

**EFFINGHAM COUNTY**  
**BOARD OF COMMISSIONERS MEETING**  
*December 13, 2016*

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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 meeting 5:00 pm on Tuesday, December 13, 2016 in the Commissioners Meeting Room at the Effingham County Administrative Complex.

**PERSONS ATTENDING THE MEETING**

Mr. Toss Allen, County Administrator, Mr. Edward Newberry, County Attorney, Mrs. Stephanie Johnson – County Clerk, Mrs. Joanna Wright – Finance Director, Mrs. Fiona Charleton-Purchasing Agent, Mr. Clint Hodges – Fire Chief/EMA Director, Mr. Clarence Morgan – Recreation Director, Mr. R.C. Barenchik-Zoning Administrator, Mrs. Vicki Dunn-Interim HR Director, Mr. Jay Spinks-E911 Director, Ms. Cheri Sale-HR Staff, Mr. Allen Cooke-HR Staff, Mr. Jack Garvin, Mr. Tony Chiariello and Ms. Gg Rigsby

**CALL TO ORDER**

Chairman Kessler called the meeting to order.

**INVOCATION**

Commissioner Kessler gave the invocation.

**PLEDGE TO THE AMERICAN FLAG**

Chairman Kessler led the Pledge.

**AGENDA APPROVAL**

Chairman Kessler stated there is an item which needs to be added to the agenda. This item was previously approved but to meet the requirements of DCA the Board needs to approve an adoption Resolution after DCA's approval.

Commissioner Deloach made a motion to approve the agenda with the addition of New Business Item# 19. Commissioner Kieffer seconded the motion. The motion carried unanimously.

**MINUTES**

Chairman Kessler called for the minutes to be approved individually.

Commissioner Loper made a motion to approve the minutes of the November 15, 2016 Insurance Workshop. Commissioner Deloach seconded the motion. The motion carried unanimously.

Commissioner Loper made a motion to approve the minutes of the November 15, 2016 regular Commissioners meeting. Commissioner Kieffer seconded the motion. The motion carried unanimously.

Commissioner Kieffer made a motion to approve the minutes of the November 30, 2016 SPLOST workshop. Commissioner Loper 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**

Interim HR Director Dunn expressed to the board appreciation of her Staff for completing the process of the transition of insurance coverage ahead of schedule.

Vice Chairperson Floyd presented a plaque on behalf of the Commissioners to Chairman Kessler for his four year service to the Board as Chairman.

### **APPEARANCE**

Sheriff McDuffie expressed appreciation of a number of employees for their service to the County. He honored each of them with certificates, awards and medals. Special recognition was given to Officers Danny Harrington and James Wilkinson who were injured in the line of duty.

The Commissioners also gave a plaque to the Sheriff's office presented by Commissioner Jones for outstanding service to Effingham County.

### **PUBLIC HEARING – BOAEN RD. (6:00 PM)**

A public hearing was held in consideration of the abandonment of a portion of Boaen Road.

Chairman Kessler read the letter sent to adjoining property owners outlining details of the portion of the road to be abandoned. Chairman Kessler questioned if there have been any concerns from the citizens.

County Administrator Allen stated a couple of citizens have asked questions but once the proposal was explained they were satisfied.

Robert Oglesby further confirmed the proposal to remove the curbing out of the road due to safety concerns. The property being considered for the realignment belongs to the Boaen family.

There were no other persons present in favor or against the request. The public hearing was closed.

### **OLD BUSINESS**

#### **CONSIDERATION TO APPROVE THE FY 2017 LMIG PROJECT LIST (01):**

County Administrator Allen explained this item was previously presented to the Board and was tabled in order to make adjustments to the road list. The adjustments made include removal of the roads in Auriga Farms and to add Stillwell Road.

Commissioner Floyd made a motion to approve the FY 2017 LMIG project list. Commissioner Kieffer seconded the motion. The motion carried unanimously.

