

**THE EFFINGHAM COUNTY
COMMISSIONERS' MEETING**

The Board of Commissioners of Effingham County, Georgia, Mr. Wendall Kessler, Chairman, Mr. Steve Mason, Vice-Chairman, Mr. Forrest Floyd, Mrs. Vera Jones, Mr. Reginald Loper, Sr., and Mr. Phil Kieffer met in regular session at 5:00 p.m. on Tuesday, April 16, 2013 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, Director of Community Relations, Mrs. Patrice R. Crawley, County Clerk, Ms. Karen Arnold, Executive Assistant, Mrs. Joanna Wright, Finance Director, Mr. Jack C. Garvin, Mr. Andy Claxton, Mr. Adam Claxton, Mr. Craig Johnson, Mr. Watson Waters, Mrs. Betty Renfro, Mr. Ronald Dyer, Mr. Jasper Lee, Mrs. Julie Oliver, Mr. Paul McKuhen, Jr., Mr. Jay Sanders, and Ms. Peggy Shelnuft.

CALL TO ORDER

Chairman Kessler called the meeting to order.

INVOCATION AND PLEDGE TO THE AMERICAN FLAG

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

AGENDA APPROVAL

Commissioner Jones made a motion to approve the Agenda with tabling New Business 01 and New Business 06 to the May 07, 2013 agenda and an addition of New Business 07 – Consideration to approve an assemblage permit to Mr. Henry Drayton to block access of 1 ½ mile section of Lowground Road between McCall Road and Burnt Tree Road for approximately 8 hours on Friday, April 19, 2013 to shoot scenes for a short film “Where the Mangos Grow” (see minute book page _____). Commissioner Loper seconded the motion. The motion carried unanimously.

MINUTES

Commissioner Loper made a motion to approve the minutes for April 02, 2013. Commissioner Floyd seconded the motion. The motion carried unanimously.

PUBLIC COMMENTS

Chairman Kessler stated that if anyone would like to discuss an Agenda item, they may do so when that item is presented.

NEW BUSINESS

CONSIDERATION TO APPROVE THE REQUEST FROM LAKESIDE WATER FOR A REFUND OF TAXES OWED ON A 3.67 ACRE PARCEL IN CYPRESS LAKES FOR TAX YEARS 2010, 2011, & 2012 (01): This item was tabled during the Agenda Approval.

CONSIDERATION TO APPROVE THE PURCHASE OF FOUR VEHICLES FOR THE SHERIFF'S DEPARTMENT (02): Purchasing Agent Charleton explained that the Sheriff's vehicle fleet currently has many older and high mileage vehicles and in the last 10 months, 4 vehicles have been declared total losses. The Sheriff's office located 2012 Dodge Chargers at Butler Chrysler Dodge and Jeep. Out of all the quotes received, Butler Chrysler Dodge Jeep, Inc. was the least expensive at the cost of \$23,300 per vehicle.

Commissioner Jones made a motion to approve and execute a purchase order to purchase four police duty Dodge Chargers from Butler Chrysler Dodge Jeep, Inc. Commissioners Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AWARDING A BID AND APPROVING A CONTRACT FOR GROUND MAINTENANCE (03): Purchasing Agent Charleton explained that the County has invested in creating and providing quality recreational facilities. The turf grass on play fields and recreational facilities need constant care and maintenance. A request for proposals for grounds maintenance – pesticide, herbicide and fertilizer services and on-call irrigation repairs was issued and four bids were received. Staff recommends that the Board approve awarding a bid and contract for ground maintenance to Turf RX/Rain and Shine Irrigations. Turf RX has provided quality work with proven results in the past.

