

**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, Sr. and Mr. Robert Brantley met in regular session at 3:00 p.m. on Tuesday, February 16, 2010 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. Adam Kobek, Project Manager, Mr. George Shaw, Zoning Administrator, Mrs. Patrice R. Crawley, County Clerk, Ms. Rushe Hudzinski-Sero, Human Resources Director, Mrs. Joanna Wright, Finance Director, Mr. Steve Liotta, County Engineer, Mr. Greg Burns, J. Griggs, Mr. Mark Crapps, Mr. Aaron Herring, Mr. Hugh Gross, and Ms. Pamela Edwards.

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 stated that an agreement with WPC for Effingham County Fly Ash Roadway preliminary investigation project needed to be added to the agenda.

Chairman Zeigler stated that he would like to discuss, on this agenda, how to handle signs in the Georgia Department of Transportation right of way.

Commissioner Phillips made a motion to approve the Agenda Resolution with the addition to New Business Number 13 – Consideration to approve an agreement for services with WPC and New Business Number 14 – Discussion on signs in the Georgia Department of Transportation right of way (see copy of agenda resolution on minute book page number _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

MINUTES

Vice-Chairperson Lewis made a motion to approve the minutes for the February 02, 2010 Board of Commissioners Meeting. Commissioner Brantley seconded the motion. The motion carried unanimously.

PUBLIC COMMENTS

Chairman Zeigler stated that if anyone would like to discuss an Agenda Item, they may do so when that item is presented.

NEW BUSINESS

RETIREMENT PLAN MONTHLY OVERVIEW (01): Mrs. Rushe Hudzinski-Sero explained that at the Board's request, a report will be provided on the county retirement plan monthly. As of October 24, 2009, the investment portfolio value was \$1,702,010 with a year to date rate of return 11.15%. From the last report in November, the portfolio is up an additional 2.27% with a total year to date return of 13.42%. At year end 2009, the investment portfolio had an annual rate of return of 15.15%. The target return goal is to achieve 5% total return in order to reach the actuary requirements of the Defined Benefit Plan. The actuary for 2009 and the benefit summaries for employees will be completed by the end of March 2010 with the next quarterly update scheduled for April 2010.

Mrs. Gini Nichols with Merrill Lynch went over the Quarterly Portfolio Review and the Executive Summary that was prepared for the Effingham County Board of Commissioners.

CONSIDERATION TO APPROVE THE USE OF FUNDS TO PURCHASE HEAVY EQUIPMENT AT AUCTION (02): Purchasing Agent Newland explained that in the current fiscal budget, \$468,217 has been slotted to purchase heavy equipment for the Roads Department. Due to the economic downturn, many contractors have been forced to downsize or even close their business. As a result, the heavy equipment previously owned by these companies is being sold at auction at drastically reduced price. Often times, the equipment is new or has very few working hours. Recent auction sales of this equipment show a savings of 30-50% off new retail price. The County will enlist the assistance of Greg Burns, Ezell Pitts, and others to inspect the equipment prior to purchase to ensure the equipment is in excellent shape and will serve the County's needs.

Commissioner Loper made a motion to approve the use of funds to purchase heavy equipment at auction. Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE HP POST WARRANTY FOR PLOTTERS AND SCANNERS (03): GIS Project Manager Kresha Aycock explained that Hewlett-Packard (HP) offers post warranties for its products to ensure continuous uptime. HP offers next business day onsite hardware support for all plotters, printers, and scanners. Effingham County currently has three HP products that have post warranties that will expire in March. The three products consist of two plotters and one scanner. The GIS Department has a HP DesignJet 4000ps plotter that prints up to 42". The Zoning Department has a HP DesignJet 5500ps plotter that prints up to 42". The Tax Assessor Department has HP DesignJet 4200 scanner that will scan up to 42" document. It has been shown that purchasing post warranties is a more cost effective way to keep machinery supported than requesting a HP technician on an as-needed basis. If a plotter or scanner breaks down without warranty coverage, a HP technician would need to be called to the site at an average cost of \$3,000 for each visit, not including parts. On average, a technician is called to our site two to three times a year. The one year post warranty would cost a total of \$3,288 per year. The two year post warranty would cost per year on an average would be \$5,033 (2010) and \$1,261 (2011). The cost of the warranties would cover multiple visits and parts on all machines. Staff recommends purchasing a 2 year post warranty for the two plotters and a 1 year post warrant for the scanner.