### **NEW BUSINESS**

#### **PRESENTATION OF THE EFFINGHAM COUNTY FINANCIAL STATEMENTS AND AUDITOR'S REPORT (01):**

Finance Director Wright gave an overview through a power point presentation of the financial statements and auditor's report. There was one audit finding related to cell tower improvements and E911 equipment. Corrective action measures have already been put in place.

Ms. Kay Proctor, of Lanier, Westerfield, Deal & Proctor confirmed the corrective action proposed is appropriate for the audit finding.

#### **CONSIDERATION TO APPROVE THE AUDITED FINANCIAL STATEMENTS FOR TRANSMISSION TO THE STATE OF GEORGIA (02):**

There was no additional commentary after the presentation.

Commissioner Jones made a motion to affirm the audited statements and approve the audit and submission to the State of Georgia. Commissioner Deloach seconded the motion. The motion carried unanimously.

#### **CONSIDERATION TO APPROVE TO AWARD A BID FOR FLOORING IN THE JUDICIAL COMPLEX (03):**

County Administrator Allen explained the carpet in the Probate Court and back hallway are extremely stained. The carpet has been cleaned in the past but is now beyond the point that it can be cleaned. The Building Maintenance Department obtained quotes from three vendors.

The quotes were obtained for two different options. One to replace the flooring in the Probate Office and the other to replace the flooring in the Probate Office and rear hallway leading from the Judge's parking. The low bidder for both options is Plank and Tile. Replacing the flooring on the Probate Office and the rear hallway will cost \$15,761.84.

Probate Judge Mosely confirmed the condition of the carpet and the need for replacing the existing flooring.

Facilities Maintenance Coordinator Ryan was present with samples of the proposed flooring.

Commissioner Deloach made a motion to approve to award the bid to Plank and Tile for replacing the flooring in the Probate Office and rear hallway. Vice Chairperson Floyd seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A BUDGET AMENDMENT FOR THE 2016-2017 BUDGET (04):**

Chairman Kessler explained the budget amendment is to cover the cost of the flooring for the Judicial Complex.

Commissioner Jones made a motion to approve the budget amendment for \$16,000. Commissioner Deloach seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE TO PROCLAIM JANUARY 17, 2017 AS CHAMPIONS DAY RECOGNIZING 10U AND 12U FOOTBALL AND U12 SOCCER TEAMS (3 proclamations) (05):**

Recreation Director Morgan explained there are 3 proclamations. Since the proclamation was presented 12U football won State Championship.

Commissioner Jones made a motion to approve the Proclamations with the amendments as noted. Commissioner Deloach seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE TO PROCLAIM JANUARY 28, 2017 AS JOSH REDDICK DAY IN EFFINGHAM COUNTY (06):**

Recreation Director Morgan explained on January 28<sup>th</sup> Josh Reddick will be here to be recognized for his service to Effingham County.

Commissioner Jones made a motion to approve to proclaim January 28, 2017 as Josh Reddick Day in Effingham County. Commissioner Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH THE EFFINGHAM COUNTY CHAMBER OF COMMERCE (07):**

Purchasing Agent Charleton explained Effingham County and the Chamber of Commerce currently have a professional services agreement which requires that the Chamber of Commerce perform certain services and Effingham County provide compensation for those services. The current agreement expires on December 31, 2016.

A new agreement has been drawn up which lists certain services that the Chamber will perform. The agreement provides tickets to certain Chamber Sponsored events. The agreement requires compensation in the amount of \$4,500 and use of the Recreation Department's gym for the Taste of Effingham Event. The agreement is for a period of one year from January 1, 2017. The agreement has been reviewed and approved by the County Attorney.

Vice Chairperson Floyd made a motion to approve and execute the professional services agreement with Effingham County Chamber of Commerce for 2017. Commissioner Deloach seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE TO AWARD A CONTRACT AND ISSUE A NOTICE TO PROCEED FOR 2016 ROAD RESTRIPIING (08):**

Purchasing Agent Charleton explained an invitation to bid was issued to restripe approximately 37,625 linear feet on two (2) County roads and three (3) County bridges that have faded striping. The bid was advertised in the typical places and sent to known vendors. One bid was received from Peek Pavement Marking LLC with a total bid price of \$26,694.60.

