

**THE EFFINGHAM COUNTY
COMMISSIONERS' MEETING**

The Board of Commissioners of Effingham County, Georgia, Mr. Wendall Kessler, Chairman, Mr. Phil Kieffer, Vice Chairman, Mr. Forrest Floyd, Mrs. Vera Jones Mr. Steve Mason and Mr. Reggie Loper met in regular session at 5:00 pm on Tuesday, June 17, 2014 in the Commissioners' Meeting Room at the Effingham County Administrative Complex

PERSONS ATTENDING THE MEETING

Mrs. Elizabeth Pavlis, County Attorney, Mr. Adam Kobek, Director of Community Relations, Mrs. Stephanie Johnson, County Clerk, Mrs. Joanna Wright, Finance Director, Mr. Steve Liotta, County Engineer, Ms. Fiona Charleton, Purchasing Agent, Mr. Scott Hinson, Chief Magistrate, Mr. Jack Garvin, Mr. Jamie Deloach, Ms. Gigi Rigsby and Mr. Pat Donahue

CALL TO ORDER

Chairman Kessler called the meeting to order.

INVOCATION

Chairman Kessler gave the invocation.

PLEDGE TO THE AMERICAN FLAG

Chairman Kessler led the Pledge to the American Flag.

AGENDA APPROVAL

Chairman Kessler asked to include as New Business, Item# 17 – consideration to appoint a representative to the Health Board. Commissioner Jones made a motion to approve the agenda with the addition of New Business #17. Commissioner Loper seconded the motion. The motion carried unanimously.

MINUTES

Chairman Kessler asked if there were any corrections or additions to the minutes of the June 3, 2014 Commissioner's meeting.

Commissioner Floyd stated on page 9 the word "contact" should be changed to "contract".

Commissioner Floyd made a motion to approve the minutes of the June 3, 2014 meeting with the word "contact" being changed to "contract".

Commissioner Jones seconded the motion. The motion carried unanimously.

PUBLIC COMMENTS

Chairman Kessler stated public comment should be limited to agenda items only.

CORRESPONDENCE

Chairman Kessler explained all correspondence and documents from the meeting are located in the Clerk's office and on the Board of Commissioner's website.

CONSENT AGENDA

Vice Chairman Kieffer made a motion to approve: **(1)** to renew the agreement between Effingham County and Alcohol Monitoring Systems Inc. for the use of monitoring of Secure Continuous Remote Alcohol Monitor (SCRAM) devices **(2)** to renew the agreement with the Municipal Court of the City of Guyton for Probation Services **(3)** to renew the agreement with the Municipal Court of the City of Springfield for Probation Services **(4)** to renew the agreement with the State Court of Effingham County for Probation Services **(5)** to renew the agreement with the Superior Court of Effingham County for Probation Services
Commissioner Floyd seconded the motion. The motion carried unanimously.

OLD BUSINESS

CONSIDERATION TO APPROVE THE REVISED DEVELOPMENT IMPACT FEE STUDY (01):

Community Relations Director Kobek explained there were a few issues to be addressed and requested the item be removed from the agenda.

Commissioner Jones made a motion to remove the item from the agenda.
Vice Chairman Kieffer seconded the motion. The motion carried unanimously.

NEW BUSINESS

CONSIDERATION TO APPROVE A REFUND OF TAX OVERPAYMENT FOR GREENLAND DEVELOPERS INC FOR TAX YEARS 2010, 2011 AND 2012 ON PROPERTIES LOCATED ON HWY 21 SOUTH MAP# R212 PARCELS# 12, 17 (01):

Chairman Kessler explained the applicant request to have the item tabled until the August 5, 2014 meeting.

Commissioner Loper made a motion to table the request until the August 5, 2014 meeting. Commissioner Jones seconded the motion. The motion carried unanimously.

PRESENTATION OF EFFINGHAM COUNTY FINANCIAL STATEMENTS AND AUDITOR'S REPORT (02):

Finance Director Wright gave an extensive overview of the financial statements.

Ms. Kay Proctor of Thigpen, Lanier, Westerfield & Deal gave an overview of the annual financial report for the year ended June 30, 2013. There were no significant difficulties in dealing with management in completing the audit. Upon completion there were 13 audit findings. The Board was encouraged to review the document and call the auditing firm with any questions.