Commissioner Loper made a motion to approve awarding a bid and a contract for ground maintenance to Turf RX/Rain and Shine Irrigations (see minute book page ____). Commissioner Mason seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A RENTAL AGREEMENT WITH EOA HEAD START FOR FIVE CLASSROOMS AND ONE OFFICE AT CENTRAL LEARNING SITE (04): Director of Community Relations Kobek explained that the EOA Head Start Program has been utilizing the Central Learning Center facilities for some time. Head Start had a MOU in place with the Board of Education to continue using the site until such time as the County accepted ownership, which happened at the Board's March 19, 2013 meeting. The Board of Education has an agreement with Head Start to continue providing food service, transportation and internet access. The County will be receiving \$1,000 in rental to assist with utility costs. Head Start is responsible for janitorial services, grounds and routine building maintenance, the County is responsible for the physical building repairs. The lease is set to expire on June 30, 2013, so this is a two and half month lease which may be extended.

Commissioner Floyd made a motion to approve a rental agreement with EOA Head Start for five classrooms and one office at Central Learning Site (see minute book page ____). Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE CHANGE ORDER NUMBER FOUR WITH RIVES E. WORRELL ON THE JAIL PROJECT (05): Director of Community Relations Kobek explained that the Board executed change order number three in December 2012, which released the team for construction. At the time that change order was executed, there were funds called for that are the responsibility of the owner, this is a deductive change order in the amount of \$224,472 to remove these funds from the contractor and return them to the County. The new total contract amount is \$15,234,409.

Commissioner Loper made a motion to approve change order number four with Rives E. Worrell on the jail project (see minute book page ____). Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE BEING A SPONSOR FOR OLDE EFFINGHAM

DAYS FESTIVAL (06): This item was tabled during the Agenda approval.

APPEARANCE

LISA COWAN – Ms. Lisa Cowan, whose teenage son, Christian, lost his life a couple of months ago in an accident on a sharp curve on Rincon-Stillwell Road. Ms. Cowan, at her expense, would like to put up a light on the curve to help prevent an accident occurring again.

NEW BUSINESS - CONTINUED

CONSIDERATION TO APPROVE AN ASSEMBLAGE PERMIT TO MR. HENRY DRAYTON TO BLOCK ACCESS OF 1 ½ MILE SECTION OF LOWGROUND ROAD BETWEEN MCCALL ROAD AND BURNT TREE ROAD FOR APPROXIMATELY 8 HOURS ON FRIDAY, APRIL 19, 2013 TO SHOOT SCENES FOR A SHORT FILM “WHERE THE MANGOS GROW” (07): Zoning Administrator Shaw explained that Mr. Henry Drayton requests an assemblage permit to block off a public road to shoot scenes for a short film. This would require blocking off access to a 1 ½ mile section of Lowground Road between McCall Road and Burnt Tree for approximately 8 hours on Friday, April 19, 2013. Off duty deputies will be used for manning the road blocks.

Mr. Henry Drayton was available for any questions.

Commissioner Loper made a motion to approve an Assemblage Permit to Mr. Henry Drayton to block access of 1 ½ mile section of Lowground Road between McCall Road and Burnt Tree Road for approximately 8 hours on Friday, April 19, 2013 to shoot scenes for a short film “Where the Mangos Grow”. Commissioner Floyd seconded the motion. The motion carried unanimously.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

County Administrator Crawley discussed the following:

- ◆ Video recording of the meeting is moving forward with current expenditures estimated at approximately \$1,350.
- ◆ Hotel/Motel Tax is moving forward with the next step to solicit proposals from agencies to promote tourism for approximately \$6,000 per year and for staff to create a budget based on \$1,244.90 per month or approximately \$15,000 a year.
- ◆ Quarterly Elected Officials Meeting will be held Thursday, April 18th at 5:30 p.m. Commissioners Jones Kessler and Mason are planning on attending.

