

**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. Utlely, Mr. Reginald S. Loper, Sr. and Mr. Robert Brantley met in regular session at 1:00 p.m. on Tuesday, April 20, 2010 in the Commissioners' Meeting Room at the Effingham County Administrative Complex. Commissioner Verna H. Phillips was not present.

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, Director, Mrs. Joanna Wright, Finance Director, Mr. Kenny Usher, Mr. Brett Bennett, Mrs. Ruth Lee, and Mr. Linwood Seckinger.

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.

WORKSHOP

CONCEPTUAL PLAN – Project Manager Kobek explained that on March 2, 2010, the Board authorized an agreement for the creation and development of a conceptual plan for the Park Promenade Project with Hussey, Gay, Bell and DeYoung (HGBD). The area included properties owned by both the City of Springfield and Effingham County.

Mr. Steve Wohlfeil with HGBD presented a conceptual plan for consideration. The concept plan works to increase parking areas, order parking and event space and expand the green space around the Courthouse grounds. Some unique areas to highlight are improved parking around the courthouse; improve public usage by defining a space with a band shell or stage/pavilion which will allow for increased public opportunities to attract and provide for various and local entertainment, and improved traffic flow by closing some streets which will allow for more green space and additional parking. Opening Jefferson Street for normal traffic would allow for residents of Springfield to move from Laurel Street through to Ash Street and removable bollards would allow for the street to be closed for events or festivals.

Mr. Kenny Usher would like for the park to be utilized for all ages and that the parks name stays the same.

County Administrator Crawley stated that the courthouse portion of the plan will move forward, Project Manager Kobek will organize a committee with representation from two County Commissioners, two Springfield City Councilmen, one person from the County and one person appointed by the City of Springfield and proposal engineering on the park itself.

SPECIAL PURPOSE LOCAL OPTION SALE TAX - County Administrator Crawley explained how the Special Purpose Local Option Sales Tax worked. At the next workshop, staff will have projects and cost for the Board to review.

AGENDA APPROVAL

County Administrator Crawley requested to add New Business 12 which would be Consideration to approve the Nomination of Commissioner Reginald Loper to fill the vacancy of one of the At-Large Representative positions of the Board of Managers of the Association of County Commissioners of Georgia.

Commissioner Utley made a motion to approve the nomination of Commissioner Reginald Loper to fill the vacancy of one of the At-Large Representative position of the Board of Managers of the Association of County Commissioners of Georgia. Vice-Chairperson Lewis seconded the motion. Chairman Zeigler opposed the motion. Vice-Chairperson Lewis, Commissioner Utley, and Commissioner Brantley voted in favor of the motion. The motion carried.

County Clerk Crawley requested to remove Consent Agenda Item Number 01.

Vice-Chairman Lewis made a motion to approve the Agenda Resolution with removing Consent Agenda item Number 01 (see minute book page ____).

Commissioner Loper seconded the motion. The motion carried unanimously.

MINUTES

Commissioner Brantley made a motion to approve the minutes for the April 06, 2010 Board of Commissioners Meeting. Vice-Chairperson Lewis 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.

CONSENT AGENDA

Chairman Zeigler read out loud Consent Agenda Number 01. Commissioner Loper made a motion to approve errors and releases for Property Taxes as submitted by the Tax Commissioner. Commissioner Brantley seconded the motion. The motion carried unanimously.

OLD BUSINESS

CONSIDERATION TO APPROVE A LETTER OF REFERENCE FOR MORELAND ALTOBELLI (01): County Administrator Crawley explained that Moreland Altobelli has served the County in a myriad of ways for the past several years; some of their duties include right of way acquisition, roadway engineering, and utilities relocation and construction management. Moreland Altobelli has been shortlisted for a State Contract with Georgia Department of Transportation to oversee Utilities Coordination on state projects. Moreland has requested a letter of reference in support of their organization.

Commissioner Loper made a motion to approve a letter of reference for Moreland Altobelli. Commissioner Utley seconded the motion. The motion carried unanimously.

NEW BUSINESS

CONSIDERATION TO APPROVE A CONTRACT WITH MANATRON INC FOR TAX SOFTWARE (01): Tax Commissioner McDaniel explained that Manatron, Inc. is a comprehensive property tax collection solution for tax collection officials in the State of Georgia. It offers Tax Levy Management, Tax Billing, Tax Collection Cashiering Tax Sale, Business Revenue, Bankrupt Case Management and Special Assessment. Manatron Inc. maintains unlimited tax years via effective dating, provides extensive security, and automates settlements, balances and roll-overs. It also manages real and personal property, mobile home and special assessments. It provides user-defined tax units and rate tables and allows comprehensive searches and inquiries. It automates delinquencies, tax sales, interest and penalty calculations. Manatron, Inc's software is windows and sequel based and recommended by the Department of Revenue.