CONSIDERATION TO APPROVE THE AUDITED FINANCIAL STATEMENTS FOR TRANSMISSION TO THE STATE OF GEORGIA (03):

There was no further discussion after the presentations by Finance Director Wright and Ms. Kay Proctor of the auditing firm.

Commissioner Jones made a motion to approve the audit and submission to the State of Georgia. Commissioner Floyd seconded the motion. Commissioner Mason opposed the motion. The motion carried.

CONSIDERATION TO APPROVE THE SECOND READING OF THE 2014/2015 FISCAL BUDGET (04):

Finance Director Wright reviewed a power point presentation with the Board which included the changes requested during the June 3, 2014 BOC meeting.

Mr. Jack Garvin expressed the audit and budget being done in a more timely fashion.

Commissioner Jones made a motion to approve the budget ordinance for Fiscal year 2015. Commissioner Floyd seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A BID AND ISSUE A CONTRACT TO ROTO-ROOTER PLUMBERS TO PROVIDE ON-CALL SERVICES TO THE COUNTY (05):

Purchasing Agent Charleton explained in order to standardize and lock-in an hourly rate for a contractor to perform plumbing work that cannot be self-performed the County maintains an annual on-call services contract. The current on-call plumbing services contract expires on June 30, 2014.

A request for quote for on-call plumbing services was issued and posted in April with no response. The request for quote was re-issued and re-posted on the ECBOC website, the Georgia Procurement Registry website, the Georgia Local Government Access Website, advertised in the Savannah Morning News and the Effingham Herald and sent to 16 known plumbers. One quote was received from Roto-Rooter Plumbers, Savannah.

Commissioner Loper made a motion to approve Roto-Rooter Plumbers Savannah's quote and issue a contract for on-call plumbing services. Vice Chairman Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN AGREEMENT OF THE GEORGIA INDIGENT DEFENSE SERVICES AGREEMENT WITH THE OGEECHEE CIRCUIT PUBLIC DEFENDERS OFFICE FOR FY 2015 (6):

Purchasing Agent Charleton explained the Ogeechee Public Defenders Office has been providing indigent defense services to Effingham County for several years. The County is required to provide indigent defense services - the Ogeechee Public Defender's Office was established for the purpose of providing these services.

Effingham County's share of this year's annual agreement for personnel expenditures is \$176,526.24 paid in monthly installments of \$14,710.52 an increase from last year by \$3,850.01. Effingham County share of this year's annual

agreement for operating expenses is \$31,392 paid in monthly installments of \$2,616.00 which is the same as last year.

This agreement can be terminated due to non-availability of funds, for cause or convenience. This agreement begins on July 1, 2014 and expires June 30, 2015 and has been reviewed and approved by the County Attorney.

Commissioner Floyd made a motion to approve to execute the contract for Public Defender Services. Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A CAPACITY AGREEMENT WITH THE STATE OF GEORGIA DEPARTMENT OF CORRECTIONS (07):

Purchasing Agent Charleton explained the Prison currently has an Intergovernmental Capacity Agreement with the State Department of Corrections which stipulates how many state inmates the County is able to accept, and how much compensation the County will receive for housing state inmates. The agreement expires on June 30, 2014.

Per the new agreement, the County Prison will house 192 State inmates. The County will receive \$20.00 per State inmate per day. The State department of Corrections has sole authority of transfers of inmates to and from the County Prison.

Deputy Warden Brown corroborated the information shared by the Purchasing Agent.

Commissioner Loper made a motion to approve and execute the Intergovernmental Capacity Agreement with the State of Georgia, Department of Corrections for inmate housing for the year July 1, 2014 through June 30, 2015. Vice Chairman Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A MAINTENANCE IN LIEU OF RENT (MIL) AGREEMENT FOR THE DEPARTMENT OF FAMILY AND CHILDREN SERVICES (08):

Purchasing Agent Charleton explained the Department of Family and Children Services (DFCS) rents the DFCS building located behind and between the

Administration Complex and the Judicial Center to house their operations. Every year the County executes a Maintenance In Lieu of Rent agreement (MIL) for space and services with the Department of Family and Children Services.

