

**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 5:00 p.m. on Tuesday, September 7, 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, Ms. Rushe Hudzinski-Sero, Human Resources Director, Mrs. Patrice Crawley, County Clerk, Mrs. Ruth Lee, Mrs. Elaine Spencer, Mr. Joe McNamee, Mrs. Vera Jones, Mrs. Glenda King, Ms. Lillie Smart Brown, Mrs. Cathy Williford, Mr. Mark Dukes, Mr. Rick Rafter, Ms. Regina Sutton, Mrs. Elizabeth Hursey, Mr. Delmons White, Mrs. Carolyn Collins, and Mrs. Beth Mosley.

**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**

Commissioner Phillips made a motion to approve a Resolution to Approve the Agenda with the correction (see minute book page \_\_\_\_\_). 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 August 17, 2010 Commissioners Meeting and August 24, 2010 Special Called Meeting. Commissioner Phillips 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 is presented.

CONSENT AGENDA

**CONSIDERATION TO APPROVE ERRORS AND RELEASES FOR PROPERTY TAX AS SUBMITTED BY THE TAX COMMISSIONER (01):** Chairman Zeigler made a motion to approve the errors and releases for property tax as submitted by the Tax Commissioner. Vice-Chairperson Lewis seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE ERRORS AND RELEASES FOR MOBILE HOMES AS SUBMITTED BY THE TAX COMMISSIONER (02):** Commissioner Loper made a motion to approve the errors and releases for mobile homes as submitted by the Tax Commissioner. Commissioner Brantley seconded the motion. The motion carried unanimously.

**SECOND READINGS TO AMEND THE ZONING MAP:**

Chairman Zeigler read a loud on the below Consent Agenda:

- 03 Second Reading to amend the Zoning Map and Parcel 458-15 by C. Bowers Gnann to rezone 1.42 acres located on Benjamin Gnann Rd 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 shall comply with the Effingham County Water Resources Protection Ordinance and the Stormwater 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
- 04 Second Reading to amend the Zoning Map and Parcel 444-32 by Earl Shearouse to rezone 1.42 acres located on Cletus Gnann Road from AR-1 to AR-2 with no stipulations
- 05 Second Reading to amend the Zoning Map and Parcel 347-9 B, C, D by Robert North to rezone 7.50 acres located on Courthouse Road from R-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 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
- 06 Second Reading to amend the Zoning Map and Parcel 367-47 by Patsy Zeigler to rezone .20 acres located at 1011 Hwy 119 South from R-1 to AR-1 with the following stipulations:
1. The rezoning acreages shall 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 Resource Protection Ordinance and the Storm Water Management Local Design Manual
  4. All wetland impacts shall be permitted by USACE
  5. Subdivision plat shall be approved by the Health Department and the Zoning Office
- 07 Second Reading to amend the Zoning Map and Parcel 211-1 by Melissa Hall Waters for a conditional use located at 7095 Old Louisville Road to allow for a family cemetery with the stipulation that a plat of the proposed cemetery must be approved by the zoning administrator and recorded at the courthouse
- 08 Second Reading to amend the Zoning Map and Parcel 436-71 by Joe McNamee 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
- 09 Second Reading to amend the Zoning Map and Parcel 302-167 by Warren Kennedy 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
- 10 Second Reading to amend Section 5.7 – Planned Manufactured Home Community District of the Official Code of Effingham County

Commissioner Loper made a motion to approve Consent Agenda Number 03 - 10 (see minute book page \_\_\_\_\_). Commissioner Brantley seconded the motion. The motion carried unanimously.

**OLD BUSINESS**

**CONSIDERATION TO APPROVE MAJOR MEDICAL AND SUPPLEMENTAL INSURANCE RENEWAL RATES (01):** County Administrator Crawley explained that Guardian, Blue Cross PPO, United Health Care G5Q-P, and Human Proposed Plan

2 provided comparable coverage and rates for the current plan that is currently offered to Effingham County Board of Commissioners.

Mark Dukes with Blue Cross, and Larry Hadden with Hadden Insurance Agency made comments concerning the plans presented.

Staff was asked to give a rate comparison for each plan to the current plan and bring back to the Board later in the meeting.

**NEW BUSINESS**

**PRESENTATION BY DESIGN TEAMS FOR THE CONSTRUCTION OF THE ENVIRONMENTAL EDUCATION CENTER (01):** Project Manager Kobek explained that staff has invited three design firms to propose a design including rough sketches of the proposed Environmental Education Center. The building liaison committee recommended that the full board hear the presentation and make a selection of a design team. This item today is for presentation purposes only.

The design teams of Kern-Coleman &Co., Hussey, Gay, Bell & DeYoung, and Lott & Barber presented their proposals of the Environmental Education Center to the Board.