Commissioner Brantley made a motion to approve a contract with Manatron, Inc for Tax Software for the Tax Commissioners office (see minute book page _____). Vice-Chairperson Lewis seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A FACILITY ENCROACHMENT AGREEMENT WITH CSX (02): Fire Chief Ashcraft explained that Effingham County Fire Department

has a two-phase plan to bring all residences in Clyo within 1,000 feet of a fire hydrant. Phase one will consist of extending the water line at the Clyo fire station under the railroad tracts to Marion Avenue where a t-valve will be placed between Second and Third Street. A 360 foot water line will be laid going south from the t-valve to the intersection of Second Street where a hydrant will be placed at the end of the line. A 100 foot line will go north to the intersection of Third Street where another t-valve and hydrant will be placed. Phase two will begin at the Third Street hydrant where 1760 feet of water line will be laid and a hydrant and valve will be placed at each intersection to the sixth Street intersection. A license at the cost of \$750 must be purchased from CSX to jack and bore under the railroad tracks. Staff plans to bid out the portion of the project that included the actual jack and bore and lying the water line under the railroad tracks but will handle the rest of the project in house.

Commissioner Utlely made a motion to approve a facility encroachment agreement with CSX (see minute book page _____). Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE 2010 ASSISTANCE TO FIREFIGHTERS GRANT WITH U. S. DEPARTMENT OF HOMELAND SECURITY (03): Fire Chief Ashcraft explained that Effingham County Fire Department submitted a grant application for the purpose of replacing worn and aging breathing apparatus. The majority of the breathing apparatus were manufactured in the early 1990's. All have gone through refurbishment over the years and none meet the current standard. Replacing these units will current NFPA compliant and will greatly enhance firefighter safety.

Commissioner Loper made a motion to approve 2010 Assistance to Firefighters Grant with the U.S. Department of Homeland Security. Commissioner Utlely seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A WARRANTY DEED FOR SADDLECLUB AT BELMONT GLEN PHASE I (04): County Engineer Liotta explained that Konter Development requests that the County accept ownership and maintenance of the infrastructure (roads, drainage, water, sewer, and pump station) for Saddleclub at Belmont Glen, phase I, located off of Hodgeville Road. There are 181 lots and 8 houses exist in this phase of the development. Water, sewer, and reuse services are provided by Effingham County. The final plat for this Phase of the development was approved on April 1, 2008, OMI completed a final inspection on March 11, 2010 and has

recommended acceptance of the infrastructure. The grassing letter of credit in the amount of \$18,230 may be released.

Commissioner Utey made a motion to approve a warranty deed for Saddleclub at Belmont Glen Phase I (see minute book page __). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO PROCLAIM THE MONTH OF MAY AS BUILDING SAFETY MONTH (05): Building Official Davis read the proclamation to proclaim May as Building Safety Month.

Vice-Chairperson Lewis made a motion to proclaim the month of May as Building Safety month. Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A GRANT WITH GEORGIA TRAUMA CARE NETWORK COMMISSIONER FOR MONEY FOR AN AMBULANCE (06): EMS Director McDuffie explained that the Georgia Trauma Care Network Commission was created in 2007 by the Georgia Legislature through Senate Bill 60. The Trauma Commission is attached to the Department of Community Health for administrative purposes only. The Georgia Trauma Care Network Commission was established to create a trauma system for the State of Georgia and to act as the accountability mechanism for distribution of trauma system funds appropriated each fiscal year by the legislature. There is \$2,125,000 that has been designated for a grant. The money has to go towards the purchase of a new ambulance or to have an old ambulance remounted. The grant was due April 16th, therefore, the commissioners were polled by telephone and the application was approved. Approval now is for the record.

Commissioner Loper made a motion to approve a grant with Georgia Trauma Care Network Commissioner for Money for an ambulance (see minute book page ____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A PROPOSAL WITH HUSSEY, GAY, BELL, DEYOUNG FOR DESIGN SERVICES FOR THE VEHICLE MAINTENANCE SHOP (07): Project Manager Kobek explained that the current vehicle maintenance shop is quite old, outdated and currently is in bad conditions. It is listed as being constructed in 1975 for insurance purposes but the building shell could have been constructed earlier along with the original work camp. The wood framed building cover is bear sheet metal and is inadequate to accommodate all of the County's fleet of vehicles, such as fire apparatus

and EMS trucks. The two bay shops will accommodate only 4 vehicles at a time with two lifts. Staff proposes to enclose and modify the existing pole barn structure behind Animal Control to serve as the new vehicle maintenance shop. Staff recommends hiring Hussey, Gay, Bell, DeYoung for design services to design plans and create specifications so that the County can formally bid the construction phase of the project. The lump sum proposal includes architectural services, civil engineering and mechanical, electrical and plumbing engineering services and the costs of these services will be \$23,500.

