

**EFFINGHAM COUNTY
BOARD OF COMMISSIONERS MEETING**
September 1, 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, September 1, 2015 in the Commissioners' Meeting Room at the Effingham County Administrative Complex.

PERSONS ATTENDING THE MEETING

Mr. Edward Newberry, County Attorney, Mr. Toss Allen, County Administrator, Mrs. Stephanie Johnson, County Clerk, Dr. Franklin Goldwire, Mr. Jack Garvin, Ms. Claudia Collier, Ms. Lucille P. Tate, Ms. Abby Smith, Mr. Brett Bennett, Dr. Cheryl Goldwire, Dr. Franklin Goldwire, Ms. Norma Wallace, Mr. Willie Wright, Mr. Patrick Graham, Ms. Lula Seabrooks and Ms. Gg 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

County Administrator Allen requested to add to the agenda to amend the effective date of the contract with Republic which was previously approved approximately three months.

Commissioner Loper made a motion to approve the agenda with the addition of the Republic contract as New Business# 14. Commissioner Deloach seconded the motion. The motion carried unanimously.

MINUTES

Commissioner Loper made a motion to approve the August 18, 2015 minutes as read. Commissioner Kieffer 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.

NEW BUSINESS

CONSIDERATION TO APPROVE AN ASSEMBLAGE PERMIT FOR BASS ANGLERS PLUS TO HOLD A "TAKE A SOLIDER FISHING" TOURNAMENT AT GRIFFIN LAKES (01):

County Clerk Johnson explained Bass Anglers Plus plans to hold a Take a Soldier Fishing tournament at Griffin Lake. In addition to the 12 boat tournament there will be music, food, and activities for those not fishing. This assemblage permit was approved by the Board last year.

Mr. Byron A. Stephens Jr spoke in favor of the request. Stated a great time was had by all. \$1000 was raised and a \$ 200 donation in the name of American Veterans of Effingham. Mr. Stephens requested the Board's permission to place a picture of the Veteran's Park on the back of t-shirts that will be worn during this event.

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

CONSIDERATION TO APPROVE AN ASSEMBLAGE PERMIT FOR FRANK RIMSEK TO CLOSE ROADS IN ROYAL OAKS SUBDIVISION FOR A HALLOWEEN EVENT (02):

County Clerk Johnson explained for at least the past three (3) years the Board has approved this permit.

Commissioner Floyd made a motion to approve the assemblage permit. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH DATA CLOUD SOLUTIONS, LLC AND RELATED PURCHASE ORDER (03):

Chief Tax Appraiser Bevell explained the request is for a service agreement for Mobile Assessor. This item has been budgeted for this year. Staff is requesting the Board's approval to move forward with the implementation.

Commissioner Loper made a motion to approve the Purchase Order and Software License and Related Professional Services Agreement with Data Cloud Solutions, LLC. Commissioner Floyd seconded the motion. The motion carried unanimously.

CONSIDERATION TO ACCEPT A BID FOR CATASTROPHIC INMATE MEDICAL INSURANCE FOR THE JAIL (04):

Purchasing Agent Charleton explained every year Effingham County Board of Commissioners contracts with a carrier for catastrophic inmate medical insurance which covers major medical expenses on jail inmates not under state

custody. A request for quote for catastrophic inmate medical insurance was issued and posted typical places for advertising. Two responses were received. The quotes were from Apex Insurance Agency (formerly Public Risk underwriters) using United Healthcare Optum Health as the carrier, and the other from Saville Public Entity using Gerber Life Insurance Company as the carrier.

The County's current policy has a \$35,000 deductible, with a \$250,000 limit of coverage per inmate. The policy plan coverage period is October 1st, 2015 thru September 30th, 2016, and the quote has been reviewed and approved by the County attorney.

Commissioner Loper made a motion to approve Apex Insurance Agency's option 1 quote for an annual premium of \$14,582.40 with a \$35,000 deductible for catastrophic inmate medical insurance. And Board approval for the Chairman to execute the plan documents when received, subject to review and approval by the County attorney. Vice Chairperson Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A CONTRACT/MOU BETWEEN THE BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA ON BEHALF OF THE UGA COOPERATIVE EXTENSION AND THE EFFINGHAM COUNTY BOARD OF COMMISSIONERS (05):

Ms. Abby Smith, Coordinator of the County Extension office explained there are no changes. The document needs to be re-signed since the MOU has not been signed since 2012 and the previous Coordinator.

Chairman Kessler questioned if there were any changes to the document.

County Administrator Allen explained there are concerns with Section 2, 1C regarding allowing the installation and use of client software and unrestricted access to online resources.

Vice Chairperson Jones made a motion to approve the MOU as presented with the change to strike Section 2, 1C and with an effective date of September 1, 2015. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE FY15 EMPG PERFORMANCE PARTNERSHIP GRANT APPLICATION (06):

EMA Director Myrick explained each year I apply for an Emergency Partnership Performance grant to offset the cost of our Emergency Management Program. The project consist of \$15,675.00 Federal Base Award and % 500.00 training award giving a total project cost of \$32,350.00; Effingham County is a categorized as a Tier 4 therefore local match would be \$16,175.00 which is

currently included in the approved FY 15 budget in Department 20. Staff recommends approval of Alternative# 1.

