

**EFFINGHAM COUNTY
BOARD OF COMMISSIONERS MEETING**

May 3, 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 Kleffer met in regular session 5:00 pm on Tuesday, May 3, 2016 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, Mrs. Joanna Wright – Finance Director, Mrs. Fiona Charleton – Purchasing Agent, Mr. Kevin Hearn – Interim HR Director, Mr. Clint Hodges – Fire Chief, Mr. Clarence Morgan – Recreation Director, Ms. Abby Smith, Miss Anna Paulk, Mrs. Gussie Nease, Mr. Craig Johnson, Mr. Delmons White, Ms. Claudia Collier, Ms. Mr. Tony Chiariello, Mr. Pat Donahue 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

Anna Paulk, 11th grade home school student and active member of the 4-H Leadership Team led the Pledge to the American Flag.

AGENDA APPROVAL

Commissioner Loper requested to add as New Business# 9 – Consideration to appoint Gussie Nease to the Tax Assessor Board.

There was a discussion among the Board about adding the item to the agenda.

Chairman Kessler called for a motion to amend the agenda with the addition as noted.

Commissioner Loper made a motion to approve the agenda with the addition of New Business Item# 9 – Consideration to appoint Gussie Nease to the Tax Assessor Board. Commissioner Deloach seconded the motion. The motion carried unanimously.

MINUTES

Vice Chairperson Floyd made a motion to approve the April 19, 2016 Commission meeting minutes as written. Commissioner Jones 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.

CONSENT AGENDA

Commissioner Loper made a motion to approve the following Consent Agenda items as noted. Consideration to approve: **(1)** to renew the MOU with Effingham County Board of Education for the use of schools as disaster shelters **(2)** to renew the Cooperative Agreement with the Georgia Forestry Commission **(3)** the MOU with the Georgia Forestry Commission for antenna/receiver space on the County tower located at the transfer site on Courthouse Road **(4)** to renew the Fire Protection Services agreement with the City of Newington **(5)** to renew the MOU with the Georgia Department of Public Safety for antenna/receiver space on the County tower located at the transfer site on Courthouse Road **(6)** to renew the Rural Fire Defense Cooperative Lease agreement and MOU with the Georgia Forestry Commission **(7)** to renew the agreement between Effingham County Board of Commissioners and Alcohol Monitoring Systems, Inc. (AMS) for the use and monitoring of SCRAM devices **(8)** to renew the MOU with Effingham County Board of Education for the use of seven school buses in the event of disaster **(9)** the Second Reading of an ordinance lowering the speed limit on Springfield Egypt Road from State Route 21 to the railroad tracks.

Commissioner Deloach seconded the motion. The motion carried unanimously.

OLD BUSINESS

CONSIDERATION TO APPROVE TO SIGN A TEMPORARY CONSTRUCTION WORK SPACE PERMIT TO GRANT ELBA EXPRESS COMPANY PERMISSION TO UTILIZE COUNTY OWNED PROPERTY FOR THE PURPOSE OF STORING MATERIALS (01):

County Administrator Allen explained Staff has been working with Kinder Morgan on an ancillary issue. The temporary permit requested is to begin May 4,

2016-April 30, 2017. The compensation to the County is \$965.00 for use of the space. Staff recommends approval.

Commissioner Loper questioned if the compensation pay should be included on the permit.

Mr. Michael Plouff confirmed the calculation sheet notes the amount to be paid. Mr. Plouff explained in his experience most individuals wish to keep their business private.

Commissioner Kieffer made a motion to approve to sign the Temporary Construction Work Space Permit. Vice Chairperson Floyd seconded the motion. The motion carried unanimously.

NEW BUSINESS

CONSIDERATION TO APPROVE TO ISSUE A CONTRACT TERMINATION LETTER TO INFINITY NETWORKS, INC AND ACCEPT A BID AND ISSUE A CONTRACT FOR AN INMATE PHONE AND VIDEO VISITATION SYSTEM TO LATTICE INCORPORATED FOR THE PRISON (01):

Purchasing Agent Charleton explained the County currently has an agreement in place for prison inmate phone services with Infinity Networks, Inc. The agreement runs from May 24th, 2004 until April 30th, 2009 after which it automatically renews under the same terms and conditions until a new contract is executed.

