

THE EFFINGHAM COUNTY
COMMISSIONERS' MEETING

The Board of Commissioners of Effingham County, Georgia, Mr. C. D. Zeigler, Chairman, Mr. Reginald S. Loper, Sr., Vice-Chairman, Mr. Robert Brantley, Mrs. Vera Jones, Mr. Steve Mason, and Mr. Phil Kieffer met in regular session at 4:00 p.m. on Tuesday, February 03, 2011 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, Mrs. Susan Plank, Ms. Marcy Aiken, Mr. H.B. Rahn, Mr. Richard Stille, Mr. Alan Zipperer, Mr. Steve Collins, Mr. Charlie Kea, Mr. James Scott, Mr. Jack Garvin, Mr. Jim Simmons, Mr. Joseph Wierbick, Mr. Murray Marshall, and Mr. Roy Floyd.

CALL TO ORDER

Chairman Zeigler called the meeting to order.

INVOCATION AND PLEDGE TO THE AMERICAN FLAG

Chairman Zeigler gave the invocation and led the Pledge to the American Flag.

WORKSHOP

Staff went over the pros and cons of the Service Delivery Agreements concerning the County Jail, Road construction and maintenance, Recreation, and Fire Protection.

AGENDA APPROVAL

County Clerk Crawley requested to add New Business Number 9 – Consideration to approve Errors and Releases on Property Taxes submitted by the Tax Commissioner.

Commissioner Brantley made a motion to approve the Agenda with the addition of New Business Number 9. Commissioner Jones seconded the motion. The motion carried unanimously.

MINUTES

Commissioner Mason made a motion to approve the minutes for the January 18, 2011 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.

CONSENT AGENDA

Chairman Zeigler read aloud items one and two on the consent Agenda.

Chairman Zeigler made a motion to approve the Consent Agenda as follows:

- (1) The Second Reading to amend the Effingham County Zoning Map 391-19 by Mark Glisson and Nicky Powell to rezone 34.67 acres from R-1 to R-1 with the removal of the stipulation for acceleration and deceleration lanes located on Little McCall Road
- (2) The Second Reading to amend Appendix C – zoning Ordinance to add section 5.15, 5.15.1, 5.15.2 and 5.15.3 to the Code of Effingham County

Commissioner Kieffer seconded the motion. The motion carried unanimously.

Commissioner Jones stepped down due to a potential conflict.

Chairman Zeigler read aloud item three.

Vice-Chairman Loper made a motion to approve the errors and releases for Property Tax as submitted by the Tax Commissioner. Commissioner Kieffer seconded the motion. The motion carried unanimously.

Commissioner Jones joined the Board.

NEW BUSINESS

CONSIDERATION TO APPROVE THE FIRST READING TO AMEND THE OFFICIAL CODE OF EFFINGHAM COUNTY ALCOHOL ORDINANCE (01): Zoning Administrator Shaw stated that a local citizen and restaurant owner made a request to the Board of Commissioners to allow some changes to the Alcohol Ordinance to help county restaurants to be more competitive with restaurants in other neighboring jurisdictions. The changes requested affected the hours of operations, pricing changes, and the number of drinks sold per person. A request was also made by

the Chamber of Commerce to create a temporary event alcohol permit to allow for beer and wine to be sold at special events that have been approved by the Board of Commissioners.

Commissioner Kieffer would also like to look into changing the definition of restaurant percentage of sales from 50% to 55%.

Mr. Charlie Kea gave his opinion on the amendment of the alcohol ordinance.

County Attorney Gotwalt wanted to review the Official Code of Georgia before the Board voted on amending the Official Code of Effingham.

Chairman Zeigler left the meeting.

WORKSHOP

IMPACT FEE – Mr. Carson Bise with TischlerBise gave a presentation of the Capital Improvements Element and Development Impact Fees that were prepared for Effingham County.

CONTINUE WITH NEW BUSINESS

CONSIDERATION TO APPROVE THE FIRST READING TO AMEND THE OFFICIAL CODE OF EFFINGHAM COUNTY ALCOHOL ORDINANCE (01): County Attorney Gotwalt explained the minimum requirement and method of measuring from churches to the licensee.

