

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, July 20, 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, Mrs. Joanna Wright, Finance Director, Ms. Rushe Hudzinski-Sero, Mr. Jim Markel, Mr. Ted Carellas, Mr. Wilson Burns, Ms. Gussie Nease, Mr. Rick Rafter, Ms. Ruth Lee, Mr. Justin Dodd, and Mr. Phil Dodd.

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

Commissioner Phillips made a motion to approve the Agenda Resolution (see minute book page ____). Commissioner Loper seconded the motion. The motion carried unanimously.

MINUTES

Vice-Chairperson Lewis made a motion to approve the minutes for the June 15, 2010 Board of Commissioners Meeting, June 25, 2010 and July 2, 2010 Special Called Meeting. Commissioner Phillips 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 the Consent Agenda out loud.

Commissioner Loper made a motion to approve the following:

- (01) Errors and Releases for Motor Vehicles and (02) property Tax as submitted by the Tax Commissioner and the following Zoning Amendments:
- (03) Zoning Map and Parcel 272-14 by William Monroe, JR. to rezone 325 Acres located off of Hwy 119;
- (04) Zoning Map and Parcel 349-4 by Bonnie Romine to rezone 8 acres located at 1736 Midland Road from I-1 to AR-;
- (05) Zoning Map and Parcel 312-1 by Jack Edwards for a conditional use located at 1161 Corinth Church Road for a family cemetery with the stipulation that a plat of the cemetery shall be approved by the zoning administrator and recorded;
- (06) Zoning Map and Parcel 388B-14 by Ambra Metzger for a conditional use located at 1456 Hwy 119 North for a group daycare/home daycare with the stipulations that the applicant shall meet all State requirements for the daycare and all outdoor play areas shall be fenced;
- (07) Zoning Map and Parcel 108-7 by Phillip Dodd to rezone 5 acres located at 441 Reiser Road from AR-2 to AR-1 with the stipulations that the applicant shall meet all requirements of the AR-1 zoning district and all septic systems shall be approved by the Effingham County Health Department;
- (08) Zoning Map and Parcel 232-24 by William L. Jordan to rezone 2.50 acres located off of Helmey Drive from AR-2 to AR-1.

Commissioner Utley seconded the motion. The motion carried unanimously.

OLD BUSINESS

CONSIDERATION TO APPROVE THREE AT LARGE MEMBERS TO THE PLANNING

BOARD (01): County Clerk Crawley explained that John Battle, Dave Burns, and Alphonso Giles are at-large members of the Planning Board. These gentlemen's term has expired. The openings for the Planning Board were advertised in the Effingham County Herald. Mr. Wyatt Hunter is interested in serving on Planning Board.

Commissioner Phillips made a motion to approve Wyatt Hunter, Dave Burns, and Alphonso Giles to serve on the Planning Board in the At-Large Positions. Commissioner Brantley seconded the motion. Vice-Chairperson Lewis opposed the motion. Chairman Zeigler, Commissioner Phillips, Commissioner Utley, Commissioner Loper and Commissioner Brantley voted in favor of the motion. The motion carried.

CONSIDERATION TO APPROVE AMENDMENT TWO OF THE FLEET MANAGEMENT CONTRACT WITH FIRST VEHICLE SERVICES, INC. (02): Project Manager Kobek explained that the County has been using the services of First Vehicle Services, Inc. since 2007. First Vehicle provides preventative maintenance and corrective repairs for the county's vehicles, heavy equipment and machines. The proposed amendment is to extend the contract with First Vehicle for an additional year and affix the fee structure for the upcoming year.

Commissioner Brantley a motion to approve amendment two to the Fleet Management Contract with First Vehicle Services, Inc. (see minute book page __). Commissioner Loper seconded the motion. The motion carried unanimously.

NEW BUSINESS

MONTHLY RETIREMENT PLAN OVERVIEW (01): Human Resources Director Hudzinski-Sero and Merrill Lynch Advisor Gini Nichols gave a brief overview of the County Retirement Plan.