**RETIREMENT PLAN MONTHLY OVERVIEW (02):** County Administrator Crawley gave an overview of the county retirement plan.

**CONSIDERATION TO ALLOW “METH NOT EVEN ONCE” DECAL TO BE PLACED ON COUNTY OWNED VEHICLES (03):** Mrs. Elaine Spencer with Family Connection/Communities in School explained that one of the goals of Family Connection/Communities in Schools is that all youth in Effingham County will grow up in strong and healthy families. The strategy is to reach this goal by promoting community awareness of the benefits of a drug free community through education involving participation of students, school staff, family members and designated community organizations to reduce drug use in the community. Placing the Meth decals on all county owned vehicles will help raise awareness of the meth/drug issues in Effingham County. The decals are not permanently affixed to the vehicles and will be no expense to the county.

Commissioner Phillips made a motion to approve allowing “Meth Not Even Once” decals to be placed on County owned vehicles. Commissioner Brantley

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 PROCLAIM THE MONTH OF OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH (04):** Mrs. Glenda King with Effingham County Victim Witness request that the Board Proclaim the month of October as Domestic Violence Awareness Month.

Commissioner Loper made a motion to Proclaim the month of October as Domestic Violence Awareness Month. Commissioner Brantley seconded the motion. The motion carried unanimously.

**DISCUSSION OF THE OUTDOOR WATER USE ORDINANCE (05):** County Engineer Liotta explained in 2004, the Board passed the model ordinance for outdoor water use, as required by the State. Since the legislature recently passed the Georgia Water Stewardship Act, there is a requirement to update the outdoor water use ordinance. The Water Stewardship Act allows daily outdoor watering for purposes of planting, growing, managing, or maintaining ground cover, trees, shrubs or other plants only between the hours of 4 p.m. and 10 a.m. by anyone whose water is supplied by a water system permitted by the EPD. Outdoor water use for any purposes other than watering of plants, such as power washing or washing cars is still restricted to the current odd/even watering schedule. This item is for discussion only.

**CONSIDERATION TO APPROVE A MEMORANDUM OF UNDERSTANDING WITH THE COASTAL HEALTH DISTRICT FOR THE USE OF THE 150 KW GENERATOR (06):** Project Manager Kobek explained that Georgia Power is performing upgrades to the power grid by installing larger transformers throughout the County. Work has been ongoing since early March and several County buildings have previously been affected. Several more outages will be taking place during the middle of September that will impact County water supplies and public safety. The county's mobile generators and the larger 150KW generator from the Coastal Health Department will be on hand to back up the county facilities that do not

have generators. The cost to the county to borrow this equipment is simply the fuel it takes to run and transportation to and from Brunswick.

Commissioner Loper made a motion to approve a Memorandum of Understanding with the Coastal Health District for the use of the 150 KW Generator (see minute book page \_\_\_\_\_). Commissioner Brantley seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE FOUR CONSTRUCTION CHANGE DIRECTIVES WITH JT TURNER FOR THE EFFINGHAM COUNTY COURTHOUSE (07):** Project Manager Kobek explained that the Board is aware that the County is rehabilitating the historic Effingham County Courthouse. Throughout the process of the work, several items have been found to be needed that were not budgeted. First is a separate electrical service to operate the fire suppression system in case of an emergency, the second is custom shelving within the historic vaults to maximize storage in this area, the third is a custom piece of furniture for the security personnel and the last is custom furniture for the Tax Assessors. Also, savings and credits have been found within the original budget leaving a small surplus. These surplus funds can be utilized to obtain these items, without increasing the Guaranteed Maximum Price.

Commissioner Phillips made a motion to approve four construction change directives with JT Turner for the Effingham County Courthouse (see minute book page \_\_\_\_\_). Vice-Chairperson Lewis seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A CHANGE ORDER WITH JT TURNER FOR THE HISTORIC COURTHOUSE REHABILITATION PROJECT (08):** Project Manager Kobek explained that during the rehabilitation of the historic courthouse project, it was determined that plans should be made to increase green space and improve parking adjacent to both the Judicial Complex and the Historic Courthouse. A design firm was selected in late May and the plans have been finalized. The low bidders are as follows: Indigo F.G.&G. on site work and Landscapers Depot on landscape work. The change order allows work to begin and end within the same time frame as the completion of the rehabilitation project. This will allow for

a ribbon cutting or grand opening on November 11<sup>th</sup> which corresponds with the patriotic holiday of Veterans Day.

Chairman Zeigler made a motion to approve a change order with JT Turner for the Historic Courthouse Rehabilitation Project (see minute book page \_\_\_\_\_). Commissioner Phillips seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A RESOLUTION TO DECLARE ITEMS AS SURPLUS AND AUTHORIZE THE PUBLIC SALE OR DONATION OF THE ITEMS (09):** Project Manager Kobek explained that from time to time there are vehicles, furnishings and equipment that are old, beyond the cost of repair, high mileage or unusable. These items must be declared surplus and disposed of either by donation, auction, or landfill. The items will be auctioned off by Lane Brothers Auction Company in late September and the City of Springfield may be interested in the HVAC package units.

