

**EFFINGHAM COUNTY
BOARD OF COMMISSIONERS MEETING**

March 15, 2016

The Board of Commissioners of Effingham County, Georgia, Mr. Wendall Kessler - Chairman, Mr. Forrest Floyd – Vice Chair, Mrs. Vera Jones, Mr. Jamie Deloach, Mr. Reginald Loper and Mr. Phil Kieffer met in regular session 5:00 pm on Tuesday, March 15, 2016 in the Commissioners Meeting Room at the Effingham County Administrative Complex.

PERSONS ATTENDING THE MEETING

Mr. Edward Newberry, County Attorney, Mr. Toss Allen – County Administrator, Mrs. Stephanie Johnson – County Clerk, Mrs. Joanna Wright – Finance Director, Mr. Clint Hodges – Fire Chief, Mrs. Fiona Charleton – Purchasing Agent, Ms. Claudia Collier, Ms. Abby Smith, Mr. Zachary Chisom, Ms. Peggy Tuttle, Mr. Mickey Kicklighter, Mr. Mark Glisson, Mr. Wilson Burns, Mr. Chad Zittrouer, Mr. Mark Crapps, Mr. Paul Howze, Mr. Jack Garvin, Ms. Gg Rigsby and Mr. Pat Donahue

CALL TO ORDER

Chairman Kessler called the meeting to order.

INVOCATION

Commissioner Jones gave the invocation.

PLEDGE TO THE AMERICAN FLAG

Grace Kieffer, 11th grade 4-H member and team leader, led the Pledge to the American Flag.

AGENDA APPROVAL

Commissioner Loper made a motion to approve the agenda as read. Commissioner Kieffer seconded the motion. The motion carried unanimously.

MINUTES

Commissioner Floyd made a motion to approve the March 1, 2016 Commission meeting minutes as written. Commissioner Loper 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

CONSIDERATION TO APPROVE A PROCLAMATION DECLARING APRIL AS DONATE LIFE MONTH IN EFFINGHAM COUNTY: (01):

Commissioner Kieffer made a motion to approve the Consent Agenda. Commissioner Deloach seconded the motion. The motion carried unanimously.

NEW BUSINESS

CONSIDERATION TO APPROVE THE SECOND READING TO AMEND THE CONTINUING BUDGET ORDINANCE FOR JULY 1, 2015 TO JUNE 30, 2016 (01):

Finance Director Wright explained the language has been changed for clarification purposes as noted at the Retreat. No changes have been made since approval of the First Reading.

Vice Chairperson Floyd made a motion to approve the Second Reading to amend the continuing Budget Ordinance. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE TO ISSUE A NON-RENEWAL LETTER TO MORELAND ALTOBELLI ASSOCIATES, INC FOR THE CONSULTANT SERVICES AGREEMENT FOR RIGHT OF WAY ACQUISITION SERVICES (02):

Purchasing Agent Charleton explained the County currently has a consultant services agreement in place with Moreland Altobelli Associates, Inc. for right of way acquisition services, allowing Staff to utilize the services of Moreland Altobelli Associates, Inc. as needed while providing a fixed cost for the services. The term of the agreement is June 18th, 2013 to June 17th, 2014 with three additional one-year renewals unless otherwise indicated.

Staff does not believe there is a need to keep the agreement in place and therefore recommend not exercising the County's option to renew the agreement on June 18th, 2016 and sending a letter of non-renewal to Moreland-Altobelli.

Vice Chairperson Floyd made a motion to approve to issue and execute a non-renewal letter to Moreland Altobelli for the consultant services agreement for right of way acquisition services that is due to renew on June 18, 2016. Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A RESOLUTION OF SURPLUS (03):

Purchasing Agent Charleton explained from time to time the County has broken, unused, damaged or extra inventory. In order for the county to properly dispose of these items they must be declared surplus in accordance with O.C.G. A § 36-9-2 which states that the county "...may, by order entered onto its minutes, direct the disposal of any real property which may be lawfully disposed of and make and execute good and sufficient title thereof on behalf of the County".

The resolution consists of non-operational public works equipment. The items will either be offered for sale by auction, used as a trade, or will be demolished. The proceeds from the sale of the surplus equipment will be used towards the purchase of newer vehicles and/or equipment.