- ◆ Green Drive project has been bided out and the bids should be presented to the Board on June 4, 2013.
- ◆ Aramark took over food services for the Prison and Jail on April 1, 2013. Staff is working out the concerns of quality and quantity of the meals.
- ◆ Staff has been talking with Motorola on the radio upgrades. The proposed costs are installation of equipment \$531,023, additional infrastructure outside of work provided by Motorola is \$93,466, annual service agreement of existing tower infrastructure is \$40,180.08, and annual service agreement of proposed tower infrastructure is \$74,897.88. Staff has requested to combine agreements into a single annual agreement to reduce cost and looking at financing options from Motorola.
- ◆ Staff is currently working to determine fundable projects from the current impact fee study and reviewing of necessary ordinance amendments.
- ◆ Chief Local Elected Officials meeting has been rescheduled to Tuesday, May 7 at 10:00 a.m. at the Richmond Hill City Center. Please let the County Clerk know if you are planning on attending.
- ◆ Young Farmers State Tour will be in Effingham County June 21st and 22nd.
- ◆ Rincon water compliance investigation has found that Effingham County is in compliance and the letter is attached.
- ◆ The City of Springfield has done an outdoor lighting audit and found that in the following unincorporated areas they are paying Quail Run, Hawk Hammock and Church Street. Does the County want to take over the obligation of these lights?
- ◆ Goshen Station parking lot has been paved with 1.5 inches of asphalt and 7.5 inches of base instead of the specifications of 2 inches asphalt and 8 inches of base. The contractor has offered a \$5,000 as a credit. There are two alternatives mentioned accept offer with an extended warranty or make the contractor following the specifications.
- ◆ EPD has requested the County respond to a letter requesting further groundwater withdraw reduction in the Red Zone. County Engineer Liotta has responded for the County and that letter is attached. It was agreed that staff would send the letter that was attached as is.
- ◆ The May 7th Commissioner Meeting will begin at 3:30 p.m. because of EPD holding a meeting that night concerning Ogeechee River withdraw permit.
- ◆ The City of Rincon has submitted an annexation request. After some discussion, the Board agreed to add the annexation request to the Agenda.

ADDITION TO THE AGENDA

Vice-Chairman Mason made a motion to add New Business Number 08 to the agenda – Consideration to approve a letter to be sent to the City of Rincon to voice the County's opinion on Rincon's annexation request. Commissioner Floyd seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A LETTER TO BE SENT TO THE CITY OF RINCON TO VOICE THE COUNTY'S OPINION ON RINCON'S ANNEXATION REQUEST (08):
Commissioner Loper made a motion to approve a letter to be sent to the City of Rincon to voice the County's opinion on Rincon's Annexation request. Commissioner Mason seconded the motion. The motion carried unanimously.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

Commissioner Jones discussed the following:

- ◆ Issue on Oak Street with not allowing a mobile home to be placed on a piece of property. The mobile home has been paid for and is going to be delivered before a variance can be obtained.

Commissioner Loper discussed the following:

- ◆ Striping is needed on Old Dixie Highway

Commissioner Kieffer discussed the following:

- ◆ Is it necessary for two readings on Planning Board items?

Commissioner Mason discussed the following:

- ◆ Intersection of Blue Jay and Midland and which actions can be taken to help prevent another accident.
 - Sheriff McDuffie commented that it would be helpful if there was an ordinance for no thru truck traffic so that his deputies can enforce the truck traveling roads that they have no business being on.

PLANNING BOARD

NEW BUSINESS

BENJAMIN GROOVER – PUBLIC HEARING (01): A Public Hearing was held on the application by Benjamin Groover for a variance to allow for a camper for residential use until a home is constructed located at 212 Withlacoochee Ave Map 330A-40F in the First District.

Zoning Administrator Shaw presented the request.

Mr. Ronald Dyle stated his concerns about the variance.

Commissioner Floyd made a motion to deny the request per Planning Board recommendations. Commissioner Mason seconded the motion. The motion carried unanimously.

