

**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 pm on Tuesday, June 4, 2013 in the Commissioners' Meeting Room at the Effingham County Administrative Complex

PERSONS ATTENDING THE MEETING

Mr. Eric Gotwalt, County Attorney, Mr. Toss Allen, Interim County Administrator, Mr. Adam Kobek, Director of Community Relations, Ms. Karen Arnold, Interim County Clerk, Mrs. Joanna Wright, Finance Director, Ms. Rushe Hudzinski-Sero, Mr. George Shaw, Zoning Administrator, Mr. Steve Liotta, County Engineer, Mrs. Stephanie Johnson, Office Manager, Ms. Vickie Brown, Deputy Warden, Ms. Fiona Charleton, Purchasing Agent, Mrs. Janice Bevill, Tax Assessor, and Mr. Rick Lott, Effingham County Chamber of Commerce

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

Chairman Kessler explained that a request has been made to table items #1 (Cypress Lakes) & #3 (Appointment to Library Board) under old business.

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

MINUTES

Chairman Kessler stated there were corrections made to both the May 21st and May 28th meeting minutes since the packet was issued. Commissioner Loper stated Mr. Mason not being present at the beginning of the workshop and the responses of all management should be noted in the May 28th workshop minutes. After a discussion it was decided not to add said comments.

Commissioner Floyd made a motion to approve the corrected minutes of May 28th workshop. Commissioner Kieffer seconded the motion. Commissioner Loper opposed. The motion carried.

Commissioner Jones made a motion to approve the corrected minutes of May 21, 2013. Vice Chairman Mason seconded the motion. The motion carried unanimously.

PUBLIC COMMENTS

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

CONSENT AGENDA

Chairman Kessler read the Consent Agenda aloud.

Commissioner Loper made a motion to approve: to amend **(1)** the Effingham County Zoning Map 275-2 at the request of Darrell Morgan to rezone 5 acres for a sand mine located at 1042 Sandhill Road from AR-1 to I-1; **(2)** the Effingham County Zoning Map 303-12 at the request of James F. Moore for a conditional use to allow for a family cemetery located at 390 S. Laurel Street; **(3)** the Effingham County Zoning Map at the request of Jennifer Blackburn, as attorney for Verizon Wireless to rezone 0.50 acre from AR-1 to B-2 located at 1877 Low Ground road 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 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; **(4)** the Effingham County Zoning Map 373-10 at the request of Jennifer Blackburn, as attorney for Verizon Wireless for a conditional use for a cell tower placement located at 1877 Low Ground Road ; **(5)** the Effingham Count Zoning Map 367A-29 at the request of Effingham County Pre K Center, Inc. for a conditional use to operate a child care center located at 126 Andrews Lane; and **(6)** the Effingham County Zoning Map 460C-21 at the request of Ronald Akin to rezone 1.533 acres located off of Chester Street from R-1 to AR-2 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 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 Kieffer seconded the motion. The motion carried unanimously.

OLD 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 at the agenda approval on a motion made by Commissioner Loper. Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A TERMITE BOND AGREEMENT WITH ALLGOOD PEST SOLUTIONS (02):

Director of Community Relations Kobek stated three quotes have been received and Allgood provided the lowest quote in the amount of \$2,470.00 with an annual renewal of \$440.00. Allgood provided a letter stating there is an unlimited cap on the damage up to the fair market value of the structure. The bond covers repairs and treatment.

Commissioner Loper made a motion to approve Alternative# 1 to execute agreement. Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE APPOINTMENT OF ONE MEMBER TO THE LIBRARY BOARD (03):

This item was tabled at the agenda approval on a motion made by Commissioner Loper. Commissioner Jones seconded the motion. The motion carried unanimously.

NEW BUSINESS

CONSIDERATION TO APPROVE AN AMENDMENT TO THE 401A RETIREMENT PLAN FOR BUDGET YEAR 2013/2014 (01):

Human Resources Director Hudzinski-Sero stated as per 2012/2013 budget, the 401A would be amended to reduce the employee contribution match and limit availability to multiple plans. A full transfer of all retirement accounts was completed on March 4, 2013 after a three (3) month transfer.

