

**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 Phillips, Mr. Reginald S. Loper, Sr. and Mr. Robert Brantley met in regular session at 5:00 p.m. on Tuesday, November 16, 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. Ruth Lee, Ms. Beth Holley, Ms. Lisa Shuman, Mr. William Fell, Mrs. Vera Jones, Mr. Bailey Morris, Mrs. Patty Roberds, Mr. Steve Mason, and Mr. Frank Arden.

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

Vice-Chairperson Lewis made a motion to approve the Agenda Resolution (see minute book page _____). Commissioner Phillips 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 items may do so in the County Clerk's office.

MINUTES

Commissioner Loper made a motion to approve the minutes for the November 02, 2010 Board of Commissioners Meeting. Commissioner Utley 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.

NEW BUSINESS

PRESENTATION OF THE COMMUNITY WILDFIRE PROTECTION PLAN (01): Mr. Will Fell and Mr. Frank Hines presented to the Board the community Wildfire Protection Plan for Effingham County.

CONSIDERATION TO APPROVE AN AGREEMENT WITH STURGIS WEB SERVICES FOR THE TAX COMMISSIONERS OFFICE (02): Tax Commissioner McDaniel explained that for the past 18 months she had been searching for a company to provide credit card services for payment of ad valorem taxes. It was soon discovered while there are many companies that will take credit card payments there are few that will interface with a tax software program and automatically process transactions to the tax software system. Sturgis Web Services provides the ability, through Pay Pal, to interface and post transaction with the click of the mouse reducing the chances for errors and making the use of staff time more productive. More than 30 counties in the state are now using Sturgis Web Services and after polling a number of them the response is positive.

Mr. Ruth Lee stated her concerns about this item.

Commissioner Brantley made a motion to approve an agreement with Sturgis Web Services for the Tax Commissioners Office (see minute book _____). Commissioner Phillips seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN AGREEMENT WITH PAY PAL FOR THE TAX COMMISSIONERS OFFICE (03): Tax Commissioner McDaniel explained that Pay Pal is the company that will handle the credit card payments.

Commissioner Phillips made a motion to approve an agreement with pay Pal for the Tax Commissioners office (see minute book _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN AGREEMENT WITH GEORGIA DEPARTMENT OF REVENUE TO ENABLE GEORGIA CITIZENS TO RENEW VEHICLE REGISTRATION VIA INTERNET (04): Tax Commissioner McDaniel explained that the Constitution of

Georgia authorizes intergovernmental agreements whereby state departments may contract with counties “for joint services, for provisions of services, or for the joint or separate use of facilities or equipment; but such contracts must deal with activities, services or facilities which the parties are authorized by law to undertake or provide” Ga. Const. Art. IX, III, I (a). Georgia law expressly authorized the instant agreement for joint use of facilities and equipment, OCGA 40-2-22. The Georgia Department of Revenue will handle renewing automobile tags via the internet using secure credit card payments. This program will incorporate changes and interface with the existing GRATIS system used by the Department of Revenue.

Commissioner Brantley made a motion to approve an agreement with Georgia Department of Revenue to enable Georgia Citizens to renew vehicle registration via internet (see minute book _____). Commissioner Utleigh seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN AGREEMENT WITH OFFICIAL PAYMENT CORPORATION FOR THE TAG RENEWAL PROGRAM THROUGH THE TAX COMMISSIONERS OFFICE (05): Tax Commissioner McDaniel explained that the Official Corporation will handle the credit cards for the Georgia Department of Revenue tag renewals.

Commissioner Phillips made a motion to approve an agreement with Official Payment Corporation for the tag renewal program through the Tax Commissioners Office (see minute book _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A WARRANTY DEED FOR BRIDGEWOOD SUBDIVISION (06): County Engineer Liotta explained that First Effingham Bank requests that the County accept ownership and maintenance of the roads for Bridgewood, located off of Ga Hwy 119. The final plat was approved October 16, 2007 and Public Works finalized an inspection on September 9, 2010 with recommendation to accept the roads.

Commissioner Phillips made a motion to approve a warranty deed for Bridgewood Subdivision with the stipulation that the taxes are to be paid before

the deed is processed (see minute book _____). Commissioner Utley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE FIRST READING TO AMEND THE OFFICIAL CODE OF EFFINGHAM COUNTY CHAPTER 75 WATER AND SEWER ORDINANCE (07):

County Engineer Liotta explained that water and wastewater regulation is administered under the provisions of the utility ordinance of the Official Code of Effingham County Chapter 75. Section 75-54 and 75-201(b) contain typographical errors that should be changed. Section 75-201(e) has been changed to clarify the due dates of bill payments, now that meter reading has been moved to a calendar monthly basis and also to clarify that property owners can be held liable if their tenant does not pay their water/sewer bills. Section 75-204(j) has been revised to clarify that the \$25 administrative fee portion of the customer deposit does not have to be held for two years by the Finance Department.

