

**THE EFFINGHAM COUNTY
COMMISSIONERS' MEETING**

The Board of Commissioners of Effingham County, Georgia, Mr. Wendall Kessler, Chairman, Mr. Steve Mason, Vice-Chairman, Mr. Reggie Loper, Mr. Forrest Floyd, Mrs. Vera Jones and Mr. Phil Kieffer met in regular session at 5:00 pm on Tuesday, September 24, 2013 in the Commissioners' Meeting Room at the Effingham County Administrative Complex

PERSONS ATTENDING THE MEETING

Mrs. Elizabeth Pavlis, Zipperer, Loberbaum & Beauvis, Mr. Toss Allen, Interim County Administrator, Mr. Adam Kobek, Director of Community Relations, Mrs. Stephanie Johnson, Interim County Clerk, Mrs. Joanna Wright, Finance Director, Ms. Fiona Charleton, Purchasing Agent, Ms. Rushe Hudzinski-Sero, Human Resource Director, Mr. Steve Liotta, County Engineer, Mr. Jimmy McDuffie, Sheriff, Mr. Richard Bush, Chief Deputy, Mr. David Esaniphoor, Mr. Michael Larson, Mr. Roger Larson, Mr. Tim Matthews, Mr. Jack Garvin, Ms. Gigi Rigsby and Mr. Pat Donahue.

CALL TO ORDER

Chairman Kessler called the meeting to order.

INVOCATION AND PLEDGE TO THE AMERICAN FLAG

Commissioner Jones gave the invocation. Chairman Kessler led the Pledge to the American Flag.

AGENDA APPROVAL

Chairman Kessler stated documentation has been presented to add a consideration to approve a resolution for funding for the Ogeechee Judicial Drug Court. Chairman Kessler called for a motion for a resolution to approve the agenda with the addition.

Commissioner Jones made a motion to approve a resolution for the agenda to add as New Business #11 - a consideration to approve a resolution for funding

for the Ogeechee Judicial Drug Court. Commissioner Loper seconded the motion. The motion carried unanimously.

MINUTES

Chairman Kessler questioned if there were any corrections or additions to the minutes of the September 10, 2013 Short Term Work Program Workshop and the minutes of September 10, 2013 Board of Commissioners meeting.

Commissioner Floyd made a motion to approve all minutes as read. Commissioner Kieffer 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

Commissioner Loper made a motion to approve: **(1)** an assemblage permit for a Turkey Shoot for Albert Jackson located at 187 Church Road Map 366A-17 **(2)** an assemblage permit for a Turkey Shoot for Jack Burnsed located off of Loubern Road Map 376-9

Commissioner Floyd seconded the motion. The motion carried unanimously.

NEW BUSINESS

CONSIDERATION TO APPROVE AN ASSIGNMENT AND MODIFICATION TO THE STAFFORDSHIRE REUSE AGREEMENT (01):

County Engineer Liotta explained Staffordshire Estates is a residential subdivision located off Blue Jay Road originally planned for a total of 148 lots, of which 87 have been platted to date (Phase I – 51, Phase II – 36). The subdivision is connected to County water, sewer, and reuse, and contains a 24-acre area under a power line easement that is irrigated with reuse. The irrigation system was constructed at the developer's expense. The developer's engineer conducted a study that determined the beneficial irrigation capacity of this reuse area to be an

annual average of 230,000 gallons/day, which is far in excess of the amount of reuse that would be generated from the full 148 lots (44,400 gallons/day).

On November 6, 2007, the Board approved a User Agreement for Reuse Water that defined Slyland Development as the User. This Agreement called for the County to waive the reuse fee (\$1300/ERU) for the 148 proposed lots in this development, and reimburse Slyland for the additional 185,600 gallons/day capacity out of reuse fees paid for buildings constructed in developments without reuse. The total of the waived and reimbursed fees would be limited to the actual cost incurred for land, irrigation equipment, etc. (\$707,327). The Agreement also contains language prohibiting assignment without the Board's consent.

There was a discussion among the Board and Staff about reassignment of the agreement without proof of consent of parties involved with the originally assigned agreement.

Commissioner Jones made a motion to table the request until October 22, 2013. Vice Chairman Mason seconded the motion. The motion carried unanimously.

