

**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, December 07, 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, Mr. Arthur Rud, Sr. and Mrs. Richard Stille.

**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.

**MINUTES**

Commissioner Brantley made a motion to approve the minutes for the November 16, 2010 Board of Commissioners Meeting. Commissioner Loper 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 aloud the items on the consent Agenda.

Commissioner Phillips made a motion to approve the Consent Agenda as follows:

(1) Second Reading to amend Zoning Map 260-20 by Ben Morel for a conditional use located at 6149 Clyo Kildare Road to have a family cemetery with the following stipulations:

1. The cemetery shall be a minimum of fifty feet from the property line.
2. A plat of the cemetery shall be approved by the zoning Administrator and recorded at the courthouse.

(2) Second Reading to amend Zoning Map 406-39 by Wally Exley for a rural business use located at 4101 Hwy 119 North to operate a farm services business with the stipulation that the applicant shall meet all requirements of section 3.15B Rural Business of the Effingham Zoning Ordinance.

(3) Second Reading to amend the Official Code of Effingham County Chapter 75 water and sewer ordinance

Commissioner Loper seconded the motion. The motion carried unanimously.

**OLD BUSINESS**

**CONSIDERATION TO APPROVE THE SECOND READING OF THE ETHIC**

**ORDINANCE (01):** Commissioner Brantley made a motion to approve the second reading of the ethic ordinance. 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**

**RETIREMENT OVERVIEW (01):** Human Resources Director Hudzinski-Sero and Mrs. Gini Nichols with Merrill Lynch gave an overview of the retirement plan.

**CONSIDERATION TO APPROVE THE DETENTION OFFICE TRAINEE JOB**

**DESCRIPTION AND ADD PAY GRADE OF NUMBER 13 (02):** Human Resources Director Hudzinski-Sero explained that in an effort to reduce personnel budgetary spending for training officer in Department 18 – Jail, the creation of a Detention Officer Trainee Job Description is needed for those employees hired but still needing certification. Budgetary savings of 5% would be seen in salary and compensation for the department until certifications are obtained. POST requires training be completed within 6 months of hire date. The pay grade classification

of "13" would be one 5% step below the certified Detention Officer position beginning at \$12.16.

Commissioner Phillips made a motion to approve the Detention Officer Trainee job description and add pay grade of number 13 (see minute book \_\_\_\_\_). Vice-Chairperson Lewis seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE AN EASEMENT FROM THE WOODMEN OF THE WORLD LIFE INSURANCE SOCIETY, LODGE #1770 (03):** Transportation Engineer Allen explained that staff has been working to resolve a drainage problem in the vicinity of Highway 80 near its intersection with Highway 17. To resolve the issue the County will need to receive an easement from the property owner to allow the construction of drainage improvements.

Commissioner Brantley made a motion to approve an easement from the Woodmen of the World Life Insurance Society, Lodge #1770 (see minute book \_\_\_\_\_). Commissioner Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE AN AGREEMENT WITH THE ARMY CORP OF ENGINEERS FOR EFFINGHAM COUNTY EMERGENCY MANAGEMENT TALK GROUPS FOR JOINT OPERATION OR MUTUAL AID (04):** Public Safety Director Ashcraft explained that USACE has purchased radios capable of operating on the regional radio system. It is customary to promote formal agreements to share radio channels. This agreement will be referenced at the local radio shop when making changes to the radio programming.

Commissioner Loper made a motion to approve an agreement with the Army Corp of Engineers for Effingham County Emergency Management Talk Groups for joint operation or mutual aid (see minute book \_\_\_\_\_). Commissioner Brantley seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE AN ADDENDUM OF THE CONTRACT WITH SPRINT/NEXTEL AND MOTOROLA FOR RECONFIGURATION SERVICES (05):** Public Safety Director Ashcraft explained that on August 6, 2004 the FCC issued a report and order that modified its rules governing the 800 MHz band to minimize harmful

interference to public safety communications systems. Sprint Nextel must relinquish some of its existing channels and must provide and pay relocation funds to enable affected licensees to relocate their system onto replacement channels and reconfigure their systems so that they are "Comparable Facilities". Since May 24, 2007 the Effingham County Board of Commissioners has approved a series of agreements dealing with the reconfiguration planning phase of this project. The physical retuning first touch segment is now complete. The City of Savannah acting as lead agency has completed the engineering and planning required. The agreement with Sprint Nextel was modified to include work performed on EF Johnson subscribers used by the City of Guyton. The particular model radio Guyton uses needed to have modified software instead of replacements as were required with the other older models.