CONSIDERATION TO APPROVE AMENDMENT NUMBER 15 OF THE GROUP ANNUITY CONTRACT 1263 ISSUED BY JOHN HANCOCK LIFE INSURANCE COMPANY (02): Human Resources Director Hudzinski-Sero explained that Merrill Lynch and TEGRA have created the new retirement accounts with MG Trust for the county 457(b) and 401(a) and the Defined Benefit Plan in accordance with and approved by the Board of Commissioners on December 12, 2007. The ACCG amendment will discontinue the ACCG Group Annuity Contract with John Hancock and move assets for recipients to a separate set of annuities guaranteed by John Hancock.

Vice-Chairperson Lewis made a motion to approve amendment Number 15 of the Group Annuity Contract 1263 issued by John Hancock Life Insurance Company (see minute book page __). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A RESOLUTION AND LETTER OF SUPPORT FOR AEP DEVELOPMENT COMPANY TO BUILD A MULTI-FAMILY HOUSING COMPLEX FOR SENIOR CITIZENS USING LOW INCOME HOUSING TAX CREDIT PROGRAM THROUGH GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS (03): County Administrator

Crawley explained that Georgia DCA offers the Low Income Tax Credit program to encourage the development of housing for low income residents of Georgia. The tax credits increase the likelihood that quality affordable housing will be made available. AEP Development is proposing to develop Housing for older persons next to Kroger in front of Silverwood subdivision. AEP Development is requesting a resolution and letter of support for their project to increase the likelihood of success in their application for the Low Income Housing Tax Credit.

Mr. Ted Carrellas and Mr. Jim Markel answered questions concerning the AEP Development.

Commissioner Brantley made a motion to approve a Resolution and Letter of Support for AEP Development Company to build a multi-family housing complex for senior citizens using Low Income Housing Tax Credit Program through Georgia Department of Community Affairs (see minute book page _____).

Commissioner Loper 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.

CONSIDERATION TO APPROVE A RESOLUTION AND LETTER OF SUPPORT FOR REA DEVELOPMENT COMPANY TO BUILD A MULTI-FAMILY HOUSING COMPLEX USING THE LOW INCOME HOUSING TAX CREDIT PROGRAM THROUGH GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS (04):

County Administrator Crawley explained that Georgia DCA offers the Low Income Tax Credit program to encourage the development of housing for low income residents of Georgia. The tax credits increase the likelihood that quality affordable housing will be made available. REA Development is proposing to develop a 60 unit complex on Goshen Extension. REA Development is requesting a resolution and letter of support for their project to increase the likelihood of success in their application for the Low Income Housing Tax Credit.

Mr. Bill Ray answered questions concerning the proposal from the REA Development Company.

Commissioner Loper made a motion to approve a Resolution and Letter of Support for REA Development Company to build a multi-family housing complex using the Low Income Housing Tax Credit program through Georgia Department of Community Affairs (see minute book page ____). 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.

CONSIDERATION TO APPROVE AN AGREEMENT WITH THE ASSOCIATION COUNTY COMMISSIONERS OF GEORGIA FOR THE GEORGIA COUNTY INTERNSHIP PROGRAM SUBGRANT AGREEMENT (05): GIS Project Manager Aycock explained that Association County Commissioners of Georgia (ACCG) has received a grant from the Georgia Department of Labor to fund internships for college and graduate students in county government from May 1, 2010 until September 30, 2010. In exchange for the County hiring an eligible college or graduate student to perform substantive work projects and to learn about the operations of county government, ACCG shall provide funding to the County. 3,400 hours have already been budgeted in 2010-2011 fiscal year at an hourly rate of \$10.51. The grant will offset the cost of the budgeted intern.

Commissioner Phillips made a motion to approve an agreement with the Association County Commissioners of Georgia for the Georgia County Internship Program Subgrant agreement (see minute book page ____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO ACCEPT A BID FOR SCBA BREATHING APPARATUS KITS FOR THE FIRE DEPARTMENT (06): Purchasing Agent Newland and Fire Chief Ashcraft explained that at the June 15, 2010 Commissioner's meeting, the Board accepted the 2009 Assistance to Firefighter's Grant which provides funding for new breathing apparatus for the Effingham County Fire Department. The Fire Department currently has an older version of the Scott Breathing Apparatus but would like to change to the MSA Equipment for several reasons; comfort, ease of putting on the equipment, lower maintenance/inspection costs, yet the equipment currently incompatible with Rincon, Springfield & Guyton equipment

but MSA offers a local service facility. The MSA face pieces are not interchangeable with Scott equipment so additional face pieces will have to be purchased to fit the Fire Department Volunteers at a one time cost of \$200.87 per mask.

