

**THE EFFINGHAM COUNTY
COMMISSIONERS' MEETING**

The Board of Commissioners of Effingham County, Georgia, Mr. Wendall Kessler, Chairman, Mrs. Vera Jones, Vice Chairperson, Mr. Forrest Floyd, Mr. Jamie Deloach, Mr. Reginald Loper and Mr. Phil Kieffer met in regular session 5:00 pm on Tuesday, February 17, 2015 in the Commissioners' Meeting Room at the Effingham County Administrative Complex.

PERSONS ATTENDING THE MEETING

Mrs. Elizabeth Pavlis, County Attorney, Mr. Toss Allen, County Administrator, Mrs. Joanna Wright, Finance Director, Mr. Adam Kobek, Community Relations Director, Mrs. Fiona Charleton, Purchasing Agent, Mr. Clint Hodges, Fire Chief, Mr. Ed Myrick, EMA Director, Mrs. Janis Bevill, Chief Tax Appraiser, Ms. Jennifer Keyes, Real Property Appraiser III, Mr. Tim Matthews, Ms. Dottie Rahn, Mr. Grady Rahn, Mr. Jason C. Rahn, Mr. Corey Kessler, Mr. Jerry Arnsdorff, Ms. Karen Hall, Mr. Stephen T. Rushing, Ms. Meredith Arnsdorff, Ms. Kim Arnsdorff, Ms. Lisa Cannon, Ms. Crystal Kitchens, Myrtle & Jimmy Hall, Ms. Claudia Collier, Mr. Jack Garvin, Ms. Gigi Rigsby

CALL TO ORDER

Chairman Kessler called the meeting to order.

INVOCATION

Chairman Kessler gave the invocation.

PLEDGE TO THE AMERICAN FLAG

Chairman Kessler led the Pledge to the American Flag.

AGENDA APPROVAL

Chairman Kessler stated he would like to remove from the agenda item# 2 under the Planning Board presentments as requested by the applicant. Vice Chairperson Jones made a motion to approve the agenda as presented with the removal of item# 2 for the sketch plan under Planning Board presentments. Commissioner Loper seconded the motion. The motion carried unanimously.

MINUTES

Commissioner Floyd made a motion to approve the February 3, 2015 Commission meeting minutes as written. Commissioner Kieffer seconded the motion. Commissioner Loper abstained from voting due to being absent during that meeting. The motion carried.

Chairman Kessler explained the minute correction is to change the name of the County Attorney present from Eric Gotwalt to Elizabeth Pavlis. There are no other changes.

Commissioner Loper made a motion to approve the corrected minutes for the January 20, 2015 Commission meeting minutes. Vice Chairperson Jones seconded the motion. The motion carried unanimously.

PUBLIC COMMENTS

Chairman Kessler stated public comment should be limited to agenda items only.

WEB PRESENTATION

Mrs. Janis Bevill explained the presentation will provide insight to the software capability. CAMA Cloud: Mobile Assessor will be a request by the Tax Assessor's office in this year's budget. The software will promote productivity without an increase in Staff and a cost savings.

There were a few questions from the Board during the presentation on the software capability and compatibility with other programs currently used by the County.

CORRESPONDENCE

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

CONSENT AGENDA

Commissioner Kieffer made a motion to approve (1) Sanitation Releases as submitted by the Sanitation Department (2) a Fire Release as submitted by the Fire Department. Commissioner Forrest seconded the motion. The motion carried unanimously.

OLD BUSINESS

THE PLANNING BOARD RECOMMENDS DENYING AN APPLICATION BY WILLIARD ARNSDORFF FOR A VARIANCE TO CREATE A FOURTH LOT OF AN EASEMENT LOCATED AT 1575 UNION SPRINGS ROAD MAP# 457 PARCEL# 24 IN THE THIRD DISTRICT (01):

Chairman Kessler questioned if the discussion could be combined for both Old Business items. County Attorney Pavlis stated the discussion could be joined but the vote must be separate.