During the Public Hearing there were no objections.

Commissioner Phillips made a motion to approve the First Reading to amend the Official Code of Effingham County, Chapter 75 Water and Sewer Ordinance with the changes the County Attorney requested. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A WATER AND SEWER AGREEMENT WITH ERNEST COMMUNITIES, LLC FOR CLOVER POINTE AT BELMONT GLEN PHASE I (08):

County Engineer Liotta explained that Clover Pointe at Belmont Glen is a proposed subdivision consisting of a total of 211 lots located on Hodgeville Road north of Goshen Road. The development is adjacent to existing County water, sewer, and reuse lines and the owner has requested service. The agreement defines the project as only the first 29 lots (Phase I-A). It requires the developer to pay the \$2,000 ERU for water and \$2600 ERU for sewer. The developer is able to provide a reuse site, which is estimated to have an irrigation capacity of about 49% of the reuse generated by the entire development. Therefore, the agreement exempts all 29 lots from the capacity portion of the fee. A letter of

credit for \$66,700 is required for the developer to guarantee the payment of ½ of the impact fees for 29 lots.

Commissioner Loper made a motion to approve a water and sewer agreement with Ernest Communities, LLC for Clover Pointe at Belmont Glen Phase I (see minute book _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE FINAL PLAT AND WARRANTY DEED FOR RIGHT-OF-WAYS, ROADWAYS, AND STORM DRAINAGE FOR CLOVER POINTE AT BELMONT GLEN (09): County Engineer Liotta explained that Ernest Communities, LLC have requested final plat, right-of-way, roadways and storm drainage approval for Clover Pointe at Belmont Glen.

Commissioner Utley made a motion to approve the final plat and warranty deed for right-of-ways, roadways and storm drainage for Clover Pointe at Belmont Glen with the stipulation that the property taxes for the right-of-way, roadways and storm drainage are paid prior to the deed and final plat being filed with Superior Court. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN AGREEMENT WITH SAVANNAH SYSTEMS FOR THE MONITORING OF THE FIRE ALARMS AT THE HISTORIC COURTHOUSE (10): Project Manager Kobek explained that the Historic Courthouse is operational and serving the public. During the rehabilitation project an intelligent fire alarm system was added to the building. The system uses a dry and wet fire suppression system, smoke and fire alarms to alert the occupants and local emergency response personnel in the event of a fire situation. The cost of the agreement is \$360 per year. The term of the agreement is for 3 years with automatic renewals for one year term with the price locked in, written notice of 30 days to cancel agreement at the anniversary date.

Commissioner Loper made a motion to approve an agreement with Savannah Systems for the monitoring of the fire alarms at the Historic Courthouse (see minute book _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE FIRST READING OF THE ETHICS ORDINANCE

(11): County Administrator Crawley explained that as requested by the Board of Commissioner the County Attorney has amended the proposed Ethics Ordinance based on comments received during three different commission meetings and based on comments received from the committee consisting of Chairman Zeigler, Commissioners Brantley and Phillips. The County Attorney and staff have revised the proposed ethics ordinance based on comments received during these meetings.

Mr. Steve Mason and Mrs. Ruth Lee stated their concerns about this item.

Commissioner Brantley made a motion to approve the First Reading of the Ethics Ordinance. Commissioner Utley seconded the motion. Commissioner Loper opposed the motion. Chairman Zeigler, Vice-Chairperson Lewis, Commissioner Phillips, Commissioner Utley, and Commissioner Brantley seconded the motion. The motion carried.

CONSIDERATION TO CANCEL THE DECEMBER 21ST BOARD OF COMMISSIONERS MEETING AND TO HOLD ALL BUSINESS AT THE DECEMBER 7TH MEETING (12):

County Clerk Crawley stated that in the past the Board has only had one meeting in December due to the holidays.

Mrs. Vera Jones explained her concern about this item.

Commissioner Loper made a motion to cancel the December 21st Board of Commissioners Meeting and to hold all business at the December 7th Meeting. Vice-Chairperson Lewis seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A RESOLUTION TO APPOINT DAVID CRAWLEY AS EFFINGHAM COUNTY'S LEGISLATIVE COORDINATOR TO ACCG (13):

County Administrator Crawley explained that in preparation for the 2011 legislative session, ACCG has requested that each county establish a local legislative coordination to assist ACCG with issues that may arise during the session. This individual will also have the responsibility of providing updates to the Board of Commissioners during the legislative.

Chairman Zeigler made a motion to approve a resolution to appoint Patrice Crawley as Effingham County's Legislative Coordinator to ACCG. Commissioners Loper seconded the motion. The motion carried unanimously.

EXECUTIVE SESSION

At 6:11 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 and pending litigations. (See copy of Chairperson's affidavit on minute book page number _____).

The Board reconvened at 6:59 p.m. for Planning Board Presentments.

