

**EFFINGHAM COUNTY
BOARD OF COMMISSIONERS MEETING**

January 19, 2016

The Board of Commissioners of Effingham County, Georgia, Mr. Wendall Kessler - Chairman, Mr. Forrest Floyd – Vice Chair, Mrs. Vera Jones, Mr. Jamie Deloach, Mr. Reginald Loper and Mr. Phil Kieffer met in regular session 5:00 pm on Tuesday, January 19, 2016 in the Commissioners Meeting Room at the Effingham County Administrative Complex.

PERSONS ATTENDING THE MEETING

Mr. Edward Newberry, County Attorney, Mrs. Stephanie Johnson – County Clerk, Mrs. Joanna Wright – Finance Director, Mr. Clint Hodges – Fire Chief, Mrs. Fiona Charleton – Purchasing Agent, Mr. Rodger Barenchik – Zoning Administrator, Mr. Jack Garvin, Mr. Randy Duke, Ms. Claudia Collier, Mr. Craig Johnson, Ms. Gussie Nease, Mr. D.J. Ambrose, Ms. Desiree D. McGhee, Mr. Joe Pose, Ms. Gg Rigsby, Mr. Pat Donahue

CALL TO ORDER

Chairman Kessler called the meeting to order.

INVOCATION

Pastor Edwin Willis of Meldrim United Methodist Church gave the invocation.

PLEDGE TO THE AMERICAN FLAG

Chairman Kessler led the Pledge to the American Flag.

AGENDA APPROVAL

Chairman Kessler stated items number four and five under New Business need to be reversed.

Commissioner Jones made a motion to approve the agenda with the noted change to reverse the order of New Business item numbers four and five.

Commissioner Deloach seconded the motion. The motion carried unanimously.

MINUTES

Commissioner Loper made a motion to approve the January 5, 2016 Commission meeting minutes as read. Commissioner Deloach 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.

PRESENTATION

The Board of Commissioners and Recreation Director Morgan recognized the Effingham Jags Football team and coaches with plaques and proclaimed January 19, 2016 as Effingham Champions Day.

CONSENT AGENDA

CONSIDERATION TO RENEW THE MEMORANDUM OF UNDERSTANDING WITH EFFINGHAM COUNTY UNITED METHODIST CAMPGROUND FOR USE AS A CRITICAL WORKFORCE AND POST EVENT SHELTER (01):

Commissioner Loper made a motion to approve to allow the Memorandum of Understanding with Effingham County United Methodist Campground for use a critical workforce shelter and/or post event shelter to automatically renew for the period February 3, 2016 until February 3, 2017. Commissioner Jones seconded the motion. The motion carried unanimously.

OLD BUSINESS

CONSIDERATION TO APPROVE AN AMENDMENT TO THE EFFINGHAM COUNTY SCHEDULE OF FEES (01):

Chairman Kessler explained there was a request for the item to be tabled until further review by the Home Builder's Association.

Mr. Mike Vaquer confirmed the association would like an opportunity to review the material.

Commissioner Kieffer made a motion to table the request until the February 16, 2016 Commission meeting. Commissioner Loper seconded the motion. The motion carried unanimously.

NEW BUSINESS

CONSIDERATION TO APPROVE TO WAIVE THE REQUIREMENT OF A MAINTENANCE BOND FOR OLD DIXIE ESTATES AS REQUIRED BY THE SUBDIVISION REGULATIONS (01):

Mr. Randy Duke explained he is performing due diligence on the project which was approved in 2008. It was explained that a ten percent maintenance bond is required. Mr. Duke asked the Board for a waiver of the bond.

The board discussed the matter and found no resolve to allow for the waiver of the bond.

Vice Chairperson Floyd made a motion to deny the request to waive the requirement of the bond. Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE SECOND READING OF AN AMENDMENT TO ARTICLE III, SECTION 3.32 – PARKING OF TRUCKS AND TRAILERS OF THE OFFICIAL CODE OF EFFINGHAM COUNTY (02):

Mr. Jack Garvin expressed concern for this amendment affecting the parking of tractor trailers. It was clarified that the ordinance amendment addresses dumpsters within the right of way.

Commissioner Loper made a motion to approve the amendment to Article III, Section 3.32 of the Official Code of Effingham County. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE TO SUPPORT THE SUPERIOR COURT CLERKS EXECUTED STATEMENT OF WORK AGREEMENT WITH MICROPACT GLOBAL FOR INDEXING SERVICES (03):

Purchasing Agent Charleton explained the Clerk of Superior Court currently has a Statement of Work Agreement in place with MicroPact Global (formerly known as Iron Data Solutions) for Indexing Services which expires in January 2016. A renewal Statement of Work Agreement has been received which runs from 2016 – 2019. The agreement has been executed by the Superior Court Clerk.