County Administrator Allen explained the request is to subdivide two acres. The ordinance allows for three lots off of a sixty foot unimproved access easement. This parcel will be a fourth lot off of a twenty foot easement.

Mr. Jerry Arnsdorff explained the request is to allow his son, William Arnsdorff to build a home on the property.

Mr. Steve Rushing opposed the motion to approve the variance and the rezoning on behalf of Mr. Grady Rahn and family. Mr. Rushing gave a synopsis of the history of the property and the owners surrounding this property and the surrounding property owners' opposition of the request. A recitation of a section of the ordinance regarding variances was expressed by Mr. Rushing. There were concerns for emergency assistance accessing the property as well as the issue of the access easement not meeting the sixty foot requirement.

There was a discussion among the Board and Mr. Steve Rushing regarding the rights surrounding the easement when the property was sold.

Mr. Corey Kessler explained there are land owners on both sides of the property in question. The Arnsdorffs' should have to obtain permission from those owners to access the easement across their property.

A number of other individuals spoke on the property and the easement rights.

Commissioner Deloach made a statement before making a motion. Commissioner Deloach made a motion to deny the variance request. Commissioner Loper seconded the motion. Vice Chairperson Jones and Commissioners Kieffer and Floyd opposed the motion. The motion died.

Commissioner Floyd made a statement before making his motion. Commissioner Floyd made a motion to approve the variance request. Vice Chairperson Jones seconded the motion. Commissioners Deloach and Loper opposed the motion. The motion carried three to two.

THE PLANNING BOARD RECOMMENDS DENYING AN APPLICATION BY WILLARD ARNSDORFF TO REZONE 2 ACRES LOCATED AT 1575 UNION SPRINGS ROAD FROM AR-1 TO AR-2 MAP# 457 PARCEL# 24 IN THE THIRD DISTRICT (02):

Mr. Steve Rushing approached opposed to the rezoning. Mr. Rushing used as a reference codes from the County ordinance, which require one hundred feet of frontage from a public street for an AR-2 zoning. Mr. Rushing further argued the request does not meet the requirements under the rezoning checklist.

There was some discussion regarding the amount of property being conveyed and the requirements under the AR-1 and AR-2 zonings and if rezoning is necessary at this point.

Mrs. Nicole Rahn expressed her concern for a precedent being set when varying from the ordinance related to the variance.

Commissioner Deloach made a motion to deny the request. Commissioner Loper seconded the motion. The motion carried unanimously.

NEW BUSINESS

CONSIDERATION TO APPROVE TO AMEND STANDARD OPERATING PROCEDURE FORMS FOR EFFINGHAM COUNTY ANIMAL CONTROL SHELTER (01):

Community Relations Director Kobek explained Effingham County revised the SOP's for Animal Control in October 2014 to allow for no cost transfers to rescue groups. The forms have been a part of the SOP's since its first approval. The Animal Adoption form and Transfer Forms are in need of changes.

In short the Adoption Policy, Adoption Agreement, require repetitive information such as animal ID #, date, name, and signature, all of which is already required on the Adoption Application. Therefore staff has revised the form to allow all information contained in the original forms on one document entitled Adoption Policy and Agreement.

This one form should allow for less paperwork and less time to complete, without repetitive information having to be obtained. Current fees for adoption, and return for vaccination language has also been added.

Commissioner Loper made a motion to approve the new forms and amend the Standard Operating Procedures for Animal Control. Commissioner Floyd seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE TO AUTHORIZE THE CHAIRMAN TO SIGN A LETTER TO THE LAW LIBRARY COMMITTEE STATING THE TERMS OF THE FUNDING FOR THE DRUG COURT (02):

Chairman Kessler explained the letter is a result of the last action approved by the Board of Commissioners to disburse funds to the Drug Court. The letter provides clarification of the terms for the funding.

