

**THE EFFINGHAM COUNTY
COMMISSIONERS' MEETING**

The Board of Commissioners of Effingham County, Georgia, Mr. Wendall Kessler, Chairman, Mr. Phil Kieffer, Vice Chairman, Mr. Forrest Floyd, Mrs. Vera Jones Mr. Steve Mason and Mr. Reggie Loper met in regular session at 5:00 pm on Tuesday, January 21, 2014 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, County Clerk, Mrs. Joanna Wright, Finance Director, Mrs. Fiona Charleton, Purchasing Agent, Mr. Steve Liotta, County Engineer, Mr. George Shaw, Zoning Administrator, Mr. Tim Matthews, Ms. Elaine Spencer, Mr. Frank & Mrs. Gail Smith, Mr. Charles Dejournette, 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

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

AGENDA APPROVAL

Chairman Kessler called for a motion to approve the agenda as read. Commissioner Loper made a motion to approve the agenda as read. Commissioner Floyd seconded the motion. The motion carried unanimously.

MINUTES

Chairman Kessler asked if there were any corrections or additions to the minutes of the January 7, 2014 Development Manual Workshop and the January 7, 2014 Commission meeting.

Commissioner Loper made a motion to approve the minutes of the January 7, 2014 Development Manual Workshop and the January 7, 2014 Commissioners meeting minutes as read. 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.

CORRESPONDENCE

Chairman Kessler explained all documents from the meeting are located in the Clerk's office and on the Board of Commissioner's website.

CONSENT AGENDA

Vice Chairman Kieffer made a motion to approve: (1) for the Chairman to execute a revised contract with Transform Health CS, Inc.

Commissioner Loper seconded the motion. The motion carried unanimously.

OLD BUSINESS

CONSIDERATION TO APPROVE A WARRANTY DEED TO ACCEPT THE ROAD IN RED OAK SUBDIVISION (01):

County Engineer Liotta gave an overview of the request from the previous Board meeting and elaborated on Staff's position on the request.

There was a long discussion among the Board, Staff and Mr. and Mrs. Franklin Smith regarding the condition of the road and who is responsible for repairs. Mr. Franklin Smith confirmed his belief the roads are owned by the County. There was also a discussion of the functionality of the pump station and the historical inspection reports

Commissioner Jones made a motion to table the request for consideration after Item# 2 of Old Business. Commissioner Floyd seconded the motion. The motion carried unanimously.

APPEARANCE

Mr. Charles Dejournette expressed concern for the conditions of the roads within Shadowbrook Subdivision. Mr. Charles Dejournette further explained there were irate individuals who have approached him believing he was responsible for repairs. An incident report has been filed with the Sheriff's Department.

As Mr. Charles Dejournette expressed his concerns, the Board members were able to view pictures depicting the road conditions.

The Board discussed ways to go about addressing this development and other developments with similar road conditions.

County Attorney Gotwalt advised the County may be able to contract with the Homeowners on a resolution.

CONSIDERATION TO APPROVE A WARRANTY DEED TO ACCEPT THE ROAD IN RED OAK SUBDIVISION (01):

After further discussion on this item and item#2, Commissioner Jones made a motion to table the request until February 18, 2014 and have Ricky Jeffcoat to work on an adjusted price to bring the pump station to the previously approved standards and a meeting be scheduled with Staff, Engineers, Developers and Contractors to visit the site. Vice Chairman Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A WARRANTY DEED TO ACCEPT THE WATER AND SEWER INFRASTRUCTURE IN RED OAK SUBDIVISION (02):

The Board and Staff continued discussion of the development, previous inspections and current status of the pump station.

Commissioner Jones made a motion to table the request until February 18, 2014 and have Ricky Jeffcoat to work on an adjusted price to bring the pump station to previously approved standards and a meeting be scheduled with Staff, Engineers, Developers and Contractors to visit the site. Vice Chairman Kieffer seconded the motion. The motion carried unanimously.

