

**THE EFFINGHAM COUNTY
COMMISSIONERS' MEETING**

The Board of Commissioners of Effingham County, Georgia, 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, August 07, 2012 in the Commissioners' Meeting Room at the Effingham County Administrative Complex. Chairman C. D. Zeigler was not present.

PERSONS ATTENDING THE MEETING

Mrs. Elizabeth Pavlis, County Attorney, Mr. David Crawley, County Administrator, Mr. Adam Kobek, Community Relations Director, Mrs. Patrice R. Crawley, County Clerk, Mrs. Joanna Wright, Finance Director, Mrs. Beth Epling, Mr. Rick Lott, Mr. Franklin Goldwire, and Mr. Dennis Morris.

CALL TO ORDER

Vice-Chairman Loper called the meeting to order.

INVOCATION

Commissioner Jones gave the invocation.

PLEDGE TO THE AMERICAN FLAG

Vice-Chairman Loper led the Pledge to the American Flag

AGENDA APPROVAL

Commissioner Mason made a motion to approve the Agenda. Commissioner Brantley seconded the motion. The motion carried unanimously.

MINUTES

Commissioner Kieffer made a motion to approve the Board of Commissioners minutes for July 17, 2012 and July 26, 2012 with the correction stated. Commissioner Jones seconded the motion. The motion carried unanimously.

PUBLIC COMMENTS

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

CONSENT AGENDA

Vice-Chairman Loper read out loud the Consent Agenda Items. Commissioner Brantley made a motion to approve:

**CONSIDERATION TO APPROVE ERRORS AND RELEASES FOR MOBILE
HOME TAX AS SUBMITTED BY THE TAX COMMISSIONER (01);
CONSIDERATION TO APPROVE ERRORS AND RELEASES FOR PROPERTY**

HOME TAX AS SUBMITTED BY THE TAX COMMISSIONER (02);

CONSIDERATION TO APPROVE THE SECOND READING TO AMEND MAP AND PARCEL NUMBER 305-4 FOR REZONING 16.34 ACRES FROM AR-2 TO B-3 LOCATED OFF OF GOSHEN ROAD EXT. WITH THE FOLLOWING STIPULATIONS (03):

1. Each lot shall meet the requirements of the B-3 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.

CONSIDERATION TO APPROVE THE SECOND READING TO AMEND MAP AND PARCEL NUMBER 451-33 TO REZONE 26.11 ACRES FROM R-1 TO AR-1 LOCATED OFF GOSHEN ROAD (04):

1. Each lot shall meet the requirements of the AR-1 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 Kieffer seconded the motion. The motion carried unanimously.

NEW BUSINESS

DISCUSSION WITH THE CHAMBER OF COMMERCE ON HOTEL/MOTEL TAX

(01): Effingham Chamber of Commerce Executive Director Rick Lott, on the behalf of the Chamber of Commerce, requests that the Board of Commissioner enact an ordinance to levy and collect a Hotel/Motel Tax at a rate of 5% for the purposes of enhancing and promoting tourism within the County of Effingham Georgia, as empowered by O.C.G.A. §48-13-50 et seq. The Chamber proposes to use 100% of these funds for the purposes of promoting, marketing, and enhancing tourism attractions, sites, and projects throughout all of Effingham County. Tourism is a business and has the potential to directly and positively impact both business and government within the county.

County Administrator Crawley explained that there are a lot of steps that need to be decided on before putting a hotel/motel tax in place. The County actually collects, and audits the funds. Therefore, a budget must be in place and a contract with an organization on how the dollars will be spent.

CONSIDERATION TO APPROVE MINOR CHANGES TO THE SPRINGFIELD FIRE DISTRICT (02): Fire Chief Ashcraft stated that upon reviewing a portion of the fire district line between Springfield and the County, some changes could better serve residents. The proposed change will allow some of the residences to be within five road miles from a county fire station. The Springfield Fire Chief concurs with this change.

Commissioner Brantley made a motion to approve the proposed changes to the

Springfield Fire District. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE CERTIFICATION OF INVESTMENT PRACTICES FOR THE COUNTY RETIREMENT PLANS (03): Human Resources Director Hudzinski-Sero explained that in accordance with O.C.G.A. §47-1-3 requires that an audit of the Defined Benefit plan be completed every two years. Tegra, the County Actuary, has completed the audit and now the Board must certify it.

Commissioner Jones made a motion to approve certification of investment practices for the County Retirement plans. Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AWARDING A CONTRACT TO TRAYLOR BUSINESS SERVICES, INC. TO VERIFY TAX RETURNS ON BUSINESS PERSONAL PROPERTY REPORTS (04): Chief Tax Appraiser Bevill explained that according to Georgia law an audit on business personal property must be completed. Request for proposals were mailed to three companies and two bids were received. Bids were very close and staff recommends continuing with Traylor Business Services, Inc. through 2012-2013. Changing companies would mean a change in software and conversion of values from the program and it would be more costly in time than the difference of the proposals.