Said changes are as follows: eligible staff members must now participate in the 457B Plan in order to be eligible for the 401A; and the employer match contribution has been reduced to a 1 to 1 match, maximizing at three percent (3%); and allows elected officials without another retirement plan participate in the plan and receive a match. The recommended amendment date is July 1, 2013.

Vice Chairman Mason made a motion to approve Alternative# 1 (approve the agreement). Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO RENEW A MEMORANDUM OF UNDERSTANDING WITH SAVANNAH TECHNICAL COLLEGE ADULT EDUCATION DEPARTMENT FOR G.E.D. TESTING (02):

Deputy Warden Brown stated the request is a renewal of the M.O.U. with Savannah Technical College. The school provides the teacher and the testing is paid for by the Prison. Deputy Warden Brown further confirmed the testing to be a budgeted item.

Commissioner Loper made a motion to approve Alternative# 1 (to approve the agreement). Vice Chairman Mason seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN AGREEMENT WITH THE STATE OF GEORGIA TO HOUSE INMATES AT EFFINGHAM COUNTY PRISON (03):

Deputy Warden Brown stated the request is the annual capacity agreement with the Georgia Department of Corrections which is due on July 1, 2013. This agreement allows Effingham County to house up to 192 inmates.

Deputy Warden Brown stated there are some new requirements in the agreement: reporting offender movement in SCRIBE; termination for convenience; County shall be liable if additional cost incurred by the department as a result of deficiencies and services; Prison Rape Elimination Act; and Sole benefit.

There was a discussion of inmate duties performed, hours worked per day, number of inmates working outside of the facility and cost for housing of inmates.

Vice Chairman Mason made a motion to approve Alternative# 1 (to approve the agreement). Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AMENDING THE MEMORANDUM OF AGREEMENT FOR THE SAVE PROGRAM (04):

Zoning Administrator Shaw explained the request to be a yearly verification agreement mandated by the Federal government.

Commissioner Jones made a motion to approve Alternative# 1 (to approve the agreement). Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE RENEWAL OF THE GASBOY CONTRACTS FOR THE BACKYARD FUEL SYSTEM SOFTWARE AND SUPPORT (05):

Purchasing Agent Charleton explained the fuel in the tanks located at the Public Works department is on consignment. Gasboy has been contracted by the County to provide software to monitor the fuel usage and report to FuelMan for billing purposes. The total contract cost is \$855.00 including \$400.00 for software support and \$455.00 for software maintenance. The contract can be terminated at any time by mutual agreement of both parties.

Commissioner Loper made a motion to approve Alternative# 1 (approve the agreement). Vice Chairman Mason seconded the motion. The motion carried unanimously.

CONSIDERATION TO AWARD A BID FOR DRAINAGE IMPROVEMENTS IN WESTWOOD HEIGHTS TO DIVISION II CONTRACTING, LLC (06):

Interim County Administrator Allen explained resolutions for drainage improvements, outfall issues, studies performed and documents submitted surrounding the property in question.

Interim County Administrator Allen recommended alternative# 4, awarding the contract to Division II Contracting, LLC and directing staff to perform further studies on the outfall.

Commissioners Jones made a motion to approve Alternative# 4 to move forward with the bid award and perform further study. Vice Chairman Mason seconded the motion. The motion carried unanimously.

PUBLIC HEARING AND CONSIDERATION TO APPROVE THE 1ST READING OF “AN ORDINANCE TO IMPOSE AN EXCISE TAX ON ROOMS, LODGING AND ACCOMODATIONS AND FOR OTHER PURPOSES” (07):

Interim County Administrator Allen explained the public hearing to be for a vote of the ordinance only. The ordinance is based on a five cent (5c) excise tax on rooms. State law and the County ordinance require that forty percent (40%) of the revenue are spent on promoting tourism, conventions and trade.

