

**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 5:00 p.m. on Tuesday, August 17, 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, Mrs. Vera Jones, Mrs. Carolyn Collins, Mrs. Ruth Lee, Mr. Phil Kieffer, Mrs. Joyce Thompson, Mr. Mack Thompson, and Mr. Warren Kennedy.

**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 requested to add New Business 07 – Consideration to approve the Third Amendment to the Intergovernmental Agreement with the Secretary of State for the Voting System.

Commissioner Loper made a motion to approve the Agenda Resolution with the addition to New Business Number 07 (see minute book page \_\_\_\_).

Commissioner Brantley seconded the motion. The motion carried unanimously.

**CORRESPONDENCE**

Chairman Zeigler stated that all correspondence for the Board of Commissioners is kept in the County Clerk's office. Anyone who is interested in viewing these may do so in the County Clerk's office.

MINUTES

Vice-Chairperson Lewis made a motion to approve the minutes for the November 09, 2009 with corrections and August 03, 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.

OLD BUSINESS

**CONSIDERATION TO APPROVE THE SECOND READING OF THE FLOOD DAMAGE PREVENTION ORDINANCE (01):** 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, 2010. On July 20<sup>th</sup> the ordinance was discussed, on August 3<sup>rd</sup> the Public Hearing was held and the First Reading was approved.

Commissioner Phillips made a motion to approve the Second Reading of the Flood Damage Prevention Ordinance (see minute book page \_\_). Commissioner Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A DEED FOR LONESOME OAK PHASE II (02):** County Engineer Liotta explained that Indigo Land Development Co. requested the County to accept ownership and maintenance of the infrastructure, roads and drainage, but not including ponds, for Lonesome Oak Phase II, located off of Courthouse Road. At the June 1, 2010 Board Meeting, County Attorney Gotwalt recommended tabling the accepting until wording could be changed within the deed. The Developer has changed the wording and the County Attorney is satisfied with the deed. Staff recommends approval.

Commissioner Brantley made a motion to approve a deed for Lonesome Oak Phase II (see minute book page \_\_\_\_\_). Commissioner Phillips seconded the motion. The motion carried unanimously.

**NEW BUSINESS**

**AWARD PRESENTATION AND RECOGNITION (01):** Human Resources Director Hudzinski-Sero stated that Martha Cox, Eli Vandiver, Sonya Wilkinson, and Walter Wright have successfully completed the Dale Carnegie Course. Kevin Hearn had successfully completed and passed the national certification exam for Professional in Human Resources through the Society of Human Resource Management.

**CONSIDERATION TO ADD AN ADDITIONAL SCHOOL RESOURCES OFFICER TO THE SHERIFF'S DEPARTMENT (02):** Human Resources Director Hudzinski-Sero explained that Sheriff has requested an additional School Resource Officer position. The addition will make sure that all of the Middle Schools and High Schools have a Deputy Sheriff present at the school.

Commissioner Utley made a motion to add an additional school resource officer to the Sheriff's Department. Commissioner Loper seconded the motion. Chairman Zeigler and Commissioner Phillips voted against the motion. Vice-Chairperson Lewis, Commissioner Utley, Commissioner Loper, and Commissioner Brantley voted in favor of the motion. The motion carried.

**CONSIDERATION TO APPROVE MAJOR MEDICAL AND SUPPLEMENTAL INSURANCE RENEW RATES (03):** Human Resources Director Hudzinski-Sero explained that the renewal rates for Major Medical and Supplemental Insurance representing all components of the current insurance plan have been received. The Guardian/AFLAC plan renewals were reviewed and have begun to be renegotiated beginning July 20, 2010 for the following sections: major medical, dental, vision, AD&D/life and supplemental insurances. The Effingham County claims experience showed expenditure above/below premiums and loss ratios in medical(-21% - not including current approvals), prescription (+4%), and dental (-14% - not including current approvals) plans. The increases will be in major medical, vision plan, and STD/LTD.

Human Resource Generalist Kevin Hearn mentioned that Guardian does not offer the exact plan that the Board currently holds, but will honor it as long as it is renewed.

Mrs. Ruth Lee stated her concerns on the cost of the health insurance for County Employees.

Commissioner Loper made a motion to table the renewal rates until August 24<sup>th</sup>. Commissioner Brantley seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE TRAINING ACTIVITIES FOR EFFINGHAM FIRE RESCUE ON ATLAS SAND PROPERTY (04):** Public Safety Director Ashcraft explained that Effingham Fire Rescue is requesting authorization to conduct fire and rescue training activities on the sand plant property. The property facilities consist of large concrete pad which would be a suitable location to erect small cinder block wall. Upon training completion/demolition, the debris can be left on site until cleanup of the broken block can be facilitated. The location is ideal because it is out of sight of the public, and far enough away from residential structures as not to cause a noise problem. All training evolutions will utilize hand tools.