Commissioner Utley made a motion to approve the HP post warranty for plotters and scanners for two year post warranty for the 2 plotters and a one year post warranty for the scanner (see minute book page _). Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE BUDGET CALENDAR 2010-2011 (04): Finance Director Wright explained that each year the Board of Commissioners approves a budget for all funds as required by Georgia Law. Staff prepares a time-line of the budget adoption process. This process includes: departmental meetings, workshops, a presentation of the final administrative recommended budget and the first and second public reading. Each step is designed to provide transparency, receive input and address the financial aspects and the services of the county.

Commissioner Phillips made a motion to approve Budget Calendar 2010/2011 (see minute book page ____). Commissioner Brantley seconded the meeting. The motion carried unanimously.

CONSIDERATION TO APPROVE AN AGREEMENT WITH THE HISTORIC EFFINGHAM SOCIETY, INC. (05): Finance Director Wright explained that the Board approved money to the Historic Effingham Society in fiscal year 2009-2010. In order for the Historic Effingham Society to receive their money, they must have an agreement with the Board of Commissioners. Staff recommends approving this agreement.

Commissioner Loper made a motion to approve an agreement with the Historic Effingham Society, Inc. (see minute book page ____). Commissioner Brantley seconded the motion. The motion carried.

CONSIDERATION TO APPROVE A WATERSHED PROTECTION PLAN AND A LONG-TERM MONITORING WITH INTEGRATED SCIENCE AND ENGINEER (06): County Engineer Liotta explained that Effingham County South Urban Water Reuse System permit from EPD requires the County to implement the approved Watershed Protection Plan. This plan utilizes the information generated in the watershed assessment during permitting to establish a baseline of watershed conditions and provides for ongoing long-term monitoring to verify that the Plan is effective. An annual report of the water quality monitoring data must also be submitted to EPD. Since the Plan was approved and the permit was re-issued in 2006, the routine chemical sampling has been performed by the consultant that prepared the Watershed Protection Plan – Integrated Science & Engineering (ISE). ISE submitted a new proposal to the County to perform this monitoring for the current semi-annual period, in accordance with the Professional Services Agreement approved by the Board on April 21, 2009. As a cost-saving measure, some of the sampling (bacteriological) and analysis (fecal coliform) will be conducted by County staff at the wastewater plant. This will save \$1,000.

Commissioner Phillips made a motion to approve a Watershed Protection Plan and a long-term monitoring with Integrated Science and Engineer (see minute book page ____). Commissioner Utley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A CONTRACT WITH YATES ASTRO FOR TERMITE BOND AND SERVICE ORDER CONTRACT ON THE HISTORIC COURTHOUSE (07): Project Manager Kobek explained that the Historic Courthouse does not currently have a terminate bond. While the structure is being rehabilitated it

would be a good idea to have this building pre-treated and bonded for future termite treatments on an annual basis. The initial treatment will cost \$2,965 with an annual inspection and retreat fee of \$265. The bond will be in the amount of \$250,000 for any future termite damage that is discovered.

Commissioner Loper made a motion to approve a contract with Yates Astro for termite bond and service order contract on the Historic Courthouse (see minute book page _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO DECLARE GATEWAY BUILDING ON MADISON STREET SURPLUS AND TO BE DEMOLISHED (08): Project Manager Kobek explained that the building that formally housed the Gateway operations on Madison Street has experienced a severe roof failure. Staff believes that it would be more cost effective to demolish the building than to repair the roof. The building is outdated and is in need of a full restoration to continue using the building. Following the roof failure, Gateway has moved all operations to their First Street Extension which is located behind the hospital. OMI and County Maintenance Department can take this building down.

Commissioner Brantley made a motion to declare Gateway Building on Madison Street surplus and to be demolished. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO REAPPOINT DR. RATCHFORD TO THE BOARD OF HEALTH (09): County Clerk Crawley explained that the Board of Health exercises responsibility and authority in all matters within the county pertaining to health unless the responsibility for enforcement of such is by law that of another agency. The Board of Health consists of seven members; Chief Executive Office of the County Commission, County Superintendent of Schools, a physician actively practicing in the county, a consumer advocate, consumer or licensed nurse interested in promoting Public Health, Advocate for the County's needy, underprivileged, or elderly community, and Chief Executive Office of the governing authority of the largest municipality. Dr. Joseph Ratchford represents the physician actively practicing in Effingham County. His term ended March, 2009 and the term is a six year term.