Commissioner Loper made a motion to approve the Resolution of Surplus and approve to use any proceeds towards the purchase of newer vehicles and/or equipment. Commissioner Deloach seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A RESOLUTION TO ADOPT AMENDED AND RESTATED ACCG 401(A) DEFINED BENEFIT CONTRIBUTION PLAN AND ACCG 457(B) DEFERRED CONTRIBUTION PLAN AND AUTHORIZE THE CHAIRMAN TO SIGN AN ADMINISTRATIVE SERVICES AGREEMENT (04):

Interim Human Resources Director Hearn explained in 2007 the Board elected to move the daily operation of the 401a and 457b plans from GEBCORP to an independent entity. At the time, the movement was due to GEBCORP's limitations regarding online reporting systems for users to have daily access. Since leaving GEBCORP we have transitioned through Merrill Lynch, Bank of America and are now with LPL financial and several investment advisors. The move from Bank of America, a National Banking Institution, was due solely to their election to discontinue handling governmental plans.

Currently HA&W serves as our Third Party Administrator, Daily Access provides users daily online access to their accounts, LPL serves as the holder of funds and Gini Nichols serves as our Investment Advisor.

Mr. Kale Hodges of Retirement Services, ACCG Retirement Services (GEBCORP) provided an overview via a power point presentation of services provided by GEBCORP.

Greg Gease, Regional Product Manager explained the processes for engaging employees.

Robert Kim, Certified Investment Banker explained options for creating a portfolio and level of investments.

Commissioner Jones made a motion to approve the Resolution and authorize the Chairman to sign the adoption agreement and any and all necessary documents to perform the account transfer. Commissioner Deloach seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE TO ACCEPT A BID AND EXECUTE A PROPOSAL FOR GEOTECHNICAL SERVICES FOR STILLWELL CLYO FIRE STATION (05):

Purchasing Agent Charleton explained the Board is in the process of purchasing a tract of land on Stillwell-Clyo Road for the purpose of constructing a fire station. The county intends to construct a two bay unmanned fire station on this site and is in need to a geotechnical report in order to obtain foundation drawings for the building.

Three responses were received from Terracon – (lump sum) \$2,925.00, Whitaker Labs – (lump sum) \$2,960.00 and ECS Southeast, LLC - (lump sum) \$3,250.00. Terracon' proposal has been reviewed and approved by the county attorney.

Commissioner Loper made a motion to approve to accept and execute the proposal from Terracon for geotechnical services for the Stillwell Clyo fire station. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN ASSEMBLAGE PERMIT FOR A FISHING TOURNAMENT TO BE LOCATED AT TUCKASEE KING LANDING (06):

County Clerk Johnson explained this event is to host the 1st annual Alessandro Plutino Savannah River Run. Sgt. Alessandro L. Plutino, 28, belonged to the 1st Battalion, 75th Ranger Regiment. He was killed by enemy forces in Afghanistan. The event is to be held Saturday, May 14, 2016 from 5:00 am – 5:00 pm.

Mr. Zachary Chisom, the applicant explained the tournament is to honor Sergeant Plutino to raise money to support the Sua Sponte Foundation.

Commissioner Kieffer made a motion to approve the assemblage permit. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE SPECIAL PURPOSE LOCAL OPTION SALES TAX (SPLOST) CALENDAR (07):

County Administrator Allen explained the calendar was discussed during the earlier workshop. Staff is requesting approval of the calendar.

Commissioner Jones made a motion to approve the calendar as presented. Vice Chairperson Floyd seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE MILLAGE CALENDAR FOR FICAL YEAR ENDING JUNE 30, 2016 (08):

Finance Director Wright explained each year a calendar is adopted. The calendar has been updated with the consensus of the Tax Assessor and Tax Commissioner. Staff requests approval.

Commissioner Kieffer made a motion to approve the millage calendar for 2016. Commissioner Deloach seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A PERMIT FROM ELBA EXPRESS COMPANY LLC GRANTING PERMISSION TO USE AN AREA OFF OF LOWGROUND ROAD FOR SURVEY PURPOSES (09):

County Administrator Allen explained Southern Natural Gas Company is interested in utilizing a 75' wide by 375' long portion of property owned by Effingham County for temporary storage of materials to be used in the construction of a pressure regulation station.

In order to determine the suitability of the property, Southern Natural Gas Company will need to conduct preliminary civil, environmental, archaeological and noise sensitive surveys. They will pay for any and all damages to the property resulting from said surveys. Compensation for the use of the temporary work space will be discussed if the land is deemed suitable.

