

**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, Mr. Reginald S. Loper, Sr. and Mr. Robert Brantley met in regular session at 5:00 p.m. on Tuesday, October 19, 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, Ms. Rushe Hudzinski-Sero, Human Resources Director, Mrs. Joanna Wright, Finance Director, Mrs. Vera Jones, Ms. Lillie Smart-Brown, Mr. Phil Kieffer, Mr. Delmons White, Mr. Rick Rafter, Mr. Buddy Hobbs, Mr. Dennis Morris, Mrs. Kimberly Morris, and Mr. T. Andre Blaske.

**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 12 – Consideration to approve an agreement with Verizon Wireless for tower space located at Hwy 21 South.

Vice-Chairperson Lewis made a motion to approve the Agenda Resolution with the addition of New Business Number 12 (see minute book page \_\_\_\_). Commissioner Loper 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 October 05, 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 ADDITIONAL SUPPLEMENTAL INSURANCE OPTION LONG TERM CARE THROUGH MERILL LYNCH (01):** Human Resources Director Hudzinski-Sero stated that through the Merrill Lynch employee survey at the 2010 Compensation and Benefits expo in July 2010, employees indicated interest in obtaining Long Term Care coverage options. Merrill Lynch researched options for the County employee structure and is able to provide this option through the subsidiary of Metropolitan Life at a 20% premium discount without adding additional fees for the County. Coverage would be elected by the employee and paid for by the employee. The policy can move with the individual if they should leave their position. Offering implementation is dependent upon a minimum of approximately 15 participants.

Commissioner Brantley made a motion to approve the additional supplemental Insurance option Long Term Care through Merrill Lynch (see minute book \_\_\_\_\_). Commissioner Loper seconded the motion. The motion carried unanimously.

NEW BUSINESS

**CONSIDERATION TO APPROVE AN AGREEMENT WITH UNIMERICA INSURANCE COMPANY FOR CATASTROPHIC INMATE MEDICAL INSURANCE (01):** Purchasing Agent Newland explained that every year the Board contracts with a carrier for catastrophic inmate medical insurance. Unimerica Insurance Company has been the carrier since 2001. This policy is for stop-gap insurance that provides coverage for additional liabilities that can be incurred from injuries to inmates.

Vice-Chairperson Lewis made a motion to approve an agreement with Unimerica Insurance Company for catastrophic inmate medical insurance (see minute book \_\_\_\_\_). Commissioner Utley seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE AN AGREEMENT WITH TRAYLOR BUSINESS SERVICES, INC. TO VERIFY TAX RETURNS ON BUSINESS PERSONAL PROPERTY REPORTS**

**(02):** Chief Tax Appraiser Bevill explained that the verification program will assure that equal treatment is provided to all taxpayers by establishing a verification program in which all accounts are examined. Traylor Business System (TBS) will assist the Board of Assessors by providing consultation in organizing the program by performing personal property verification reviews of Effingham County's businesses. Verification reviews will be executed in compliance with all principles set forth by the Board. The Board will make all decisions relating to the accounts selected for review and to any final assessments. TBS agrees to provide its services in accordance with Generally Accepted Accounting Principles (GAAP) as a guideline, and follow the methodologies taught by the Georgia Department of Revenue.

Commissioner Utley made a motion to approve an agreement with Traylor Business Services, Inc. to verify tax returns on business personal property reports (see minute book \_\_\_\_\_). Vice-Chairperson Lewis seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE AMENDING THE GEFA PROMISSORY NOTE AND RESOLUTION FOR LOAN 2003-L35WS (03):**

Finance Director Wright explained that the county currently has several loans with GEFA. These loans have been executed over several years. The county has received a request from GEFA to modify loan agreement 2003-L35WS in order to reflect the current repayment process. The loan was originally executed February 5, 2004 and the county has been paying monthly payments since the repayment began.