Five vendors attended the mandatory pre-bid meeting and proposals were received from all five vendors. Lattice Incorporated offers 60% commission of gross revenue for calls and 25% of gross revenue for video visitation. The county currently receives 37.5% commission of gross revenue for calls. Video visitation is not currently set up. Lattice also offer and incentive of \$10,000 in calling cards.

Commissioner Loper made a motion to approve to issue a contract termination letter to Infinity Networks, Inc. and approve Lattice Incorporated's quote and contract for an inmate telephone and video visitation system at Effingham County Prison. Vice Chairperson Floyd seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE STATEWIDE MUTUAL AID AND ASSISTANCE AGREEMENT (02):

Interim EMA Director Clint Hodges explained the Statewide Mutual Aid and Assistance Agreement provide a framework to support mutual assistance in managing an emergency or disaster occurring within any political subdivision that is a Participating Party.

The SMAAA identifies those persons who are authorized to act on behalf of the Participating Party, as their Authorized Representative(s), concerning provision of mutual aid resources and requests for mutual aid resources to/from another Participating Party.

The current SMAAA was approved in April of 2012 and is currently up for renewal. The current Agreement, if approved, will be valid until March 1, 2020. 3. The SMAA was approved by the City of Springfield on March 8, City of Guyton on April 12, and will go before the City of Rincon on May 8.

Commissioner Loper made a motion to approve the Statewide Mutual Aid and Assistance agreement. Commissioner Deloach seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN ELECTRONIC DATA INTERCHANGE PARTNER AGREEMENT FOR CLAIMS AND REMIT FORMS ON VARIOUS PAYERS (03):

Finance Director Wright stood in EMA Director McDuffie's stead. Finance Director Wright explained the electronic data interchange will allow revenue to be received, filing of claims and benefit explanations to be received electronically.

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

CONSIDERATION TO APPROVE THE FIRST READING TO AMEND CHAPTER 38 ARTICLE I SECTION 45-51 OF THE OFFICAL CODE OF ORDINANCES OF EFFINGHAM COUNTY (04):

County Administrator Allen explained the Recreation Director Morgan has been receiving complaints regarding smokeless devices becoming a nuisance at ball complexes. The revisions to ordinance include verbiage which states "smokes from any battery operated electronic smoking devices designed to deliver nicotine and/or other substances through a vapor inhaled by the user". There are various sections of the ordinance which require amending; this amendment is noted within each section.

Recreation Director Morgan asked the Board to approve the request to allow Staff the ability to enforce no use of the devices.

Vice Chairperson Floyd made a motion to amend the County ordinance to include electronic smoking devices and smokeless tobacco products. Commissioner Deloach seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE RESOLUTION NAMING CHARLES SCHWAB BANK AS THE CUSTODIAN AND GEBCORP AS FINANCIAL ADVISOR, RECORD KEEPER AND THIRD PARTY ADMINISTRATOR FOR THE 457B AND 401A RETIREMENT PLANS (05):

Interim Human Resources Director Hearn explained the Board of Commissioners, as plan sponsor, is required to pass resolutions removing our current service providers and naming the new ones under GEBCorp.

There are currently four (4) essential services to the 457(B) and 401(A) retirement plans: Custodian (MG Trust), Financial Advisor (LPL Financial), Record Keeping (Newport Group f.k.a Daily Access Corp) and Third Party Administration (HA & W Benefit Advisors, LLC.)

As of the transfer date, if the Board approves, Charles Schwab Bank will be named the Custodian and GEBCorp will provide all other services for the Plans; Financial Advising, Record Keeping, and Third Party Administrating, as indicated by ACCG.