Commissioner Phillips made a motion to reappoint Dr. Ratchford to the Board of Health. Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A DONATION OF SPACE FOR THE CENSUS

BUREAU (10): County Clerk Crawley explained that the Census Bureau needs a space to help people who request assistance in completing their 2010 Census questionnaire. The room would be used from March 19th to April 19th.

Commissioner Brantley made a motion to approve a donation of space for the Census Bureau at the Early Street House (see minute book page __). Commissioner Phillips seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE 2010 BOARD OF COMMISSIONERS

COMMITTEE APPOINTMENTS (11): County Clerk Crawley explained that the Board has Liaison Commissioners who are appointed to different committees, boards, and work with County Department Heads.

The Board discussed the different appointments and changed Chairman Zeigler to the Health Board, Commissioner Brantley to the Planning Board, Commissioner Phillips to the Hospital Finance Committee, and Commissioner Phillips to the Prison Department.

Commissioner Utley made a motion to approve the 2010 Board of Commissioners Committee Appointments as amended. Commissioner Phillips seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A MEMORANDUM OF UNDERSTANDING FOR THE EXTENSION SERVICE BETWEEN THE BOARD OF COMMISSIONERS AND

UGA (12): County Clerk Crawley explained that in order for the Extension Service to operate in Effingham County, a Memorandum of Understanding must be entered into between the Board of Commissioners and University of Georgia.

Commissioner Loper made a motion to approve a Memorandum of Understanding for the Extension Service between the Board of Commissioners and UGA (see minute book page __). Commissioner Brantley seconded the motion. The motion carried unanimously.

ADDITION TO THE AGENDA

CONSIDERATION TO APPROVE AN AGREEMENT FOR SERVICE WITH WPC FOR FLY ASH ROAD PRELIMINARY INVESTIGATION (13):

County Administrator Crawley explained that WPC has on staff a geotechnical engineer who will be able to study and explore the cross section of the fly ash roads and develop preliminary recommendations for repairs.

Commissioner Phillips made a motion to approve an agreement for service with WPC for fly ash road preliminary investigation (see minute book page ____).

Commissioner Brantley seconded the motion. The motion carried unanimously.

DISCUSSION OF SIGNS IN THE GEORGIA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY (14): The Board discussed if the Sign Ordinance needs to be changed to say that the Board should not enforce signs in the Georgia Department of Transportation Right of Way.

EXECUTIVE SESSION

At 4:34 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 property and pending litigations. (See copy of Chairperson’s affidavit on minute book page number _____).

DINNER BREAK

At 5:29 p.m., the Board broke for dinner.

PLANNING BOARD PRESENTMENTS

The Board reconvened at 6:00 p.m. for Planning Board Presentments.

NEW BUSINESS

HERMAN R. & LINDA A. PURNELL – PUBLIC HEARING (01): A Public Hearing was held on the application by Herman R. & Linda A. Purnell to rezone .77 acres located at 1243 Noel C. Conaway Road from AR-1 to B-1 Map and Parcel 375E-5 in the First District.

Zoning Administrator Shaw presented the request.

There were no objectors present.

Commissioner Brantley made a motion to table this item until March 2nd and to have a traffic study done by the Sheriff’s Department. Commissioner Utley seconded the motion. The motion carried unanimously.

HUGH GROSS – PUBLIC HEARING (02): A Public Hearing was held on the application by Hugh Gross to rezone .89 acres located at 367 Shearouse Road from AR-1 to AR-2 Map 398 Parcel 16 in the First District.

Zoning Administrator Shaw presented the request.

There were no objectors present.

Commissioner Brantley made a motion to approve the First Reading of the amendment to the Effingham County Zoning Ordinance, Map and Parcel No. 398-16 to rezone .89 acres located at 367 Shearouse 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 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 must be approved by the Health Department and the Zoning Office.

Vice-Chairperson Lewis seconded the motion. The motion carried unanimously.