Commissioner Jones made a motion to approve awarding and contracting with Traylor Business Services, Inc. to verify Tax Returns on Business Personal Property Reports (see minute book page _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE CHANGES IN QUANTITIES AND ADDITIONAL CONTRACT ITEMS FOR OLD AUGUSTA ROAD (05): Civil Engineer Allen explained that Effingham County is seeking to construct a project for the improvement of 4.25 miles of Grade, Drain, Base and Pave on Old Augusta Road, beginning at Chimney Road and ending at CR307 and a signal installation of Old Augusta Road at SR21. Changes in the quantities contained in the contract will need to be made to complete the construction of Old Augusta Road. As the timing associated with obtaining Board approval of the changes could cause a delay if these issues aren't

addressed at this time. The alternatives are to allow staff to move forward and approve the changes when necessary to keep the project on track with the understanding that an increase in the contract amount may be required in the future or to instruct staff to wait until the full impact of all known changes known.

Commissioner Kieffer made a motion to table to August 21, 2012 for more information. Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AWARDING A CONTRACT TO HARCO CONSTRUCTION FOR DRAINAGE IMPROVEMENTS TO RINCON STILLWELL ROAD (06): Civil Engineer Allen explained that Mr. Ronald Morgan has requested that improvements be made to an existing outfall ditch from Rincon Stillwell Road that is located adjacent to and on his property. On April 17, 2012 options for improvements were presented to the Board. The Board chose to advertise the improvements for public bid and to move forward with the improvements so as long as the cost is less than \$15,426, the estimated cost for Public Works to perform the improvements. The lower bidder for the improvements was HARCO Construction utilizing RCP pipe for a price of \$26,793.

Commissioner Mason made a motion to have Public Works perform the improvements using RCP pipe. Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO RENEWING THE AGREEMENT WITH TRANSFORM HEALTH FOR INMATE MEDICAL SERVICES (07): Finance Director Wright explained that for several years Transform Health has provided medical services for the county with onsite nurses and a doctor as needed to attend to the prison and jail inmates. Additionally, Transform Health helps to oversee the catastrophic insurance, pharmacy bills, and specialized doctor medical bills. This helps to minimize the County's exposure to medical claims.

Commissioner Jones made a motion to renew the Agreement with Transform Health for inmate medical services and to seek additional bids, like the Hospital, with the option to opt out if the bids are lower (see minute book page _____).

Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN AGREEMENT WITH EAVES CONSULTING GROUP, LLC. FOR LOST NEGOTIATIONS (08): Finance Director Wright explained that during the past several months staff has been gathering information regarding the Local Option Sales Tax negotiation criteria and making tentative calculations in preparation for the negotiation. Current proposals by the parties have significant differences in the allotted percentages. Eaves Consulting Group, LLC is a LOST negotiation consultant recommended by ACCG.

Commissioner Brantley made a motion to approve an agreement with Eaves Consulting Group, LLC for LOST Negotiations (see minute book page _____). Commissioner Mason seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A RESOLUTION TO AMEND FY 2012-2013 BUDGET FOR PAYMENT OF FUNDS TO THE CITY OF GUYTON (09): Finance Director Wright explained that the County entered into a service delivery agreement with the municipalities this past year. Under the new budget ordinance, the Board would need to approve a budget amendment to increase department 51 other agencies by \$138,301.74 and fund the request through General Fund balance.

Commissioner Jones made a motion to approve a Resolution to amend FY2012-2013 Budget for a payment of funds to the City of Guyton (see minute book page _____). Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN AUTHORIZATION OF \$138,301.74 TO PAY THE CITY OF GUYTON PER THE SERVICE DELIVERY AGREEMENT (10): Finance Director Wright explained that City of Guyton has submitted a request in the amount of \$138,301.74 to move forward on debt obligations and capital projects.

Commissioner Kieffer made a motion to approve an authorization of \$138,301.74 to pay the City of Guyton per the Service Delivery Agreement. Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE CHANGE ORDER NUMBER 2 WITH RIVES E. WORRELL COMPANY FOR THE EFFINGHAM COUNTY SHERIFF'S OFFICE AND JAIL (11): Community Relations Director Kobek explained that the Board has entered into a contract for design build services with Rive E. Worrell Company for the design and construction of a new Sheriff's Office and Jail Project. The first change order released

the team to move forward with the final design and pricing. This proposed change order is to pre-release the precast cell module design and shop drawings.