Commissioner Loper made a motion to approve training activities for Effingham Fire Rescue on Atlas Sand Property. Commissioner Brantley seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A PERFORMANCE PARTNERSHIP AGREEMENT WITH GEORGIA EMERGENCY MANAGEMENT AGENCY (GEMA) (05):** Public Safety Director Ashcraft explained that Georgia Emergency Management Agency (GEMA) provides funding support to local qualified governments for administrative expenses to administer and manage federal and state assistance programs. The Performance Partnership Agreement is an annual opportunity to receive supplemental funding for Emergency Management activities.

Commissioner Phillips made a motion to approve a Performance Partnership Agreement with Georgia Emergency Management Agency (GEMA)

(see minute book page \_\_\_\_\_). Commissioner Brantley seconded the motion. The motion carried unanimously.

**DISCUSSION OF THE DRAFT ETHICS ORDINANCE (06):** County Administrator Crawley explained that as previously discussed and requested by the Board of Commissioners, staff has researched and presents a draft Ethics Ordinance for discussion. The attached draft is taken from the “Model Ethics Ordinance for Counties” created by ACCG. The model ordinance is through and complete, providing two options for the creation of an Ad Hoc Board of Ethics or the creation of a Standing Board of Ethics. The subject ordinance may apply to not only County Commissioners, but to employees and boards or authorities appointed by the Board of Commissioners. However, the Board may choose not to include employees as the Human Resource Manual currently outlines a disciplinary and appeal process. The ordinance would not apply to Constitutional Officers as the Board does not have management authority with regard to the day-to-day operations of such officers and the Board is not authorized to enforce action against these officials.

After discussion, it was stated to put the Ethics Ordinance on the September 7 agenda for approval.

**ADDITION TO THE AGENDA**

**CONSIDERATION TO APPROVE THE THIRD AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT WITH THE SECRETARY OF THE STATE FOR THE VOTING SYSTEM (07):** County Administrator Crawley explained that an Intergovernmental Agreement was entered into with the State of Georgia and Effingham County for the loan and use of the Express Polls in 2005. These units are used for programming voter access cards and for assessing and collecting voter information electronically at the polling precinct for credit of voting. Currently, a Third Amendment to the Intergovernmental Agreement has been issued for bar code scanners that will enhance the Express Poll Units.

Commissioner Brantley made a motion to approve the Third Amendment to the Intergovernmental Agreement with the Secretary of State for the Voting

System (see minute book page \_\_\_\_). Commissioner Loper seconded the motion. The motion carried unanimously.

**REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF**

Commissioner Loper discussed the following:

- ◆ Update on the CRC meeting
- ◆ Update on the water council

Commissioner Phillips discussed the following:

- ◆ Health Department – MAPP meeting

Commissioner Utley discussed the following:

- ◆ Update of the Transportation Advisory Council

Project Manager Kobek discussed the following:

- ◆ Environmental and Education Building at the Dry Waste Recycle Collection site
- ◆ OMNI Flight overhead door
- ◆ EMS canopy, generator
- ◆ Site work at the Courthouse

County Administrator Crawley discussed the following:

- ◆ Park Promenade meeting
- ◆ Library Board meeting in October
- ◆ Hospital Financial quarterly report requirements
- ◆ GA Trend Advertisement in October
- ◆ Property Taxes overview
- ◆ Vance Smith Meeting
- ◆ Fire meeting with Liaison Commissioners
- ◆ August 24<sup>th</sup> meeting with CIE and Impact Fee analysis

**PLANNING BOARD PRESENTMENTS**

**NEW BUSINESS**

**WARREN KENNEDY – PUBLIC HEARING (01):** A Public Hearing was held on the application by Warren Kennedy to rezone 1.13 acres located at 195 Elm Street from AR-1 to R-2 Map 302 and Parcel 167 in the First District.

Zoning Administrator Shaw presented the request.

No objectors were present.

Commissioner Brantley made a motion to approve the First Reading of the amendment to the Effingham County Zoning Ordinance, Map and Parcel No. 302-167 to rezone 1.13 acres located at 195 Elm Street from AR-1 to R-2 with the following stipulations:

1. Each lot shall meet the requirements of the R-2 Zoning District.
2. Site development plans shall comply with the Effingham County Water Resources Protection Ordinance and the Storm Water 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.

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

**JOE MCNAMEE – PUBLIC HEARING (02):** A Public Hearing was held on the application by Joe McNamee to rezone 1.01 acres located at 3786 Hwy 30 from AR-1 to B-2 Map 436 and Parcel 71 in the First District.

Zoning Administrator Shaw presented the request.

No objectors were present.

Commissioner Brantley made a motion to approve the First Reading of the amendment to the Effingham County Zoning Ordinance, Map and Parcel No. 436-71 to rezone 1.01 acres located at 3786 Hwy 30 from AR-1 to B-2 with the following stipulations:

1. Each lot shall meet the requirements of the B-2 Zoning District.
2. Site development plans shall comply with the Effingham County Water Resources Protection Ordinance and the Storm Water 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.

Commissioner Loper seconded the motion. The motion carried unanimously.