Commissioner Loper made a motion to approve to sign the Survey Permit. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO ACCEPT A BID AND ISSUE A CONTRACT TO COASTAL ENGINEERING & CONSULTING LLC FOR A TRAFFIC STUDY FOR THE PROPOSED RECREATION COMPLEX (10):

County Administrator Allen explained earlier in the process a master plan was submitted to the Georgia Department of Transportation. The Georgia Department of Transportation is requiring a traffic engineering study as part of the permitting for entrances that access State Route #21. As that is outside of staff's area of expertise, a consultant will be needed to perform the study.

Due to the range of bid prices submitted, the engineering department checked references for Coastal Engineering & Consulting, LLC and based on positive reports, coupled with a freely offered statement that one of the listed

references is using Coastal Engineering & Consulting LLC for other projects; Staff is comfortable recommending them for the contract award.

Vice Chairperson Floyd made a motion to approve to accept a bid and issue a contract to Coastal Engineering & Consulting, LLC in the amount of \$3,500.00 with a deductive alternate of \$500.00 for a traffic study for the proposed recreation complex. Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE EFFINGHAM COUNTY 2015 SUPPLEMENTAL LOCAL MAINTENANCE IMPROVEMENT GRANT (LMIG) PROJECT (11):

County Administrator Allen explained an LMIG list has been previously approved by the Board. This is a supplemental list to be submitted due to the additional funding received as a result of HB 170.

Commissioner Jones made a motion to approve the fiscal year 2015 supplemental LMIG project list. Commissioner Kieffer seconded the motion. The motion carried unanimously.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

County Administrator Allen discussed the following:

1. Monthly Senior Citizens Report

- The monthly senior citizens report for the month of February 2016 has been provided.

2. Monthly Fire Report

- The monthly fire reports for the months of January and February 2016 has been provided.

3. Animal Shelter

- The monthly animal shelter report for the month of February 2016 has been provided.

4. Goshen Public Safety Building

- Reports showing the amounts of money collected for sanitation and water/sewer services at the Goshen Public Safety Building for 2015 have been provided.

5. Community Cleanup for MS4 Compliance

- Our MS4 permit requires that we conduct one community cleanup and one Rivers Alive cleanup during each reporting period.
- The cleanups must be conducted within the boundaries of the mS4, which in our case is the Savannah Urbanized Area.
- Our next community cleanup will be facilitated by the Savannah Riverkeepers and will be help May 21st from 9:00 until 12:00. The focus of the cleanup will be the Scuffletown Road area.

6. Old Augusta Road

- Correspondence from staff requesting The Georgia Department of Transportation to consider funding a roundabout at the intersection of Ft. Howard Road and Old Augusta Road through the Off-System Safety program has been provided.

7. Chamber Nominations

- The Effingham County Chamber of Commerce is seeking nominations for three Board members to serve for the upcoming three year period.
- Nominations must either be a member of the Chamber or employed by a business that is a member.
- All nominations must be received at the Chamber office by 5:00 pm, March 23, 2016.

8. DFIRM Community Coordination and Public Open House Meeting

- A meeting will be held for local elected officials and local government staff on Thursday, April 21, 2016 from 2:30pm until 4:00pm at the Administrative Complex.
- A public open house will be held on Thursday, April 21, 2016 from 5:00pm until 7:30pm at the Administrative Complex?

9. Passing Lanes at SR 17/Jabez Jones

- A left hand passing lane will be installed at Jabez Jones Road, southbound. Also at SR 17 and Roebling a left passing and right hand turn, northbound.

10. Roundabout Feasibility Study at Hwy 17 & Bluejay

- A study will be conducted by GDOT.

11. Highway 17 & Marlow Road

- Signage being done by County and GDOT

Finance Director discussed the following:

1. Financial Statements/Surplus List

- Financial Statements for the past month and Surplus List for the past year has been provided.

EXECUTIVE SESSION

Commissioner Kieffer made a motion to go into executive session at 6:33 pm. Commissioner Deloach seconded the motion. The motion carried unanimously.

EXECUTIVE SESSION MINUTES

No executive session was held at the March 1, 2016 meeting, therefore there were no minutes to be approved.

PLANNING BOARD PRESENTMENTS

Chairman Kessler and Vice Chairperson Floyd recused themselves from voting on items 1 -3 due to conflict.

Commissioner Kieffer made a motion to nominate Commissioner Deloach as Chair Pro Tem. Commissioner Jones seconded the motion. The motion carried unanimously.

Chad Zittrouer – Public Hearing (01): The Planning Board recommends approving an application by Chad Zittrouer to rezone 24.59 acres located at Noel C. Conaway and Boone Road from AR-1 to R-1 Map# 397 Parcel# 50 in the Second District.

