

**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 4:00 pm on Monday, October 7, 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, Mrs. Stephanie Johnson, Interim County Clerk, Mrs. Joanna Wright, Finance Director, Mr. Ed Myrick, EMA Director, Ms. Rushe Hudzinski-Sero, Human Resource Director, Mr. Steve Lioffa, County Engineer, Mr. Jimmy McDuffie, Sheriff, Mr. Jack Burnsed, Interim Fire Chief Mr. Allen Zipperer, Mr. Jason Rahn, Mr. Corey Rahn, Mr. Jason Wells, Mr. Chris Edenfield, Ms. Sharon Potusky, Mr. Jon G. Burns, Mr. Tim Weredyk, Mr. Keith Woods and Ms. Gigi Rigsby.

**CALL TO ORDER**

Chairman Kessler called the meeting to order.

**INVOCATION AND PLEDGE TO THE AMERICAN FLAG**

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

**AGENDA APPROVAL**

Chairman Kessler called for a motion for a resolution to approve the agenda. Commissioner Kieffer made a motion to approve the agenda resolution and to move New Business Item# 2 to the end of the New Business items. 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 24, 2013 Short Term Work Program and Subdivision

Roads Workshop and the minutes of September 24, 2013 Board of Commissioners meeting.

There was a discussion about the motion reflected in the minutes for the Windfield (Michael Larson) agenda item regarding water and sewer fees.

Commissioner Floyd made a motion to approve all minutes as presented. Commissioner Jones 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 requested the consent item be moved to New Business. Commissioner Jones made a motion to move the item to New Business item number 9 under New Business but to be heard as the first item. Commissioner Loper seconded the motion. The motion carried unanimously.

**NEW BUSINESS**

**CONSIDERATION TO ACCEPT THE RECOMMENDATION OF FIRE FEES AS SUBMITTED BY THE FIRE DEPARTMENT (01):**

There was a discussion among the Board regarding, taxes (paid or outstanding), new location of the mobile home previously on site.

Chairman Kessler asked for further clarification from Staff before taking action on the item.

Commissioner Loper made a motion to table the request until the October 22, 2013 Commission meeting. Commissioner Floyd seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE THE FIRST READING OF THE EFFINGHAM COUNTY**

**ORDINANCE REGARDING EMERGENCY MANAGEMENT (02):**

EMA Director Myrick explained sections of our current Emergency Management Ordinance were created in 1994 and other sections were created in 2001 with only one update in 2005 to one specific code section within the ordinance. In the event of a disaster, FEMA will be looking for reasons to deny reimbursement request based on our policies, procedures and ordinances; our current ordinance is severely outdated. There was a review of the existing ordinance and staff has proposed changes to the ordinance.

The Board asked a number of questions regarding registration requirements for actively licensed entities and entrance to private property.

Commissioner Loper made a motion to table the request to November 5, 2013 Commission meeting. Commissioner Kieffer seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE AN AMENDED AGREEMENT WITH FIRST VEHICLE (03):**

Community Relations Director Kobek explained the existing contract with First Vehicle Services expired last year. The Board requested at that time that the services be re-bid. Staff has worked since then on inventory control and cross checking insurance, tags and registration. Staff is now working on several options for how best to bid the needed services in the future. First Vehicle has agreed to operate under the same terms, conditions and prices as outlined in the now expired contract until the County can prepare the new bids. Under this amendment the County can terminate the existing agreement and amendment with 60 days advanced notice. The current terms, conditions and pricing are included in this year's budget. Staff will be working towards bidding the requested services prior to the end of this Fiscal Year however this amendment will expire June 30, 2014.