PLANNING BOARD PRESENTMENTS

NEW BUSINESS

BEN MOREL – PUBLIC HEARING (01): A Public Hearing was held on the application by Ben Morel for a conditional use located at 6149 Clyo Kildare Road to have a family cemetery Map 260 Parcel 20 in Third District.

Zoning Administrator Shaw presented the request.

No objectors were present.

Commissioner Utley made a motion to approve the First Reading to amend Map 260 Parcel 20 by Ben Morel for a conditional use located at 6149 Clyo Kildare Road to have a family cemetery with the following stipulations:

1. A plat of the cemetery shall be approved by the Zoning Administrator and recorded at the Courthouse.
2. The parcel for the cemetery shall be a minimum of 50 feet from the property line.

Commissioner Loper seconded the motion. The motion carried unanimously.

WALLY EXLEY – PUBLIC HEARING (02): A Public Hearing was held on the application by Wally Exley for a rural business use located at 4101 Hwy 119 North to operate a farm services business Map 406 Parcel 39 in the Third District.

Zoning Administrator Shaw presented the request.

No objectors were present.

Commissioner Utley made a motion to approve the First Reading to amend Map 406 Parcel 39 by Wally Exley for a rural business use located at 4101 Hwy 119 North to operate a farm services business with the stipulation that applicant must meet all requirements of Sec. 3.15B Rural Business of the Effingham County Zoning Ordinance.

Commissioner Phillips seconded the motion. The motion carried unanimously.

CONTINUE OF NEW BUSINESS

CONSIDERATION TO APPROVE STIPULATIONS REGARDING GOVERNMENTAL SERVICES (SERVICE DELIVERY STRATEGY) (14): County Administrator Crawley explained that extensive negotiation has brought us to a proposed resolution with the Cities of Guyton, Rincon, and Springfield concerning Service Delivery Strategy (SDS). It is staffs understanding that the three cities have taken action to approve the attached stipulations. Under the proposed agreement, all parties agree that the following county services are county wide services and therefore may be funded with any revenue, including general fund, ad valorem property tax, and LOST: Animal Control, County Prison, County Hospital (through Effingham County Hospital Authority), Courts (Superior, State, Magistrate & Probate Courts), E911/Communications, Economic Development (through Effingham County Industrial Development Authority), election/voter registration (for county wide elections), emergency management, emergency medical services, extension service, forestry, general government services, finance, general administration, purchasing (funded pro rata for services in this column), GIS/Mapping, Indigent Defense (Superior & State Court), Jail, Sanitation transfer station, public health services (through Effingham County Health Department), Social Services (DFACS, Victim Witness, Family Connection, Gateway, Rural Regional Transportation, tax assessment (through Effingham County Board of Assessors) and tax collection (through Effingham County Tax Collector).

The following services are provided by Effingham County primarily for the benefit of the unincorporated area of Effingham County: building and site inspection and building permits, code enforcement, engineering services, fire

protection, general government services, finance, general admin, purchasing, planning, subdivision review, zoning, senior citizen programs, soil erosion & control permitting and enforcement, solid waste collection, street lighting, traffic control (signage, traffic signals, traffic lighting), wastewater treatment & collection, and water supply & distribution.

Other services that will be governed by intergovernmental agreements will include drainage/storm water, parks and recreation, jail fines, roads/bridges, and fire. Changes in funding requirements will not begin until the next fiscal year.

Mr. Frank Arden and Mrs. Vera Jones explained their concerns about this item.

Chairman Zeigler made a motion to deny. Commissioner Loper seconded the motion. Vice-Chairperson Lewis, Commissioner Utley, Commissioner Phillips, and Commissioner Brantley opposed the motion.

Commissioner Phillips made a motion to approve the stipulations regarding governmental services (Service Delivery Strategy) (see minute book _____). Chairman Zeigler and Commissioner Loper opposed the motion. Vice-Chairperson Lewis, Commissioner Phillips, Commissioner Utley, and Commissioner Brantley voted in favor of the motion. The motion carried.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

Commissioner Loper discussed the following:

- ◆ Elected Officials quarterly meeting

Commissioner Phillips discussed the following:

- ◆ Studio 21 request

County Administrator Crawley discussed the following:

- ◆ DOT regional transportation roundtable
- ◆ Insurance Committee meeting Wednesday at 4
- ◆ Jail Interviews meeting Wednesday at 4
- ◆ Old Augusta Phase II bid out in January
- ◆ Glen Durrence with DOT retirement reception
- ◆ CIE and Development Impact Fee – review and give feed back
- ◆ Research forest track

EXECUTIVE SESSION

At 7:37 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 7:53 p.m., Chairman Zeigler made a motion to adjourn the meeting. Vice-Chairperson Lewis seconded the motion. The motion carried unanimously.

C. D. Zeigler, Chairman

Patrice R. Crawley, County Clerk