

**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 5:00 p.m. on Tuesday, February 15, 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, Mr. Tim Mathews, Mrs. Linda Rountree, Mr. Bubba Rountree, Mrs. Rose Harvey, Mr. Jim Simmons, Mrs. Ruth Lee, Mr. Robert Plank, Mrs. Susan Plank, Mr. Ricky Stille, Mr. Jim Presnell, Ms. Vickie Brown, Mr. Keith Johnson, Mrs. Beth Helmly, Mr. Jimmy Helmly, Mr. Steve Smith, and Mrs. Peggy Smith.

**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.

**AGENDA APPROVAL**

Commissioner Kieffer made a motion to approve the agenda as presented. Vice-Chairman Loper seconded the motion.

**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-Chairman Loper made a motion to approve the February 3, 2011 minutes. Commissioner Jones seconded the motion. Chairman Zeigler abstained from 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 THE SECOND READING TO AMEND THE OFFICIAL CODE OF EFFINGHAM COUNTY THE ALCOHOL ORDINANCE (01):** Zoning Administrator Shaw explained that the Alcohol Ordinance was amended as directed by the Board.

Commissioner Jones made a motion to approve the second reading to amend the Official Code of Effingham County Alcohol Ordinance (see minute book page \_\_\_\_\_). Vice-Chairman Loper seconded the motion. The motion carried unanimously.

NEW BUSINESS

**CONSIDERATION TO APPROVE AN AGREEMENT FOR THE 2011 SUMMER FOOD PROGRAM (01):** County Clerk Crawley explained that for the past several years, the Board has participated in the Summer Food Program. This program offers nutritious summer lunch meals for children in the Guyton, Clyo and Springfield area. Some of the costs of the program are reimbursed from state/federal funds. The overall costs to the general fund have continued to rise over the years.

Vice-Chairman Loper made a motion to approve an agreement for the 2011 Summer Food Program (see minute book page \_\_\_\_). Commissioner Brantley seconded the motion. Chairman Zeigler opposed the motion. Vice-Chairman Loper, Commissioner Brantley, Commissioner Jones, Commissioner Mason, and Commissioner Kieffer voted in favor of the motion. The motion carried.

**CONSIDERATION TO APPROVE A CONTRACT BETWEEN THE BOARD OF REGENTS OF UNIVERSITY SYSTEM OF GEORGIA BY AND ON BEHALF OF THE UNIVERSITY OF GEORGIA COLLEGE OF AGRICULTURAL AND ENVIRONMENTAL**

**SCIENCES AND THE EFFINGHAM COUNTY BOARD OF COMMISSIONERS (02):** Warden Spears explained that the Bamboo Farm and Coastal Gardens have approached the Prison about paying for an inmate detail. The farm will utilize the inmate work detail to maintain the site under the direction of an Effingham County Prison guard. The Bamboo Farm and Coastal Gardens will pay the cost of one guard to County plus any overtime, all equipment, tools, transportation and safety equipment. The County will be responsible for guarding, care and custody of the inmates at all times. The contract is effective until January 31, 2012.

Commissioner Brantley made a motion to approve a contract between the Board of Regents of University System of Georgia by and on behalf of the University Of Georgia College Of Agricultural and Environmental Sciences and the Effingham County Board of Commissioners (see minute book page \_\_\_\_\_).

Commissioner Mason seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A WARRANTY DEED FOR KENDALL SHAYS (03):**

County Engineer Liotta explained that G-4ACE, LLC requests that the County accept ownership and maintenance of two twenty foot wide strips of land running continuously and contiguously along the Northwestern and Southeastern boundaries of Low Ground Road within Kendall Shays subdivision. This development is served by private wells and individual septic tanks and the all lots front Low Ground Road.

Commissioner Jones made a motion to approve a warranty deed for Kendall Shays (see minute book page \_\_\_\_). Commissioner Mason seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE AN ASSIGNMENT OF WATER SERVICE AGREEMENT FOR EMERALD PLANTATION (04):**

County Engineer Liotta explained that SunTrust Bank requests that the County approve the assignment of the Water Service Agreement from SunTrust Bank to Logan's Landing Development, Inc. Funding is not required by Effingham County. All future credits under Section 5.B of the Agreement would go to Logan's Landing Development instead of the bank.

Commissioner Mason made a motion to approve an assignment of Water Service Agreement with Logan's Landing Development, Inc for Emerald Plantation, Phase I (see minute book page \_\_\_\_). Vice-Chairman Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A WARRANTY DEED FOR SOUTHERN HILLS, PHASE IV (05):** County Engineer Liotta explained that The Coastal Bank has requested that the County accept ownership and maintenance of the infrastructure, road right of way and storm drainage systems, not including ponds, for Southern Hills, Phase IV, located off of Hodgeville Road. Water services are provided by a privately owned community well system and sewage services by individual septic tanks.