Zoning Administrator Barenchik explained the request for rezoning is to allow for a 50 lot subdivision. The Planning Board recommended approval with stipulations.

Mr. Chad Zittrouer of Kern & Coleman representing BGN Investments explained after review of the existing buffer ordinance and concerns of the residents the developer is willing to increase the buffer from 15 feet to 20 feet along the Boone Road area.

Mr. Mark Caldwell expressed concern for child safety and requested the developer construct a fence.

Mr. Mike Spaulding expressed concern for the number of homes being constructed and that the homes are a minimum square footage of at least 2000 square feet.

Mr. Wilson Burns stated currently the homes to be constructed are proposed to be sold in the upper \$200,000. Covenants will be implemented for this development.

Commissioner Jones made a motion to approve the request with the following Planning Board and Staff recommendations (#1-4) and an additional stipulation (#5):

1. Lot meets the requirements of the R-1 zoning district.
2. Site development plans comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
3. All wetland impacts permitted by USACE.
4. Subdivision plat must be approved by the Health Department and the Zoning Office.
5. A twenty foot (20) undisturbed natural buffer shall be maintained along the Boone Road area (lots 39-49) and the eastern portion of the property (lots 2-15).

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

Chad Zittrouer – Second Reading (02): Consideration to approve the Second Reading of an application by Chad Zittrouer to rezone 24.59 acres located at Noel C. Conaway and Boone Road from AR-1 to R-1 Map# 397 Parcel# 50 in the Second District

Commissioner Jones made a motion to approve the Second Reading with previous stipulations. Commissioner Loper seconded the motion. The motion carried unanimously.

Chad Zittrouer – Sketch Plan (03): The Planning Board recommends approving an application by Chad Zittrouer (BGN Investments, LLC) for a sketch plan approving 50 lots in the Woodlands located near the intersection of Noel C. Conaway and Boone Road Map# 397 Parcel# 50 in the Second District.

Zoning Administrator Barenchik explained the plan is for a 50 lot subdivision which does include a greenspace area. The engineers will coordinate with GDOT for approval of an excel/decel lane.

Commissioner Jones made a motion to approve the Sketch Plan. Commissioner Loper seconded the motion. The motion carried unanimously.

A break was taken at 7:38 pm. Commissioner Loper left the meeting for the evening.

The meeting was called back to order at 7:47 pm by Chairman Kessler.

Ralph Fuller – Public Hearing (04): The Planning Board recommends approving an application by Ralph Fuller to rezone 24.29 acres from R-4 to AR-1 located off of Hodgeville Road Map# 435 Parcel# 50B in the Second District

Zoning Administrator Barenchik explained the property was acquired from a parcel that was a part of Whispering Pines Mobile Home Park. Mr. Fuller would like to rezone the property to place into the CUVA program.

Mr. Ralph Fuller requested approval of the rezoning to place the property into the CUVA program for agricultural use.

No one was present against the request.

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

1. Lot meets the requirements of the AR-1 zoning district.
2. Site development plans comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
3. All wetland impacts permitted by USACE.
4. Plat must be approved by the Health Department and the Zoning Office.

The motion was seconded by Vice Chairperson Floyd. The motion carried unanimously.

Ralph Fuller – Second Reading (05): Consideration to approve the Second Reading of an application by Ralph Fuller to rezone 24.29 acres from R-4 to AR-1 located off of Hodgeville Road Map# 435 Parcel# 50B in the Second District

Commissioner Jones made a motion to approve the Second Reading with the recommended Staff and Planning Board stipulations. Vice Chairperson Floyd seconded the motion. The motion carried unanimously.

Quenitra W. Hilliard – Public Hearing (06): The Planning Board recommends approving an application Quenitra W. Hilliard for a conditional use to allow for a day care facility located at 301 Formosa Drive Map# 374C Parcel# 29 in the Fourth District.

Zoning Administrator Barenchik explained Ms. Hilliard previous operated a daycare facility in Chatham County and wishes to open one in Effingham County. Planning Board and Staff recommends approval.

Ms. Quenitra W. Hillard stated she is licensed by the State and has operated a daycare since 2008. Ms. Hilliard relocated to Effingham County and wishes to resume her daycare facility.