Commissioner Kieffer made a motion to approve change order number 2 with Rives E. Worrell Company for the Effingham County Sheriff's Office and Jail (see minute book page _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A LETTER AGREEMENT TO AMEND THE CONTRACT WITH CROWN CASTLE CONCERNING CELL TOWER LOCATED ON HWY 119 (12): Community Relations Director Kobek explained that Crown Castle currently leases a small parcel of land from Effingham County and is interested in extending the lease. They have proposed the following modification to the lease (1) will provide 5 additional four year renewal terms or a total of 7 remaining renewal terms with a final expiration date of September 10, 2047 (2) On September 11, 2022 and every 5 years, thereafter the annual rent shall increase by an amount equal to 20% of the annual rent in effect for the immediately preceding year (3) If Lessee, for any reason, in its sole discretion, determines that it is unable or unwilling to use the Leased Premises for its intended purpose; and if at any time prior to September 10, 2042 the Lessee elects not to renew the lease, Lessee shall pay a termination fee equal to the amount of rent that Lessee would have owed to Lessor under the Lease, as amended, between the date of such early termination or election not to renew and (4) Lessee agrees to allow the lessor to install and maintain the certain equipment as long as the equipment shall not cause any interference or conflict with the operation and improvements of the Lessee. Upon approval of this letter agreement, Effingham County hereby agrees to execute the Lease Amendment without any unreasonable delay.

Commissioner Jones made a motion to table this item until September 18, 2012. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AWARDING A BID TO CUMMINS POWER SOUTH FOR A GENERATOR AT THE GOSHEN PUBLIC SAFETY BUILDING (13): Community Relations Director Kobek explained that the generator was pulled from Lavender's contract as part of the VE options. Funding for the generator is included in the project budget. The 100KW Generator was sized to run a portion of the building and

the backup water supply system on site. An automatic transfer switch is included and will handle the facility while a manual switch will handle the water supply.

Commissioner Mason made a motion to approve awarding a bid to Cummins Power South for a generator at the Goshen Public Safety Building. Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A RESOLUTION TO DESIGNATE AN OPEN RECORDS OFFICER, AN ALTERNATE OPEN RECORDS OFFICER, AND FOR OTHER PURPOSES (14): County Clerk Crawley explained that an Open Records Officer will make sure that open records request are made available upon request to the extent required by law in accordance with the requirements of the Open Records Act. The Open Records Officer will be the Clerk of the Board of Commissioners and the alternate will be the Director of Community Relations.

Commissioner Brantley made a motion to approve a Resolution to Designate an Open Records Office, an Alternate Open Records Officer, and for other purposes (see minute book page _____). Vice-Chairman Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE SENDING A CONGRATULATORY LETTER TO MT CARMEL DELIVERANCE CENTER FOR THEIR YEARLY CONVOCATION (15): County Clerk Crawley explained that Mt. Carmel Deliverance Center has requested a letter from the Board of Commissioners to be placed in their Convocation Program. The Convocation Program will be held August 8 thru 12 at 7:30 p.m. nightly and 11:00 a.m. on Sunday and Bishop Julian Jones invites the Board to join their celebration.

Commissioner Kieffer made a motion to approve sending a congratulatory letter to Mt. Carmel Deliverance Center for their yearly Convocation. Commissioner Jones seconded the motion. The motion carried unanimously.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

Commissioner Vice-Chairman Loper discussed the following:

- ❖ Project Development at the Governor's Tourism Conference spotlighting Effingham County

Commissioner Brantley discussed the following:

- ❖ Appointed Health Department Chairman

Commissioner Mason discussed the following:

❖ Water standing on Log Landing Road

Commissioner Kieffer discussed the following:

- ❖ Speed limit signs on Stephens and Crystal Drive

County Clerk Crawley discussed the following:

- ❖ Veterans Park Board – who would like to sit on that Board

County Administrator Crawley discussed the following:

- ❖ Central School Site – Headstart would like to keep their place at the Central School site
- ❖ ACCG Summer Regional Membership Meetings – If you plan on attending let the County Clerk know
- ❖ Community Retreat – will be August 23rd and 24th
- ❖ LOST meeting Wednesday August 15th
- ❖ Transportation workshops in September
- ❖ Recycling Program – discussion of the points system
- ❖ Goshen Crossing Phase II – If you would like to comment on the use of Federal and State Tax Credits
- ❖ Garden Grant for Early Street House – applied for a Garden Grant for Early Street House. This grant is a matching grant and will be brought back before the Board if awarded.

EXECUTIVE SESSION

At 8:15 p.m., Vice-Chairman Loper 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 property, and pending litigation. (See copy of Chairperson's affidavit on minute book page number _____).

At 8:37 p.m. Commissioner Mason made a motion to go back into Regular Session. Commissioner Jones seconded the motion. The motion carried unanimously.

EXECUTIVE SESSION MINUTES

Commissioner Brantley made a motion to approve the Board of Commissioners executive session minutes for July 26, 2012. Commissioner Mason seconded the motion. The motion carried unanimously.

COMMITTEE REPORTS – CONTINUE

County Administrator Crawley discussed the following:

- ❖ Hutchenson – Winsorforest Subdivision and requiring a bond
- ❖ January thru June building permits were the highest since 2007

EXECUTIVE SESSION MINUTES

Commissioner Kieffer made a motion to approve the Board of Commissioners executive session minutes for July 17, 2012. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

ADJOURNMENT

At 8:45 p.m., Commissioner Brantley made a motion to adjourn the meeting. Commissioner Jones seconded the motion. The motion carried unanimously.

C. D. Zeigler, Chairman

Patrice R. Crawley, County Clerk