

**EFFINGHAM COUNTY
BOARD OF COMMISSIONERS MEETING**

March 17, 2015

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, March 17, 2015 in the Commissioners' Meeting Room at the Effingham County Administrative Complex.

PERSONS ATTENDING THE MEETING

Mr. Eric Gotwalt, County Attorney, Mr. Toss Allen, County Administrator, Mrs. Stephanie Johnson, County Clerk, Mrs. Joanna Wright, Finance Director, Mr. Adam Kobek, Animal Control Director, Ms. Rushe Hudzinski, HR Director, Mr. George Shaw, Zoning Administrator, Mr. Clint Hodges, Fire Chief, Mr. Clarence Morgan, Recreation Director, Mr. Joseph E. Jaudon, Mr. Craig Johnson, Ms. Claudia Collier, Mr. John Henry, Mr. Jack Garvin, Ms. Gigi Rigsby and Mr. Pat Donahue

CALL TO ORDER

Chairman Kessler called the meeting to order.

INVOCATION

Vice Chairperson Jones gave the invocation.

PLEDGE TO THE AMERICAN FLAG

Chairman Kessler led the Pledge to the American Flag.

AGENDA APPROVAL

Chairman Kessler stated a request has been made to add as New Business items# 15 and 16, a proclamation declaring April as Donate Life Month and to appoint members to the IDA Board.

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

MINUTES

Chairman Kessler asked if there were any corrections or additions to the March 3, 2015 meeting minutes.

There being none, Commissioner Kieffer made a motion to approve the minutes as read. Commissioner Floyd seconded the motion. The motion carried unanimously.

PUBLIC COMMENTS

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

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.

OLD BUSINESS

CONSIDERATION TO APPROVE THE FIRST AND SECOND READING TO AMEND CHAPTER 46, ARTICLE II-RECREATION COMMISSION OF THE OFFICIAL EFFINGHAM COUNTY CODE OF ORDINANCES (01):

County Administrator Allen explained the revisions proposed by the Board at the March 3, 2015 meeting has been entered into the new draft presented.

Vice Chairperson Jones made a motion to approve the Second Reading with the changes as presented. Commissioner Kieffer seconded the motion. Commissioners Deloach and Loper opposed the motion. The motion carried three to two.

CONSIDERATION TO ACCEPT THE ROADS AND DRAINAGE INFRASTRUCTURE IN HUNTERS CHASE SUBDIVISION (02):

County Administrator Allen explained the item was previously tabled to gather additional information. A site visit was made and correspondence noting the poor road condition is included in the agenda material.

There was a discussion among the Board and Staff regarding the road condition and cost for repair.

Commissioner Loper made a motion to table the request until the May 5, 2015 Commission meeting. Vice Chairperson Jones seconded the motion. The motion carried unanimously.

NEW BUSINESS

CONSIDERATION TO APPROVE TO PROCLAIM APRIL 21, 2015 AS EFFINGHAM CHAMPION'S DAY (01):

Recreation Director Morgan explained another team has won the championship and would like to declare April 21, 2015 as Effingham Champions Day.

Vice Chairperson Jones made a motion to approve to proclaim April 21, 2015 as Effingham Champions Day and to read the proclamation on April 21st. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE DECEMBER'S PAY APPLICATION FOR THE SHERIFF'S OFFICE PROJECT (02):

Community Relations Director Kobek explained In January the Board accepted substantial completion and requested that all future payments be brought to the Board. The pay application was received in late January. The Pay Application is for \$128,181, if paid the County will still be withholding \$45,314 in retainage and final billing.

Commissioner Loper made a motion to approve to authorize payment of application #33. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE JOB DESCRIPTIONS FOR ANIMAL CONTROL (03):

Human Resources Director Hudzinski explained the request is for from the Board of Commissioners for the job descriptions for Department 22 Animal Control/14 Building Maintenance for Director of Animal Control and Facilities Maintenance and Kennel Coordinator.

Vice Chairperson Jones made a motion to approve the Director of Animal Control and Facilities Maintenance and Kennel Coordinator job descriptions with the following changes: under Responsibilities add to the end of the first paragraph: "as specified or required within the County's financial policy" and add after modifies procedures in the second paragraph "within the SOP documents" Commissioner Loper seconded the motion. The motion carried unanimously.