Attorney Gotwalt confirmed that three cents of the five cent excise tax is unrestricted. The remaining two cents must be expended through an agreement with a private nonprofit for promotion of tourism, convention and trades.

Interim County Administrator Allen made mention of a line in the ordinance, Sec 6g outlining the extension of time of filing; authority; requirements; remittance; penalty and interest. Other sections of the ordinance define the County Administrator as having said authority. This section does not specify. Interim County Administrator Allen recommended this section be changed.

Mr. Rick Lott of the Effingham Chamber of Commerce confirmed to be in agreement with the proposed ordinance. The tax is to be imposed upon individuals coming into the county to stay at the hotels.

Commissioner Jones made a motion to approve the first reading of the ordinance with the requested change to Sec. 6g allowing signature of the County Administrator. Commissioner Floyd seconded the motion. The motion carried unanimously.

CONSIDERATION TO AMEND THE CALENDAR FOR FY 2013/2014 AND APPROVE A CONTINUING RESOLUTION (08):

Interim County Administrator Allen stated the request is to amend the budget calendar. A draft of the budget will be presented at the June 18, 2013 meeting.

There was a discussion to change the Board of Commissioner's budget workshop from July 9th to July 8th.

Commissioner Jones made a motion to approve the request to amend the calendar for the budget workshop from July 9, 2013 to July 8, 2013.

Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A CALDENDAR FOR THE ADOPTION OF THE COUNTY MILLAGE AND THE NECESSARY ADVERTISEMENT (09):

Interim County Administrator Allen stated the request is for the adoption of the previously agreed upon budget workshop date of July 8, 2013.

Commissioner Kieffer made a motion to approve the request.

Commissioner Jones seconded the motion. The motion carried unanimously.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

Commissioner Mason discussed the following:

1. Logging Ordinance

- A special meeting with Dave Burns to discuss the logging ordinance
- The Board asked that a revised logging ordinance be presented at the 6/18 Board meeting.
- Begin a workshop at 4 pm on 6/18/13

Interim County Administrator Allen discussed the following:

2. Redevelopment of SR 119 Recreation Facility

- The Recreation Board met recently and has created a list a improvement's that they would like to make to the facility
- The improvements would need to be started in November and be completed by February to avoid conflicts in the use of the facility.
- Workshop with the BOC and the Recreation Board on Thursday 6/13; Kieffer, Loper and Kessler attending

County Engineer Liotta discussed the following:

3. Flood CRS Program

- Established a Flood Management plan in August, 2010
- May 2013 County officially a part of the CRS program

- Citizens in the unincorporated area of the county will now begin receiving 15% off their flood insurance.
- Effingham County received a class seven rating
- Flood maps will again be revised in 2014 to include lidar based maps.

4. Blandford Crossing

- The new owner is requesting a building permit while the lift station is yet unfinished.
- Should a building permit be issued

Interim County Administrator Allen discussed the following:

5. Summer Food Program

- Grant was approved on May 14, 2013
- Program begins on June 3, 2013 and ends on July 19, 2013.

6. Video Recording of Meetings

- Moving forward with limited equipment purchases based on previous direction provided by the Board. The camera has been ordered from CDWG.
- Google has been contacted about creating a government page on YouTube. Response could take approximately three to six months
- Part of the equipment has been ordered per IT Director Jenkins.

7. Radio Upgrades

- Proposed cost from Motorola for installation of equipment is \$531,023.
- Additional infrastructure cost outside of work provided by Motorola is \$93,466.
- Annual Service agreement of existing tower infrastructure is \$40,180.08.
- Annual Service agreement of proposed tower infrastructure is \$74,897.88.
- Staff has requested a meeting to review all service agreements with Motorola in the hopes of combining agreements into a single annual agreement to reduce cost.
- Combine service proposal for all infrastructure is \$189,030.50 annually, which includes 911 equipment, at approximately \$90,000.
- Staff has also requested financing options from Motorola for Tower infrastructure.
- Still working to finalize frequencies that will be used.
- Scheduled to be presented to the Board on 6/18

8. Impact Fees

- Staff is currently working to determine fundable projects from the current study and review of necessary ordinance amendments.
- Recommendations and a timing schedule will be presented to the Board on 6/18.