Commissioner Phillips made a motion to approve a Resolution to declare items as surplus and authorize the public sale or donation of the items (see minute book page \_\_\_\_\_). Commissioner Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE AN UPDATE OF THE CAPITAL IMPROVEMENTS ELEMENT AND THE SHORT TERM WORK PROGRAM AND TO APPROVE A TRANSMITTAL RESOLUTION (10):** Zoning Administrator Shaw explained that the Capital Improvement Element update is an accounting of how impact fees collections were or will be used. It also includes a Short Term Work Program for how future fees are expected to be used. The update must be submitted yearly to DCA for review and adopted by the Board of Commissioners.

Commissioner Utley made a motion to approve the update of the Capital Improvements Element and the Short Term Work Program and to approve a Transmittal Resolution (see minute book page \_\_\_\_). Commissioner Phillips seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE TRAVEL FOR THE 2010 ACCG ANNUAL LEGISLATIVE LEADERSHIP CONFERENCE IN ATLANTA (11):** County Clerk Crawley explained that ACCG will be holding their annual Legislative Leadership

Conference October 4<sup>th</sup> and 5<sup>th</sup> at the Atlanta Marriott Marquis. Commissioner Loper will be attending this conference.

Commissioner Utley made a motion to approve travel for the 2010 ACCG Annual Legislative Leadership Conference in Atlanta. Vice-Chairperson Lewis seconded the motion. Chairman Zeigler and Commissioner Brantley opposed the motion. Vice-Chairperson Lewis, Commissioner Phillips, Commissioner Utley, and Commissioner Loper voted in favor of the motion. The motion carried.

**CONSIDERATION TO APPROVE AN ASSEMBLAGE PERMIT FOR DAVID BAUMANN TO HOLD A TURKEY SHOOT FROM SEPTEMBER 10<sup>TH</sup> TO MARCH 26<sup>TH</sup> ON FRIDAY AND SATURDAY NIGHTS STARTING AT 7:00 P.M. (12):** County Clerk Morris explained that David Baumann has requested to hold a turkey shoot to be held every Friday and Saturday night from September 10<sup>th</sup> through March 26<sup>th</sup>.

Commissioner Loper made a motion to approve an assemblage permit for David Baumann to hold a turkey shoot from September 10<sup>th</sup> to March 26<sup>th</sup> on Friday and Saturday night starting at 7:00 p.m. Commissioner Brantley seconded the motion. The motion carried unanimously.

**OLD BUSINESS CONTINUED**

**CONSIDERATION TO APPROVE MAJOR MEDICAL AND SUPPLEMENTAL INSURANCE RENEWAL RATES (01):** County Administrator Crawley gave to the Board a worksheet that gave rate comparisons for 12 months of total medical expenditures for current expenditure, Guardian renewal, Blue Cross Blue Shield, United Health Care, and Humana.

Mr. Mark Dukes with Blue Cross and Mr. Ben Pittarelli with ACCG answered questions concerning the health insurance.

Commissioner Brantley made a motion to continue with the current providers for major medical and supplemental insurance. Commissioner Utley seconded the motion. Commissioner Loper opposed the motion. Chairman Zeigler, Vice-Chairperson Lewis, Commissioner Phillips, Commissioner Utley, and Commissioner Brantley voted in favor of the motion. The motion carried.



NEW BUSINESS CONTINUED

**CONSIDERATION TO APPROVE THE FIRST READING OF THE ETHICS ORDINANCE**

(13): County Administrator Crawley explained that as previously discussed and requested by the Board of Commissioners, staff has researched and presented the draft Ethics ordinance for the first reading. ACCG has created a model ordinance that can be amended to meet Effingham County's needs.

Mrs. Vera Jones, Mrs. Carolyn Collins, and Mrs. Ruth Lee stated their concerns of the Ethics Ordinance.

Commissioner Loper made a motion to deny the First Reading of the Ethics Ordinance. Commissioner Utley seconded the motion. Chairman Zeigler, Vice-Chairperson Lewis, and Commissioner Brantley opposed the motion. Commissioner Phillips, Commissioner Utley, and Commissioner Loper voted in favor of the motion. The motion dies.

Chairman Zeigler made a motion to approve the First Reading of the Ethics Ordinance. Commissioner Brantley seconds the motion. Commissioner Phillips, Commissioner Utley, and Commissioner Loper opposed the motion. Chairman Zeigler, Vice-Chairperson Lewis, and Commissioner Brantley voted in favor of the motion. The motion dies.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF:

County Administrator Crawley discussed the following:

- ◆ Chamber Retreat update
- ◆ Port of Address
- ◆ Hospital Contract
- ◆ Natural Resources and Environment policy meeting
- ◆ Honey Ridge Road resurfacing

EXECUTIVE SESSION

At 8:02 p.m., Chairman Zeigler made a motion to go into Executive Session to discuss personnel, property and pending litigation. Commissioner Phillips seconded the motion. The motion carried unanimously.

County Administrator Crawley and Commissioners discussed pending litigations. (See copy of Chairperson's affidavit on minute book page number \_\_\_\_\_).

ADJOURNMENT

At 8:47 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