REVIEW OF YEAR END 2014 RETIREMENT PLAN QUARTERLY UPDATE (04):

Human Resources Director Hudzinski gave a synopsis of the 457B, 401A and the Defined Benefit plans from January 1, 2014 to December 3, 2014.

Mrs. Gini Nichols gave a positive overview on the quarterly retirement plan, the yearly actuarial report. There was some investment changes proposed that will be discussed in detail at the workshop on May 5, 2015.

CONSIDERATION TO APPROVE NO CHANGES TO THE COUNTY RETIREMENT PROGRAM INVESTMENT PLATFORMS FOR THE FIRST QUARTER 2015 (05):

After the presentations there was no further discussion.

Vice Chairperson Jones made a motion to approve no changes at this time. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE TO ADOPT THE PARTIAL COMPREHENSIVE PLAN UPDATE AND SUBMIT TO THE DEPARTMENT OF COMMUNITY AFFAIRS (06):

Zoning Administrator Shaw explained the original plan was transmitted in October and was returned with comments. The final plan was approved in February by the Department of Community Affairs and is now ready to be resubmitted.

Vice Chairperson Jones made a motion to adopt the partial Comp Plan as presented. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A MUTUAL RESCISSION AND RELEASE AGREEMENT WITH J.L. HARDIN INC. D/B/A HARCO CONSTRUCTION (07):

Commissioner Kieffer recused himself.

County Administrator Allen explained on February 17, 2015 a contract was awarded to J.L. Hardin, Inc dba HARCO Construction. Prior to awarding the contract, staff received a verbal opinion from the Attorney General's office stating that awarding the contract to J.L. Hardin, Inc dba HARCO Construction was legal.

After awarding the contract, we received a written opinion from the Secretary of States Board of Licensing for Residential and General Contractors stating that awarding the contract to J.L. Hardin, Inc dba HARCO Construction was not legal.

After consulting the County Attorney and J.L. Hardin, Inc dba HARCO Construction, staff still can't find anything definitive in the law but all parties agree that it is best to award the contract to the second lowest bidder to avoid any possible liabilities.

Commissioner Loper made a motion to approve to authorize the Chairman to sign a mutual rescission and release agreement between Effingham County Board of Commissioners and J.L. Hardin, Inc d/b/a HARCO Construction. Commissioner Deloach seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A CONTRACT AND NOTICE TO PROCEED FOR THE TUSCULUM FIRE STATION (08):

County Administrator Allen explained Altamaha Building Systems Inc. was the second place bidder at a bid price of \$275,000.

Commissioner Loper made a motion to approve the contract with Altamaha Building Systems, Inc. and issue a Notice to Proceed. Commissioner Deloach seconded the motion. The motion carried unanimously.

CONSIDERATION TO ACCEPT A BID AND APPROVE AN AGREEMENT FOR THE SURPLUS HOUSE LOCATED AT 1752 GA HWY 21 SOUTH MAP# S131 PARCEL# 8 (09):

County Administrator Allen explained in December 2014, Effingham County purchased property for the development of a new Recreation Facility. A house was inherited along with the property. On January 20, 2015, the Board approved for the house to be surplus. The hold harmless agreement has been reviewed and approved by the County attorney.

There was a discussion on the time allowed to remove the house from the property be included in the hold harmless agreement.

Vice Chairperson Jones made a motion to accept the bid as presented and authorize the hold harmless agreement to include language which states the purchaser shall abide by all terms of the bid documents including time for performance or forfeit the right to the sale. Commissioner Deloach seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE TO APPOINT MEMBERS TO THE THIRD, FOURTH AND FIFTH DISTRICT SEATS OF THE PLANNING BOARD (10):

County Clerk Johnson explained on March 3, 2015, the Board approved revisions to the ordinance and the bylaws for the Planning Board. The revisions transformed the Board makeup from eight (8) board members to five (5) board members which represents each Commissioner district. The seats of the at-large members were removed.

The term has expired for the seats for the Third and Fifth Districts. The Fourth District seat which was held by Tim Uzupan was officially vacated in September 2014. The appointment to this seat is set to expire December 2017.

Commissioner Kieffer made a motion to appoint Dave Burns (Third District), Jamey Stancell (Fourth District) and Peter Higgins (Fifth District). Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO AUTHORIZE THE CHAIRMAN TO EXECUTE AN APPLICATION FOR A TRAFFIC SIGNAL PERMIT TO BE LOCATED AT HIGHWAY 17 AT MARLOW AND SANDHILL ROADS (11):

County Administrator Allen explained the Department of Transportation is completing a Traffic Engineering Study at the intersection of SR 17/Veterans Memorial Parkway @ Marlow Road/Sandhill Road and has determined that a "Flashing Beacon" should be installed on top of the existing stop signs.