This MIL stipulates that the State Department of Human Resources will pay to Effingham County Board of Commissioners \$8.694 per sq. foot per month for a twelve month period from the date of acceptance, to coincide with FY 2015 total payments to the county will be \$75,202.00

Commissioner Loper made a motion to approve the Maintenance in Lieu of Rent (MIL) agreement for the Department of Family and Children Services. Commissioner Floyd seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE EEMA PUBLIC AWARENESS, EDUCATION AND PREPAREDNESS PROGRAM (09):

EMA Director Myrick explained The Effingham Emergency Management Agency (EEMA) continuously strives to improve mitigation, preparedness, response, and recovery operations throughout Effingham County. The Effingham Emergency Management continuously provides programs to educate the public and to work with community partners as well as businesses to lessen the impact of a disaster. The Public Awareness, Education and Preparedness Program create a "Program" of these established practices so we may comply with StormReady requirements.

Commissioner Jones made a motion to approve the EEMA Public Awareness, Education and Preparedness Program. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE EEMA EMERGENCY OPERATIONS CENTER STANDARD OPERATING PROCEDURES (10):

EMA Director Myrick explained The Effingham Emergency Management Agency (EEMA) continuously strives to improve mitigation, preparedness, response, and recovery operations throughout Effingham County. The Effingham Emergency

Operations Center must have operational guidelines established to improve operations and minimize confusion during activation.

The Effingham Emergency Operations Center has just completed an extensive upgrade through a grant that was received in 2013; future exercises and real world activations are imminent.

Commissioner Jones made a motion to approve the EEMA Emergency Operations Center Standard Operating Procedures. Commissioner Floyd seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A DRINKING WATER LABORATORY CONTRACT WITH EPD FOR BERRYVILLE AND SOUTHBROOK SUBDIVISIONS (11):

County Engineer Liotta explained the Georgia Safe Drinking Water Act and the EPD drinking water permits for the Berryville and Southbrook groundwater systems require the water to be tested routinely for chemical constituents and coliform bacteria to assure compliance with maximum contaminant levels. We have used the EPD Laboratory for the surface water and Hunters Chase/Abbey Lane systems for at least the past seven years, and the Board re-affirmed the contracts for these two systems, as well as the Courthouse Road system, in July 2013, and added the Springfield Central system last month.

Commissioner Loper made a motion to approve the contracts for Berryville and Southbrook subdivisions. Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO EXECUTE A CONTRACT WITH ARCHITECTURE AND ENGINEERING SERVICES FOR A NEW PUBLIC WORKS AND FLEET MAINTENANCE FACILITY (12):

Community Relations Director Kobek explained On May 5, 2014, the Board accepted a proposal from Reardon Bock for architectural design and engineering services for a new Public Works and Fleet Maintenance Facility which will house the Fleet Maintenance Operation and Public Works staff, and is proposed to be located in close proximity to the current Public Works Office.

After the Board accepted the bid from Reardon Bock an agreement was received. The agreement is for the fixed price of \$33,000 for all required services, and complies with the accepted proposal. Services to include finalizing building program, obtain geotechnical report, create floor plan and concept plans, creation of construction and permitting documents, provide construction administration. The agreement has been reviewed and approved by the County Attorney.

Commissioner Loper made a motion to approve and execute a contract with Reardon Bock. Commissioner Floyd seconded the motion. The motion carried unanimously.

CONSIDERATION TO AMEND THE STANDARD OPERATING PROCEDURES FOR EFFINGHAM COUNTY ANIMAL CONTROL SHELTER (13):

Community Relations Director Kobek explained the Board approved an entirely new and updated SOP for Animal Control in August 2013. Staff is requesting several amendments to strengthen our services and to provide Board approved policies to employees and the citizens we serve. The two new items have been reviewed and approved by the County attorney.

Temporary Release Form for Care and Treatment, and statement added to Transfers section, subsection I. is intended to allow the Shelter Director to temporarily release animals for care and treatment such as veterinary care or grooming which will aid in the animals health, well-being or adoptability. Use of this provision requires the Animal Control Director's approval for each release, the form is intended to transfer liability and hold harmless claims for the county during the temporary release.