NEW BUSINESS**CONSIDERATION TO APPROVE AN AGREEMENT TO PROVIDE FISCAL AGENT SERVICES TO EFFINGHAM COUNTY FAMILY CONNECTION – COMMUNITIES IN SCHOOLS OF EFFINGHAM COUNTY (01):**

Mrs. Elaine Spencer stated the Board of Commissioners has been the fiscal agent for Family Connection for some years, and she would like for the Board to continue.

Commissioner Loper made a motion to approve an agreement to provide fiscal agent services to Effingham County Family Connection-Communities in Schools of Effingham County. Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE RELEASE OF THE PRE-ENGINEERING FOR TILT PANELS FOR THE SHERIFF'S OFFICE (02):

Community Relations Director Kobek requested the item be moved to be in conjunction with item# 15.

Commissioner Jones made a motion to move this item to be in conjunction with Item# 15. Commissioner Loper seconded the motion. The motion carried unanimously.

Community Relations Director Kobek explained The County is currently constructing the Jail portion (Phase 1) of the Sheriff's Office and Jail project. Preliminary cost estimates are in for the Sheriff's Office (phase 2) portion of the project. County staff is working with contractor on final costs and change order for Phase 2. The Design Build team is requesting to release \$5,000 of pre-engineering on tilt panels to be used in Phase 2 of the project to meet the goal of immediately moving from Jail construction to Sheriff's Office construction. Staff will be returning to this Board for Phase 2 authorization at the first February meeting.

In an effort to continue on schedule, the contractor is requesting permission to release pre-engineering on the tilt wall panels to be used at the Sheriff's office

at a cost of \$5,000. The funding for this will be taken from the unused phase 1 contingency or buyout savings.

Commissioner Jones made a motion to approve the release of the pre-engineering for tilt panels for the Sheriff's Office. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE COMMISSIONER TRAVEL FOR THE 2014 CAPITOL CONNECTION CONFERENCE (03):

County Clerk Johnson explained the 2014 Capitol Connection Conference is an annual event held by ACCG for legislators to speak to officials about local government. The conference will be held in Atlanta on February 3rd and 4th.

Commissioner Floyd made a motion to approve the request. Vice Chairman Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE CLERK TRAVEL FOR THE GEORGIA MUNICIPAL AND COUNTY CLERK'S EDUCATION CONFERENCE (04):

County Clerk Johnson explained an education conference will be held in Athens at the Conference Center on February 2nd through February 4th for Municipal and County Clerk training. This training is required as a County Clerk.

Vice Chairman Kieffer made a motion to approve the travel request. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO CANCEL THE FEBRUARY 4, 2014 BOARD OF COMMISSIONER'S MEETING (05):

County Clerk Johnson explained due to the Clerk and Commissioner Travel the Board may consider cancelling or moving the February 4, 2014 Commissioner's meeting.

Commissioner Jones made a motion to cancel the February 4, 2014 meeting and if needed have a special called meeting. Vice Chairman Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A RESOLUTION COMMENDING THE ASSOCIATION COUNTY COMMISSIONERS OF GEORGIA (ACCG) ON 100 YEARS OF SERVICE (06):

County Clerk Johnson explained ACCG is requesting each County in the State of Georgia approve a resolution commending the Association County Commissioners of Georgia (ACCG) on 100 years of service. A template resolution was provided by a representative of ACCG.

Commissioner Loper made a motion to approve the resolution commending ACCG on its Centennial. Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A REQUEST FOR A BUDGET AMENDMENT FOR THE PRISON STAFFING QUALITY IMPROVEMENT PROGRAM (07):

Finance Director Wright explained Effingham County currently has existing financial "Funds" to facilitate the daily operations of its departments. General ledger accounts are used to segregate out the activities of programs. Financial activities associated with the Prisons Quality Improvement program are being consolidated into the general funds transactions for the Prison to provide direct board oversight of the activity. Under the current financial policies these functions are being moved under our existing County's General Fund BBT account sited for this department. Expenditures and revenue will be proposed through the regular budget process. A budget amendment for both the revenue and the expenditures is requested.