Vice Chairperson Jones made a motion to approve the Letter as presented. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE TO AUTHORIZE EDWIN MYRICK TO VOTE DURING THE NEXT SEGARRN MEETING (03):

EMA Director Myrick explained SEGARRN is expected to vote on the acceptance of the System Upgrade Agreement (SUAll) during their next scheduled meeting. The SUAll would create a maintenance contract with Motorola that would upgrade software components to the radio system every two years; the agreement would require an annual payment. The current radio system

has advanced technology, as a result, is computer based. New software is released annually; the adoption of the SUAll would keep SEGARRN within a two-year window while remaining fiscally responsible.

There was some discussion among the Board and Staff regarding options available to County and cost associated with opting out.

Vice Chairperson Jones made a motion to authorize a vote in favor of the SUAll. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE TO RENEW THE CONTRACT WITH STAMPS.COM (04):

Purchasing Agent Charleton explained Stamps.com has proven beneficial in that it has reduced trips to the post office, saving both time and money. Staff researched alternate online mailing sources for comparison cost purposes and found that Endicia offers a similar service for \$34.95 per month. Service feature comparisons are listed on the attached sheet.

The service order with Stamps.com is for one year from March 5, 2015 until March 5, 2016 and although there is no termination for convenience clause, the County can terminate at any time but will be liable for any fees for the remaining term of the agreement. The County attorney noted that as the agreement is \$29.99 per month, the total potential liability is very low.

Commissioner Kieffer made a motion to approve to renew the service order with Stamps.com for 2015-2016. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO EXECUTE A REVISED MEMORANDUM OF UNDERSTANDING WITH THE EFFINGHAM COUNTY BOARD OF EDUCATION (BOE) FOR USE OF BUSES (05):

Purchasing Agent Charleton explained the MOU is an essential part of the Effingham County Hazard Mitigation and Emergency Operations Plan. It establishes the terms and conditions under which the Effingham County Prison will utilize seven buses from the Effingham County Board of Education. It also outlines procedures for assisting the Emergency Management Agency in evacuations for citizens within the County.

The MOU has been corrected, per the request of the Board. In addition to removing the Wardens name and leaving only the title, the email address has been changed to the County's generic emergency management address and the term has been changed to align with the County's fiscal year. The MOU can be terminated without cause, by either party with 30 days written notice.

Commissioner Loper made a motion to approve to execute the revised MOU with the following changes from the current MOU: removal of the Warden's

name, leaving only the title; the email address changing to the County's generic emergency management address and the term changing to align the County's fiscal year. Commissioner Deloach seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE TO RENEW AN AGREEMENT WITH CGI COMMUNICATIONS (06):

Purchasing Agent Charleton explained in April 2012 the Board approved an agreement with CGI Communications to create seven video spots for Effingham County. The videos are hosted by CGI and the County provides a link redirecting web visitors to the video spots. The current agreement will expire in April 2015, and will automatically renew for another three (3) year period unless 60 days written notice is given.

Commissioner Loper made a motion to approve to allow the County Movie Tour Book Agreement with CGI Communications to renew for another three (3) years from 2015 to 2018 with the County assuming no cost or liability. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A REVISED AGREEMENT WITH TRANSFORM HEALTH FOR INMATE MEDICAL (07):

Purchasing Agent Charleton explained on February 3, 2015, the Board approved renewing the inmate medical contract for one year with Transform Health CS provided that the termination clause is decreased from 60 days to 30 days.

TransformHealthCS provided a new contract to the County with the termination clause decreased to 30 days. At the request of staff, TransformHealthCS also changed the duration of the contract to extend it from the one year period of April 1 2015 to March 31 2016 to the 15 month period from April 1, 2015 to June 30, 2016 in order to align with the County's fiscal year.