**MELISSA HALL WATERS – PUBLIC HEARING (03):** A Public Hearing was held on the application by Melissa Hall Waters for a conditional use located at 7095 Old Louisville Road to allow for a family cemetery Map 211 and Parcel 1 in the Third 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. 211-1 for a conditional use located at 7095 Old Louisville Road to allow for a family cemetery with the following stipulation:

1. A plat of the proposed cemetery must be approved by the zoning administrator and recorded at the courthouse

Commissioner Phillips seconded the motion. The motion carried unanimously.

**PATSY ZEIGLER – PUBLIC HEARING (04):** A Public Hearing was held on the application by Patsy Zeigler to rezone .20 acres located at 1011 Hwy 119 South from R-1 to AR-1 Map 367 and parcel 47 in the Third District.

Zoning Administrator Shaw presented the request.

No objectors were present.

Commissioner Utley made a motion to approve the First Reading of the amendment to the Effingham County Zoning Ordinance; Map 367 Parcel 47 to rezone .20 acres located at 1011 Hwy 119 South from R-1 to AR-1 with the following stipulations:

1. The rezoned acreage must be combined with the adjacent parcel. It cannot be a lot of record.
2. Each lot shall meet the requirements of the AR-1 Zoning District.
3. Site development plans shall comply with the Effingham County Water Resources Protection Ordinance and the Storm Water Management Local Design Manual.
4. All wetland impacts shall be permitted by the USACE.
5. Subdivision plat shall be approved by the Health Department and the Zoning Office.

Commissioner Brantley seconded the motion. The motion carried unanimously.

**ROBERT NORTH – PUBLIC HEARING (05):** A Public Hearing was held on the application by Robert North to rezone 7.50 acres located on Courthouse Road from R-1 to AR-2 Map 347 and Parcel 9B, C, D in the Fourth District.

Zoning Administrator Shaw presented the request.

No objectors were present.

Commissioner Loper made a motion the First Reading at the amendment to the Effingham County Zoning Ordinance, Map 347 Parcel 9 to rezone 7.50 acres located on Courthouse Road from R-1 to AR-2 with the following stipulation:

1. Each lot shall meet the requirements of the AR-2 Zoning District.
2. Site development plans shall comply with the Effingham County Water Resources Protection Ordinance and the Storm Water Management Local Design Manual.
3. All wetland impacts shall be permitted by the USACE.
4. Subdivision plat shall be approved by the Health Department and the Zoning Office.



Commissioner Brantley seconded the motion. The motion carried unanimously.

**EARL SHEAROUSE – PUBLIC HEARING (06):** A Public Hearing was held on the application by Earl Shearouse to rezone 2.10 acres located at 512 Cletus Gnann Road from AR-2 to AR-1 Map 444 and Parcel 32 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 444 Parcel 32 to rezone 2.10 acres located at 512 Cletus Gnann Road from AR-2 to AR-1.

Commissioner Brantley seconded the motion. The motion carried unanimously.

**C. BOWERS GNANN – PUBLIC HEARING (07):** A Public Hearing was held on the application by C. Bowers Gnann to rezone 1.42 acres located on Benjamin Gnann Road from AR-1 to AR-2 Map 458 and Parcel 15 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 amendment to the Effingham County Zoning Ordinance, Map 458 Parcel 15 to rezone 1.42 acres located on Benjamin Gnann Road from AR-1 to AR-2 with the following stipulation:

1. Each lot shall meet the requirements of the AR-2 Zoning District.
2. Site development plans shall comply with the Effingham County Water Resources Protection Ordinance and the Storm Water Management Local Design Manual.
3. All wetland impacts shall be permitted by the USACE.
4. Subdivision plat shall be approved by the Health Department and the Zoning Office.

Commissioner Brantley seconded the motion. The motion carried unanimously.

**EFFINGHAM COUNTY – PUBLIC HEARING (08):** A Public Hearing was held on the application by Effingham County to amend Section 5.7 – Planned Manufactured Home Community Districts of the Official Code of Effingham County.

Zoning Administrator Shaw presented the request.

Mr. Mack Thompson stated his concerns of the amendment.

Commissioner Phillips made a motion to approve the First Reading to amend Section 5.7 – Planned Manufactured Home Community District of the Official Code of Effingham County with the change of a minimum of 10 acres. Commissioner Brantley seconded the motion. The motion carried unanimously.

**EFFINGHAM COUNTY – PUBLIC HEARING (09):** A Public Hearing was held on the application by Effingham County to amend Section 3.4 – Buffers of the Official Code of Effingham County.

Zoning Administrator Shaw presented the request.

Mr. Mack Thompson stated his concerns regarding the amendment.

Chairman Zeigler made a motion to table the amendment. Commissioner Utley seconded the motion. The motion carried unanimously.

**EXECUTIVE SESSION**

At 7:43 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 personnel, property and pending litigations. (See copy of Chairperson’s affidavit on minute book page number \_\_\_\_\_).

**ADJOURNMENT**

At 8:22 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