

**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, April 06, 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, Ms. Rushe Hudzinski-Sero, Human Resources Director, Mr. Phil Kieffer, Mr. John Beal, Mr. Ronnie Brooks, and Ms. Jamie Chumley.

**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**

County Administrator Crawley explained that two new items needed to be added to the agenda. The first being a mutual aid agreement with the City of Rincon and the Sheriff Department and the second being a Memorandum of Understanding between the Georgia Department of Human Services through the Division of Family and Children Services.

Commissioner Phillips made a motion to approve the Agenda Resolution with the addition to New Business Number 15 –Consideration to approve a Mutual Aid Agreement with the City of Rincon and the Effingham County Sheriff Department and new Business Number 16 – Consideration to Approve a Memorandum of Understanding between the Georgia Department of Human Services through the Division of Family and Children Services and Effingham County Board of Commissioners (see copy of agenda resolution on minute book

page number \_\_\_\_\_). Vice-Chairperson Lewis seconded the motion. The motion carried unanimously.

**CORRESPONDENCE**

Chairman Zeigler 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 the March 16, 2010 Board of Commissioners Meeting with corrections that were noted. 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.

**OLD BUSINESS**

**CONSIDERATION TO APPROVE A WARRANTY DEED FOR WINDFIELD SUBDIVISION PHASE I (01):** County Administrator Crawley explained he and County Commissioner Brantley met with Citizens Bank concerning compliance issues with Windfield Subdivision Phase I. The County would complete the compliance issues and work on an updated agreement with the developers of Windfield Subdivision Phase I. Staff asks that the Board approve the roads and right of way and will come back to the Board with an agreement to take care of the outstanding debt of the pump station.

Commissioner Brantley made a motion to approve a warranty deed for Windfield Subdivision, Phase I (see minute book page \_\_). Commissioner Phillips seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A PROJECT PROPOSAL FOR RESEARCH SERVICES PROVIDED TO THE BOARD OF COMMISSIONERS BY ARMSTRONG ATLANTIC STATE UNIVERSITY PUBLIC SERVICE CENTER TO EVALUATE THE FINANCIAL AND ECONOMIC ASPECTS OF THE EFFINGHAM COUNTY HOSPITAL EXPANSION (2):**

County Administrator Crawley explained that Hospital Chairman Rafter sent an email stating that the REMI study should be completed soon.

Hospital Attorney Rusty Ross explained that the feasibility study from Dixon and Hughes is not finalized yet.

Commissioner Loper made a motion to table the item until the Dixon and Hughes feasibility study has been finalized. Commissioner Phillips seconded the motion. Chairman Zeigler opposed the motion. Vice-Chairperson Lewis, Commissioner Phillips, Commissioner Utley, Commissioner Loper, and Commissioner Brantley voted in favor of the motion. The motion carried.

**NEW BUSINESS**

**CONSIDERATION TO AMEND THE 401(a) AND THE DEFINED BENEFIT PLAN**

**DOCUMENT (01):** Human Resources Director Hudzinski-Sero and Mrs. Gini Nichols with Merrill Lynch explained that an Amendment is needed to clarify the 401(a) and the Defined Benefit Plan. The Amendment to the 401(a) and the Defined Benefit Plan will read "In general, employees who are not participating in any other retirement plan of the Employer, County, or State are eligible for the Plan. Employees who elect to remain members of, or are retired from, any State Retirement Systems in Georgia that require county matching funds shall not participate in Effingham County Board of Commissioners 401(a) or Defined Benefit Plan.

Commissioner Loper made a motion to amend the 401(a) and Defined Benefit Plan document. Commissioner Brantley seconded the motion. The motion carried unanimously.

Mrs. Nichols presented the Board the actuarial valuation report of the Effingham County Defined Benefit Plan. The report presents the Actuarially Required Contribution (ARC) pursuant to the standards of the Governmental Accounting Standards Board (GASB).