Vice Chairperson Jones made a motion to approve and execute the new inmate medical contract with Transform HealthCS for 15 months from April 1, 2015 to June 30, 2016 at the annual rate of \$245,140.00 with an additional three months being billed at the pro-rata rate of \$20,428.33 for a total contract value of \$306,424.95. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE FIRST READING TO AMEND ARTICLE VII, SECTION 7.1 OF THE EFFINGHAM CODE OF ORDINANCES AND TO AMEND THE PLANNING BOARD BYLAWS (08):

County Administrator Allen explained the Planning Board currently consists of five district members and three city appointments. The three cities have not directly appointed a Planning Board member in a number of years. There have been times when filling all eight seats has been difficult. Currently we have no Planning Board member from the fourth district. Reducing the Planning Board from eight members to three members would save approximately \$3600/year.

When asked to comment on the proposed change Springfield had no concerns, Guyton was against the change, and Rincon did not respond. On January 26, 2015 the Planning Board voted against changing their by-laws to reduce the membership.

An overview of the revised ordinance and bylaws was administered by County Administrator Allen. There was some discussion among Staff and the Board regarding the proposed changes.

Commissioner Floyd made a motion to approve the ordinance to reduce the Planning Board membership from eight members to five members representing the five Commissioner districts and adopt the new by-laws to reflect that change. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE BUDGET AMENDMENTS FOR PERSONNEL AND TRAVEL FOR THE 2014/2015 BUDGET (09):

Finance Director Wright explained during the budget process Staff makes estimations regarding the proposed budget based upon certain operational assumptions. During the year the board approved various projects and/or expenditures. Staff adjusts the budgets based upon the budget ordinance and Board direction.

The Budget amendments reflect the following movement of funds for: The cost sharing of the administrative position within the Sheriff's Department Personnel, State mandated changes in Elected Officials for Probate, Superior Court, Magistrate, Board of Commissioners, Tax Commissioner, and Sheriff, Movement of the Engineers position into department 15 to be cost share with Water, Sanitation and SPLOST projects, The cost sharing and reorganization of Building Maintenance and the Animal Shelter personnel and Travel amendments for 2nd Quarter of the fiscal year.

The Board and Staff discussed the specifics of the changes proposed.

County Administrator Allen explained there to be an additional budget amendment for water and sewer repair maintenance. The Board agreed to not entertain this item at this time.

Vice Chairperson Jones made a motion to approve the budget amendments for personnel and second quarter travel for 2014-15. Commissioner Floyd seconded the motion. The motion carried unanimously.

CONSIDERATION TO AMEND THE RULES OF PROCEDURE FOR THE EFFINGHAM COUNTY BOARD OF COMMISSIONERS (10):

County Administrator Allen explained the Board has decided to consider both first and second readings at the same meeting.

The current Rules of Procedure for the Effingham County Board of Commissioners is silent concerning first and second readings. The Rules of Procedure for the Effingham County Board of Commissioners should be amended to provide guidance for the process of hearing both first and second reading at the same meeting. If deemed by the Board, the Second Reading can be tabled to the following meeting.

Vice Chairperson Jones made a motion to approve the amendments to the Rules of Procedure for the Effingham County Board of Commissioners as presented. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO ACCEPT THE ROADS AND DRAINAGE INFRASTRUCTURE IN HUNTERS CHASE SUBDIVISION (11):

County Administrator Allen explained Hunters Subdivision was constructed in 2004. To date the infrastructure has yet to be transferred to Effingham County. Approximately \$664.36 is owed in taxes, of which approximately \$44.10 is penalties and interest accrued in the last three years. It is estimated that necessary repairs to the roads in Hunters Chase Subdivision would cost approximately \$4,500.00 to patch the worst areas requiring immediate attention and approximately \$70,000 to repair the entire roadway which is ash based.

Hunters Chase Subdivision is served by Effingham County water and septic systems. Staff recommends to not accepting the infrastructure.