Commissioner Floyd made a motion to approve the submittal of the 2015 EMPG Performance Partnership Grant Application. Commissioner Deloach seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A PROPOSAL FROM WHITAKER LABORATORY, INC. TO PROVIDE CONSTRUCTION MATERIALS TESTING PROPOSAL FOR THE ATLAS SITE LOCATED OFF OF HWY 80 (07):

County Administrator Allen explained on 3/17/2015 the Board approved a proposal for \$1,500 for materials testing. This testing revealed the possibility of remaining marketable material but further more intensive testing will be required to determine the extent of the marketable material. The amount of funding required will depend on the number of trips made to the site and the number of tests performed but should not exceed \$6,760.00.

Commissioner Floyd made a motion to approve the Proposal for further testing. Vice Chairperson Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A CONTRACT WITH HUSSEY, GALL, BELL FOR HYDRAULIC MODELING (08):

County Administrator Allen explained Hussey Gay Bell developed the existing hydraulic model of our potable water system and designed much of our existing potable water distribution network. The hydraulic model hasn't been updated since 2008. Staff would like to focus much of its future planning efforts on operational improvements to our existing potable water system as well as investigate alternative sources of obtaining potable water. In order to accurately determine the size and cost of the infrastructure needed to accomplish these things, an accurate model of our system will be needed.

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

CONSIDERATION TO APPROVE A RESOLUTION FOR BUDGET AMENDMENTS FOR YEAR ENDING JUNE 30, 2015 (09):

Finance Director Wright explained each year the Effingham County Board of Commissioners proposes a tentative budget for the Year. During the year the Board of Commissioners receive request from agencies and department heads to adjust the budget. Additionally other factors such as revenue may fluctuate thereby allowing the Board of Commissioners to direct additional expenditures to be made.

As such a formal budget resolution incorporating these factors is made to adjust the budget accordingly. Staff is performing the final close of the fiscal year. These additional budget adjustments are being made in order to close the fiscal year ending 6/30/15. These adjustments are being requested in order to facilitate the use of funding where needed and other specific items which have taken place during the year. Staff is continuing to complete the Trial Balance for the audit and will bring any other adjustments to the board which may be needed. This request is made each year in order to maintain state mandated budget compliance.

Commissioner Deloach made a motion to approve making the budget recommendations as proposed. Vice Chairperson Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A CONTRACT FOR THE COUNTY ADMINISTRATOR (10):

Interim Human Resources Director Hearn explained the County Administrator is considered as a contract employee. The salary is outlined as follows: \$88,237.00: Base Salary; \$95,450.00: Previously approved salary – Meeting Date 10/7/2014; \$97,597.50: Salary commiserated to include FY 15/16 Longevity Increase; \$5,400.00: Auto Stipend – Previously approved – Meeting Date 10/7/2014; \$102,997.50: Total Annual Compensation.

Verbiage changes include: Title: Employment Agreement: Employment Contract; Section 3.a Compensation: Included Performance Based Increases (PBI) and Longevity; Increases as well as COLA; Section 4.c. Time Method and Manner of Performance: at-will changed to contracted.

In addition, the changes in the contract need to reflect to allow for payment to Mr. Allen the equivalent of six months of COBRA premiums to allow him to purchase individual insurance.

Vice Chairperson Jones made a motion to approve the County Administrator contract to include, salary commiserate to include FY 15/16 Longevity increase, auto stipend and agreement letter and to make change in the contract under 9(a) – Severance to change from "In addition, at Allen's election" to read "the Board agrees pay Mr. Allen the equivalent of six months of COBRA premiums to Mr. Allen to pay for insurance. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A PROCLAMATION TO DECLARE SEPTEMBER 12, 2015 AS EFFINGHAM COUNTY NAACP'S FREEDOM FUND & HONORS DAY (11):

County Clerk Johnson explained she received a request and draft of a Joint Proclamation from Mr. Tony Chiariello to declare September 12, 2015 as Freedom Fund and Honor's Day. Four individuals will be honored at an event on this day.

Chairman Kessler expressed his concern for the Proclamation listing each Commissioner individually because of his privity to concerns about the Proclamation. Chairman Kessler further stated he does not have an issue personally with honoring the individuals.

Vice Chairperson Jones shared her concern about some statements made by Francys Johnson, President of the Georgia NAACP, during a radio interview about the citizens of Effingham County. A number of statements made during the interview were shared by Vice Chair Jones with those in attendance. Vice Chairperson Jones confirmed she would not be able to support a Proclamation for an event hosted by the NAACP where Mr. Francys Johnson would be the keynote speaker.

Mr. Tony Chiariello explained he is not a spokesperson for the NAACP; however, the divisiveness began due to the lack of support at the School Board meeting.

Commissioner Floyd stated he would like to support the Proclamation, but believes there are outside individuals pushing this issue. Conversations have been held with a number of citizens in the County who do not support Mr. Francys Johnson's stance.