Commissioner Utley made a motion to approve an addendum of the contract with Sprint/Nextel and Motorola for reconfiguration services (see minute book number \_\_\_\_). Commissioner Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE AN AGREEMENT WITH GALAXY TECHNOLOGIES, INC. FOR TIME AND ATTENDANCE SOFTWARE AND HARDWARE (06):**

IT Director Jenkins explained that the County does not use an automated method to collect time and attendance information or ensure time accountability. Additionally, no reporting tools are available to supervisors to control overtime or review employee hour usage.

Commissioner Phillips made a motion to approve an agreement with Galaxy Technologies, Inc. for time and attendance software and hardware (see minute book page \_\_\_\_). Commissioner Brantley seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A WORK AUTHORIZATION WITH HUSSEY, GAY, BELL, & DEYOUNG FOR GOSHEN PUBIC SAFETY FACILITY TO HOUSE FIRE, EMS AND SHERIFF'S SUBSTATION (07):**

Project Manager Kobek explained that the Board purchased a lot off Goshen Road. The intended use of the property has been to construct a facility to house a fire station, EMS, and Sheriff's substation. The

County Engineer has been working on a site plan and will complete these services in house. The proposal is only for basic preliminary design on the building itself. The preliminary design fee is not to exceed \$4,000. This work will largely focus on code compliance, spatial planning and floor plans.

Commissioner Loper made a motion to approve a work authorization with Hussey, Gay, Bell & DeYoung for Goshen Public Safety Facility to house fire, EMS, and Sheriff's substation (see minute book page \_\_\_\_\_). Commissioner Utlemy seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A WORK AUTHORIZATION WITH LOTT+BARBER FOR CONSULTING SERVICES ON THE NEW SHERIFF'S OFFICE AND JAIL (08):** Project Manager Kobek explained that the Board and the citizens recently approved a SPLOST referendum for the construction of a new Sheriff's Office and Jail. Several facilities have been toured and a course of action has been outlined as to the selection of a design team. The plan is to hire a firm to complete the programming portion of the design, and a subsequent firm to complete the actual design and construction of the work. This is a technical project, with a lot of detail required for the movement of inmates, work spaces for personnel and support functions of the entire facility. The work authorization is for a consultant to assist with the selection process of the programming and design construction firms. The work by the consultant will include drafting a request for qualifications, review of submittals, assisting with interviews and meeting with the selection team. The full use of the consultant as outlined would come to a total of \$17,500. The consultant will not have access to bid on any portion of the work and will act as a non-interested party to assist the County in selecting a qualified programming and design/construction team.

Commissioner Utlemy made a motion to approve a work authorization with Lott+Barber for consulting services on the new Sheriff's Office and Jail. Commissioner Phillips seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A CONCEPT PLAN FOR ULMER PARK (09):** Project Manager Kobek explained that Ulmer Park area is located between Pine and Oak Streets and Madison and Early Streets. The Board of Commissioners and

the City of Springfield created an Ad Hoc Committee to work on a joint conceptual plan to improve the use, provide for passive recreation, and enhance the park areas. The group is now finished with the conceptual plan. The park includes an enhanced and ADA compliant playground facility, large event space, a fountain, and interactive water feature, and picnic areas. Overall site work includes, a crowned grassed area, curb and gutter and utility relocation. Hardscapes include sidewalks, brick paver units, and parking areas. The committee agreed to the concept plan as presented; the committee consisted of representative from County and City staff, elected officials and citizens. Staff is requesting approval of the project concept plan.