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

**CONSIDERATION TO APPROVE TO APPROVE REMOVING ALL SUPPLEMENTAL CODES OF CHAPTER 14, SECTION 37 AND SECTION 38-BUILDING REGULATIONS OF THE EFFINGHAM COUNTY CODE OF ORDINANCES (04):**

Interim County Administrator Allen explained a meeting of the Construction Board was held on September 20, 2013 to discuss changes to the supplemental codes. A number of changes and deletions were discussed at the meeting. Several members of the building community offered opinions on the proposed changes. There are two sections of the Effingham County building code that are supplemental and additional to the accepted codes in the State of Georgia. Some of these codes have become obsolete due to state code changes and others were never sent to the state Department of Community Affairs for review.

Commissioner Loper made a motion to remove all supplemental codes of Chapter 14, Section 37 and Section 38 – Building Regulations of the Effingham County Code of Ordinances. Commissioner Kieffer seconded the motion. The motion carried unanimously.

**DISCUSSION OF THE PROPOSED COMPREHENSIVE DEVELOPMENT MANUAL (05):**

Interim County Administrator Allen explained the manual is to be a compilation of new and existing ordinances. An overview of the manual's proposed and existing ordinances was explained to the Board.

County Engineer Liotta explained the original document was provided by Mr. Jim Vaughn as a template of the City of Port Wentworth's development manual. The manual is been extensively revised.

Staff was instructed by the Board to bring the proposed Comprehensive Development Manual before the November 19, 2013 Commission agenda and to have a Development Manual Workshop on November 19, 2013.

**CONSIDERATION TO APPROVE A BUDGET AMENDMENT FOR THE PURCHASE OF PATROL CARS FOR THE SHERIFF'S OFFICE UP TO \$750,000 AND TO EXECUTE A**

**RESOLUTION FOR A PURCHASE LEASE AGREEMENT WITH ASSOCIATION COUNTY COMMISSIONERS OF GEORGIA (ACCG) (06):**

Finance Director Wright explained on September 24<sup>th</sup> 2013 the board approved up to \$ 750,000.00 to finance patrol cars for the Sheriff's office. Entities have been contacted for bids including Suntrust and BB & T. Finance rates & information received showed: 3 years 1.23 to 1.59 % monthly payments, 5 years 1.65 to 1.89 % monthly payment and the rate proposed is through BB&T at 1.770% for 5 years. There will not be a penalty applied for a purchase option agreement. The four cars already in possession of the Sheriff's department can also be added. The cost to outfit the vehicles with lights, decals and radio is also added in the final cost.

Commissioner Jones made a motion to approve the lease agreement and execute a resolution for a purchase lease agreement with Association County Commissioners of Georgia (ACCG). Commissioner Loper seconded the motion. The motion carried unanimously.

**DISCUSSION OF PROPOSED ORGANIZATIONAL STRUCTURE (07):**

Interim County Administrator Allen explained the chart submitted to the Board. The decided form of governance determines the structure. The Board may want to have someone from ACCG to come to provide guidance on structuring. The County has an organizational structure in which the Board hires an Administrator, who is directly responsible for the general oversight and management of the remaining non-elected County departments. The proposed organizational structure continues this, but inserts managers to assist with the oversight and management of the various non-elected County departments. The goal is to increase efficiency and effectiveness of County operations and improve communication between departments and administration while utilizing existing county personnel.

There was a discussion among the Board about a County Manager or County Administrator form of governance.

Human Resources Director Hudzinski Sero gave the Board a chart derived from another county.

Staff was instructed by the Board to contact Mr. Dave Wills of ACCG to visit for a discussion about organizational structuring.

**CONSIDERATION TO ENGAGE A FIRM FOR THE FISCAL YEAR 2013 AUDIT (08):**

Finance Director Wright explained all firms that responded to the 2012 RFP were contacted on Tuesday October 1st to determine if they were still available and willing to conduct the County's audit and if they were able to honor the price that they previously submitted. As of 5:00 pm on Tuesday October 1<sup>st</sup>, two firms had responded that they were available and two firms declined to provide services for FY 13. We are still waiting to hear from the remaining three firms. A representative from Thigpen Lanier Westfield and Deal was present.