Effingham County will have to fund the cost of installing the "flashing beacons" to the Department of Transportation's standards. Effingham County will

be required to fund the full and entire costs of the electric energy; however, the "flashing beacons" will be solar powered so there will not be an electric bill.

Commissioner Floyd made a motion to authorize the Chairman to sign the Traffic Signal Permit Application. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A DEED TO ACCEPT INFRASTRUCTURE IN PLEASANT HILL AND BUCKFIELD PLANTATION SUBDIVISIONS (12):

County Administrator Allen explained Pleasant Hill Subdivision was constructed in 2001. Buckfield Plantation Subdivision Phase I was constructed in 2001 and Phase II were constructed in 2004. To date the infrastructure has yet to be transferred to Effingham County. There are no repairs necessary to the roads in Pleasant Hills and Buckfield Plantation Subdivisions at this time.

Commissioner Loper made a motion to accept the infrastructure in Pleasant Hill and Buckfield Planation Subdivisions and pay the taxes owed. Commissioner Floyd seconded the motion. The motion carried unanimously.

CONSIDERATION TO ALLOW THE CHAIRMAN TO EXECUTE A CONSTRUCTION MATERIALS TESTING PROPOSAL (13):

County Administrator Allen explained Effingham County acquired an approximately 350 acre active sand mining plant in 2002. The seller was allowed to continue mining for a period of ninety days after the closing of the property, at which time they withdrew without reclaiming the site as per the reclamation plan as approved by the Georgia Environmental Protection Division. Since that time, Effingham County has considered multiple alternatives to utilize the property for recreation use.

Commissioner Floyd made a motion to approve the proposal for testing services. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE CHANGE ORDER #1 FOR DESIGN BUILD SERVICES FOR A WATERLINE EXTENSION (14):

County Administrator Allen explained the County recently executed a Water Services Agreement which requires the County to have a new water main extension installed prior to March 31, 2015 along Blue Jay Road. The County opted to utilize the design build method of project delivery to expedite the process to ensure that the infrastructure would be installed by the due date. The Board requested that the project be priced utilizing PVC pipe in lieu of ductile iron pipe.

A contract was approved by the Board on December 9, 2014 for the Design Build team consisting of Griffin Contracting and EMC Engineering.

The line was designed to tie into an existing 16" butterfly valve. Upon connecting to the valve it was determined that the valve was inoperable and needed to be replaced. Effingham County purchased the valve and Griffin contracting installed it.

Commissioner Loper made a motion to approve Change Order #1 for Design-Build Services for a waterline extension. Commissioner Floyd seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A PROCLAMATION DECLARING APRIL AS DONATE LIFE MONTH IN EFFINGHAM COUNTY (15):

County Clerk Johnson explained LifeLink of Georgia, the state's non-profit organ and tissue recovery organization seeks a proclamation designating April as Donate Life Month in Effingham County. The Board approves a proclamation around this time each year.

Commissioner Floyd made a motion to approve the Proclamation proclaiming April s Donate Life Month in Effingham County. Vice Chairperson Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPOINT MEMBERS TO THE INDUSTRIAL DEVELOPMENT AUTHORITY (IDA) BOARD (16):

County Clerk Johnson explained the authority is composed of eight (8) members; five (5) members one from each of the militia districts within Effingham County, one member is a resident from the municipalities of Effingham County. The terms of each militia districts expired in December 2014.

As proposed, Swaid Rahn would be the only new appointment. The remaining four (4) seats will be reappointment of current members.

Commissioner Loper made a motion to approve to appoint Swaid Rahn to the IDA Board for the 11th GMD and reappoint David Harris to the 1559th, Dick Knowlton to the 10th, Glen Weston to the 12th and Chap Bennett to the 9th GMD. Vice Chairperson Jones seconded the motion. The motion carried unanimously.