**CONSIDERATION TO APPROVE THE RESTRUCTURING OF THE BUILDING INSPECTIONS AND PLANNING AND ZONING DEPARTMENT (02):**

Human Resources Director Hudzinski-Sero explained that due to recent market conditions, it has led to a significant reduction in the building permit applications and subsequently

fees received. The Building Inspections Department has averaged 286 inspections per month this fiscal year. The total projected revenue from building permits for this fiscal year is \$111,000. In an effort to help reduce cost within the Building Inspection Department, restructuring and consolidation of the Building Inspections Department and the Planning and Zoning Department is proposed. The proposed restructuring eliminates three current positions and three frozen positions. The people in the three current positions will be opened positions in the County.

Commissioner Brantley made a motion to approve the restructuring of the Building Inspections and Planning and Zoning Department. Commissioner Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO ACCEPT TWO BUSES DONATED TO THE BOARD OF COMMISSIONERS FROM THE BOARD OF EDUCATION (03):** Purchasing Agent Newland explained that the Prison needs more buses to ensure inmate transport is possible when a fleet bus is out of commission for repairs or routine maintenance. The Board of Education has surplused two buses and is willing to donate them to the Board of Commissioners.

Commissioner Loper made a motion to accept two buses donated to the Board of Commissioners from the Board of Education. Commissioner Brantley seconded the motion. The motion carried unanimously.

**DISCUSSION ON CHANGING THE OFFICIAL CODE OF EFFINGHAM COUNTY CONCERNING THE RABIES VACCINATION SECTION (04):** Zoning Administrator Shaw explained that a citizen had brought to the attention of staff that Effingham County rabies requirements were not in line with the State law and currently available vaccines. State law allows for vaccination yearly or triennially based on the type of vaccine used.

The Board discussed the changes in the Official Code of Effingham.

**CONSIDERATION TO APPROVE A WARRANTY DEED FOR RABUN ESTATES PHASE I (05):** County Engineer Liotta explained that Jeff Kramer of Ernest Communities, LLC requests that the County accept ownership and maintenance of the infrastructure (roads, water/sewer, drainage, etc) for Rabun Estates, Phase I

located off of Kolic Helmly Road. Water services are provided by Middle Georgia Water Company and the sewer is serviced by individual septic tanks. The final plat for phase I of this development was approved on March 12, 2001. OMI on behalf of Effingham County completed a final inspection on March 11, 2010 and has recommended acceptance of the infrastructure.

Commissioner Brantley made a motion to approve a warranty deed for Rabun Estates, Phase I (see minute book page \_\_\_\_). Commissioner Loper seconded the motion. The motion carried unanimously.

**APPEARANCE**

**JAMIE CHUMLEY 10:00 A.M.:** Ms. Jamie Chumley wanted the Board to be aware of the injuries she received on the property at Animal Control, how she was treated, and that the County insurance company denied her claim.

**NEW BUSINESS CONTINUED**

**CONSIDERATION TO AMEND THE BUDGET FOR FISCAL YEAR 2010 FOR FIRE SERVICES (06):** Finance Director Wright explained that on August 10, 2009 the Board approved a purchase of a pumper/tanker. At this time, staff was directed to contract for the equipment with Pierce for the sum of \$370,408.95 and review funding. After reviewing the funding options, staff decided that it would be cheaper to purchase the pumper outright. This action will require an amendment to the FY2010 Budget.

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

**CONSIDERATION TO APPROVE THE SECOND AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE BOARD OF COMMISSIONERS AND THE SECRETARY OF STATE (07):** County Clerk Crawley explained that the Secretary of State, as authorized by the General Assembly, provided a uniform voting system to Effingham County for casting and counting electoral votes in the County, State and Federal elections in the State of Georgia. Effingham County entered into an Intergovernmental Agreement for the loan and use of the voting system to the County for November 2, 2002 General Election and each

subsequent election thereafter. The amendment to the agreement basically explains how the County must dispose of the loaned voting system.