Commissioner Loper made a motion to accept a bid SCBA Breathing apparatus kits for the Fire Department. Commissioner Utley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A SERVICE AGREEMENT FOR COUNTY CELLULAR SERVICES WITH VERIZON WIRELESS (07): Purchasing Agent Newland explained that currently the County has a contract for cellular services with Alltel which merged with Verizon Wireless in December, 2009. The current Alltel equipment is not compatible with the Verizon towers so the County will have to get new equipment. The service agreement with Verizon Wireless is GTA Agency/Agreement which offers the Federal rate to state and local governments. With this service agreement, the County will have the ability to make changes to the account as needed.

Commissioner Phillips made a motion to approve a Service Agreement for County Cellular Services with Verizon Wireless (see minute book page ____). Commissioner Utley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A RENTAL AGREEMENT WITH THE DEPARTMENT OF JUVENILE JUSTICE FOR OFFICE SPACE (08): Purchasing Agent Newland explained that the State Properties Commission has prepared a rental agreement for the Department of Juvenile Justice for the building located at 508 Pine Street. Either party may terminate the rental agreement by giving 60 day prior written notice. The County has entered this same rental agreement in years past.

Commissioner Lewis made a motion to approve an agreement with the Department of Juvenile Justice for office space (see minute book page ____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A SERVICE AGREEMENT WITH UNIFIRST TO PROVIDE UNIFORM SERVICE FO THE PUBLIC WORKS DEPARTMENT (09): Purchasing Agent Newland explained that uniforms are needed for the Public Works

Department for safety reasons, professional appearance/identification for the public and the type of services provided by this department. Staff completed a cost/benefit analysis between several uniform companies as well as purchasing uniforms outright. By going with a uniform company, the uniforms will maintain a professional appearance because worn or torn garments will be replaced and stained items will be professionally cleaned or replaced at no cost to the County. Staff recommends that UniFirst as the uniform services for the Public Works Department.

Vice-Chairperson Lewis made a motion to approve a Service Agreement with UniFirst to provide uniform service for the Public Works Department (see minute book page ____). Commissioner Utey seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A PROPOSAL WITH INTEGRATED SCIENCE & ENGINEERING FOR THE 2010 LONG-TERM MONITORING AS DIRECTED IN THE WATERSHED PROTECTION PLAN (10): County Engineer Liotta explained that part I.A.6 of the 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 by 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).

Commissioner Phillips made a motion to approve a proposal with Integrated Science & Engineering for the 2010 Long-Term Monitoring as directed in the Watershed Protection Plan (see minute book page ____). Vice-Chairperson Lewis seconded the motion. The motion carried unanimously.

DISCUSSION OF THE FLOOD DAMAGE PREVENTION ORDINANCE (11): County Engineer Liotta explained that in 1986, the Board of Commissioners passed the first model ordinance for flood damage prevention, as required for participation in

the National Flood Insurance Program (NFIP). The ordinance was modified in 1991 and 1995. The current ordinance regulates development in the areas designated as special flood hazard zones on the paper Flood Insurance Rate Maps (FIRM) dated March 18, 1987. Since the maps are being updated to Digital FIRM (DFIRM) on December 17, 2010, we are required to update our ordinance to match the latest model by September 30. NFIP insurance is required for all federally-backed mortgages, such as FHA and VA, in special flood hazard areas, so these home loan programs would effectively become unavailable to homebuyers in flood zones.

CONSIDERATION TO APPROVE AN ENGAGEMENT LETTER TO REVIEW CERTAIN ASPECTS OF THE FIRE FEE PAYMENTS FROM 2002-2009 (12): Finance Director Wright explained that the Finance Department developed a request for proposal for professional services to assist in the review of documented fire fee payments made to municipal entities by the county. Two bids from accounting firms were received. Staff recommends Karp, Ronning & Tidol.

Commissioner Utley made a motion to approve an Engagement Letter to review certain aspects of the fire fee payments from 2002-2009 (see minute book page ____). Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN ENGAGEMENT LETTER WITH CAINES, HODGES, PACE & COMPANY, P.C. FOR THE EFFINGHAM COUNTY INMATE ACCOUNTS (13): Finance Director Wright explained that the Sheriff's office currently maintains accounts on behalf of inmates. These funds are used to purchase personal items and are funded solely by the inmates and their families. These accounts are not a part of the Effingham County general audit. The Sheriff has requested that the process used in recording these accounts be reviewed by Caines, Hodges, Pace & Company.