REPORTS FROM COMMITTEE COMMISSIONERS AND ADMINISTRATIVE STAFF

County Administrator Allen discussed the following:

- 1. Monthly Fire Report**
 - Attached is the monthly fire report for the month of February 2015.
- 2. Senior Citizens Report**
 - Attached is the senior citizens report for the month of February 2015.
- 3. ACCG Annual Conference**
 - The 2015 Annual Conference will be held from April 17-20, 2015 at the Savannah International Trade and Convention Center.
- 4. Community Cleanup**

- Community Cleanup on Saturday, March 21st in Auriga Farms from sun up to sun down.
- 5. 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.
- 6. 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 Complex.
- 7. Georgia Trend Advertisement**
 - Attached is the last ad that was placed in Georgia Trend.
 - Does the Board want to include an ad in the May edition?
 - The cost is approximately \$600.
- 8. Georgia Prison Wardens Association**
 - The Georgia Prison Wardens Association will be holding a conference on June 7-10, 2015.
 - They are selling ad space in their Annual Handbook.
 - Would the Board like to place an ad in their Annual Handbook?
- 9. Lifelong Learning Academy (2015 Summer Session)**
 - To be held June 4-5, 2015 at the Nessmith-Lane Conference Center at Georgia Southern University. Classes will be offered both days. See the attached sheet for details.
- 10. Griffin Lakes Fire Station**
 - The Griffin Lakes Fire Station has been recognized by ISO
 - Insurance Companies may use this information immediately at their discretion.
- 11. February Financial Report**
 - Given to the Board for review
- 12. Budget Hearings w/ Commissioners**
 - Scheduled for March 30th – April 3rd
- 13. Fire Workshop**
 - Scheduled for April 21, 2015 at 4:00 pm
- 14. Public Hearing for Palmetto Pipeline**
 - Tentatively scheduled for March 31, 2015 from 5:00 pm to 7:00 pm

County Clerk Johnson discussed the following:

1. Family Connection

- Gave an overview of last Family Connection meeting; shared some of the upcoming events.

Commissioner Floyd discussed the following:

1. Old River Road

- Trash needs to be picked up.

Commissioner Jones discussed the following:

1. Republic Cleanup

- The number of cleanups has been changed from four (4) to five (5) to match the number of districts

EXECUTIVE SESSION

At 6:52 pm, Commissioner Deloach made a motion to enter 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 February 17, 2015 executive session minutes. Commissioner Loper seconded the motion. The motion carried unanimously.

PLANNING BOARD

JOE DOWDY (01): – The Planning Board recommends denying an application by Joe Dowdy for a variance of 2 ½ feet from the side yard setback located at 259 Cypress Creek Lane Map# 416C Parcel# 115 in the Second District.

Mr. George Shaw explained an accessory building was being constructed. At the slab inspection it was determined the slab did not meet the required setback. It was discussed that the slab could be extended in another direction.

No one was present in favor or against the request.

Vice Chairperson Jones made a motion to deny the request. Commissioner Kieffer seconded the motion. The motion carried unanimously.

JOE DOWDY (02): - Consideration to approve the Second Reading of an application by Joe Dowdy for a variance of 2 ½ feet from the side yard setback located at 259 Cypress Creek Lane Map# 416C Parcel# 115 in the Second District.

This item was removed due to the previous item being denied.

Vice Chairperson Jones made a motion to remove this item from the agenda. Commissioner Kieffer seconded the motion. The motion carried unanimously.

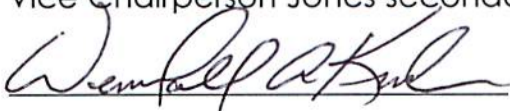
WILSON BURNS (03): The Planning Board recommends approving an application by Wilson Burns for a Sketch Plan for The Cottages, Phase 1 for 16 lots located on Little McCall Road Map# 392 Parcel# 2 in the Fourth District.

Zoning Administrator Shaw explained the plan is missing some items. Planning Board recommended approval based on those items being submitted by the Commission meeting: proof of water provider and removal of an access easement. It was recommended that the item be tabled or denied. The applicant was also not present.

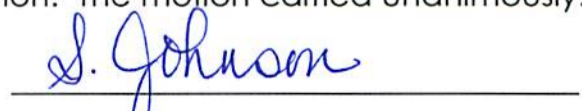
Commissioner Loper made a motion to table the request until the April 21, 2015 Commission meeting. Commissioner Floyd seconded the motion. The motion carried unanimously.

ADJOURNMENT

At 8:14 pm, Commissioner Loper made a motion to adjourn the meeting. Vice Chairperson Jones seconded the motion. The motion carried unanimously.



WENDALL KESSLER, CHAIRMAN



STEPHANIE JOHNSON, COUNTY CLERK