There was a discussion about the poor condition of the road.

Commissioner Loper made a motion to table the request until March 17, 2015. Vice Chairperson Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF GUYTON FOR THE OPERATION OF THE GRIFFIN LAKES FIRE STATION (12):

County Administrator Allen explained a Class 10 area, which provides no reduction in homeowners insurance, exists in an area which was previously served by the Griffin Lakes fire station. Reopening the station would provide the residents in that area with a reduction in their homeowners insurance until the Tusculum Fire Station is online.

Effingham County Fire Rescue can operate the Griffin Lakes station with existing personnel and existing equipment. The deed transferring the property to the Guyton Volunteer Fire Department contains a reversionary clause that states that in the event said property is no longer used by the Guyton Volunteer Fire Department, Inc., for the purpose of fire protection for the Griffin's Lake area of Effingham County, Georgia, said property will revert to the grantor, his successors and/or assigns.

Based on the time that has passed since the station was last used by the Guyton Volunteer Fire Department, Inc., it seems unlikely that the grantor or his heirs would come forward to take possession of the property in the next year, but I still have misgivings about an agreement that proposes to lease property from Guyton that Guyton may not own.

There was a discussion among the Board, Staff and the County Attorney about ownership of the property.

Commissioner Deloach made a motion to approve the Intergovernmental agreement. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO AWARD A CONTRACT AND ISSUE A NOTICE TO PROCEED FOR F & I METAL BUILDING – TUSCULUM FIRE STATION TO J. L. HARDIN, INC. D/B/A HARCO CONSTRUCTION (13):

Commissioner Kieffer recused himself.

County Administrator Allen explained a fire station is to be constructed in Tusculum as per the approved short term work program and the ISO Pre Audit Report. Staff is currently working on delivering that facility.

A Request for Quote for F&I Metal Building – Tusculum Fire Station was advertised on the Effingham County Board of Commissioners website; the Georgia Local Government Access Marketplace Website and on the Department of Administrative Services website. Eleven (11) bids were received. The apparent low bidder is J.L. Hardin, Inc. dba HARCO Construction with a bid price of \$247,000.00.

Approving the contract will require the Board to commit \$247,000. The current Short Term Work Program contains \$165,000 for this project. Therefore, the Short Term Work Program will need to be re-balanced. The approved Short Term Work Program contains the worst case scenario for fire improvements and we don't anticipate needing all of the funding currently included. Improvements included but probably not needed include the Pineora Station and one of the fire engines, which would be provided by Springfield's spare engine should our consolidation occur. The funding would come from SPLOST funds.

Mr. Hardin does not possess a license for building contractor, only for site contractor. A licensed building contractor has been obtained for the project. A full bond on the project will be submitted.

There was some discussion about who is required to carry the bond and if the individual awarded the bid required to be a licensed building contractor.

Commissioner Loper made a motion to approve the contract with J.L. Hardin, Inc. dba HARCO Construction and issue a Notice to Proceed. Commissioner Deloach seconded the motion. Commissioner Kieffer recused himself from the vote. The motion carried.

REPORTS FROM COMMITTEE COMMISSIONERS AND ADMINISTRATIVE STAFF

Finance Director Wright discussed the following:

1. Financial Statements

- Presented the statements to the Board for review.

County Administrator Allen discussed the following:

1. Monthly Fire Report

- Attached is the monthly fire report for the month of January 2015.

2. ACCG Annual Conference

- The 2015 Annual Conference will be held from April 17-20, 2015 at the Savannah International Trade and Convention Center.
- ACCG Lifelong Learning Academy will be held on Friday, April 17 and Monday, April 20, 2015.

3. IDA Board Appointments

- There are five appointments that need to be made for the IDA Board.
- IDA Board members are appointed by General Militia District's.

4. Effingham Parkway PIOH

- On March 18, 2015, there will be a public information open house from 4:00 PM until 6:00 PM at the Effingham County Administrative Office.