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

CONSIDERATION TO APPROVE A REQUEST FOR A BUDGET AMENDMENT FOR THE SENIOR CITIZENS CRAFT ACTIVITY PROGRAMS (08):

Commissioner Loper stated he would like to gather more information on this item and made a motion to table the request until February 18, 2014. Vice Chairman Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN AMENDMENT TO THE 2014 AGING SERVICES**CONTRACT (09):**

Finance Director Wright explained each year the County renews a contract with Coastal Regional Commission of Georgia Area Agency on Aging Services as 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 has decreased to 8,510 from 9,105 in congregate meals and to 17,570 from 18,999 home delivered meals.

Commissioner Loper made a motion to approve the amendment to the 2014 Aging Services Contract. Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A REQUEST FOR BUDGET PROTOCOL TO USE FUNDS FROM INSURANCE PROCEEDS REGARDING SHERIFF VEHICLES (10):

Finance Director Wright explained Effingham County currently has within the sheriff's budget a general ledger account for the expenditures resulting from vehicle accidents. Expenditures for accidents not covered by insurance are recorded in the account. We also receive funds from the insurance carrier when a vehicle is totaled. The sheriff's office is asking for the use of the net difference between the expenditures not covered by our insurance carrier and the reimbursements received. The funds would be used for replacing equipment. We propose this review be done on a quarterly basis to ascertain if any funds are available for use.

Commissioner Jones made a motion to approve the request. Vice Chairman Kieffer seconded the motion. Commissioner Loper opposed the motion. The motion carried four to one.

CONSIDERATION TO APPROVE A REVISION TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN EFFINGHAM COUNTY AND THE EFFINGHAM COUNTY CHAMBER OF COMMERCE (11):

Interim County Administrator Allen explained Effingham County and the Chamber of Commerce wish to engage in a Professional Services Agreement which requires that the Chamber of Commerce perform certain services and Effingham County provide compensation for those services. The Agreement is for a period of one year.

The Board approved an agreement with the Chamber on 7/23/13 which runs from August 2013 to August 2014. The Chamber desires to receive compensation for the agreement in January of each year. The revised agreement modifies the dates of the agreement to coincide with the date that payment is requested.

There was a discussion among the Board on if an agreement should exist.

Commissioner Floyd made a motion to approve the revision to the professional services agreement between Effingham County and the Effingham County Chamber of Commerce. Vice Chairman Kieffer seconded the motion. Commissioner Loper opposed the motion. The motion carried four to one.

CONSIDERATION TO APPROVE A PROFESSIONAL SERVICES AGREEMENT FOR CONSULTING SERVICES FOR THE BOARD OF ELECTIONS (12):

Interim County Administrator Allen explained The Board of Elections is currently without an acting Director. Applications are currently being accepted with interviews to happen in the next few weeks. However, due to an early election cycle this year there is a possibility that a permanent Director will either not be in place or will have recently been hired during the timeframe that critical activities are occurring. Since it is critical that the elections process be followed carefully, the Board of Elections is seeking a contract for consulting services from an independent consultant.

The Agreement is for ballot preparation, L&A testing, operation of GEMS equipment, poll worker training and general questions that may arise. The consultant is to be compensated \$25 per hour in bi-weekly instalments for services rendered up to a maximum of \$10,000. The term of the Agreement is for a period of one year with the Board being able to terminate the Agreement with 30 days' notice.

Commissioner Loper made a motion to approve the professional services agreement for consulting services for the Board of Elections. Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE FOR THE CHAIRMAN TO SIGN THE LOCAL ADMINISTERED PROJECT RECERTIFICATION APPLICATION (13):

Interim County Administrator Allen explained each Local Government (LG) desiring to administer a Federal project must have a LG Qualification Certification Agreement with the Georgia Department of Transportation. Effingham County received Certification Acceptance to administer federal-aid projects for a period of three years on 5/11/2011.