Commissioner Kieffer made a motion to approve a warranty deed for Southern Hills Phase IV (see minute book page \_\_\_\_). Commissioner Jones seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE AN INDICATION OF ROUNDABOUT SUPPORT WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION LOCATION AT THE INTERSECTION OF EBENEZER AND RINCON-STILLWELL ROAD (06):** Civil Engineer Allen explained that the Georgia Department of Transportation has adopted a policy which requires any intersection being considered for traffic control to first be analyzed for a roundabout. The Department has completed a statewide review of intersections where a roundabout can improve safety or operational efficiency. Based on the number and severity of crashes at the current intersection, SR 275 at Rincon-Stillwell Road has been identified as a candidate location for a roundabout.

Vice-Chairman Loper made a motion to approve an indication of roundabout support with the Georgia Department of Transportation location at the intersection of Ebenezer and Rincon-Stillwell Road (see minute book page \_\_\_\_). Commissioner Brantley seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A RESOLUTION REIMPLEMENTING THE JAIL CONSTRUCTION AND STAFFING ACT (07):** County Administration Crawley explained that the Jail Construction and Staffing Act allows the County to impose

an additional sum equal to 10% of the original fine, bail or bond for the purpose of jail operations and construction. The act required the governing authority to implement the fees by resolution.

Commissioner Brantley made a motion to approve a Resolution reimplementing the Jail Construction and Staffing Act (see minute book page \_\_). Commissioner Kieffer seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A COUNTY JAIL AGREEMENT WITH THE CITY OF RINCON, SPRINGFIELD, AND GUYTON (08):** County Administration Crawley stated that some changes have come up and would like this item tabled until the March 1<sup>st</sup> meeting.

Commissioner Brantley made a motion to table the jail agreement until March 1<sup>st</sup>. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A ROAD CONSTRUCTION MAINTENANCE AGREEMENT WITH THE CITY OF RINCON, SPRINGFIELD AND GUYTON (09):** County Administrator Crawley and Finance Director Wright went over how the Special Delivery Agreements will be handled.

Mrs. Ruth Lee stated her concerns of the Service Delivery Agreements.

Commissioner Brantley made a motion to table the road construction maintenance agreement. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

**APPEARANCE**

**DARLENE KRAMER** – Ms. Darlene Mock a neighbor of Darlene Kramer requested the Board to consider having two speed bumps installed in Rosewood Subdivision.

**CONSIDERATION TO APPROVE A SERVICE DELIVERY STRATEGY AGREEMENT FOR RECREATION (10):** Commissioner Mason made a motion to table the service delivery strategy agreement for Recreation. Commissioner Brantley seconded the motion. The motion carried unanimously.

**REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF**

Chairman Zeigler discussed the following:

- ◆ Letter from the Coastal Health District

Vice-Chairman Loper discussed the following:

- ◆ Historic Society certificate

Commissioner Mason discussed the following:

- ◆ Letter to the editor on ash roads

Commissioner Kieffer discussed the following:

- ◆ Hospital Finance Committee – quarterly report

County Clerk Crawley discussed the following:

- ◆ Photos on the website

Zoning Administrator Shaw discussed the following:

- ◆ Code Enforcement calls

Project Manager Kobek discussed the following:

- ◆ Filming of Savannah in Effingham County

County Administrator Crawley discussed the following:

- ◆ Ash Roads
- ◆ House Bill 240 SPLOST
- ◆ Establishment of Public Facilities Authority
- ◆ Workshop on water and sewer financing

Mr. David and Mrs. Bonnie Rountree explained their concerns of the ash roads.

### **EXECUTIVE SESSION**

At 6:27 p.m., Chairman Zeigler made a motion to go into Executive Session to discuss personnel, property, and pending litigation. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

The Board reconvened at 7:16 p.m. to Planning Board presentments.

### **PLANNING BOARD PRESENTMENTS**

#### **NEW BUSINESS**

**ALBERT LONON – PUBLIC HEARING (01):** A Public Hearing was held on the application by Albert Lonon to rezone 1.65 acres Map 302 Parcel 126 located at 444 Dogwood Way from AR-1 to AR-2 in the First District.

Zoning Administrator Shaw presented the request.

There were no objectors present.

Commissioner Brantley made a motion to approve the First Reading to rezone 1.65 acres Map 302 Parcel 126 located at 444 Dogwood Way from AR-1 to AR-2 with the following recommendation:

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 the USACE.
4. Subdivision plat shall be approved by the Health Department and the Zoning Office.
5. The ½ acre tract shall be noted that it may not be developed without public water service.