Commissioner Loper made a motion to approve a concept plan for Ulmer Park. Commissioner Brantley seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A RESOLUTION TO ADOPT FY 2010 CAPITAL IMPROVEMENTS ELEMENTS (10):** Zoning Administrator Shaw explained that the Capital Improvement Element update is an accounting of how impact fee collection was used. It also includes a Short Term Work Program for how future fees are expected to be used. This Capital Improvement Element report has already been approved by DCA. The only step is for the Capital Improvement update to be adopted by resolution by the Board of Commissioners to maintain the Qualified Local Government Status.

Commissioner Brantley made a motion to approve a Resolution to Adopt FY 2010 Capital Improvements Elements (see minute book page \_\_\_\_\_). Commissioner Utley seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A LETTER OF INTENT AND AN AGREEMENT TO PARTICIPATED IN THE SUMMER FOOD SERVICE PROGRAM AFTER REVIEW AND APPROVAL FROM THE COUNTY ATTORNEY (11):** County Clerk Crawley explained that for the past several years the Board of Commissioner have participated in the Summer Food Service Program. This program offers nutritious summer lunch meals for children in the Guyton, Cloyo, and Springfield area. Some of the costs of the program are reimbursed from state/federal funds. Natalie Scott has been the

program director for the last several years and is willing to be the director again. For the months of June and July the program ran for 38 days and served 4965 meals. The estimated county expense is \$19,835; the state reimbursement was \$16,133 leaving \$3,701.45 paid out of General Fund.

Commissioner Loper made a motion to approve only a letter of intent for the Summer Food Program. Commissioner Phillips seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE AMENDING THE RULES OF PROCEDURES FOR THE EFFINGHAM COUNTY BOARD OF COMMISSIONERS (12):** County Clerk Crawley explained that the current Rules of Procedures for the Effingham County Board of Commissioners state that items for the Commissioners Agenda are due to the clerk by noon on the Tuesday before a Commissioners meeting. This is not enough time for the clerk to organize the Agenda for the Chairman's approval and to prepare the Agenda Book for the Commissioners on Thursday before noon. If the due date is moved to noon 12 days before the Commissioners Meeting, this should give time for the item to be reviewed by the County Attorney, County Administrator and the County Clerk before being placed on the Agenda.

Commissioner Brantley made a motion to approve amending the Rules of Procedures for the Effingham County Board of Commissioners (see minute book page \_\_\_\_). Commissioner Phillips seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE LARRY HADDEN AS THE AGENT OF RECORD FOR EFFINGHAM COUNTY CONCERNING HEALTH RELATED INSURANCE PROGRAMS (13):** County Administrator Crawley explained that Larry Hadden has worked as Effingham County's insurance agent for health insurance related programs for more than 10 years. Requesting quotes from health insurance providers, as evident from past attempts, has been confusing and convoluted. Identifying an agent of record will simplify the process, allowing better management and more control of the process. Discussion with insurance providers has lead to the suggestion of assigning a single agent of record to request quotes and provide

consistent and concise comparisons of various health insurance programs. Staff believes there may be opportunities to reduce health insurance related costs; however, we believe the County would be best serviced by a single agent requesting quotes and specification from multiple providers. Staff would like to begin immediately seeking quotes for alternative health insurance plans.

Mrs. Ruth Lee and Mr. Ricky Steel explained their concerns on this item.

Commissioner Loper made a motion to table the Agent of Record until January 4, 2011. Commissioner Brantley seconded the motion. Chairman Zeigler and Commissioner Utley voted against the motion. Vice-Chairperson Lewis, Commissioner Phillips, Commissioner Loper and Commissioner Brantley voted for the motion. The motion carried.

The Board broke for dinner.

The Board reconvened at 7:00 p.m.

**PLANNING BOARD PRESENTMENTS**

**NEW BUSINESS**

**EFFINGHAM COUNTY BOARD OF COMMISSIONERS – PUBLIC HEARING (01):** A Public Hearing was held on the application by Effingham County to amend Appendix B – Subdivision Regulation, Section 6.2.8 of the Official Code of Effingham County.