Mrs. Ruth Lee stated her concerns about the proposal from Hussey, Gay, Bell, and DeYoung.

Commissioner Utleby made a motion for staff to negotiate a lower price with Hussey, Gay, Bell, and DeYoung. Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN AMENDMENT NUMBER 1 WITH OMNIFLIGHT HELICOPTERS (08): Project Manager Kobek explained that the Board has a lease agreement with OmniFlight for 60 months. Recently, OmniFlight is interested in using the Effingham County site for a possible refueling site for another one of their helicopters. If OmniFlight will be landing additional aircraft, staff recommended providing an additional landing pad, clearing more trees and improved soil and erosion control. A change order was presented at the Boards last meeting to construct and complete these site changes. It was the consensus at the April 6th meeting to make sure the OmniFlight was agreeable to a modification of the lease agreement prior to approving any changes to the site. Amendment Number 1 states that the rent is increased by \$250 per month of \$15,927 over the life of the agreement to compensate the County for increased improvements. The amendment adds a total of \$15,927 to the life of the agreement, states that only 80 flights (takeoffs and landings count as 1 flight) per month are allowed without notification to the County Administrator.

Commissioner Loper made a motion to approve an amendment number 1 with OmniFlight Helicopters (see minute book page _____). Commissioner Utleby seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE SITE IMPROVEMENTS AT EMS/OMNIFLIGHT (09): Project Manager Kobek explained that the Board and OmniFlight Agreed to an amendment to cover the additional site cost. Staff recommends having the onsite

contractor HARCO complete the additional clearing, pouring the additional slab and the erosion control and grassing. The cost will be \$15,800.

Commissioner Utley made a motion to approve site improvements at EMS/OmniFlight in the amount of \$15,800. Chairman Zeigler seconded the motion. Commissioner Loper opposed the motion. Chairman Zeigler, Vice-Chairperson Lewis, Commissioner Utley, and Commissioner Brantley voted in favor of the motion. The motion carried.

CONSIDERATION TO APPROVE A CONSULTANT AGREEMENT BETWEEN TISCHLERBISE, INC. AND EFFINGHAM COUNTY FOR REVIEW AND REVISION OF THE CAPITAL IMPROVEMENTS ELEMENT AND IMPACT FEE STUDY (10): County Administrator Crawley explained that the Board of Commissioners approved the project proposal with TischlerBise, Inc. to review and revise the Capital Improvements Element and Impact Fees analysis. TischlerBise, Inc. has provided a Consultant Agreement for services.

Chairman Zeigler made a motion to approve a consultant agreement between TischlerBise, Inc. and Effingham County for review and revision of the Capital Improvements Element and Impact Fee Study (see minute book page ____). Vice-Chairperson Lewis seconded the motion. Commissioner Loper opposed the motion. Chairman Zeigler, Vice-Chairperson Lewis, Commissioner Utley, and Commissioner Brantley voted in favor of the motion. The motion carried.

CONSIDERATION TO APPROVE THE FIRST READING OF THE OFFICIAL CODE OF EFFINGHAM COUNTY CHAPTER 10 ARTICLE II AND IV (11): A Public Hearing was held to approve the first reading of the Official Code of Effingham County Chapter 10 Article II and IV.

Zoning Administrator Shaw explained that a citizen had brought to staffs attention that Effingham County rabies requirements were not in line with State law and currently available vaccines. State law allows for vaccinations yearly or triennially based on the type of vaccine used. Staff recommends changing the ordinance to allow the three year vaccine.

There were no objectors present.

Commissioner Loper made a motion to approve the First Reading of the Official Code of Effingham County Chapter 10 Article II and IV (see minute book page ____). Commissioner Utley seconded the motion. The motion carried unanimously.

ADDITION TO THE AGENDA

CONSIDERATION TO APPROVE NOMINATION OF COMMISSIONER REGINALD LOPER TO FILL THE VACANCY OF ONE OF THE AT-LARGE REPRESENTATIVE POSITIONS OF THE BOARD OF MANAGERS OF THE ASSOCIATION OF COUNTY COMMISSIONERS OF GEORGIA (12): County Administrator Crawley explained that the Association of County Commissioners of Georgia Board of Managers has an At-Large Representative position open. Commissioner Loper has an interest on filling the vacancy on the Board of Managers.