Commissioner Jones seconded the motion. The motion carried unanimously.

**DEBBY NEASE – PUBLIC HEARING (02):** A Public Hearing was held on the application by Debby L. Nease request for a variance to Sec. 5.1.2.5 of the Effingham County Ordinance Map 415 Parcel 23 to allow for a home site for a non relative located at 285 Hodgeville Road located in the Second District.

Zoning Administrator Shaw presented the request.

No objectors were present.

Commissioner Jones made a motion to approve the First Reading for a variance to Sec. 5.1.2.5 of the Effingham County Ordinance Map 415 and Parcel 23 to allow for a home site for a non relative located at 285 Hodgeville Road with the stipulation that the additional dwelling unit may not be lived in by anyone other than the nephew of Ms. Nease and his family or another immediate family member of Ms. Nease. Commissioner Kieffer seconded the motion. The motion carried unanimously.

**DAVID A. BRAMMER – PUBLIC HEARING (03):** A Public Hearing was held on the application by David Brammer to rezone 3.99 acres Map 405 Parcel 31A located at 2459 Sister Ferry Road from AR-2 to AR-1 in the Third District.

Zoning Administrator Shaw presented the request.

No objectors were present.

Commissioner Mason made a motion to approve the First Reading to rezone 3.99 acres Map 405 Parcel 31A located at 2459 Sister Ferry Road from AR-2 to AR-1 with the following stipulation:

1. Each lot shall 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 Storm Water Management Local Design Manual.
3. All wetland impacts shall be permitted by the USACE.
4. Combination plat shall be approved by the Health Department and the Zoning Office.

Vice-Chairman Loper seconded the motion. The motion carried unanimously.

**KEITH JOHNSON – PUBLIC HEARING (04):** A Public Hearing was held on the application by Keith Johnson to rezone 2 acres Map 427 Parcel 14 located on Stillwell Road from AR-1 to B-2 in the Fourth District.

Vice-Chairman Loper excused himself for this item.

Zoning Administrator Shaw presented the request.

Mr. Keith Johnson answered questions.

Mrs. Beth Helmly and Mr. James Helmly stated their concerns of the rezoning.

Commissioner Mason made a motion to approve the First Reading to rezone 2 acres Map 427 Parcel 14 located on Stillwell Road from AR-1 to B-2 in the Fourth District 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 the USACE.
4. Subdivision plat shall be approved by the Health Department and the Zoning Office
5. The property maybe be only used for a land clearing business to include mobile or permanent office, equipment storage and maintenance, retail sales of bulk materials and other activities necessary to protect the viability of the land clearing business

Commissioner Kieffer seconded the motion. The motion carried unanimously.

Vice-Chairman Loper returned to the meeting.

**RUSSELL SOWERS – PUBLIC HEARING (05):** A Public Hearing was held for a rural business use Map 461 Parcel 65 to operate a nursery located at 2333 Rincon Stillwell Road in the Fifth District.

Zoning Administrator Shaw presented the request.

Mr. Russell Sowers answered questions.

Commissioner Kieffer made a motion to approve the First Reading to amend Zoning Map 461-65 for a rural business to operate a nursery located at 2333 Rincon Stillwell Road with staff recommendations that the applicant must



meet all requirement of Sec. 3.15B Rural Business of the Effingham County Zoning Ordinance. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

**JEREMY K. JONES – PUBLIC HEARING (06) AND SECOND READING ON JEREMY**

**K. JONES (07):** Zoning Administrator Shaw explained that the Mr. Jeremy Jones request to have both items tabled.

Chairman Zeigler made a motion to table the rezoning and the second reading on the rezoning requested by Jeremy Jones. Commissioner Jones seconded the motion. The motion carried unanimously.

**CONTINUED 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 Jones seconded the motion. The motion carried unanimously.

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

At 8:54 p.m. the Board went back into Regular Session.

Chairman Zeigler made a motion to add item Number 11 – Consideration to approve purchasing a utility easement from the Coastal Bank. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

Commissioner Jones excused herself from this item.

**NEW BUSINESS – CONTINUED**

**CONSIDERATION TO APPROVE PURCHASING A UTILITY EASEMENT FROM THE COASTAL BANK (11):** Chairman Zeigler made a motion to approve purchasing a utility easement from the Coastal Bank (see minute book page \_\_\_\_). Vice-Chairman Loper seconded the motion. The motion carried unanimously.

**ADJOURNMENT**

At 8:56 p.m., Chairman Zeigler made a motion to adjourn the meeting. Commissioner Brantley seconded the motion. The motion carried unanimously.