Zoning Administrator Shaw presented the request.

No objectors were present.

Commissioner Loper made a motion to approve the First Reading to amend Appendix B – Subdivision Regulation, Section 6.2.8 of the Official Code of Effingham County. Commissioner Utley seconded the motion. The motion carried unanimously.

**EFFINGHAM COUNTY – PUBLIC HEARING (02):** A Public Hearing was held on the application by Effingham County to amend Appendix C – Zoning Ordinance, Section 2.55.1, 2.55.2 and 5.4.1.2 of the Official Code of Effingham County.

Zoning Administrator Shaw presented the request.

No objectors were present.



Commissioner Brantley made a motion to amend the application by Effingham County to amend Appendix C – Zoning Ordinance, Section 2.55.1, 2.55.2 and 5.4.1.2 of the Official Code of Effingham County. Commissioner Utley seconded the motion. The motion carried unanimously.

**CONTINUATION OF NEW BUSINESS**

**CONSIDERATION TO APPROVE A LETTER OF SUPPORT FOR EAST GEORGIA REGIONAL HOSPITAL'S EXPANSION INTO EFFINGHAM COUNTY FOR A HEALTH CLINIC (14):** County Administration Crawley explained that East Georgia Regional is applying for a federal grant to open a new clinic in Effingham County. Letters of Support are needed by December 10<sup>th</sup>. The clinic will serve all ages for all illnesses regardless of the patient's ability to pay. The Clinic will serve the un and underinsured. A sliding scale will be offered for those who are willing and able to pay. East Georgia, according to the email that was received is working with Norma Jean Morgan on the project.

Commissioner Brantley made a motion to approve a letter of support for East Georgia Regional Hospital's Expansion into Effingham County for a Health Clinic with the stipulation that the letter does not contradict the current contract between Board and the Hospital. Commissioner Loper seconded the motion. Chairman Zeigler opposed the motion. Vice-Chairperson Lewis, Commissioner Phillips, Commissioner Utley, Commissioner Loper, and Commissioner Brantley voted for the motion. The motion carried.

**CONSIDERATION TO APPROVE A RESOLUTION TO AUTHORIZE A LOAN FROM GENERAL FUND TO THE WATER AND SEWER OPERATING FUND (15):** Finance Director Wright explained that Effingham County is in the process of operating and constructing water and sewer infrastructure. There are several sources of funding for the construction and operations which include the water and sewer monthly revenue and impact fees. These funding sources have not been sufficient to repay the general fund with regard to operations, project cost and engineering fees for projects that have not yet begun. The Board of Commissioners approved borrowing the funds from General Fund through December 31, 2010. Staff seeks the Board of Commissioner's direction and approval to amend the current

General Fund borrowing resolution and extend the period allowed to payback the current funds owed to the general fund by the water & sewer revenue to June 30, 2011. At the Boards direction staff has closed the open GEFA loans, sent letters to those who gave letters of credits and made preliminary plans to refinance the loans doe an extended period. Staff would like to change the Resolution from borrowing up to \$11,000,000 million dollars to \$12.5 million dollars.

Commissioner Phillips made a motion to approve a Resolution to authorize a loan from General Fund to the water and sewer operating fund with the change of funds for water and sewer construction obligation may be borrowed from the County's general fund balance up to \$12.5 million dollars (see minute book page \_\_\_\_). Commissioner Brantley seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A BUDGET AMENDMENT FOR FISCAL YEAR 2010**

**(16):** Finance Director Wright explained that the Board approved the 2009 – 2010 budgets on August 4, 2009. Several additional amendments are required to close the 2010 Fiscal Year. The amendment proposes using SPLOST water and sewer funds for the reuse storage infrastructure that was constructed this past year. Wireless Fund needs to be used to fund the new Motorola leases and shortfall within Department 35 (E-911).