CONSIDERATION TO REQUIRE OR NOT REQUIRE CONNECTION TO WATER AND/OR SEWER SERVICES ON A PROPERTY FORMERLY KNOWN AS WINDFIELD PHASE II (02):

County Engineer Liotta explained Windfield Phase II was originally proposed to be about 260 lots on County water and sewer. The 83.29-acre property was foreclosed upon by a bank before Phase II could be platted. The bank subsequently sold the property to Mr. & Mrs. Michael Larson in September 2011. Mr. Larson rezoned the property from PD back to AR-1 in February 2012, and has recently applied for a building permit to place a new 32'x80' mobile home on the property.

A water main along the same side of Noel C. Conaway Road as this property was constructed by the County in 2004. This water main was part of a project that

included mains along Goshen and Kolic-Helmly roads. About 8.5 miles of 16" main were constructed at a total cost of nearly \$3.5 million, so the cost to construct the 3100' of 16" water main immediately in front of (and partially on) this property was about \$240,000.

The sewer system within Windfield Phase I is connected to the regional pump station located in the southern corner of the former Phase II property by 13'-19' deep gravity sewer mains, located in an easement directly through Mr. Larson's property. The County paid approximately \$100,000 for the engineering design of this pump station and its force mains. While the original developers constructed the pump station, the County purchased an easement for the force mains through the Warnell Tract for almost \$50,000, and recently completed the purchase of the pump station (subdivided from Mr. Larson's property) for nearly \$130,000.

Elizabeth Pavlis of Zipperer Loberbaum & Beauvis advised enough information has not been presented to relieve the property owner from tying in to County sewer services.

Mr. Mike Larson explained the cost provided to him for tying in to the County water and sewer and the cost for installing a septic system and well.

There was a lengthy discussion about the location of the connection to the dwelling site, accessibility, easement access to pump station and ownership of water lines on property.

Commissioner Floyd made a motion to require connection with the following stipulations: allow Mr. Larson to install a private well, tap into county sewer immediately, tie into county water within 30 days of notification of availability and the County will waive both sewer and water fees until water is available. Commissioner Loper seconded the motion. The motion carried four to one. Vice Chairman Mason opposed the motion.

CONSIDERATION TO APPROVE AND EXECUTE A POLICY FOR CATASTROPHIC INMATE MEDICAL INSURANCE (03):

Purchasing Agent Charleton explained at the September 10th, 2013 meeting, the Board approved a bid from Public Risk Underwriters to provide catastrophic inmate medical insurance. This policy covers catastrophic medical expenses on jail inmates not under state custody.

After the Board approved the bid, the Plan Document, Subsequent Policy Period Offer, Insurance Binder and invoice were received. The policy plan coverage period is October 1, 2013 thru September 30, 2014. The policy has an annual premium of \$13,541 with a \$35,000 deductible and a \$250,000 limit of coverage per inmate (cost per inmate per month of \$8.68 based upon an average daily population of 130). The policy is 12 months occurred, 18 months paid.

The Plan Document, Subsequent Policy Period Offer, Insurance Binder and invoice comply with the accepted bid and have been reviewed and approved by the County Attorney.

Commissioner Jones made a motion to approve and execute the Plan Document and Subsequent Policy Period Offer with Public Risk Underwriters for catastrophic inmate medical insurance. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE JOB DESCRIPTIONS FOR DEPARTMENTS 61 & 105 (04):

Human Resources Director Hudzinski Sero explained she is seeking approval from the Board for the following job descriptions to update for realignment

For Departments 61 (Wastewater) and 105 (Water/Sewer): Water Utilities Operator, Water Utilities Lead Operator and Water Utilities Project Specialist.

The following job descriptions have been be updated to reflect a more comprehensive and task specific assignment of duties based on the evolvment

and needs of the departments: Wastewater Supervisor to Water Utilities Lead Operator, Water-Wastewater Operator to Water Utilities Operator, and an addition of Water Utilities Project Specialist.

Commissioner Loper made a motion to approve job descriptions for departments 61 and 105. Commissioner Floyd seconded the motion. The motion carried unanimously.

Chairman Kessler called for a break at 6:21 pm.