Commissioner Loper made a motion to approve amending the GEFA promissory note and resolution for Loan 2003-L35WS (see minute book \_\_\_\_\_). Commissioner Brantley seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A CONTRACT WITH THE COUNCIL OF JUVENILE COURT JUDGES OF GEORGIA FOR THE PURCHASE OF SERVICES FOR JUVENILE OFFENDERS PROGRAM (04):** Finance Director Wright explained that the County has received a grant award for the purchase of services for Juvenile Offenders program. The total grant award is \$3,000.

Commissioner Brantley made a motion to approve a contract with the Council of Juvenile Court Judges of Georgia for purchase of services for Juvenile Offenders Program (see minute book \_\_\_\_\_). Commissioner Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A BUDGET AMENDMENT FOR YEAR ENDING JUNE 30, 2010 (05):** Finance Director Wright explained that each year the Board of Commissioners receives requests from agencies and department heads to adjust the budget. Factors such as revenue may fluctuate thereby allowing the Board to direct additional expenditures. As such, a formal budget resolution incorporating these facts is requested to adjust the budget accordingly.

Commissioner Brantley made a motion to approve a budget amendment for year ending June 30, 2010 (see minute book \_\_\_\_\_). Commissioner Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE UPGRADING EXISTING FINANCIAL SOFTWARE WITH ADG (06):** Finance Director Wright explained that currently there are approximately 800 water customers and only checks or cash payments are accepted. In order to streamline this process to allow payments electronically and transition these payments into the current account software, an upgrade to the financial software is needed. This upgrade will save the residents on having to mail or bring in checks and will reduce staff time.

Commissioner Loper made a motion to approve upgrading existing financial software with ADG. Commissioner Brantley seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A TRAFFIC ENFORCEMENT UNIT IN THE SHERIFF'S OFFICE (07):** Sheriff McDuffie explained that a tool necessary to reduce the number of fatal accidents within the County will be to create a proactive

enforcement division to strictly enforce all traffic and DUI Laws. The initial creation of the Traffic Enforcement Unit will require complete funding from the Board of Commissioners. There will be a four man unit that will be completely outfitted with uniforms, equipment, vehicles, radars, alco sensors, and tint meters.

Vice-Chairperson Lewis made a motion to approve a traffic enforcement unit in the Sheriff's Office with the following stipulation (1) monthly reports will be given to the Board (2) the unit will be for the rest of the fiscal year and then reviewed and (3) unit will be if the results do not cover the expenses the unit will be disbanded. Commissioner Brantley seconded the motion.

County Administrator Crawley stated that the money will be taken out of reserve funds.

Chairman Zeigler and Commissioner Loper opposed the motion. Vice-Chairperson Lewis, Commissioner Utley and Commissioner Brantley voted in favor of the motion. The motion carries.

**CONSIDERATION TO APPROVE ACCEPTING SUBSTANTIAL COMPLETION OF THE EFFINGHAM COUNTY HISTORIC COURTHOUSE (08):** Project Manager Kobek explained that the Board approved the rehabilitation of the historic Effingham County Courthouse in April, 2009. The majority of the work is nearing completion, and the project team believes that the project is substantially complete. The project is deemed to be substantially complete when it can be used for its intended purpose in accordance with contract documents.

Commissioner Loper made a motion to approve accepting substantial completion of the Effingham County Historic Courthouse (see minute book \_\_\_\_\_). Vice-Chairperson Lewis seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE EXECUTING LETTER OF APPRECIATION FOR MEMBERS OF THE COURTHOUSE COMMITTEE (09):** Project Manager Kobek explained that beginning in late 2008 and extending into 2009 a group of dedicated individuals were requested to serve on the Courthouse Committee, to make recommendation to the Board of Commissioners. The Committee consisted of Lawton Nease, Harvey Kieffer, Ramona Bartos, Tommy Long, Van

Findley, Hubert Sapp and Commissioner Loper. The Committee studied, read and interviewed the design teams, while discussing the future uses and what they believed the rehabilitation should achieve. For these services, staff request letters of appreciation for the Courthouse Committee.

