler made a motion to adjourn the meeting. Commissioner Brantley seconded the motion. The motion carried unanimously.

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C. Dusty Zeigler, Chairman

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Patrice R. Crawley, County Clerk