Commissioner Utley made a motion to approve a Budget Amendment for Fiscal Year 2010 (see minute book page \_\_\_\_\_). Commissioner Phillips seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A RESOLUTION TO ESTABLISH SPECIAL SERVICE DISTRICTS FOR SERVICES PROVIDED TO THE UNINCORPORATED AREA OF EFFINGHAM COUNTY AND FOR OTHER PURPOSES (17):**

Finance Director Wright explained that recent agreements with the Municipalities require the establishment of special service districts. The purpose of this resolution is to authorize staff to set up additional accounting funds, accounting structure, general ledger accounts and bank accounts. The resolution also authorized the transfer of funds associated with the unincorporated portion of the General Fund balance (reserve) in excess

of the current operational designation otherwise known as “undesignated general fund balance”.

Commissioner Phillips made a motion to approve a Resolution to Establish Special Service Districts for Services provided to the Unincorporated area of Effingham County for other purposes (see minute book page \_\_\_\_). 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.

Chairperson Zeigler left the meeting.

**PRESENTMENT OF THE ANNUAL AUDIT FOR FISCAL YEAR 2010 (18):** Finance Director Wright and CPA Donald Caines presented the annual audit for Fiscal Year 2010.

**REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF**

Vice-Chairperson Lewis, Commissioner Phillips, and Commissioner Utley thanked staff.

County Clerk Crawley discussed the following:

- ◆ Lunch invitation at Guyton City Hall

County Administrator Crawley discussed the following:

- ◆ Development Impact Fees meeting
- ◆ Gateway Property being surveyed
- ◆ Hospital Authority has HUD approval

**EXECUTIVE SESSION**

Chairperson Zeigler returned to the meeting.

At 8:24 p.m. Vice-Chairperson Lewis 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 litigation. (See copy of Chairperson’s affidavit on minute book page number \_\_\_\_).

**CONTINUE OF NEW BUSINESS**

The Board reconvened in Regular Session at 9:16 p.m.

Commissioner Phillips made a motion to add Item Number 19 Consideration to approve an easement limited agreement with Georgia Power Company,

Number 20 Consideration to approve a resolution exercising the power of eminent domain for Effingham County's extension of the one percent sales tax road improvement program for parcel number 30 Old Augusta Road Paving, Phase II and Number 21 Consideration to approve a resolution exercising the power of eminent domain for Effingham County's extension of the one percent sales tax road improvement program for parcel number 14 Old Augusta Road Paving, Phase II to the agenda. Commissioner Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE AN EASEMENT LIMITED AGREEMENT WITH GEORGIA POWER COMPANY (19), CONSIDERATION TO APPROVE A RESOLUTION EXERCISING THE POWER OF EMINENT DOMAIN FOR EFFINGHAM COUNTY'S EXTENSION OF THE ONE PERCENT SALES TAX ROAD IMPROVEMENT PROGRAM FOR PARCEL NUMBER 30 OLD AUGUSTA ROAD PAVING, PHASE II (20), AND CONSIDERATION TO APPROVE A RESOLUTION EXERCISING THE POWER OF EMINENT DOMAIN FOR EFFINGHAM COUNTY'S EXTENSION OF THE ONE PERCENT SALES TAX ROAD IMPROVEMENT PROGRAM FOR PARCEL NUMBER 14 OLD AUGUSTA ROAD PAVING, PHASE II (21):** Commissioner Phillips made a motion to approve an easement limited agreement with Georgia Power Company, a resolution exercising the power of eminent domain for Effingham County's extension of the one percent sales tax road improvement program for parcel number 30 Old Augusta Road paving, phase II, and a resolution exercising the power of eminent domain for Effingham County's extension of the one percent sales tax road improvement program for parcel number 14 Old Augusta Road paving, phase II (see minute book page \_\_\_\_). Commissioner Brantley seconded the motion. The motion carried unanimously.

**ADJOURNMENT**

At 9:17 p.m., Chairman Zeigler made a motion to adjourn the meeting. Vice-Chairperson Lewis seconded the motion. The motion carried unanimously.