

**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, and Mr. Reggie Loper met in regular session 5:00 pm on Tuesday, October 21, 2014 in the Commissioners' Meeting Room at the Effingham County Administrative Complex. Commissioner Mason was not present for the meeting.

**PERSONS ATTENDING THE MEETING**

Mrs. Elizabeth Pavlis, County Attorney, Mr. Toss Allen, County Administrator, Mrs. Stephanie Johnson, County Clerk, Mrs. Joanna Wright, Finance Director, Mr. Adam Kobek, Community Relations Director, Mr. Clint Hodges, Fire Chief, Mr. Jack C. Garvin, Mr. Boyce Hayman, Ms. Maureen McDermott, Mr. William K. Pittman, Mr. William D. Pittman, Ms. Angelica E. Pittman, Ms. Lisa M. Pittman, Mr. Lynn Jeffers Jr., Ms. Tiffany Jeffers and Ms. Gigi Rigsby

**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 stated New Business 7 is to be removed from the agenda and requested New Business 5 is moved to New Business 1 and New Business 1 is moved to New Business 5, and that the Fire Release is moved to the Consent Agenda.

Commissioner Jones asked that the Appearance for Angie Richardson be removed from the agenda and placed on the next Commission meeting agenda.

Commissioner Jones made a motion to approve the agenda with noted changes. Commissioner Loper seconded the motion. The motion carried unanimously.

**MINUTES**

Commissioner Loper made a motion to approve the minutes of the October 7, 2014 Commissioner's meeting. Commissioner Floyd 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 release a fire fee as submitted by the Fire Department. Commissioner Loper seconded the motion. The motion carried unanimously.

**APPEARANCE**

The Appearance for Angie Richardson was removed from the agenda at the agenda approval.

**NEW BUSINESS**

**CONSIDERATION TO APPROVE A WARRANTY DEED TO ACCEPT THE ROADS IN BAYWOOD SUBDIVISION AND PAY THE DELINQUENT TAXES (01):**

Community Relations Director Kobek explained in 2007 the developer of Baywood Subdivision deeded the roads of Bay Lane and Baywood Drive to the Baywood Homeowners Association of Effingham County, Inc. There is no active HOA, and the roads have never been deeded to the county.

The final plat was approved in January 2005, prior to the May 2009 change to the subdivision regulations. These roads were on the list approved by the Board at the November 5, 2013 meeting to accept upon payment of taxes and submittal of a deed. Public works inspected the roads in Feb 2014 and found no deficiencies and recommends acceptance.

The Baywood HOA was created in 2007, and administratively dissolved in 2010; the officer(s) would need to sign a deed to convey these roads from the HOA to Effingham County. There is no active HOA, and the former officer of the HOA sold her lot years ago. Taxes are owed in the amount of \$454.67; principle tax due is \$205.40, penalties, interest and other fees total \$249.27. The Board and Tax Commissioner can waive penalties, interest and fees.

Commissioner Floyd made a motion to approve to accept the roads and pay the taxes and waive penalties and interest. Commissioner Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO AUTHORIZE THE PURCHASE OF TWO USED FIRE APPARATUS AND FIRE EQUIPMENT (02):**

Fire Chief Hodges explained the fire department is currently operating with two fire apparatus that requires frequent maintenance. The request is to purchase two apparatus and fire equipment. A significant amount of loose equipment can be moved from existing apparatus, many items will still need to be purchased to bring all new and existing apparatus into compliance for the upcoming ISO inspection. Funding is available within the Short Term Work Program.

County Administrator Allen explained one of the apparatus will be surplus and the other will be refurbished. The request is to allow current stations to remain operational.

There was a discussion among the Board and Staff about a price cap for purchases and the funding coming from SPLOST.

Commissioner Jones made a motion to approve the purchase of two used fire apparatus and equipment. Commissioner Floyd seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A WARRANTY DEED TO ACCEPT THE ROAD AND MAINTENANCE OF DIXIE DRIVE (03):**

County Administrator Allen explained in June 2013 the Board directed staff to move forward with deed preparation to convey Dixie Drive to the County. The cost to maintain the roadway would be minimal. The deed has been prepared and one property owner has already executed, the deed has been sent to Mrs. Eva Benton for execution in Washington State.

Commissioner Loper made a motion to accept ownership of the road and maintenance. Commissioner Floyd seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE TO REINSTALL FENCING AT 808 OLD AUGUSTA ROAD (04):**

Community Relations Director Kobek explained during the construction of Old Augusta Road R.B. Baker removed certain sections of fencing which was inside the new right of way. The fence appears to have been removed during the clearing of the right of way for the new alignment of Old Augusta Road.

Staff obtained three quotes for the reinstallation of 460' of field fence. The lowest quote received was from Mr. Irving Zoller at \$1,380.00 installed. Other quotes received were \$1,840 from Middleground Construction, \$1,955 from Rain-N-Shine. Staff recommends replacing the fence.

The Board and Staff discussed if the fence was located within the right of way on County property and who actually removed the fence.