Commissioner Mason made a motion to approve the First Reading to amend the Official Code of Effingham County Alcohol Ordinance with the changes as presented and to include the change of the definition of restaurant from 55% to 50% food receipts in section 6-2, to change the minimum and method of distance under section 6-119 to follow the State of Georgia and to add the temporary event alcohol license.

Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE REDIRECTING STAFF ON THE STEPS NECESSARY TO HOLD A REFERENDUM ON SUNDAY SALES (02): Commissioner Brantley stated that during the January 18th meeting, the Board added to the agenda and directed staff to proceed with a special election to hold a referendum to permit

and regulate or not permit and regulate Sunday sales of distilled spirits of alcoholic beverages for beverage purposes by the drink. Staff of the Board of Elections has proceeded forward as directed. Since the Boards last meeting, concern has been raised over the cost of the special election. The proposed special election in March will cost approximately \$40,000. The next countywide election the County will be required to conduct will be the presidential preference primary in February of 2012.

Mrs. Susan Plank, Mr. Steve Collins, Mr. Charlie Kea, and Mrs. Linda Lowe gave their opinion of the special election.

Commissioner Mason made a motion to postpone the Special Election until a regular scheduled election or if there is another need for a Special Election. Commissioner Brantley seconded the motion. The motion carried unanimously.

RETIREMENT OVERVIEW (03): Human Resources Director Hudzinski-Sero and Mrs. Gini Nichols gave the monthly retirement overview and went over the retirement plan documents.

CONSIDERATION TO APPROVE THE FIRE CHIEF TO ISSUE CITATIONS (04): Fire Chief Ashcraft explained that under section 36-17 of County Ordinance outlines the powers of the Fire Chief. In the past, it has not been effective to always rely on the code enforcement official to issue citations because his job is a part-time position; and the Sheriff's Office is often reluctant to issue citations for violations of Fire Protection Regulations. Staff is requesting the permission to allow Chief Ashcraft to become a constable to issue citations.

The direction was given to Zoning Administrator Shaw to get the information on how many calls and the fines collected for the Code Enforcement Officer.

Commissioner Kieffer made a motion to table this issue until more information is gathered. Commissioner Mason seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A WORK AUTHORIZATION WITH HUSSEY, GAY, BELL, & DEYOUNG FOR COMPLETE CONSTRUCTION PLANS FOR THE GOSHEN PUBLIC SAFETY PROJECT (05): Project Manager Kobek explained that the Board purchased a lot and well system off Goshen Road to construct a new

Fire/EMS/Sheriff station and to use the well as a backup to the surface water system. The facility will also serve as a collection site for water and sewer payments. In December, the Board approved a Work Authorization for preliminary design work in connection with this project, which will be credited to the design fee. The EMS Director, Fire Chief and Sheriff have been included in the preliminary design and approve of the floor plan that is presented. The complete and final design fees, including construction administration and bidding/negotiations work is not to exceed \$58,000. All civil and site plans will be handled in house by the County Civil Engineer. The building is a planned two story with living quarters on the second level above the apparatus bay space.

Commissioner Brantley made a motion to approve a work authorization with Hussey, Gay, Bell & DeYoung for complete construction plans for the Goshen Public Safety Project (see minute book page ____). Commissioner Mason seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A LOCATION AGREEMENT WITH SAVANNAH PRODUCTION EAST FOR THE USE OF THE HISTORIC COUNTY COURTHOUSE (06):

Project Manager Kobek explained that Savannah Production East contacted the County in hopes of using the Historic County Courthouse for an upcoming movie production. The filming will take approximately two days, 14 hours each day, with a crew of approximately 50 people. Savannah Productions will pay a fee to use the building and pay for an employee to be available to operate the building and the rooms.

Commissioner Jones made a motion to approve a location agreement with Savannah Production East for the use of the Historic County Courthouse (see minute book page ____). Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A QUIT CLAIM DEED WITH LESLIE PEAVY, SR AND MR. AND MRS. SCOTTIE DANIEL (07):

County Clerk Crawley explained that when Magnolia Drive off of Hwy 80 in Eden was widened, a portion of the road lies on Leslie Peavy, Sr. and Scottie E Daniel and Tara Daniel's property. Mr.