Vice-Chairperson Lewis made a motion to approve an Engagement Letter with Caines, Hodges, Pace & Company, P.C. for the Effingham County Inmate Accounts (see minute book page ____).

CONSIDERATION TO APPROVE TO EXERCISE THE CONTRACT RENEWAL OPTION WITH CAINES, HODGES, PACE & COMPANY P.C. FOR AUDIT SERVICES FOR THE YEAR ENDING JUNE 30, 2010 (14): Finance Director Wright explained that in July 2007 a RFP was solicited for audit services. The Board of Commissioner's awarded a two year contract with the provision for two additional years to the auditing firm of Caines, Hodges, Pace & Company, P.C. The engagement letter details the work and services to be performed by the auditors together with the responsibilities of the County.

Commissioner Loper made a motion to approve exercising the contract renewal option with Caines, Hodges, Pace & Company, P.C. for the audit services for the year ending June 30, 2010 (see minute book page ____). Commissioner Phillips seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AGING SERVICES CONTRACT WITH COASTAL REGIONAL COMMISSION (15): Finance Director Wright explained that each year the County renews a contract with Coastal Regional Commission Council to be the provider of Aging Services to the senior citizens of Effingham County. The contract is for the period of July 1, 2010 to June 30, 2011 and is to provide meals to the seniors.

Vice-Chairperson Lewis made a motion to approve the aging services contract with Coastal Regional Commission (see minute book page ____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO AWARD A FURNITURE BID FOR THE HISTORIC COURTHOUSE (16): Project Manager Kobek explained that since April, 2009 the County has been rehabilitating the Historic Courthouse. Anticipated completion is scheduled for October 15, 2010. County staff working in conjunction with the design team created a furniture plan to work with the rehabilitated Courthouse while also making cost effective selections. The bids were publically offered to all respondents. Modern Business Systems returned the lowest qualified bid, matching each selection specified or approved equivalent. Staff recommends that the Board award the bid to Modern Business Systems.

Commissioner Phillips made a motion to award a furniture bid for the Historic Courthouse. Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO REAPPOINT HERB JONES TO THE COASTAL REGIONAL COMMISSION COUNCIL (17): County Clerk Crawley explained that Herb Jones has represented Effingham County on the Coastal Regional Commission (CRC) Council for the past several years. The City of Rincon and Springfield agreed that Mr. Jones would be a good choice to represent Effingham County on the CRC Council. His term would only be for one year.

Commissioner Phillips made a motion to reappoint Herb Jones to the Coastal Regional Commission Council. Vice-Chairperson Lewis seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A PROCLAMATION PROCLAIMING AUGUST 4, 2010 AS ROSS ROUNDTREE DAY, THE FIRST PRINCIPAL OF EFFINGHAM COUNTY HIGH SCHOOL (18): County Clerk Crawley explained that Ross Roundtree was the first principal at Effingham County High School. A conference room at the school is going to be dedicated in his memory and will be dedicated on August 4th at 10 a.m. It has been requested that the Board proclaim August 4th as Ross Roundtree Day.

Vice-Chairperson Lewis made a motion to approve a Proclamation Proclaiming August 4, 2010 as Ross Roundtree Day. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A RESOLUTION CALLING FOR THE IMPOSITION OF THE SPECIAL PURPOSE LOCAL OPTION SALES TAX (19): County Administrator Crawley explained that current Special Purpose Local Option Sales Tax (SPLOST) Referendum will expire June 30, 2012. In order to continue the collection of SPLOST revenue to fund capital outlay projects then it is necessary for the Board to approve a resolution calling for an election to impose a County-Wide Special Purpose Local Option Sales Tax. The next scheduled election for which a referendum can be placed on the ballot is November 2, 2010. A simple majority of the county voters will determine whether the SPLOST referendum passes or fails.