Commissioner Brantley made a motion to approve the second amendment to the Intergovernmental Agreement between the Board of Commissioner and the Secretary of State (see minute book page \_\_\_\_). Commissioner Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A COUNTY JAIL AGREEMENT WITH THE CITY OF RINCON (08):** County Administrator Crawley explained that the County Jail houses inmates for the City of Rincon. The agreement is between Effingham County and the City of Rincon and states that the City of Rincon will pay a base rate of \$30 per inmate and the agreement may be terminated by either party, with or without cause, at any time upon 90 days notice in writing delivered by certified mail to the respective manager of the County or of the City.

Commissioner Phillips made a motion to table the Jail Agreement with the City of Rincon until May 4, 2010. Commissioner Utley seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE THREE AT LARGE MEMBERS TO THE PLANNING BOARD (09):** County Clerk Crawley explained that there are three at large members whose terms have expired. The at large member terms are for two years. Mr. John Battle, Mr. Dave Burns, and Mr. Alphonso Giles are current members and are willing to be reappointed. The opening on the Planning Board was advertised and Mr. Wyatt Hunter mentioned that he was interested in serving on this board.

Vice-Chairperson Lewis made a motion to table the appointments of three at large members to the Planning Board. Commissioner Brantley seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE REAPPOINTING BRENT FISHER TO THE COASTAL WORKFORCE INVESTMENT BOARD (10):** County Clerk Crawley explained that Effingham County has three representatives on the Coastal Workforce Investment Board. Mr. Brent Fisher is currently up for reappointment and has agreed to be reappointed.

Commissioner Brantley made a motion to reappoint Brent Fisher to the Coastal Workforce Investment Board. Commissioner Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE THE SPECIAL PURPOSE LOCAL OPTION SALES TAX (SPLOST) CALENDAR (11):** County Clerk Crawley explained that On March 21, 2006, a referendum was held on the question of a 1% Special Purpose Local Option Sales Tax (SPLOST) and was approved by the voters. SPLOST sales tax started September 1, 2007 and is estimated to end August 31, 2010. In order for there not to be a lapse in the collection of the tax, it can be immediately continued if a referendum is held in which the voters approve a new SPLOST.

Commissioner Phillips made a motion to approve the Special Purpose Local Option Sales Tax (SPLOST) calendar (see minute book page \_\_). Vice-Chairperson Lewis seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE ADDITIONAL WORK WITH HARCO CONSTRUCTION FOR EMS/OMNIFLIGHT CONSTRUCTION (12):** Project Manager Kobek explained that in early 2009, the Board approved the construction of a new facility to house the County EMS headquarters and OmniFlight, a medical helicopter service. The building is nearing completion and final site work is underway. As a result of the possibility of additional air craft using the site some additional infrastructure may be required. Our site work contractor has provided the following additional pricing to meet the needs of OmniFlight: (1) additional clearing at a cost of \$1,700. This will provide a more clear entry for take-offs and landings. Clearing approximately one acre, grading and dressing, (2) 50x50x4in concrete pad for a secondary landing pad, the staff specified 4 inch concrete as this landing pad is not anticipated to get daily use. Cost \$6,300, (3) soil and erosion control including additional grassing of the newly cleared area and the rear of the lot to aid soil and erosion control. Cost \$7,800 and (4) field modifications to the site plan to expand turning radius for ambulance with a cost \$2,100. The total price for all changes would be \$17,900.

Commissioner Brantley made a motion to approve field modifications to the EMS/OmniFlight site plan to expand turning radius for ambulance.

Commissioner Utley seconded the motion. Chairman Zeigler opposed the motion. Vice-Chairperson Lewis, Commissioner Utley, Commissioner Phillips, Commissioner Loper and Commissioner Brantley seconded the motion. The motion carried.

**CONSIDERATION TO APPROVE A LETTER OF REFERENCE FOR MORELAND ALTOBELLI (13):** County Administrator Crawley explained that Moreland Altobelli has been shortlisted for a State Contract with Georgia Department of Transportation to oversee utilities coordination on State Projects. Moreland has requested that the board provide a letter of reference in support of their organization. Staff request that this issue be tabled.