Chairman Kessler called the meeting back to order at 6:31 pm.

**DISCUSSION OF BOARD POLICY MODIFICATIONS AND FINANCIAL POLICY UPDATE(S)
(05):**

Finance Director Wright explained the financial policy updates have been consolidated and amended to include new and existing policies in a new format so that all financial related policies can be found within one document. A power point presentation was orchestrated gleaning an overview of the existing and amended policies. A review of programs, asset cash management, capital improvement and more were explained to the Board.

There were questions and discussion among the Board and Staff on the modifications and updates presented. There was also a discussion of Board and tabling policies.

Interim County Administrator Allen explained a copy of the Board, financial and travel policies will be forwarded to the Commissioners by email for review and comments. The Board will in turn provide comments to Staff at the October 7, 2013 meeting.

**CONSIDERATION TO APPROVE THE FIRST READING OF A PROPOSED TRUCK TRAFFIC
ORDINANCE (06):**

Community Relations Director Kobek explained several members of the Board have expressed an interest in a Through Truck Ordinance, to prohibit trucks with over 6 wheels from using and abusing County roads, and in an effort to make County roads safer. There are existing County and State laws regarding the use of Traffic control devices, signs and speed zones, all of which require conformity with the Manual on Uniform Traffic Control Devices (MUTCD). The rules of MUTCD require that selective exclusion signs (No Trucks) give notice to road users that State or Local statutes or ordinances exclude designated types of traffic from using particular roadways or facilities. As such an ordinance is required to exclude trucks from particular roadways.

The ordinance prohibits trucks from using the list of roads on attached Exhibit "A", unless trip originates or ends on such road or for the purpose of making a delivery to a site on such road. The ordinance prohibits trucks from entering or traveling on subdivision roads, exclusion applies to persons living in a subdivision at the time the ordinance is enacted. The ordinance prohibits trucks from parking on County roads or rights of way. Violations are capped at \$1,000 and/or 60 days imprisonment, each day the violation continues constitutes a separate violation. Exhibit A (list of excluded roads) includes all County roads, but only roads with signs will be enforceable by the ordinance. Staff is requesting that the Board provide input on Exhibit "A" list of excluded roads.

There was a discussion about the \$1,000 fine and Exhibit "A", requirements for a truck route, and list of prohibited roads.

Vice Chairman Mason made a motion to approve the first reading of the proposed truck traffic ordinance. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO DECLARE VARIOUS ITEMS FOR SURPLUS (07):

Community Relations Director Kobek explained from time to time the County has furnishings, goods, and equipment that are broken, damaged or no longer

needed. The County must declare items of value as surplus to dispose of the items and remove them from County inventories. Two lists were presented for consideration, the first from Public Works, the second from the General Fleet of vehicles and equipment. Heavy equipment items that are used and fully operational are anticipated to go to a heavy equipment auction or sale. Vehicles that are inoperable, in a state of disrepair may be auctioned or sold for scrap.

Vice Chairman Mason made a motion to approve to declare these items as surplus for disposal. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN AMENDMENT TO THE AGING SERVICES CONTRACT FOR 2014 CONTRACT 2014-08.1 (08):

Finance Director Wright explained each year the County renews a contract with Coastal Regional Commission of Georgia Area Agency on Aging to be the provider of Aging Services meals to our senior citizens in Effingham County. This funding source plays a significant role in the County's ability to serve warm meals to the Senior Citizens of Effingham County. The meal count to be served is 9,105 congregate meals and 18,999 home delivered meals.

The contract provides federal and state funding to serve congregate meals and to serve home delivered meals. The RDC contract amendment shows the following impacts: Decrease in the overall funding of \$-2,927.00, Funding levels are now Federal, \$59,884 state, \$40,440

Commissioner Jones made a motion to approve as submitted. Commissioner Floyd seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A BUDGET AMENDMENT FOR THE PURCHASE OF PATROL CARS FOR THE SHERIFF'S OFFICE (09):

Sheriff McDuffie explained in the past two weeks seven cars have been lost. Four cars have been purchased.