5. Road Resurfacing List

- Due to the timing of awarding the resurfacing contract, the work will span fiscal years.
- The combined funding for both this and next year will be sufficient to allow the entire road list to be bid and completed at one time.

6. Bid Results for Surplused Mowers

- Attached are the bid results for the mowers that the Board surplused.

7. Effingham County Library Board Appointments

- The Live Oak Public Library is requesting that the Board reappoint one person and appoint another to the Effingham County Library Board.

8. Initiation of Section 106 Process for GDOT Maintenance Project

- Attached is a notification of the initiation of Section 106 process for a project consisting of milling, resurfacing, patching, striping and curb cuts along an approximately 7-mile section of State Route 21.
- 9. HB 170 – Transportation Funding Act of 2015**
 - Attached is information from a webinar held by ACCG on Wednesday, February 11, 2015 regarding HB 170.
- 10. Lots Allowed on Private Access Easements**
 - As per the direction of the Board, attached are portions on others ordinances concerning parcels served by private access easements.
- 11. 2015 Taste of Effingham**
 - The 5th Annual Taste of Effingham will be held on Thursday, March 5, 2015 from 5:00 – 7:00 PM at the Effingham County Recreation Department Gym.
- 12. Camden County Spaceport**
 - Camden County is asking for a letter of support from surrounding counties for a spaceport
- 13. Recreation Master Plan**
 - Discussed conversation about developing the Master Plan layout.

Vice Chairperson Jones discussed the following:

- 1. Effingham Herald Column**
 - Spoke to the Effingham Herald about Effingham County having a monthly column in the weekly edition.

EXECUTIVE SESSION

At 9:03 pm, Commissioner Kieffer made a motion to enter executive session to discuss Personnel, Property and Pending Litigation. Vice Chairperson Jones seconded the motion. The motion carried unanimously.

EXECUTIVE SESSION MINUTES

Commissioner Floyd left the meeting after executive session.

Vice Chairperson Jones made a motion to approve the February 3, 2015 Executive Session Minutes. Commissioner Deloach seconded the motion. Commissioner Loper abstained from voting due to being absent for February 3rd meeting. The motion carried.

PLANNING BOARD

LISA CANNON (01) – The applicant request to rezone 6.73 acres located at 183 Meldrim Road from AR-1 to AR-2 Map# 329B Parcel# 4 located in the First District.

County Administrator Allen explained the request is to rezone the property to subdivide for family. Planning Board and Staff recommends approval of the request.

No one spoke against the request.

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

WILSON BURNS (02): The applicant request a Sketch Plan approval for an 11 lot subdivision located on Huger Street Map# 466A Parcel# 55 & Map# 466B Parcel# 1A in the Second District.

This item was removed from the agenda during the agenda approval.

JAMES & MYRTLE HALL (03): The applicants request a variance to live in a camper on a property located at 270 Cypress Point Road Map# 367 Parcel# 7 in the Third District

The applicant is constructing a home on the property and would like to live in a camper while the home is being constructed. Planning Board recommends approval. Staff recommends denial.

Mr. James Hall explained there is a septic and well existing on the property. The home is currently being constructed.

No one spoke against the request.

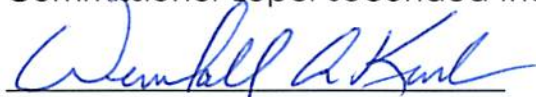
Commissioner Deloach made a motion to approve the request with the following Planning Board recommendation:

2. The applicant shall move out of the camper within eight months.

Commissioner Loper seconded the motion. The motion carried unanimously.

ADJOURNMENT

At 9:39 pm, Commissioner Deloach made a motion to adjourn the meeting. Commissioner Loper seconded the motion. The motion carried unanimously.



WENDALL KESSLER, CHAIRMAN



STEPHANIE JOHNSON, COUNTY CLERK