The Clerk of Superior Court has executed the renewal Statement of Work per O.C.G.A. 15-6-96 which allows for constitutional officers to participate in "agreements, contracts, and networks necessary or convenient for the performance of duties required by law". The County Attorney has recommended that the county also sign as a matter of good practice due to the agreement being put on the agenda and minutes.

The agreement can be terminated with 30 days written notice if MicroPact Global fails to comply with any of the terms and conditions of the agreement. The County Attorney has reviewed and approved the Statement of Work Agreement.

Commissioner Loper made a motion to approve to support the executed Statement of Work Agreement with MicroPact Global (formerly known as Iron Data Solutions) for Indexing Services for the period January 2016 until January 2019. Commissioner Deloach seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A RESOLUTION TO AMEND THE 2015/2016 BUDGET (04):

Purchasing Agent Charleton explained this budget amendment is requested in order to accommodate the completion of the Landfill Ramp/Convenience Center Improvements for the contracted amount of \$149,000.00.

Already allocated in SPLOST funds are \$50,000.00 and \$75,000.00 is allocated in the landfill budget for landfill ramp/Convenience Center Improvements.

As the County is obligated to have the convenience center fully constructed within 6 months per the agreement with Republic Waste Services, Staff recommend alternate 1 approval of the budget amendment.

Commissioner Loper made a motion to approve the budget amendment for 2015-2016. Commissioner Deloach seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE TO ACCEPT A BID AND ISSUE A CONTRACT AND A NOTICE TO PROCEED TO J.L. HARDIN INC D/B/A HARCO CONSTRUCTION FOR CONVENIENCE CENTER IMPROVEMENTS (05):

Purchasing Agent Charleton explained the board approved an amendment to the agreement with Republic Waste Services on October 1, 2015 for Republic Waste Services to operate the Convenience Center. Per the amendment, the County is obligated to have the convenience center fully constructed within 6 months as Republic Waste Services, requires infrastructural improvements to effectively administer their waste collection and disposal duties.

An invitation to bid was issued and posted in the usual places and sent to 47 known vendors. Four responses were received. The low bid was from Harco Construction with a total bid price of \$149,025.00.

Commissioner Deloach made a motion to approve Harco Construction's bid and issue a contract and a Notice to Proceed to J.L. Hardin Inc. d/b/a Harco Construction, in the amount of \$149,025.00 for Convenience Center Improvements. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN ORDINANCE TO REPEAL ARTICLE III – ABANDONED BUILDINGS OF THE EFFINGHAM COUNTY CODE OF ORDINANCES (06):

County Clerk Johnson explained at the January 5, 2016 the board voted against the proposed amendment and motioned to repeal the existing ordinance. An ordinance now needs to be approved to officially repeal the ordinance in place.

Commissioner Jones made a motion to approve the ordinance to repeal Article III, Chapter 14 – Abandoned Buildings. Vice Chairperson Floyd seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE TO APPROVE A FINAL PLAT AND DEED FOR SADDLECLUB AT BELMONT GLEN, PHASE II AND ACCEPT A LETTER OF CREDIT (07):

Zoning Administrator Barenchik explained the plans for Saddleclub at Belmont Glen, Phase II were approved in 2006 and construction completed in 2007. Public Works and Water/Sewer staff inspected the roads, storm drainage, and water/sewer infrastructure within the subdivision and all punch list items have been addressed and recommends approval.

The infrastructure maintenance security (for \$17,021.49, 10% of the estimated value of the infrastructure in Phase II), was submitted to the county.

Mr. C. J. Chance of Hussey, Gay, Bell and Deyoung was present in favor of the request.

Commissioner Jones made a motion to approve the final plat for Saddleclub at Belmont Glen, Phase II and accept the infrastructure within the development. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE CLERK TRAVEL FOR THE GEORGIA CLERKS EDUCATION INSTITUTE (08):

County Clerk Johnson explained she is finalizing the courses needed towards completing certification.