Commissioner Floyd made a motion to approve to replace the fence using Mr. Zoller's quote and to follow up on receiving reimbursement. Commissioner Jones seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE THE SECOND READING TO AMEND CHAPTER 75,  
SECTION 1 OF THE EFFINGHAM COUNTY ORDINANCES (05):**

Community Relations Director Kobek explained on October 7<sup>th</sup> the Board approved the 1<sup>st</sup> reading of the ordinance. Chapter 75 section 1 requires new structures and developments to connect to Effingham County water, sewer and reuse where reasonably available. Several requests have been made by the owners of single family homes to be exempt from this requirement. The ordinance is also largely silent as to future water and sewer main line extensions for new developments.

The existing ordinance clearly requires single family homes to connect to county W/S/R infrastructure if reasonably available. Per the Board's previous discussion, single family homes are not required to connect to water, sewer and reuse infrastructure. By this revision water main extensions shall be sized to meet the demand of the development as evidenced by engineer's certification or a size equal to the existing county main, whichever is larger.

By this revision, The County may require that the main be upsized to serve future developments or county needs and the county could participate in the cost of installing the larger main. This is a second reading and will become official after approval.

Commissioner Loper made a motion to approve the 2<sup>nd</sup> reading of the proposed changes. Commissioner Floyd seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE CHANGE ORDER# 8 FOR THE EFFINGHAM COUNTY  
SHERIFF'S OFFICE (06):**

Community Relations Director Kobek explained The Board approved Change Order #7 which contemplated finishing shell space in the Sheriff's Office. Staff was able to negotiate further savings with the carpet as authorized. Our credit moved from \$4,329 to \$21,054. The Sheriff is interested in painting the

remainder of the Sheriff's Office as the building would be more visible to visitors and motorist. The Sheriff is also returning previously impounded funds from the Sheriff's Fund to the County in the approximate amount of \$24,600.

The cost of painting the remainder of the Sheriff's Office, and the amount of change order #8 is \$24,567. The Sheriff is providing approximately \$24,600 from previously impounded funds. Staff is requesting authorization to use these funds as necessary to effect a few minor modifications that now appear feasible.

Commissioner Jones made a motion to approve Change Order# 8 and allow for remaining SPLOST funds in the project to be used, budget resolution amendment to receive the funds from the Sheriff's department and allow those funds to be used for expenditure on items up to \$24,600. Commissioner Floyd seconded the motion. The motion carried unanimously.

#### **CONSIDERATION TO APPROVE PAYMENT FOR BLANDFORD CROSSING WATER AND SEWER CONTRACT (07):**

This item was removed from the agenda at the agenda approval.

#### **REPORTS FROM COMMITTEE COMMISSIONERS AND ADMINISTRATIVE STAFF**

County Administrator Allen discussed the following:

- 1. Sheriff's Office Updates**
  - Attached is an update to the progress of the Sherriff's Office project.
- 2. 12<sup>th</sup> Fall District Meeting**
  - The fall meeting of the ACCG 12<sup>th</sup> District will be held on Wednesday, November 19<sup>th</sup> at 4:30 pm at Holton's Seafood Restaurant in Midway. Please let the Clerk know who plans on attending.

Adam Kobek discussed the following:

- 1. Caribbean Village Pump**
  - There are two pumps at the Caribbean Village site but one of them is in need of repair.

Joanna Wright discussed the following:

- 1. Auditors**
  - The auditors have been present this week. Financial statements will be distributed to the Board this evening.

Commissioner Loper discussed the following:

- 1. Sandhill Ball Park**
  - Questioned the status of the septic system repair. It was stated the plans were received today.

**2. Firestation on Hwy 17**

- Questioned the status on the Fire Station. It was stated we are awaiting the permit from DOT

Commissioner Jones discussed the following:

**1. Jail Retainer**

- Questioned the amount of the retainer on the jail construction. The amount was stated to be \$110,000.

Commissioner Floyd discussed the following:

**1. Atlas Property**

- Questioned status, it was stated a conversation has taken place with Ray Pittman and the revised survey has been received.

**EXECUTIVE SESSION**

At 5:54 pm, Vice Chairman Kieffer made a motion to enter executive session to discuss Personnel, Property and pending Litigation. Commissioner Jones seconded the motion. The motion carried unanimously.

**EXECUTIVE SESSION MINUTES**

Commissioner Jones made a motion to approve the executive session minutes of October 7, 2014. Commissioner Loper seconded the motion. Vice Chairman Kieffer abstained from voting due to being absent. The motion carried.

**PLANNING BOARD**

**LYNN JEFFERS JR. (01):** A public hearing was held on an application by Lynn Jeffers Jr. to rezone 1.95 acres located at 489 Noel C. Conaway Road from B-2 to AR-2 Map# 352 Parcel# 73 in the First District.

Zoning Administrator Shaw explained the previous owner rezoned the property to commercial. Mr. Lynn Jeffers would like to maintain the property as a home site.

Mr. Lynn Jeffers stated there is an existing home place on the property and is restoring it.

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

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.

Commissioner Loper seconded the motion. The motion carried unanimously.

**ANGELICA PITTMAN (02):** A public hearing was held on an application by Angelica Pittman to rezone 1 acre located at 5691 Old Dixie Hwy South from AR-1 to AR-2 Map# 263 Parcel# 27 in the Third District.

Zoning Administrator Shaw explained the rezoning is to allow for a home site. Planning Board and Staff recommends approval.

Ms. Angelica Pittman confirmed she would like to build a home.

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


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.

Vice Chairman Kieffer seconded the motion. The motion carried unanimously.

**ADJOURNMENT**

At 7:09 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