Commissioner Utley made a motion to approve the nomination of Commissioner Reginald Loper to fill the vacancy of one of the At-large Representative Positions of the Board of Managers of the Association of County Commissioners of Georgia. Vice-Chairperson Lewis seconded the motion. Chairman Zeigler and Commissioner Brantley opposed the motion. Vice-Chairperson Lewis, Commissioner Utley and Commissioner Loper voted in favor of the motion. The motion carried.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

Commissioner Brantley discussed the following:

- ◆ Workshop with the Hospital to be at night on May 4th

Chairman Zeigler discussed the following:

- ◆ EFAC grand opening
- ◆ Recreation Parks being vandalized
- ◆ Georgia Pacific sludge pond

County Administrator Crawley discussed the following:

- ◆ Old Augusta Road
- ◆ Transportation Advisory Board
- ◆ DOT STIP Meeting
- ◆ Effingham Parkway
- ◆ I-16/Old River Road
- ◆ Guyton wastewater
- ◆ Financial Update
- ◆ Draft budget
- ◆ Quarterly Meeting
- ◆ Vision Effingham at the Chamber
- ◆ Windfield pump station
- ◆ Grant applications to have a committee
- ◆ ACCG schedule of events

EXECUTIVE SESSION

At 4:14 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 _____).

The Board broke for dinner at 5:00 p.m.

Chairman Zeigler left the meeting.

PLANNING BOARD PRESENTMENTS

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

NEW BUSINESS

DENNIS G. DOZIER, SR. – PUBLIC HEARING (01): A Public Hearing was held on the application by Dennis G. Dozier to rezone 1 acre located at 422 Mill Pond Road from AR-1 to AR-2 Map and Parcel 461-45 in the Fourth District.

Zoning Administrator Shaw presented the request.

Mr. Dennis Dozier explained why the rezoning should be approved.

No objectors were present.

Commissioner Loper made a motion to approve the First Reading of the amendment to the Effingham County Zoning Ordinance, Map and Parcel No. 461-45 to rezone 1 acre located at 422 Mill Pond 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.
5. The remaining 1.45 acre tract shall be combined with the adjoining 7.254 acres.

Commissioner Brantley seconded the motion. The motion carried unanimously.

LINWOOD SECKINGER – PUBLIC HEARING (02): A Public Hearing was held on the application by Linwood Seckinger to rezone 25.33 acres located off Ebenezer Road, Hwy 275 from AR-1 to AR-2 Map 460 and Parcel 56 in the Fifth District.

Zoning Administrator Shaw presented the request.

No objectors were present.

Commissioner Utleby made a motion to approve the First Reading of the amendment to the Effingham County Zoning Ordinance, Map and Parcel No. 460-56 to rezone 25.33 acres located off Ebenezer 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.

Commissioner Brantley seconded the motion. The motion carried unanimously.

JOHN ALLEN SANDERS – PUBLIC HEARING (03): A Public Hearing was held on the application by John Sanders for a variance use to park a RV on his property while constructing a home located off of Long Pond Road Map 462 Parcel 8 in the Fifth District.

Zoning Administrator Shaw presented the request.

No objectors were present.

Commissioner Utlely made a motion to approve the First Reading of the amendment to the Effingham County Zoning Ordinance, Map and Parcel No. 462-8 for a variance use to park a RV on his property while constructing a home located off of Long Pond Road Map and Parcel 462-8 with the following stipulations:

1. The variance use shall be effective from the issue date the building permit and expire on the one year anniversary date.
2. The septic tank and deep well shall be installed prior to the construction of the home.

Commissioner Brantley seconded the motion. The motion carried unanimously.

EFFINGHAM COUNTY – PUBLIC HEARING (04): A Public Hearing was held on the application by Effingham County to amend Article III (General Provisions) of the Effingham County Zoning Ordinance to permit a new section to allow for temporary dwellings in Agricultural and Single Family residential districts.

Zoning Administrator Shaw presented the request.

No objectors were present.

Commissioner Loper made a motion to approve the First Reading of the amendment to Article III (General Provisions) of the Effingham County Zoning Ordinance to permit a new section to allow for temporary dwellings in Agricultural and Single Family Residential districts. Commissioner Brantley seconded the motion. The motion carried unanimously.

EFFINGHAM COUNTY – PUBLIC HEARING (05): A Public Hearing was held on the application by Effingham County to amend Article V Section 5.7 (R-4 Planned Manufactured Home Community District) of the Effingham County Zoning Ordinance.

Zoning Administrator Shaw presented the request.

No objectors were present.

Commissioner Brantley made a motion to table the amendment to Article V Section 5.7 (R-4 Planned Manufactured Home Community District) of the Effingham County Zoning Ordinance. The Public Hearing was held. Commissioner Loper seconded the motion. The motion carried unanimously.

CONTINUED COMMITTEE REPORT

Commissioner Utley discussed the following:

- ◆ Effingham County Board of Commissioners Face Book Page

ADJOURNMENT

At 6:20 p.m., Vice-Chairperson Lewis made a motion to adjourn the meeting. Commissioner Brantley seconded the motion. The motion carried unanimously.

C. D. Zeigler, Chairman

Patrice R. Crawley, County Clerk