Peavy, Sr. and Mr. and Mrs. Daniel would like to deed the 20 foot right of way to Effingham County.

Commissioner Brantley made a motion to approve a quit claim deed with Leslie Peavy, Sr. and Mr. and Mrs. Scottie Daniel (see minute book page ___).

Commissioner Mason seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE WALTER WRIGHT AS EFFINGHAM COUNTY EMERGENCY MANAGEMENT AGENCY DIRECTOR (08): County Administrator Crawley explained that the Board of Commissioners currently has a Emergency Management Agency which fulfills the responsibilities of the County to coordinate responses, train emergency responders, and drafts emergency preparedness plans. Val Ashcraft currently serves as the EMA director as well as the fire chief. Staff feels that splitting the positions will allow for more time and effort to be devoted to each position. The appointment does not come with additional compensation as Walter Wright currently serves as Public Safety Director. Staff requests to appoint Walter Wright as Effingham County Emergency Management Agency Director.

Commissioner Brantley made a motion to approve Walter Wright as Effingham County Emergency Management Agency Director. Commissioner Kieffer seconded the motion. The motion carried unanimously.

ADDITION TO THE AGENDA

CONSIDERATION TO APPROVE ERRORS AND RELEASES ON PROPERTY TAXES SUBMITTED BY THE TAX COMMISSIONER (09): Tax Commissioner McDaniel explained that the Errors and Releases that are requested are the ones from the Public Utilities. The State sets the amount to release.

Commissioner Kieffer made a motion to approve errors and releases on property taxes submitted by the Tax Commissioner (see minute book page ____).

Commissioner Jones seconded the motion. The motion carried unanimously.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

Commissioner Crawley discussed the following:

- ◆ Drainage issue on Hwy 80
- ◆ Roads and right of way for Jamestown Subdivision

County Clerk Crawley discussed the following:

- ◆ ACCG Legislative update
- ◆ Press release from the Chamber concerning the display at the Georgia/South Carolina line

Commissioner Masson discussed the following:

- ◆ Digital agenda

County Administrator Crawley discussed the following:

- ◆ Tourism assessment services through the Georgia Department of Economic Development
- ◆ Treutlen portrait to be on loan
- ◆ Request from the City of Springfield for a sign to be located on the county property at Hwy 119 and GA 21
- ◆ Meeting with personnel committee
- ◆ Courthouse artwork
- ◆ Meeting with budget committee
- ◆ Expansion of services with the One Stop Shop at the Courthouse Annex
- ◆ Revenue received from GSCCCA from internet services
- ◆ RFQ for Jail
- ◆ Establishment of a Public Facility Authority
- ◆ New home construction of sewer fees
- ◆ Ash roads and where to go next

EXECUTIVE SESSION

At 9:20 p.m. Commissioner Jones made a motion to go into Executive Session to discuss personnel, property, and pending litigation. Commissioner Kieffer seconded the motion. The motion carried unanimously.

County Administrator Crawley and Commissioners discussed property and pending litigation. (See copy of Chairperson's affidavit on minute book page number _____).

At 10:45 p.m. the Board reconvened in regular session.

Commissioner Kieffer made a motion to add Consideration to approve hearing an ethics complaint filed by Richard Stille on March 15th at 4:00 p.m. Vice-Chairman Loper seconded the motion. The motion carried.

ADDITION TO THE AGENDA CONTINUE

CONSIDERATION TO APPROVE HEARING AN ETHICS COMPLAINT FILED BY RICHARD STILLE ON MARCH 15TH AT 4:00 P.M. (10): Vice-Chairman Loper made a motion to approve hearing an ethics complaint filed by Richard Stille on March 15th at 4:00 p.m. Commissioner Kiefer seconded the motion. The motion carried unanimously.

ADJOURNMENT

At 10:50 p.m., Commissioner Mason made a motion to adjourn the meeting. Commissioner Kieffer seconded the motion. The motion carried unanimously.

C. D. Zeigler, Chairman

Patrice R. Crawley, County Clerk