HUGH GROSS – PUBLIC HEARING (03): A Public Hearing was held on the application by Hugh Gross to approve a variance for the side yard setback located at 367 Shearouse Road Map and Parcel 398-16 in the First District.

Zoning Administrator Shaw presented the request.

There were no objectors present.

Commissioner Brantley made a motion to approve the First Reading of the amendment to the Effingham County Zoning Ordinance, Map and Parcel No. 398-16 to approve a variance located at 367 Shearouse Road with the following stipulations:

1. With setback of four foot variance
2. A letter from both sides of property owners that there are no objections.

Commissioner Loper seconded the motion. The motion carried unanimously.

PAMELA G. EDWARDS– PUBLIC HEARING (04): A Public Hearing was held on the application by Pamela G. Edwards to rezone 6.33 acres located at the corner of Highway 119 and Cloy Kildare Road from AR-1 to B-3 Map 421 Parcel 51 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 421-51 to rezone 6.33 acres located at the intersection of Highway 119 and Cloy Kildare Road from AR-1 to B-3 with the following stipulations:

1. Each lot meets the requirements for the B-3 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 must be approved by the Health Department and the Zoning Office.

Commissioner Loper seconded the meeting. The motion carried unanimously.

MARK C. BENNETT – PUBLIC HEARING (05): A Public Hearing was held on the application by Mark C. Bennett to rezone 39.08 acres located off Rincon-Stillwell Rd from R-1 to AR-1 Map 428 Parcel 18 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 428-18 to rezone 39.08 acres located on Rincon-Stillwell Road from R-1 to AR-1 with the following stipulations:

1. Each lot meets the requirements for 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 must be approved by the health Department and the Zoning Office.

Commissioner Brantley seconded the motion. The motion carried unanimously.

AARON D. HERRING – PUBLIC HEARING (06): A Public Hearing was held on the application by Aaron D. Herring to rezone .50 acres located at 557 Goshen Road from AR-1 to B-1 Map 451 Parcel 55 in the Fifth District.

Zoning Administrator Shaw presented the request.

There were no objectors present.

Commissioner Phillips made a motion to approve the First Reading of the amendment to the Effingham County Zoning Ordinance, Map and Parcel 451-55 to rezone .50 acres located at 557 Goshen Road from AR-1 to B-1 with the following stipulation:

1. Each lot meets the requirements of the B-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 must be approved by the Health Department and the Zoning Office.

Commissioner Brantley seconded the motion. The motion carried unanimously.

AARON D. HERRING – PUBLIC HEARING (07): A Public Hearing was held on the application by Aaron Herring for conditional use approval to operate a retail nursery located at 557 Goshen Road Map 451 Parcel 55 in the Fifth District.

Zoning Administrator Shaw presented the request.

There were no objectors present.

Commissioner Phillips made a motion to approve the application by Aaron D. Herring for conditional use approval to operate a retail nursery located at 557 Goshen Road Map 451 Parcel 55. Commissioner Brantley seconded the motion. The motion carried unanimously.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

Vice-Chairperson Lewis discussed the following:

- ◆ Thanking staff

Commissioner Phillips discussed the following:

- ◆ Ridgecrest Roads

Zoning Administrator Shaw discussed the following:

- ◆ Ordinance to allow RV/Campers if a home is destroyed
- ◆ Payment of Impact Fees

County Administrator Crawley discussed the following:

- ◆ Old Augusta Phase I
- ◆ Old Augusta Phase II
- ◆ Highway 80
- ◆ Effingham Parkway
- ◆ Transportation Advisory Board Priority list
- ◆ Herbert Kessler Road
- ◆ Courthouse Road/Midland Road
- ◆ EMS OmniFlight
- ◆ 4-H luncheon
- ◆ Guyton Water and wastewater
- ◆ Recycling Program
- ◆ Tax Assessor Staggering
- ◆ Ash Roads
- ◆ Resurfacing Roads
- ◆ Financial Update
- ◆ Time Capsule Event

EXECUTIVE SESSION

At 7:47 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 property and pending litigations. (See copy of Chairperson's affidavit on minute book page number _____).

ADJOURNMENT

At 8:30 p.m. Chairman Zeigler made a motion to adjourn the meeting. Commissioner Phillips seconded the motion. The motion carried unanimously.