The sick animal/animal temperament policy, which is in the format of a form has been in use at least since 2006 but was inadvertently omitted from the approved draft in 2013, as such staff recommends adding to the Board approved SOP's. The form is to be signed by every adopter. The policy states that the County will not be responsible for any medical bills for the adopted animal at any

time or bills arising from the adopted animal, no refunds after 10 day period, and no guarantee of the animal's temperament and extends no liability from actions or health of the adopted pet. Adoption hour changes to account for new services and twice weekly vet visits.

Commissioner Floyd made a motion to approve the amendment to the SOP. Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO REAPPOINT LINDA MERCER AND LLOYD DEES TO THE AGING SERVICES ADVISORY COUNCIL (14):

County Clerk Johnson explained one of the functions of the Coastal Regional Commission is to provide programs to older adults and caregivers in our region. One of the requirements under the Older Americans Act and the State Office of Aging Regulations is to have an active Aging Services Advisory Council.

Term of services is three (3) years. Linda Mercer and Rev. Dees term will expire on June 30, 2014. We received a member profile from Ms. Mercer and Rev. Dees requesting to be reappointed.

Commissioner Jones made a motion to reappoint Linda Mercer and Lloyd Dees as members to the Aging Services Advisory Council. Vice Chairman Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A GRANT APPLICATION SUBMITTED TO ACCG AND ACCEPTANCE OF THE FUNDING FROM THE CIVIC AFFAIRS FOUNDATION (15):

Finance Director Wright and Abby Smith explained the Extension office has secured a grant ACCG for the Georgia Civic awareness program for Students or GCAPS. This program provides for civic training of students to promote civic involvement and awareness. The primary messages that GCAPS participants are to take away from the program include: Understanding the county government provides diverse programs and services, how county government works, knowing the importance of being actively involved, and that every individual can make a difference.

It was stated that there would be no need for additional funding from the County. If additional funds were needed they would be raised through fundraisers. It was clarified no funding was being approved, only the application.

Commissioner Jones made a motion to approve the application and acceptance of the grant as submitted. Vice Chairman Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE EFFINGHAM COUNTY FISCAL YEAR END CLOSE CALENDAR ENDING JUNE 30, 2014 (16):

Finance Director Wright explained specific guidelines with regard to daily financial operations and the closing of our fiscal year-end financial statements. . Within the financial policies adopted we are to record our financial statements in accordance with the state mandates. Items necessary to close the year involve a vast number of our departments, agencies and outside entities. Items include receipt of funds prior to year end, receipt of time sensitive reports, count of inventories on hand, receipting of goods prior to year end, payment of all payables available prior to year end, establishment of payroll earnings, segregation of year end receipts deposited within the new fiscal year and the receipt of all payables or potential liabilities within 60 day of the fiscal close.

Commissioner Jones made a motion to approve the calendar with the stipulation a goal of a more aggressive date to have the audit presented in November. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPOINT A REPRESENTATIVE TO THE HEALTH BOARD (17):

Chairman Kessler explained Dr. Diane Weems has requested that Dr. Jack Heneisen be appointed to the Health Board. It has been difficult to find someone to accept the appointment. The seat has not been publicly advertised. The appointment is time sensitive as it is required by law to have all seats filled.

Vice Chairman Kieffer made a motion to appoint Dr. Jack Heneisen to the Health Board. Commissioner Jones seconded the motion. The motion carried unanimously.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

Community Relations Director Kobek discussed the following:

- 1. Sheriff's Office Updates**
 - Attached is an update to the progress of the Sheriff's Office project.
- 2. Blue Jay Road and McCall Road Improvements**
 - Work is underway.
- 3. Ash Road Repairs**
 - Milling has been completed and resurfacing is now underway.
 - Additional roads will be repaired to the extent a change order can be issued.
- 4. Fleet operation, Maintenance and Management Services**
 - Three proposals were received.
 - A contract will be presented to the Board on July 15th.
- 5. Fleet Fuel Purchasing and Card Management Services**
 - The purchasing department has investigated using Wright Express and believes that doing so will result in savings.
 - Can we obtain a few Wright Express cards to use so that we can make sure that utilizing them will actually result in savings?
- 6. Disaster Debris Monitoring and Financial Recovery Services**
 - These services are being rebid now.
- 7. Disaster Debris Removal Services**
 - 6 bids were received.
 - Bid award will be presented to the Board after bids are received on the Debris Monitoring and Financial Recovery Services bids are received.
- 8. Used Equipment Purchases**
 - 1 Bid was received on June 2nd.
 - Would the Board like to re-bid these services?
- 9. ISO Consulting Services**
 - Bids are due June 18th.
 - A contract will be brought to the Board on July 17th.
- 10. Upcoming Bids**
 - Bid packages are being prepared for Paved Road Resurfacing and Ash Road Repairs.
- 11. Gateway Behavioral Health**
 - The deadline for Gateway's request for appointments to the Gateway BHS governance board has been extended to a future uncertain date.
 - One appointment of a person reflective of the cultural and social characteristics, including gender, race, ethnic, and age characteristics, of the community service board area and county population, to serve a two year.
 - One elected or appointed official to serve concurrent with his/her term of office in your county.
- 12. Binary Bus**
 - The GIS Department is currently working to obtain a replacement vendor for these services.
 - They are in contact with GIS, Inc. and the Coastal Regional Commission.
- 13. Signage in Westwood Heights**
 - The intersections of Melrose Drive and Lord Effingham Drive and Green Drive and Lord Effingham Drive have been converted to three way stops.
- 14. STIP Meeting**
 - A meeting to discuss the 2015-2018 STIP has been scheduled for Tuesday, June 24, 2014 at 1:00 p.m. at the Statesboro Area Office.
- 15. Community Retreat**
 - The Effingham County Chamber of Commerce will host a Community Retreat on Thursday, August 21 and Friday August 22 at the King and Prince on St. Simons Island.
 - Rooms must be booked by July 20th.

- Registrations for the event must be made by August 1st.

16. Harvey's Tax Exempt Requirements

- Beginning in May, a Harvey's tax-exempt Rewards Key will be required to make tax exempt purchases.
- Does the Board have any objections to obtaining cards so that we will continue to receive tax exempt status on purchases?

17. Courthouse Road Extension

- We will hold a Public Information Open House on the planned improvements to Courthouse Road Extension on June 26th at 6:00 p.m. at the Administrative Complex.

18. ACCG/GMA Joint Task Force on Local Option Sales Tax

- ACCG and GMA have created a joint task force to determine if a better method for distributing local option sales tax proceeds between cities and counties can be agreed upon by the two organizations.

19. ACCG Preparing to Launch youarewhywerehere.com

- ACCG is preparing for the launch of the interactive website youarewhywerehere.com in mid-July 2014 as a way for county governments to inform and educate citizens by explaining our programs and services to residents. Logon and see what is happening.

20. Emergency Purchase

- The HVAC unit in the Prison Kitchen went out last week and temperatures were extremely high. Two verbal quotations were obtained for the replacement compressor and our on call HVAC firm will handle the install on Tuesday. The cost of the compressor is \$1,422 and labor is unknown at this time. The repair is scheduled upon delivery which is slated for 6/17/14. Staff believes that funding is available in Prison - Dept. 16, however a category or line item budget amendment may be required. The unit is a Trane, and requires use of an American Standard or Trane compressor, which is only available by Trane.

21. Mr. Henry Newton's Property questions

- Mr. Henry Newton came into the Admin Complex today about the easement issue off of Courthouse and Clyde Road. Agreed to sign new deed granting the County rights to main the easement.

Commissioner Mason discussed the following:

1. Ash Road Repairs

- Increase traffic control in the areas of the ash road repairs

Commissioner Jones discussing the following:

1. Water and Sewer Rates

- The excess calls she has received regarding the water and sewer rate increase. The item will be brought back before the board for consideration at the July 15th meeting.

EXECUTIVE SESSION

At 8:45 pm Vice Chairman Kieffer made a motion to enter executive session to discuss personnel, property and pending litigation. Commissioner Loper seconded the motion. The motion carried unanimously.

EXECUTIVE SESSION MINUTES

Chairman Kessler called for a motion to approve the June 3, 2014 executive session minutes. Commissioner Loper made a motion to approve the minutes as read. Vice Chairman Kieffer seconded the motion. The motion carried unanimously.

PLANNING BOARD

TIM WEREYDK (01): A public hearing was held on an application by Tim Weredyk to rezone 8 acres located at 3263 Blue Jay Road from AR-1 to I-1 Map# 373 Parcel# 36 in the First District.

Zoning Administrator Shaw explained the applicant would like to rezone 8 acres to industrial for a surface mine. Planning and Staff recommends approval.