Staff has conducted several workshops with the Board to determine how revenue would be allocated. Due to the current age, condition, and lack of space in the County's existing jail facility, the Board of Commissioners has planned to construct a new jail and Sheriff's administrative complex. The construction of the facility is estimated to cost \$16 million. The construction of a new jail and Sheriff's administrative complex is a project that benefits the citizens of both the city and county and meets the definition of a "Level one County-Wide Project" as defined in O.C.G.A. Therefore the cost of constructing a new facility will be deducted from the estimated \$70 million in projected revenue prior to the disbursement of tax proceeds to the cities, as outlined in O.C.G.A. Thus, resulting in \$54 million that will be disbursed among the cities and the county based on population. The 2010 census results will be received prior to the collection of and disbursement of SPLOST revenue generated through this referendum.

Mr. Rick Rafter explained if the hospital was a SPLOST project what HUD would need from the County.

Chairman Zeigler made a motion to approve a Resolution calling for the imposition of the Special Purpose Local Option Sales Tax (SPLOST) with the addition of the City of Guyton adding their amount (see minute book page ____). Commissioner Phillips seconded the motion. The motion carried unanimously.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

Chairman Zeigler discussed the following:

- ◆ Committee Appointments
- ◆ Rev. Roland Dann concerning curfews

Vice-Chairperson Lewis discussed the following:

- ◆ Steel Bridge
- ◆ Concerted Services raffle

Commissioner Phillips discussed the following:

- ◆ MAAP program

Commissioner Utley discussed the following:

- ◆ Local contract receiving a percentage off for being local

County Administrator Crawley discussed the following:

- ◆ Update on Four Day Workweek
- ◆ Grand Opening of EMS/OMNIFLIGHT
- ◆ Insurance Committee
- ◆ Building Committee meeting

- ◆ Park Promenade update
- ◆ Library meeting with the Board of Education
- ◆ Committee Appointments

The Board broke for dinner at 5:19 p.m.

PLANNING BOARD PRESENTMENTS

The Board reconvened at 6:02 p.m. for Planning Board Presentments.

NEW BUSINESS

REBECCA ROSE – PUBLIC HEARING (01): A Public Hearing was held on the application by Rebecca Rose for a variance use located at 533 Old Louisville Rd to allow for a sign larger than 16 square feet Map 272 and Parcel 22 in the Second District.

Zoning Administrator Shaw presented the request.

No objectors were present.

Vice-Chairperson Lewis made a motion to approve the First Reading of the amendment to the Effingham County Zoning Ordinance, Map and Parcel No. 272-22 for variance use located at 533 Old Louisville Rd to allow for a sign larger than 16 square feet with the following stipulations:

- 1 The sign shall be up to 40 square feet
- 2 The sign shall only be illuminated three weekends per year.

Commissioner Loper seconded the motion. The motion carried unanimously.

WARREN POYTHRESS – PUBLIC HEARING (02) & (03): A Public Hearing was held on the application by Warren Poythress to rezone 10 acres located on Hodgeville Road from R-1 to R-1 with a change in the previous stipulations Map 416 and Parcel 17 & 18 in the Second District.

Zoning Administrator Shaw presented the request. It was noted that the neighboring property owner did not want the change of the stipulation.

No objectors were present.

Vice-Chairperson Lewis made a motion to deny the application by Warren Poythress. Commissioner Phillips seconded the motion. The motion carried unanimously.

BRIAN AND GENEVIEVE EDWARDS – PUBLIC HEARING (03): A Public Hearing was held on the application by Brain and Genevieve Edwards for a conditional use map 345 parcel 36A located at 1768 Pleasant Acre Road to operate a horse boarding facility providing training and lessons in the Fourth District.

Zoning Administrator Shaw presented the request.

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. 345-36A for a conditional use located at 1768 Pleasant Acre Road to operate a horse boarding facility providing training and lessons with the stipulation that the applicant must meet all requirements of Chapter 10, Animals, of the Effingham County Official Code including the separation requirement of 200 feet from the nearest dwelling. Commissioner Brantley seconded the motion. The motion carried unanimously.

EXECUTIVE SESSION

At 6:17 p.m., Chairman Zeigler made a motion to go into Executive Session to discuss personnel, property, and pending litigation. Commissioner Loper 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 7:08 p.m., Chairman Zeigler made a motion to adjourn the meeting. Commissioner Lewis seconded the motion. The motion carried unanimously.

C. D. Zeigler, Chairman

Patrice R. Crawley, County Clerk