Commissioner Phillips made a motion to table a letter of reference for Moreland Altobelli. Commissioner Brantley seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A PROPOSAL TO PREPARE A CAPITAL IMPROVEMENTS ELEMENTS AND IMPACT FEE STUDY WITH TISCHLERBISE (14):** County Administrator Crawley explained that the Board of Commissioner adopted a Capital Improvements Element and Impact Fee analysis in 2005, based on a study provided by TischlerBise. The County implemented the collection of impact fees for water, sewer, roads, parks and public safety (fee categories) projects. Impact fees for each Fee Category were adopted and codified through the enactment of an impact fee ordinance. Fees charged for each Fee Category are based on projects outlined in the County's Capital Improvement Element. It has been five years since the adoption of the Capital Improvements Element and the Impact Fee Study. TischlerBise has provided a proposal to review and update the Capital Improvements Element and Impact Fee Study. TischlerBise has significant experience and institutional knowledge of Effingham County, due to their prior work experience for the County. The total cost proposed to review and revise the Impact Fee Study and Capital Improvements Element is \$60,100.



Chairman Zeigler made a motion to approve the proposal to prepare a Capital Improvements Elements and Impact Fee Study with TischlerBise. Commissioner Phillips seconded the motion. The motion carried unanimously.

**ADDITION TO THE AGENDA**

**CONSIDERATION TO APPROVE A MUTUAL AID AGREEMENT WITH THE CITY OF RINCON AND THE EFFINGHAM COUNTY SHERIFF DEPARTMENT (15):** County Administrator Crawley explained that this agreement between the City of Rincon and the Sheriff will be executed pursuant to the Official Code of Georgia annotated §36-69-1.

Commissioner Phillips made a motion to approve a mutual aid agreement with the City of Rincon and the Effingham County Sheriff Department with the stipulations that the agreement shall be effective through June 30, 2010 and shall renew thereafter automatically for additional one-year period. Either party may terminate this agreement on not less than sixty days written notice to the other party. Commissioner Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A MEMORANDUM OF UNDERSTANDING BETWEEN THE GEORGIA DEPARTMENT HUMAN SERVICES THROUGH THE DIVISION OF FAMILY AND CHILDREN SERVICES AND EFFINGHAM COUNTY BOARD OF COMMISSIONERS (16):** Human Resources Director Hudzinski-Sero explained that as part of the American Recovery and Reinvestment Act of 2009 the subsidized employment program was designed to put 5000 Georgians back to work. This includes adult employment and jobs for teens. The County has an opportunity to apply to be part of the Department of Human Services (DHR) program. The County would receive an 80% subsidy of gross wages for those qualified positions hired through September 30, 2010, or extended date if approved by American Recovery and Reinvestment Act from employees referred from the DHS. Employer makes the final hiring decision, subsidy period can not last longer than six months, employees are part-time and work 30 hours per week and continuation of employment beyond subsidy date is at the sole discretion of the

employer. Currently there are approved open positions and/or hours that have remained unfilled that can utilize this program.

Commissioner Phillips made a motion to approve a Memorandum of Understanding between the Georgia Department Human Services through the Division of Family and Children Services and Effingham County Board of Commissioners (see minute book page \_\_\_\_). Vice-Chairperson Lewis seconded the motion. The motion carried unanimously.

**REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF:**

Commissioner Phillips discussed the following:

- ◆ Georgia Pacific meeting

County Administrator Crawley discussed the following:

- ◆ Old Augusta Phase II
- ◆ Hwy 80 drainage - plat completed
- ◆ Effingham Parkway
- ◆ I-16 Old River Road
- ◆ Closing vendor credit accounts
- ◆ Guyton Water and Wastewater received no response
- ◆ Award Energy Grant Award with the Board of Education
- ◆ Quarterly Meeting
- ◆ Department of Transportation high risk roads
- ◆ Legislative update

**EXECUTIVE SESSION**

At 11:40 a.m., Chairman Zeigler made a motion to go into Executive Session to discuss personnel, property and pending litigation. Commissioner Brantley 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 12:20 p.m., Chairman Zeigler made a motion to adjourn the meeting. Vice-Chairperson Lewis seconded the motion. The motion carried unanimously.

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C. D. Zeigler, Chairman

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Patrice R. Crawley, County Clerk