Commissioner Deloach made a motion to approve the contract with Peek Pavement Marking, LLC and issue a Notice to Proceed. Commissioner Loper seconded the motion. The motion carried unanimously.

**CONSTRUCTION TO APPROVE TO ACCEPT PROPOSALS AND ISSUE CONTRACTS FOR ON CALL SURVEYING SERVICES (09):**

Purchasing Agent Charleton explained in order to standardize and lock-in rates for surveying services that cannot be self-performed, the County issued an RFP, which was issued and posted in the typical places and sent to known vendors. Six (6) responses were reviewed and scored.

Staff wishes to issue contracts to the three (3) highest scoring companies in order to request three (3) quotes for each project per the county purchasing policy. The top three scoring companies are EMC Engineering Services, Hussey Gay Bell and Coleman Company, Inc. Contracts have been received from all three companies. The contracts run from December 13, 2016 through December 13, 2017. The contracts have been reviewed and approved by the County Attorney.

Commissioner Loper made a motion to approve EMC Engineering Services quote; Hussey Gay Bell's quote and Coleman Company Inc.'s quote, and Board approval to issue contracts to EMC Engineering Services; Hussey Gay Bell's and Coleman Company Inc.'s for on call surveying services. Commissioner Deloach seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A FINAL PLAT AND ACCEPT A DEED FOR INFRASTRUCTURE IN PARK WEST, PHASE 3C (10):**

Zoning Administrator Barenchik explained D.R. Horton, Inc. requests final plat approval of Park West Subdivision Phase III-C, located off Noel C. Conaway Rd. Said subdivision consists of 40 lots and 2 Open Space Areas. Water and Sewer services are provided by Effingham County.

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 recommend approval. The infrastructure maintenance security bond (for \$22,714.96 or 10% of the estimated value of the infrastructure in Phase III-C), was submitted to the county.

Staff has reviewed the final plat, final plat checklist, and the warranty deed for Park West Subdivision Phase III-C. All documents are in order, and consistent with the zoning, plans, and plats approved previously. The warranty deed was reviewed and approved by the County Attorney.

Commissioner Jones made a motion to approve the final plat for Park West Subdivision Phase III-C and accept the infrastructure in it. Commissioner Deloach seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE THE PURCHASE OF FOUR (4) FLASHING BEACONS TO BE INSTALLED AT THE INTERSECTION OF COURTHOUSE AND MIDLAND ROADS (11):**

County Administrator Allen explained the intersection of Courthouse Road and Midland Road has experience higher than average numbers of motor vehicle accidents over the years. The

Board has previously instructed staff to install oversized double indicated stop sign and rumble strips at this location. The beacons are an additional safety measure.

The Purchasing Agent solicited prices for “flashing beacons” and was able to obtain pricing from four (4) manufacturers. Only two (2) (K&K Systems and Carmanah) meet GDOT requirements. Staff recommends purchasing the Carmanah R-247E. K&K Systems meets GDOT requirements but Carmanah is the brand used by GDOT and the county. Staff believes that utilizing the same brand is beneficial for consistency and maintenance of the units.

Vice Chairperson Floyd made a motion to approve to direct Staff to purchase the four (4) flashing beacons. Commissioner Deloach seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE TO AUTHORIZE THE CHAIRMAN TO SIGN A BORROW PIT EASEMENT AGREEMENT BETWEEN EFFINGHAM COUNTY AND WOODROW AND BETTY HALL (12):**

County Administrator Allen explained we had an agreement which has expired. The Effingham County Public Works Department has operated a borrow pit off Shearwood Road on the Hall's property since 2008. The borrow pit has a valid State Mining Permit. All mining operation have ceased within the borrow pit but there are still several hundred loads of material stockpiled on the property.