Vice-Chairperson Lewis made a motion to approve executing Letter of Appreciation for members of the Courthouse Committee. Commissioner Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE AN INTERGOVERNMENTAL AGREEMENT WITH THE EFFINGHAM COUNTY HOSPITAL AUTHORITY (10):** County Administrator Crawley explained that the Board approved a resolution on July 2, 2010, which outlined the terms and conditions to allow the Hospital Authority to accomplish its proposed modernization and expansion of their facility. An intergovernmental agreement has been created based on the terms and condition outlined within the approved resolution. The Board of Commissioners directed Commissioner Loper, Brantley, and Phillips to work as a committee to review said contract and bring comments back before the Board.

Mr. Rusty Ross, Mr. Rick Rafter, and Mrs. Vera Jones commented on the Hospital Contract.

Commissioner Loper made a motion to approve an Intergovernmental Agreement with the Effingham County Hospital Authority with the following changes: (1) addition to paragraph 1 - that provided that the obligations of the County under this Contract shall not be extended beyond 30 years without the written consent of the County, which shall not be unreasonably withheld, (2) addition to paragraph 2a - to the extent practicable and consistent with patient choice, (3) change to paragraph 3e - May 31, (4) change to paragraph 3g - forty-five days, ninety days, and forty-five days, and (5) addition to paragraph 3h - the County shall have the right during the term hereof to perform or have performed, at its expense, financial and/or performance audits of the operations and books and records of the Authority.

Commissioner Brantley seconded the motion. Chairman Zeigler opposed the motion. Vice-Chairperson Lewis, Commissioner Utley, Commissioner Loper, and Commissioner Brantley voted in favor of the motion. The motion carried.

**CONSIDERATION TO APPROVE A LIMITED WARRANTY DEED WITH THE EFFINGHAM COUNTY HOSPITAL AUTHORITY (11):** County Administrator Crawley explained that the Board approved a resolution on July 2, 2010 which outlined the terms and conditions to transfer additional land needed by the Hospital Authority to accomplish its proposed modernization and expansion of their facility. The subject property is located adjacent to the Hospital's existing facility and consists of 3.78 acres.

Commissioner Loper made a motion to approve limited warranty deed with the Effingham County Hospital Authority (see minute book \_\_\_\_\_).

Commissioner Brantley seconded the motion. Chairman Zeigler opposed the motion. Vice-Chairperson Lewis, Commissioner Utley, Commissioner Loper, and Commissioner Brantley voted in favor of the motion. The motion carries.

**ADDITION TO THE AGENDA**

**CONSIDERATION TO APPROVE AN AGREEMENT WITH VERIZON WIRELESS FOR TOWER SPACE LOCATED AT HWY 21 SOUTH (12):** Fire Chief Ashcraft explained that the purpose of the lease with Verizon Wireless is to allow co-location of radio antennas and a prefabricated equipment shelter will be constructed upon Verizon Wireless property. There are no recurring payments to Verizon. The County will own, operate and maintain its equipment. The radio frequencies used are already identified and coordinated with Verizon.

Chairman Zeigler made a motion to approve an agreement with Verizon Wireless for tower space located at Hwy 21 South (see minute book \_\_\_\_\_).

Commissioner Loper seconded the motion. The motion carried unanimously.

**REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF**

County Administrator Crawley discussed the following:

- ◆ HB 277 – roundtable meetings
- ◆ Insurance Committee
- ◆ Landfill project
- ◆ Workshop retreat
- ◆ Courthouse grand opening
- ◆ Four Day work week

- ◆ Jail interviews
- ◆ Transportation Advisory Board
- ◆ Old August Phase IIa
- ◆ Library Board Meeting
- ◆ Financial for the first quarter

Commissioner Brantley discussed the following:

- ◆ Meldrim RB Baker

Zoning Administrator Shaw discussed the following:

- ◆ Meldrim town meeting concerning rezoning

### **EXECUTIVE SESSION**

At 6:45 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 property and pending litigations. (See copy of Chairperson's affidavit on minute book page number \_\_\_\_\_).