Commissioner Loper made a motion to approve the resolutions naming Charles Schwab Bank as the Custodian and GEBCorp as Financial Advisor, Record Keeper and Third Party Administrator for the 457(B) and 401(A) County Employee's Retirement Plans. Commissioner Deloach seconded the motion. The motion carried unanimously.

DISCUSSION ON A PROPOSED AMENDMENT TO ARTICLE VI, SECTIONS 30-245 AND 30-246 OF THE OFFICIAL CODE OF ORDINANCES OF EFFINGHAM COUNTY (06):

County Administrator Allen explained section 30-246 states "no local land use permit or building permit...shall be issued until a jurisdictional wetland determination has been completed..." This is as shown within 50 feet of the National Wetlands inventory.

Obtaining a jurisdictional determination from the USACE required a consultant to delineate the wetland, or document the absence thereof, and submit documentation to the USACE to request a jurisdictional determination be made. Once the documentation has been submitted, obtaining the jurisdictional determination can take up to 180 days.

To try to avoid delays in the issuance of building permits, staff has been allowing applicants to produce a recorded plat that shows a wetlands line or to hire a consultant to write a letter stating that the house isn't impacting wetlands. Neither of these methods is supported by the ordinance. Staff believes jurisdictional wetland delineation should be required for subdivisions but for an individual home builder there should be some other guidelines in place. Therefore, staff is requesting input from the Board as to how to proceed.

The Board agreed that Staff has been taking the appropriate tone and further instructed Staff to move forward with revision of the ordinance to address the issue.

CONSIDERATION TO APPROVE A RESOLUTION TO IMPOSE A ONE PERCENT (1%) SPECIAL LOCAL OPTION SALES TAX (SPLOST) (07):

County Administrator Allen explained our last referendum was November 2, 2010. Our current SPLOST is set to expire June 30, 2017. At a meeting held April 14, 2016 the decision was to split to total proceeds by population. The information provided outlines the lists of projects to be funded. The Resolution has been sent to the cities and there was no feedback.

Chairman Kessler stated by approving the Resolution we are also approving the percentages presented by the municipalities.

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

CONSIDERATION TO REAPPOINT LINDA WRIGHT TO THE AGING SERVICES ADVISORY COUNCIL (08):

County Clerk Johnson explained a letter was received requesting appointment or reappointment of an individual to the Aging Services Council. Ms. Linda Wright is currently a member of the Board and has consented to remaining on the Board.

Commissioner Loper made a motion to approve to reappoint Linda Wright to the Aging Services Council. Vice Chairperson Floyd seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPOINT GUSSIE NEASE TO THE TAX ASSESSOR BOARD (09):
(addition to agenda)

There was no further discussion from the Board after adding this item to the agenda.

Commissioner Loper made a motion to appoint Gussie Nease to the Tax Assessor Board. Commissioner Deloach seconded the motion. The motion carried unanimously.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

Commissioner Loper discussed the following:

1. Baker Pond

- There is uneven pavement in some areas of the walkways around the pond. Recreation Director Morgan stated a root system is causing the problem.

The areas have been marked; discussions have been had with County Engineer Sherron about cost of repairs, approximately \$8,500.00.

Commissioner Deloach discussed the following:

1. Boat Landing Grants

- Asked the status of the grants; it was stated both grants have been approved but we are not able to move forward until the end of July.

County Administrator Allen discussed the following:

1. Joint Committee Meeting

- Need to establish a date for the Joint Committee meeting with the cities.

2. Budget Financial Overview

- Staff gave a quick overview of a ten year history of review by departments, personnel and revenue and expenses.

EXECUTIVE SESSION MINUTES

Commissioner Deloach made a motion to approve the April 19, 2016 executive session minutes. Commissioner Loper seconded the motion. The motion carried unanimously.

EXECUTIVE SESSION

No executive session was held this meeting.

ADJOURNMENT

There being no further business, at 6:45 pm, Commissioner Jones made a motion to adjourn the meeting. Commissioner Kieffer seconded the motion. The motion carried unanimously.


WENDALL KESSLER, CHAIRMAN


STEPHANIE JOHNSON, COUNTY CLERK