This easement will allow the county of access the stockpiled material. The easement has been reviewed and approved by the county attorney. The agreement gives the County the right to dig on the site, and ownership of the materials once they are removed. The county will have to reclaim the site once all mining activity has ceased.

Commissioner Loper made a motion to approve to authorize the Chairman to sign the easement agreement. Commissioner Kieffer seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE A LEASE AGREEMENT BETWEEN EFFINGHAM COUNTY BOARD OF COMMISSIONERS AND STATE PROPERTIES COMMISSION FOR OFFICE SPACE FOR THE DEPARTMENT OF JUVENILE JUSTICE (13):**

County Clerk Johnson explained on June 18, 2015 the Board approved to terminate the lease agreement with Stanley and Betty Brown for the property located at 508 Pine Street, Springfield, which the Department of Juvenile Justice (DJJ) occupies. The intention at this time was to relocate DJJ to the Annex Building on Hwy 119 South. The approval process with the

State Properties Commission has been extensive. We are now ready to move forward with this transition.

The rental rate for this lease at the Annex Building is \$ \$1,725.00 monthly. This rate includes the provision of water/sewer and power utilities. The space to be occupied is approximately 2,489 square feet. This agreement is proposed to begin February 1, 2017 and extends to June 30, 2017 with three (3) additional periods of one (1) year renewal options.

Commissioner Deloach made a motion to approve the lease agreement with State Properties Commission for office space for the Department of Juvenile Justice effective February 1, 2017. Commissioner Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE TRAVEL FOR THE RETREAT AND EFFINGHAM DAY AT THE CAPITOL (14):**

There was no discussion on the travel.

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

**CONSIDERATION TO APPROVE TO AUTHORIZE THE CHAIRMAN TO SIGN A PROPOSAL FOR REAL ESTATE APPRAISAL SERVICES (15):**

County Administrator Allen explained on November 1, 2016 the Board approved an engagement letter for George Lewis to help facilitate the acquisition of the easement. A permanent utility easement must be acquired within the Effingham Park of Commerce to accommodate the installation of utilities. Mr. Lewis recommended the services of Mr. Pecenka to prepare the appraisal as he has extensive experience in this type of work.

The fee to prepare the report is \$2,500. If Mr. Pecenka is called to give testimony in an eminent domain proceeding the services will be billed at a rate of \$150 per hour.

Commissioner Loper made a motion to approve to authorize the Chairman to sign the Proposal. Commissioner Deloach seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE AN AMENDMENT TO THE COASTAL REGIONAL COMMISSION AGING SERVICES CONTRACT (16):**

Finance Director Wright explained each year the County renews a contract with Coastal Regional Commission of Georgia Area Agency on Aging to be the provider of Aging Services meals to our senior citizens in Effingham County. This funding source plays a significant role in the County's ability to serve warm meals to the senior citizens of Effingham County. The



meal count funded to be served is 13,520 in congregate meals and 11,521 in home-delivered meals. This contract amendment increases state and federal funding by \$4,482 in total.

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

**CONSIDERATION TO APPROVE TO AUTHORIZE THE CHAIRMAN TO SIGN A LEASE AGREEMENT WITH M.C. RAHN, INC FOR AN AIR BURNER (17):**

County Administrator Allen explained the EMA Director has analyzed the cost required to have our Debris Removal Contractor burn the debris that has been collected and the costs associated with staff burning the debris. 2. EPD requires the use of an air curtain to burn storm debris. Since the County doesn't own an air curtain one will need to be rented if we are going to burn the debris ourselves. We can use a County owned excavator to load the debris into the burn pit. County staff will operate the excavator and air curtain.

Three estimates were obtained. The lowest estimate was from an out-of-town company and was only \$62 less than the second highest bid, which was from a local company. The cost of the air curtain is \$3,500 per month plus a one time delivery cost of \$300 and a one-time pick up charge of \$150. It is anticipated that it will take approximately two months to burn the debris. The ashes will be hauled to a Republic Waste landfill.