JOE OLIVER, JR. AND JULIE OLIVER – PUBLIC HEARING (02): A Public Hearing was held on the application by Joe Oliver, Jr. and Julie Oliver to rezone 4 acre located at 591 Zittrouer Road from AR-1 to AR-2 Map 374-29CUV in the First District.

Zoning Administrator Shaw stated that the applicant would like to change the rezoning from 4 acres to 1 acre.

No objectors were present.

Commissioner Floyd made a motion to approve the first reading for the application by Joe Oliver, Jr. and Julie Oliver to rezone 1acre located at 591 Zittrouer Road from AR-1 to AR-2 Map 374-29CUV with the following stipulations:

1. Each lot shall meet the requirements of the AR-2 Zoning District.
2. Site development plans shall comply with the Effingham County 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.

Commissioner Jones seconded the motion. The motion carried unanimously

Commissioner Loper left the meeting.

CENTRAL STATES TOWER, LLC - PUBLIC HEARING (03): A Public Hearing was held on the application by Central States Tower, LLC to rezone 2 acres located off of Blue Jay Road from AR-1 to B-2 Map 373-7 in the Second District.

Zoning Administrator Shaw presented the rezoning.

No objectors were present.

Commissioner Jones made a motion to approve the first reading for the application by Central States Tower, LLC to rezone 2 acres located off of Blue Jay Road from AR-1 to B-2 Map 373-7 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 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 parcel shall be used conditionally for a cell tower but not for any commercial use.

Commissioner Kieffer seconded the motion. The motion carried unanimously.

JAMES C. & KRISTEN DAVIDSON – PUBLIC HEARING (04): A Public Hearing was held on the application by James C. & Kristen Davidson to rezone 5.91 acres located at 964 Kolic Helmey Road from AR-2 to AR-1 Map 417C-2A in the Second District.

Zoning Administrator Shaw presented the rezoning.

Kristen Davidson explained why she needed the property rezoned.

No objectors were present.

Commissioner Jones made a motion to deny the request due to the parcel being part of a large lot subdivision with only one home per lot. Commissioner Kieffer seconded the motion. The motion carried unanimously.

PEGGY SHELNUTT – PUBLIC HEARING (05): A Public Hearing was held on the application by Peggy Shelnutt to rezone 2 acres located at 1714 Clyo Shawnee Road from AR-1 to AR-2 Map 361-48 in the Third District.

Zoning Administrator Shaw presented the rezoning.

No objectors were present.

Vice-Chairman Mason made a motion to approve the first reading for the application by Peggy Shelnutt to rezone 2 acres located at 1714 Clyo Shawnee Road from AR-1 to AR-2 Map 361-48 with the following stipulations:

1. Each lot shall meet the requirements of the AR-2 Zoning District.
2. Site development plans shall comply with the Effingham County 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.

Commissioner Jones seconded the motion. The motion carried unanimously.

JASPER LEE, SR. – PUBLIC HEARING (06): A Public Hearing was held on the application by Jasper Lee, Sr. for a conditional use to allow for a family cemetery located off Savannah Town Road Map 246-5 in the Third District.

Zoning Administrator Shaw presented the rezoning.

No objectors were present.

Vice-Chairman Mason made a motion to approve the first reading for the application by Jasper Lee, Sr. for a conditional use to allow for a family cemetery located off Savannah Town Road Map 246-5 with the stipulation that the cemetery must be platted and recorded at the courthouse. Commissioner Floyd seconded the motion. The motion carried unanimously.

EXECUTIVE SESSION MINUTES

Vice-Chairman Mason made a motion to approve the Executive Session Minutes. Commissioner Floyd seconded the motion. The motion carried unanimously.

ADJOURNMENT

At 7:54 p.m., Commissioner Jones made a motion to adjourn the meeting. Vice-Chairman Mason seconded the motion. The motion carried unanimously.



Wendall Kessler, Chairman



Patrice R. Crowley, County Clerk

KAREN ARNOLD, Interim County Clerk