9. Ash Road Repairs for bid

- Patterson, Needlepoint, Ogeechee, Cherokee, Hester, Ingram, Green Morgan School Road, Indigo Road, Taylor Chapel Road, Union Springs Road, Log Landing Drive.
 - Full depth reclamation and surface treatment.

- Pre-bid meeting was held Monday 6/03/2013.
- Bids are due 6/13/2013.

10. Road Resurfacing

- Fair Street, Fox Bow Drive, High Bluff Road, Honey Ridge Road, Little McCall Road, Log Landing Road, Long Bridge Road, Marion Avenue, Old Dixie Highway, Oliver Kildare Highway, Sisters Ferry Road, Stillwell Road, Williams Avenue and Wylly Road are currently under consideration.
- Would like to complete resurfacing.
- McCall and Blue Jay are considered under a separate project.

11. Old Augusta Road

- Revised signal permit received May 16, 2013.
- Work will begin once the new poles have been manufactured (4 week lead time once ordered).
- Asphalt is complete, striping, signage and final grading is all that remains.
- Due to the scheduled quantity of 19 mm asphalt on Phase 2B being approximately half of the correct amount, the project will over run the budget by approximately \$200,000.
- Follow up on signage at Ft. Howard and Old Augusta Road S.

Vice-Chairman Mason discussed the following:

12. Bluejay Road Signage

- Staff to look into proper signage at Bluejay and Midland Roads

Interim County Administrator Allen discussed the following:

13. Herbert Kessler Road

- Topographic survey is complete from Blue Jay Road to the Davis Property
- Boundary survey revealed major discrepancies between recorded plats. Those discrepancies have been resolved.
- Wetlands need to be delineated. A contract for this work can be presents to the Board at the first meeting in July.
- Once the wetlands have been delineated the route will need to be negotiated with the Davis'.

14. Deadline for agenda items

- Agenda items are due 12 days prior to the BOC meeting date
- Policy established due to items being provided at the last minute
- Flexibility needed

15. Courthouse Road Extension

- Survey is complete.
- Next step is to begin to acquire right-of-way. Estimated cost of acquisition is \$200,000.
- Direction from Commissioners as to how to proceed with acquisition.
- Get a cost from Moreland Altobelli Associates, Inc. for right of way acquisition services
- Present a contract with Moreland Altobelli Associates, Inc. to the Board on 6/18

16. July 2nd and 16th Meetings

- In order to accommodate the budget and millage schedule, two meetings will probably be required.
- The July meetings will be held on July 8th and 23rd.

17. Monthly Financial Statements

- Monthly financial statements are included for your review.

18. Sheriff's Office Move

- The Drug Unit of the Sheriff's office will be relocated to the Annex during the construction of their new facility.
- They are ready to begin moving at this time.

19. Meeting with Jack Kingston and John Barrow

- Would the Board like to set up a meeting to discuss possibly moving the 4.2M Federal Earmark from the Effingham Parkway Project to the I-16/Old River Road project and helping to facilitate permitting of the new radio?
- Approximately 1.5 million dollars has already been spent on engineering services
- Board agreed to have a meeting scheduled

EXECUTIVE SESSION

At 7:30 pm, Commissioner Loper made the motion to go into Executive Session to discuss personnel, property, and pending litigation. Commissioner Kieffer seconded the motion. The motion carried unanimously.

EXECUTIVE SESSION MINUTES

Commissioner Kieffer made a motion to approve the Board of Commissioners executive session minutes of May 21, 2013. Commissioner Jones seconded the motion. The motion carried unanimously.

RECONVENED

At 9:03 pm, a motion was made to reconvene and seconded. The motion carried unanimously.

ADJOURNMENT

At 9:04 pm, a motion was to adjourn the meeting. The motion was seconded. The motion carried unanimously.



WENDALL KESSLER, CHAIRMAN



KAREN ARNOLD, INTERIM COUNTY CLERK