The Board reconvened at 7:04 for Planning Board Presentments.

### **PLANNING BOARD PRESENTMENTS**

#### **NEW BUSINESS**

**DENNIS MORRIS – PUBLIC HEARING (01):** A Public Hearing was held on the application by Dennis Morris to rezone .12 acres located at 112 Shimmering Dell Dr from AR-1 to AR-2 Map 302D Parcel 1A located in the First District.

Zoning Administrator Shaw presented the request.

Jodi Lewis explained her concerns about the rezoning.

Commissioner Brantley made a motion to approve the First Reading to amend Map 302D Parcel 1A by Dennis Morris to rezone .12 acres located at 112 Shimmering Dell Dr from AR-1 to AR-2 with the following stipulations:

1. This parcel must be combined with 302-150. It cannot be a standalone property.
2. Each lot must meet the requirements of the AR-2 zoning district.
3. Site development plans shall comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
4. All wetlands impacts permitted by USACE.
5. Subdivision plat must be approved by the Health Department and the Zoning Office.

Commissioner Loper seconded the motion. The motion carried unanimously.



**THEODORE BLASKE – PUBLIC HEARING (02):** A Public Hearing was held on the application by Theodore Blaske to rezone 29.10 acres located at 6836 Hwy 17 South from R-1 to AR-1 Map 354 Parcel 8 in the First District.

Zoning Administrator Shaw presented the request.

No objectors were present.

Commissioner Brantley made a motion to approve the First Reading to amend Map 354 Parcel 8 by Theodore A. Blaske to rezone 29.10 acres located at 6836 Hwy 17 South from R-1 to AR-1 with the following stipulations:

1. Each lot must meet the requirements of the AR-1 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 wetlands impacts permitted by USACE.
4. Subdivision plat must be approved by the Health Department and the Zoning Office.

Commissioner Loper seconded the motion. The motion carried unanimously.

**E. H. FORTITUDE, INC. – PUBLIC HEARING (03):** A Public Hearing was held on the application by E. H. Fortitude to rezone .20 acres located off of Archer Road Map 272 Parcel 42 from AR-1 to R-1 in the Second District.

Zoning Administrator Shaw presented the request.

Mr. Kitchens and Mr. Harris Martin explained their concerns on the rezoning.

Vice-Chairperson Lewis made a motion to approve the First Reading to amend Map 272 Parcel 42 by E. H. Fortitude, Inc. to rezone .20 acres located off of Archer Road from AR-1 to R-1 with the following stipulations:

1. This parcel must be combined with parcel 272D-17. It cannot be a standalone property.
2. Each lot must meet the requirements of the AR-2 zoning district.
3. Site development plans shall comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
4. All wetlands impacts permitted by USACE.
5. Subdivision plat must be approved by the Health Department and the Zoning Office.

Commissioner Loper seconded the motion. The motion carried unanimously.

**CHRIS HOBBS – PUBLIC HEARING (04):** A Public Hearing was held on the application by Chris Hobbs to rezone .27 acres located off of Goshen Road Ext. from B-3 to B-2 Map 465 Parcel 2 in the Fifth District.

Zoning Administrator Shaw presented the request.

No objectors were present.

Vice-Chairperson Lewis made a motion to approve the First Reading to amend Map 465 Parcel 2 by Chris Hobbs to rezone .27 acres located off of Goshen Road Ext. from B-3 to B-2 with the following stipulations:

1. Each lot must 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 Stormwater Management Local Design Manual.
3. All wetlands 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.

**ADJOURNMENT**

At 7:24 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