A Local Administered Project (LAP) Re-Certification process for a period of one year has been approved by the Georgia Department of Transportation. A completed application for Local Government LAP Re-Certification Approval application must be submitted by February 14, 2014 in order to retain our delegated authority for project oversight. In order to receive the Re-Certification, the LAP applicant must agree to complete training in LAP, Right-of-Way Acquisition and Title VI no later than June 30, 2014.

Commissioner Loper made a motion to approve for the Chairman to sign the Local Administered Project recertification application and for Interim Administrator and County Engineer to attend the certification training. The motion died for lack of a second.

Commissioner Jones made a motion to approve for the Chairman to sign the Local Administered Project Recertification application. Commissioner Floyd seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A PLANNING BOUNDARY FOR THE COASTAL REGION METROPOLITAN PLANNING AREA (CORE MPO) (14):

Interim County Administrator Allen explained the planning boundary of an MPO must be revisited following each decennial census to ensure that the MPO planning area includes the current Census Urbanized Area and areas expected to become urbanized in the next twenty (20) years. Subsequently, all the MPO's plans and programs will incorporate projects within the revised boundary. The MPO board membership should be updated as well to reflect the board representation resulting from the boundary change.

Commissioner Loper made a motion to approve the planning boundary for the CORE MPO that only includes the area within the Savannah Urbanized Area (Option# 2). Commissioner Floyd seconded the motion. The motion carried unanimously.

CONSDIERATION TO APPROVE CHANGE ORDER# 6 WITH RIVES E. WORRELL FOR THE CONSTRUCTION OF THE SHERIFF'S OFFICE (15):

Community Relations Director requested this item be tabled. Commissioner Jones made a motion to table this item to be tabled until the February 18, 2014 meeting or special called meeting if necessary. Commissioner Loper seconded the motion. The motion carried unanimously.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

Community Relations Director Kobek discussed the followings:

1. Fire District Maps

- Maps depicting 5 mile radiuses of various stations located in the County. And recap of fire meeting held on January 15, 2014

2. Weekly Jail Report

- Report for week of January 13th – January 17th

Interim County Administrator Allen discussed the following:

1. GADOT Off-System Traffic Engineering Study (Signalization/Stop Control)

- GADOT has conducted a traffic study for the intersection of Midland Road at Blue Jay Road. Outcome was discussed. The Board gave Staff guidance on installing lighting, signage and strips.

2. ACCG Legislative Update

- Update for the first week of 2014 Legislative Session. Issue 1 – January 17, 2014

3. ACCG 2014 Annual Conference

- To be held on April 11 -15, 2014 at the Savannah International Trade & Convention Center

4. McCall Road Ball Fields

- McCall Road fields are being used for practice.

5. Georgia Pacific Entrance

- Plans to realign the truck entrance

6. Rincon Annexation Request

- Received a request for annexation of property into the City of Rincon.

7. CSS Presentation

- Asked the Board if they have had an opportunity to review the presentation

Commissioner Jones discussed the following:

1. Contracts

- All contracts to go through Purchasing. Send email to Commissioners of what is on the contract list

EXECUTIVE SESSION

At 9:36 pm, Commissioner Kieffer made a motion to enter executive session to discuss personnel, property and pending litigation. Commissioner Jones seconded the motion. The motion carried unanimously.

EXECUTIVE SESSION MINUTES

There was no executive session held at the January 7, 2014 meeting and therefore there aren't any executive session minutes to approve.

PLANNING BOARD

NAICE ARIEL MARROW (01): A public hearing was held on an application by Naice Ariel Marrow to rezone 1.20 acres located at 890 Egypt Ardmore Road from AR-1 to AR-2 Map# 245 Parcel# 13 (Third District).

Zoning Administrator Shaw explained the property owner would like to give 1.20 acres to his niece. Planning Board and Staff recommends approval of the request.

No one was present in favor or against the request.

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

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 Jones seconded the motion. The motion carried unanimously.

ADJOURNMENT

At 10:59 pm, Commissioner Jones made a motion to adjourn. Commissioner Kieffer seconded the motion. The motion carried unanimously.


WENDALL KESSLER, CHAIRMAN


STEPHANIE JOHNSON, COUNTY CLERK