Mr. Tim Weredyk spoke in favor of the request and explained the site would be inspected by the State for compliance which includes the discharge water outfall.

No one spoke against the request.

Commissioner Floyd made a motion to approve the request with the following Planning Board and Staff recommendations:

1. Each lot shall meet the requirements of the I-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. Subdivision plat shall be approved by the Health Department and the Zoning Office.
5. A copy of the State mining permit must be submitted to the zoning administrator.
6. The mine must be approved for closing by the State prior to the parcel being rezoned back to AR-1.
7. Must meet all requirements of Sec. 3.17 Excavation, mining, and fills of land and/or state/federal jurisdictional waters or wetlands of the Effingham County zoning ordinance.

The motion was seconded by Commissioner Jones. The motion carried unanimously.

ROBERT MILLER (02): The applicant requests a variance from Sec. 3.3 Accessory Buildings in Residential Districts located at 100 Clydesdale Court Map#376D Parcel# 109 in the First District.

Zoning Administrator Shaw explained a shed has been constructed on the property. It encroaches eight feet into the setback line. Staff and Planning Board recommend denial.

Mr. Robert Miller explained he has unaware that he needed a building permit to construct the structure since it is not connected to his home. French

drains will be constructed to divert the water to a flower garden in the front of the yard.

No one spoke against the request.

There was a discussion regarding options for relocating the structure. Commissioner Floyd stated he would like to make a site visit to the property.

Commissioner Floyd made a motion to table the request until the July 15, 2014 meeting. Commissioner Jones seconded the motion. The motion carried unanimously.

JON BURNS JR. (03): The applicant request to rezone 60.40 acres located on Midland Road from AR-1 to I-1 for a surface mine Map# 373 Parcel# 18 in the Second District

Zoning Administrator Shaw explained the applicant would like to rezone 60.40 acres for a surface mine. Planning Board and Staff recommends approval.

Mr. Wilson Burns explained he would like to reduce the acreage to be rezoned from sixty to thirty acres.

No one spoke against the request.

There was a discussion about where the thirty acres to be rezoned would be located.

Commissioner Jones made a motion to approve the request with the following Planning Board and Staff recommendations:

1. Each lot shall meet the requirements of the I-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. Subdivision plat shall be approved by the Health Department and the Zoning Office.
 5. A copy of the State mining permit shall be submitted to the zoning administrator.
 6. The mine shall be approved for closing by the State prior to the parcel being rezoned back to AR-1.
 7. Shall meet all requirements of Sec. 3.17 Excavation, mining, and fills of land and/or state/federal jurisdictional waters or wetlands of the Effingham County zoning ordinance.
 8. Approximately 30 acres shall be designated on the northwest portion from the center of the wetlands and the plat shall be approved by the Zoning Administrator.
- Commissioner Loper seconded the motion. The motion carried unanimously.

DEBORAH R. MOORE (04): The applicant request a variance to subdivide land on an unimproved easement already serving more than three lots located at 295 Hadden Lake Road Map# 441 Parcel# 9 in the Third District.

Zoning Administrator Shaw explained there are already more than 20 parcels served by the unimproved easement. The ordinance allows for no more than three lots off of an easement. Staff recommends denial. The Planning Board recommends approval.

Ms. Deborah Moore and her son explained she would like to subdivide the property to give to her two sons to place a dwelling.

There was a discussion about the ordinance regulations, obtaining right of way and the previous condition of the road.

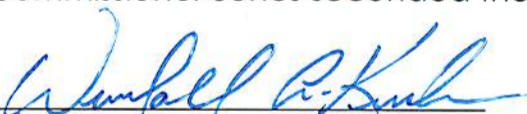
The Moore's' stated the road is in better condition due to upkeep by the residents.

No one in the public spoke against the request.

Commissioner Jones made a motion to approve the request on the basis of a mother deeding property to her son who currently lives on the property. Commissioner Loper seconded the motion. Commissioner Mason opposed. The motion carried four to one.

ADJOURNMENT

At 8:57 pm, Commissioner Loper made a motion to adjourn the meeting. Commissioner Jones seconded the motion. The motion carried unanimously.


WENDALL KESSLER, CHAIRMAN


STEPHANIE JOHNSON, COUNTY CLERK