Mr. Richard Deal and Ms. Kay Proctor of Thigpen Lanier Westfield and Deal explained every effort would be made to complete the audit by the end of the year.

There was a discussion about extension filing. Mr. Deal informed the Board an extension can be filed as late as December 30<sup>th</sup> if needed.

Vice Chairman Mason made a motion to approve to engage Thigpen Lanier Westfield and Deal for the amount of \$41,770.00. Commissioner Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE THE SECOND READING OF THE TRUCK TRAFFIC ORDINANCE (09):**

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 or MUTCD.

The ordinance prohibits trucks from using 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. Violations are capped at \$1,000 and/or 60 days imprisonment, each day the violation continues constitutes a separate violation.

There was a discussion among the Board regarding the \$1000 penalty, conditions of roads due to heavy truck traffic and accidents related to oversized trucks and review of the proposed road list.

Sheriff McDuffie expressed concern for interstate trucks traveling county roads creating accidents and causing fatalities. A few of the problem roads are McCall, Bluejay, and Midland and Sandhill roads.

A number of stakeholders approached the Board with concern for the livelihood of their businesses because of the proposed routes, related to gasoline cost, delay of work due to longer routes and GPS coordinates routes for trucks.

Commissioner Kieffer made a motion to deny the 2<sup>nd</sup> reading of the Truck Traffic Ordinance. Commissioner Loper seconded the motion. The motion carried unanimously.

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

Interim County Administrator Allen discussed the following:

- 1. Highland Pointe Road**
  - Received a petition from the residents on the condition of the road.
- 2. LMIG Grants**
  - Received check disbursement authorizations for the approved applications for the road list projects
- 3. Letter of Support**
  - Received a letter to the Editor of Effingham Herald for support of Effingham County Hospital from Janice Page Rybka.

- 4. **Groundbreaking**
  - Groundbreaking for Jimmy Deloach Interchange on Thursday, October 17<sup>th</sup> at 3 pm.
- 5. **Water and Sewer Ordinance**
  - Proposed modifications to the water and sewer ordinance
- 6. **Water line extension**
  - Discussion of the water line extension to Mike Larson’s property.
- 7. **Law Library**
  - A resolution proposal is to be brought before the BOC on 10/22/13

Community Relations Director Kobek discussed the following:

- 1. **Jail Color Selection**
  - Mr. Kobek presented the selection for exterior wall color, door finishes, interior paint color, VCT tile and carpet. . .

Commissioner Mason mentioned:

- 1. **Republic Waste**
  - Issues with garbage cans, no resolve from Republic Waste

**EXECUTIVE SESSION**

At 8:04 pm, Commissioner Loper made a motion to enter into executive session to discuss personnel, property and pending litigation. Commissioner Kieffer seconded the motion. The motion carried unanimously.

**RECONVENED**

At 8:48 pm, the Board reconvened into regular session.

Chairman Kessler called for a motion to add to the agenda consideration to offer the position of County Clerk.

Commissioner Jones made a motion to add the item to the agenda. Commissioner Floyd seconded the motion. The motion carried unanimously.

**CONSIDERATION TO OFFER THE POSITION OF COUNTY CLERK (10):**

Commissioner Jones made a motion to offer the Clerk’s position to Stephanie Johnson. Commissioner Kieffer seconded the motion. The motion carried unanimously. Vice Chairman Mason was not present.



EXECUTIVE SESSION MINUTES

Commissioner Jones made a motion to approve the September 24, 2013 executive session minutes. Commissioner Kieffer seconded the motion. The motion carried unanimously.

ADJOURNMENT

Commissioner Loper made a motion to adjourn the meeting. Commissioner Kieffer seconded the motion. The motion carried unanimously. Vice Chairman

Mason was not present.



WENDALL KESSLER, CHAIRMAN



STEPHANIE JOHNSON, INTERIM COUNTY CLERK