Commissioner Kieffer made a motion to approve to authorize the Chairman to sign the lease agreement. Commissioner Loper seconded the motion. The motion carried unanimously.

**CONSIDERATION TO APPROVE AN AGREEMENT WITH MUSCO LIGHTING FOR THE LIGHTING AND RELATED EQUIPMENT FOR THE NEW RECREATION FACILITY (18):**

Finance Director Wright explained the purchase agreement provides for 24 concrete bases, 24 galvanized steel poles 60 to 80 feet in length, 148 metal halide luminaires, 12 LED luminaires, a control & monitoring cabinet, electrical component enclosures and pole-length wire harnesses.

Musco Lighting and its subcontractors will assist in the layout design, installation and testing of the lighting fixtures. The total price is \$610,000.

There was some discussion among the Board and Staff regarding the cost associated with the request and where the funding comes from.

Vice Chairperson Floyd made a motion to approve the agreement as submitted. Commissioner Kieffer seconded the motion. The motion carried unanimously.

**Addition to Agenda**

**CONSIDERATION TO APPROVE A RESOLUTION TO ADOPT THE 2016 CAPITAL ELEMENT IMPROVEMENT UPDATE (19):**

Finance Director Wright explained this resolution was previously approved, however, DCA asked that the resolution be approved after the adoption of the CIE by the State.

Commissioner Loper made a motion to approve the Resolution to adopt the Capital Improvement Element update as written. Commissioner Deloach seconded the motion. The motion carried unanimously.

**REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF**

County Administrator Allen discussed the following:

- 1. Monthly Senior Citizens Report**
  - The monthly senior citizens center report for the month of November 2016 has been provided.
- 2. Monthly Animal Shelter Report**
  - The monthly Animal Shelter Report for the month of November 2016 has been provided.
- 3. Thank you Note**
  - A thank you note from the family of Mr. Harvey Kieffer was received.
- 4. Debris Removal Update**
  - The Effingham County Public Works Department has removed 6,500 CY of debris from October 8<sup>th</sup> until November 30<sup>th</sup>.
  - SDR has removed 3,000 CY of debris from November 15<sup>th</sup> until December 11<sup>th</sup>.
  - Effingham County Fire Rescue has removed 2,200 CY of Debris from December 3<sup>rd</sup> until December 11<sup>th</sup>.
  - Citizens have brought 13,500 CY of debris.
  - Total debris removed to date is 27,000 CY
  - Debris is still being removed by SDR and Effingham County Fire Rescue crews. SDR normally has no more than two crews a day. Effingham Fire Rescue runs two crews on the weekends but is normally limited to one crew during the week because they are utilizing dump trucks from the Public Works Department and can only obtain enough trucks to support one crew.
  - Burning of the debris began on November 29<sup>th</sup>. The operation had to be suspended on December 3<sup>rd</sup> because a hydraulic cylinder on the excavator being used to load the debris into the burn pit began leaking. Burning operation will resume as soon as the excavator is repaired.

Interim HR Director Dunn discussed the following:

- 1. FLSA Changes**
  - An injunction has been filed, changes are on hold.

All Commissioners expressed thanks to Chairman Kessler for his service.

**EXECUTIVE SESSION**

No executive session was held.

**EXECUTIVE SESSION MINUTES**

Commissioner Loper made a motion to approve the November 15, 2016 executive session minutes. Commissioner Deloach seconded the motion. The motion carried unanimously.

**PLANNING BOARD**

Items from the November 28, 2016 Planning Board meeting will be heard at the January 3, 2017 Commissioner's meeting.

**ADJOURNMENT**

There being no further business at 6:57 pm, Commissioner Loper made a motion to adjourn the meeting. Commissioner Jones seconded the motion. The motion carried unanimously.

  
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FORREST FLOYD, VICE CHAIRMAN

  
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STEPHANIE JOHNSON, COUNTY CLERK