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

CONSIDERATION TO APPROVE TO REALIGN BANKING PROTOCOL FOR THE PRISON INMATE AND COMMISSARY ACCOUNT INTO A BB&T OPERATIONAL BANK ACCOUNT (09):

Finance Director Wright explained Effingham County currently has an existing bank account to facilitate the daily operations of the prison inmate account with Bank of America. This is the last account for consolidation into the current financial policies. Due to the nature of items flowing into the account it was left for conversion to be done at a later time. Currently a separate bank account is set up which receipts in funds derived from the commissions earned from the commissary and inmate funds used to purchase from the commissary.

The funds flowing through the separate bank account were approved by prior administration. While this account is under the Federal ID number for the county the county commission is not signature. To provide direct board oversight of the

activity under our current financial policies we are requesting the signature be the Board of Commissioners. We would close the account currently being used to facilitate receipt and disbursement of the funds.

Commissioner Jones made a motion to approve the request for realignment. Vice Chairperson Floyd seconded the motion. The motion carried unanimously.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

County Clerk Johnson discussed the following:

1. Fire Monthly Report

- Attached is the monthly fire report for the month for December 2015.

2. Senior Citizens Center Report

- Attached is the monthly report for the month of December 2015.

3. County Extension Minutes

- Attached is a copy of the minutes from their November 30, 2015, December 18, 2015 and January 5, 2016 meetings.

4. Effingham Day at the Capitol

- A copy of the agenda outlining the events and the schedule of speakers for Effingham Day at the Capitol which will be held Monday, January 25th and Tuesday, January 26th has been provided.

5. Aging Services Meal Contract

- We received a letter informing us that Effingham County Board of Commission has been selected to deliver congregate and home delivered meals services in Effingham County beginning July 1, 2016.

Chairman Kessler discussed the following:

1. Railroad Crossing

- Discussed the estimates received for various crossings

Commissioner Loper discussed the following:

1. Ebenezer Landing Business

- Mr. Steve Bodiford owns a business at the landing at Ebenezer and has requested to be grandfathered and be exempt from purchasing a business license. The Board agreed he could not be exempt.

The Board took a break until 7:00 pm.

RECONVENE

The Board reconvened at 7:01 pm.

EXECUTIVE SESSION

No executive session was held.

EXECUTIVE SESSION MINUTES

Commissioner Deloach made a motion to approve the January 5, 2016 executive session minutes. Commissioner Loper seconded the motion. The motion carried unanimously.

PLANNING BOARD PRESENTMENTS

David Ambrose (01): The Planning Board recommends approving an application by David Ambrose to rezone 1.27 acres from AR-1 to AR-2 located at 1695 Old Dixie Hwy Map# 364 Parcel# 25 in the Third District

Zoning Administrator Barenchik explained would like to subdivide 1.27 acres of property and combine the remaining with an adjacent parcel.

No one spoke in favor or against the request.

Commissioner Deloach made a motion to approve the request with the following Staff stipulations:

1. Lot meets the requirements of the AR-2 zoning district.
2. Site development plans comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
3. All wetland impacts permitted by USACE.
4. Subdivision/Recombination plat must be approved by the Health Department and the Zoning Office.

The motion was seconded by Commissioner Loper. The motion carried unanimously.

David Ambrose, 2nd Reading (02): Consideration to approve the 2nd Reading of an application by David Ambrose to rezone 1.27 acres from AR-1 to AR-2 located at 1695 Old Dixie Hwy Map# 364 Parcel# 25 in the Third District

Commissioner Deloach made a motion to approve the 2nd Reading. Commissioner Loper seconded the motion. The motion carried unanimously.

Desiree McGhee (03): The Planning Board recommends approving an application by Desiree McGhee for a variance to reduce the rear setback from 25' to 19' located at 215 Cypress Cove Drive Map# 391E Parcel # 18 in the Fourth District.

Zoning Administrator Barenchik explained the request is to add an addition on the rear of her home. Section 7.1.8.1 allows: that there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness, of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not to circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located. There was no opposition at the Planning Board meeting.

No one spoke in favor or against the request.

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

Desiree McGhee (04): Consideration to approve the 2nd Reading of an application by Desiree McGhee for a variance to reduce the rear setback from 25' to 19' located at 215 Cypress Cove Drive Map# 391E Parcel # 18 in the Fourth District.

Commissioner Loper made a motion to approve the 2nd Reading with Staff recommendations. Commissioner Kieffer seconded the motion. The motion carried unanimously.

ADJOURNMENT

There being no further business, at 7:06 pm, Commissioner Kieffer made a motion to adjourn the meeting. Commissioner Deloach seconded the motion. The motion carried unanimously.



WENDALL KESSLER, CHAIRMAN



STEPHANIE JOHNSON, COUNTY CLERK