Finance Director Wright explained during the course of the year the County reviews the need for capital expenditures. A budget amendment was approved for the contingency fund in the amount of \$299,000. Two cars are to be paid for out of contingency. Two others are to be paid for from the Sheriff Department's budget, therefore leaving 14 to 18 vehicles remaining for purchase. One option of consideration is to lease the vehicles.

Commissioner Jones made a motion to approve up to \$750,000 for lease payments for vehicles and equipment and any overage balance will be paid out of the contingency fund. Commissioner Kieffer seconded the motion. The motion carried unanimously.

DIRECTION ON HOW TO PROCEED WITH COUNTY OWNERSHIP AND MAINTENANCE OF UNACCEPTED SUBDIVISION ROADS (10):

Interim County Administrator Allen asked the Board if there were further questions beyond the discussion of the roads from the earlier workshop.

The Board directed Staff to work with the County Attorney and review past and current ordinances regarding final plats, pull final plats for subdivisions, decipher if the roads within the subdivisions are county owned and present back to the Board on October 22, 2013.

CONSIDERATION TO APPROVE A RESOLUTION OF FUNDING FOR THE OGEECHEE JUDICIAL DRUG COURT (11):

There was a discussion among the Board regarding the \$50,000 of funds proposed for availability by the Law Library for the Drug Court. No one was present on behalf of the request.

Interim County Administrator Allen explained to the Board that the Drug Court would not be able to operate for the upcoming month without approval of some funding.

Commissioner Loper made a motion to approve \$10,000 in funding for a month's expense until a presentation is made to the Board for additional expenditures. Commissioner Jones seconded the motion. The motion carried unanimously.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

Interim County Administrator discussed the following:

1. Herbert Kessler Road

- Road repairs began on Monday August 12, 2013.
- Negotiations on the proposed alignment are underway with the Davis'.

2. Courthouse Road Extension

- Meetings will be scheduled with each property owner to discuss the acquisition.

3. Impact Fee Study Amendment

- A copy of the report which was revised in 2010 has been obtained from TischlerBise.
- The report will be updated/amended by staff.

4. Westwood Heights Drainage Improvements

- Improvements are now complete.

5. Jail Construction

- See attached weekly construction report.

6. Proposed updates to Building Regulations

- A meeting was been held on September 20th at 9:00 AM in the Commissioners Meeting Room with the Construction Board of Appeals to discuss the proposed revisions to the Building Regulations. The Construction Board of Appeals discussed repealing Section 37 & 38 of the Building Regulations

7. Reorganization

- A proposed reorganizational structure was presented at the last meeting for consideration. Would the Board like to discuss the proposal further?

8. Midland Road at Blue Jay Road Traffic Study

- The Department of Transportation has conducted a traffic study and recommends trimming tree limbs to increase sight distances and modifying the intersection to operate as an all-way stop.
- Does the Board wish to move forward with converting the intersection to an all-way stop?

9. Proposed Fire Station at Blue Jay and McCall Roads

- The City of Rincon has suggested that a fire station be placed on the property they recently purchased at the intersection of Blue Jay and McCall Roads.

Commissioner Loper discussed the following:

DOR Taxes
Platform Nomination
ACCG – Historic Courthouse Picture at Hutchinson Island

Commissioner Mason discussing the following:

Overgrowth on Hwy 21 North

EXECUTIVE SESSION

At 9:24 pm, Commissioner Kieffer made a motion to enter into executive session to discuss personnel, property and pending litigation. Commissioner Loper seconded the motion. The motion carried unanimously.

RECONVENED

At 9:56 pm, the Board reconvened into regular session.

EXECUTIVE SESSION MINUTES

Commissioner Kieffer made a motion to approve the first set of the September 10, 2013 executive session minutes. Commissioner Jones seconded the motion. The motion carried unanimously.

Commissioner Loper made a motion to approve the second set of the September 10, 2013 executive session minutes. Commissioner Kieffer seconded the motion. The motion carried four to one. Commissioner Jones abstained from voting to due to not being present for the second executive session.

ADJOURNMENT

At 9:58 pm, Commissioner Loper made a motion to adjourn. Commissioner Jones seconded the motion. The motion carried unanimously.



WENDALL KESSLER, CHAIRMAN



STEPHANIE JOHNSON, INTERIM COUNTY CLERK