Vice Chairperson Jones pondered if the local NAACP supported the pursuit to sue the Board of Education.

Commissioner Kieffer believed the comments to be hateful.

Commissioner Loper stated his belief that the citizens of the County would not support the statements made by Mr. Francys Johnson.

Commissioner Deloach stated he too has spoken with local citizens who do not support the statements.

Mr. Jack Garvin asked the Board to consider the citizens of the County and approve the Proclamation.

Ms. Claudia Collier, a member of the NAACP, stated she was very surprised to hear of the comments made and intends to ask Francys Johnson why he made those comments. At a previous meeting where Francys Johnson was in attendance, he spoke very positively. Ms. Collier stated she would like see/hear the video and confirmed she is not in support of the comments. An invitation was extended for all Commissioners to attend the event.

Commissioner Floyd made a motion to approve the Proclamation with the caveat that he does not agree with statements made by Francys Johnson about the County and is sickened by his comments and that the Proclamation is revised to reflect the Chairman's signature only. Commissioner Deloach seconded the motion. Vice Chairperson Jones and Commissioner Kieffer opposed the motion. The motion carried three to two.

CONSIDERATION TO APPROVE A CONSORTIUM AGREEMENT BETWEEN THE COASTAL WORKFORCE DEVELOPMENT CONSORTIUM (12):

Chairman Kessler explained during the last CLEO (Chief/Local Elected Officials) meeting August 12, 2015 there was a discussion to enter into a Consortium agreement between the Coastal Region 12. The proposal is to change the wording based on federal guidelines and to add Screven County to the Consortium. A draft was presented for review and changes were made accordingly. There is no funding required.

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

CONSIDERATION TO APPROVE A MEMBER FOR THE CORE MPO CITIZENS ADVISORY COMMITTEE (13):

County Clerk Johnson explained at the July 21, 2015 Board meeting, the Commission approved the MOU and confirmed appointment of the Chairman to the CORE MPO Board. We still need to appoint a member to the Citizens Advisory Committee. We received two emails and one verbal confirmation requesting to be appointed. The first meeting was held Thursday, August 6, 2015. The next meeting will be held October 1, 2015 at 5:00 pm. The individuals for consideration were

Commissioner Kieffer made a motion to appoint Cheryl Goldwire to the CORE MPO Citizens Advisory Committee. Commissioner Floyd seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE TO AMEND THE EFFECTIVE DATE OF AMENDMENT NO 3 TO RESIDENTIAL SOLID WASTE SERVICES, COLLECTION AND DISPOSAL AGREEMENT WITH REPUBLIC SERVICES OF GEORGIA, LIMITED PARTNERSHIP (14):

County Administrator Allen explained when the agreement was approved it was approved with an effective date no later than September 1, 2015. Staff requests to have the date amended to be effective October 1, 2015. There are no other changes in the agreement.

Vice Chairperson Jones made a motion to amend the date of the agreement to be effective October 1, 2015. Commissioner Loper seconded the motion. The motion carried unanimously.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

County Administrator Allen discussed the following:

1. **Blood Drive**
 - Extension would like to have a blood drive at their facility in Early January 2016. Are there any objections to them doing so?
2. **Stormwater Utility Correspondence**
 - Attached are the Stormwater Utility Study performed by staff, minutes form the workshop and meeting that the item was considered and copies of the letter sent to the three municipalities.
3. **Recreation Facility Masterplan**
 - Attached are the final masterplan and cost estimate.

Commissioner Loper discussed the following:

1. **Grass Cutting/Striping**
 - The grass along the roadways still needs to be cut as well as the restriping. County Administrator Allen disclosed that GDOT has a grant and is willing to stripe the roadways at no cost to the County; however it will be next year.
2. **Fire Station Site**
 - There is a potential property identified for a fire station site.

Commissioner Kieffer discussed the following:

1. **Bike Lane**
 - Was asked by a citizen if a bike lane could be constructed at Hwy 275 to Old Augusta Road?

Chairman Kessler discussed the following:

1. **Meeting Schedule**
 - Consider having one meeting per month to begin at 3:30 pm
2. **Invocation**
 - To invite Clergy/Pastor's to perform the invocation, a Pastor per district per meeting.

EXECUTIVE SESSION

No executive session was held.

EXECUTIVE SESSION MINUTES

Commissioner Deloach made a motion to approve the August 4, 2015 minutes as read. Commissioner Floyd seconded the motion. The motion carried unanimously.

Commissioner Kieffer made a motion to approve the August 13, 2015 minutes as read. Commissioner Deloach seconded the motion. The motion carried unanimously.

Commissioner Loper made a motion to approve the August 14, 2015 minutes as read. Commissioner Floyd seconded the motion. The motion carried unanimously.

ADJOURNMENT

There being no further business, at 7:04 pm, Commissioner Loper made a motion to adjourn the meeting. Commissioner Kieffer seconded the motion. The motion carried unanimously.



WENDALL KESSLER, CHAIRMAN



STEPHANIE JOHNSON, COUNTY CLERK