Commissioner Kieffer made a motion to approve the request with the following Staff recommendations:

Compliance with Section 5.2.2.1 Day care facilities may be permitted in agricultural residential (AR-2) districts on a conditional basis in accordance with the provisions of section 7.1.6 upon approval by the county commissioners after review by the planning board. Commissioner Deloach seconded the motion. The motion carried unanimously.

Quenitra W. Hilliard – Second Reading (07): Consideration to approve the Second Reading of an application by Quenitra W. Hilliard for a conditional use to allow for a day care facility located at 301 Formosa Drive Map#374C Parcel# 29 in the Fourth District

Commissioner Kieffer made a motion to approve the Second Reading of this request with the recommended Planning Board and Staff stipulations. Commissioner Deloach seconded the motion. The motion carried unanimously.

Paul & Janice Howze – Public Hearing (08): The Planning Board recommends approving an application by Paul & Janice Howze to rezone 9.59 acres from PD to B-3 located at 791 Old Augusta Road South Map# 475 Parcel# 57 in the Fifth District

Zoning Administrator Barenchik explained the request to rezone is to allow for a church in the existing structure on the property.

Mr. Greg Howze stated a church is interested in the current facility. The current use does not allow for churches.

Commissioner Kieffer made a motion to approve the request with the following Planning Board and Staff stipulations:

1. Lot meets the requirements of the B-3 zoning district.
2. Site development plans comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
3. All wetland impacts permitted by USACE.
4. Plat must be approved by the Health Department and the Zoning Office

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

Paul & Janice Howze – Second Reading (09): Consideration to approve the Second Reading of an application by Paul & Janice Howze to rezone 9.59 acres

from PD to B-3 located at 791 Old Augusta Road South Map# 475 Parcel# 57 in the Fifth District

Commissioner Kieffer made a motion to approve the Second Reading with the recommended Planning Board and Staff recommendations. Commissioner Jones seconded the motion. The motion carried unanimously.

Mark Crapps (Claude Kicklighter) – Public Hearing (10): The Planning Board recommends approving an application by Mark Crapps (Claude Kicklighter) to rezone 15.80 acres from I-1 to R-3 located near the intersection of Old Augusta Road South and Highway 21 South Map# 478 Parcel# 2 in the Fifth District

Zoning Administrator Barenchik explained along with the rezoning the applicant has requested to allow a change from 12 units to 16 units per acre. The Planning Board approved as requested.

Mr. Mark Crapps stated the property is approximately 16 acres tract to consist of a multi-family apartment complex which will contain 252 units within 14 buildings, a business center, office and pool. The project will be served by public water and sewer.

There was an extensive discussion among the applicants, Staff and the Board about the buffer location upon subdividing the property.

No one was present against the request.

Commissioner Kieffer made a motion to approve the request with the following Planning Board stipulations with a change in the setback of buffer for item#5 from 150 feet to 15 feet:

1. Lot meets the requirements of the R-3 zoning district.
2. Site development plans comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
3. All wetland impacts permitted by USACE.
4. Subdivision plat must be approved by the Health Department and the Zoning Office.
5. The setbacks to be reduced to 15 feet buffer
6. Allow for 16 units per acre

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

Mark Crapps (Claude Kicklighter) – Second Reading (11): Consideration to approve the Second Reading of an application by Mark Crapps (Claude Kicklighter) to rezone 15.80 acres from I-1 to R-3 located near the intersection of Old Augusta Road South and Highway 21 South Map# 478 Parcel# 2 in the Fifth District

Commissioner Kieffer made a motion to approve the Second Reading with the recommended Planning Board stipulations with a change in the setback of

buffer for item#5 from 150 feet to 15 feet. Commissioner Deloach seconded the motion. The motion carried unanimously.

Mark Crapps (Claude Kicklighter) – Sketch Plan (12): The Planning Board recommends approving an application by Mark Crapps (Claude Kicklighter) for a Sketch Plan for a 16 unit apartment complex located near the intersection of Old Augusta Road South and Highway 21 South Map# 478 Parcel# 2 in the Fifth District

Commissioner Kieffer made a motion to approve the Sketch Plan with the following Planning Board stipulation:

1. Recommends approval if 16 units per acre stipulation is approved. Otherwise, revisions will need to be made to lessen the density of the complex.
2. The plat shall reflect a fifteen (15) foot buffer.

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

ADJOURNMENT

There being no further business, at 8:21 pm, Commissioner Kieffer made a motion to adjourn the meeting. Commissioner Deloach seconded the motion. The motion carried unanimously.


WENDALL KESSLER, CHAIRMAN


STEPHANIE JOHNSON, COUNTY CLERK