

**THE EFFINGHAM COUNTY
COMMISSIONERS' MEETING**

The Board of Commissioners of Effingham County, Georgia Mr. Reginald S. Loper, Sr., Vice-Chairman, Mr. Robert Brantley, Mrs. Vera Jones, Mr. Steve Mason, and Mr. Phil Kieffer met in regular session at 5:00 p.m. on Tuesday, May 01, 2012 in the Commissioners' Meeting Room at the Effingham County Administrative Complex. Chairman C. D. Zeigler was not present at the meeting.

PERSONS ATTENDING THE MEETING

Mrs. Elizabeth Pavlis, County Attorney, Mr. David Crawley, County Administrator, Mr. Adam Kobek, Community Relations Director, Mr. Steve Liotta, County Engineer, Mrs. Patrice R. Crawley, County Clerk, Ms. Rushe Hudzinski-Sero, Human Resources Director, Mrs. Joanna Wright, Finance Director, Mr. Charlie Kea, Wayne Hodges, Mack Thompson, Danny Mosley, Bonnie Gnann, Wesley Corbitt, Beth Mosley, Gini M. Nichols, Reiser Rahn, Richard Thrasher, Ralph Graham, David Gnann, Travis Blankenship, F. D. Weitman, Francis Palmer, Jody Burns, and Evans Blackburn.

CALL TO ORDER

Vice-Chairman Loper called the meeting to order.

INVOCATION

Commissioner Jones gave the invocation.

PLEDGE TO THE AMERICAN FLAG

Vice-Chairman Loper led the Pledge to the American Flag.

AGENDA APPROVAL

Commissioner Brantley made a motion to approve the Agenda for the May 01, 2012 Commissioners Meeting. Commissioner Jones seconded the motion. The motion carried unanimously.

MINUTES

Commissioner Mason made a motion to approve the minutes. Commissioner Kieffer seconded the motion. The motion carried unanimously.

PUBLIC COMMENTS

Vice-Chairman Loper stated that if anyone would like to discuss an Agenda Item, they may do so when that item is presented.

CONSENT AGENDA

Vice-Chairman Loper read out loud the Consent Agenda Items. Commissioner Kieffer made a motion to approve:

(01) CONSIDERATION TO APPROVE ERRORS AND RELEASES FOR MOBILE HOME TAX AS SUBMITTED BY THE TAX COMMISSIONER;

(02) CONSIDERATION TO APPROVE ERRORS AND RELEASES FOR PROPERTY HOME TAX AS SUBMITTED BY THE TAX COMMISSIONER;

(03) CONSIDERATION TO APPROVE THE SECOND READING TO AMEND MAP AND PARCEL NUMBER 435-7A FOR REZONING 2.93 ACRES FROM R-1 TO AR-2 LOCATED AT 1496 HODGEVILLE ROAD WITH THE FOLLOWING STIPULATIONS:

1. Each lot shall meet the requirements of the AR-2 Zoning District.
2. Site development plans shall comply with the Effingham County Water Management Local Design Manual.
3. All wetland impacts shall be permitted by the USACE.
4. Subdivision plat shall be approved by the Health Department and the Zoning Office.

(04) CONSIDERATION TO APPROVE THE SECOND READING TO AMEND MAP AND PARCEL NUMBER 460-28A FOR REZONING OF 1 ACRE FROM R-1 TO AR-1 LOCATED AT 494 WALDHOUR ROAD WITH THE FOLLOWING STIPULATIONS:

1. Each lot shall meet the requirements of the AR-1 Zoning District.
2. Site development plans shall comply with the Effingham County Water Management Local Design Manual.
3. All wetland impacts shall be permitted by the USACE.
4. Subdivision plat shall be approved by the Health Department and the Zoning Office.

Commissioner Jones seconded the motion. The motion carried unanimously.

OLD BUSINESS

CONSIDERATION TO APPROVE THE SECOND READING TO AMEND THE OFFICIAL CODE OF EFFINGHAM COUNTY FOR THE DISTANCE RESTRICTIONS WITHIN THE ALCOHOL ORDINANCE (01): County Administrator Crawley explained that the public hearing was held at the April 17, 2012 meeting to amend the Official Code of Effingham County for the distance restrictions within the alcohol ordinance.

Mr. Charlie Kea stated his concerns for the distance restrictions within the alcohol ordinance.

Commissioner Kieffer made a motion to approve the second reading to amend the Official Code of Effingham County for the distance restrictions within the Alcohol Ordinance (see minute book page _____). Commissioner Brantley seconded the motion. Vice-Chairman Loper opposed the motion. Commissioners Brantley, Jones, Mason, and Kieffer voted in favor of the motion. The motion carried.

APPEARANCE

Mr. Brett Feemster with MultiVista gave a presentation on benefits and possible cost impacts that the construction photography, video and webcam services for construction documentation for the Effingham County jail project.

NEW BUSINESS

CONSIDERATION TO APPROVE PHASE II & III WORK AUTHORIZATION WITH RIVES E. WARRELL FOR DESIGN BUILD SERVICES TO CONSTRUCT A NEW SHERIFF'S OFFICE AND JAIL (01): Community Relations Director Kobek explained that the Board executed a contract with Rives E. Worrell for Design Build Services to construct a new sheriff's office and jail. In September 2011, the Board authorized the programming, schematic design and site analysis, and each subsequent phase of the project requires Board approval. Schematic design, site selection and preliminary pricing are now complete. The next step is consideration by the Board to authorize phase II and III which will carry the project through final design, construction documents and guaranteed maximum pricing. The cost of this will be \$556,472.50.

Vice-Chairman Loper made a motion to approve phase II and III work authorization with Rives E. Warrell for Design Build Services to construct a new Sheriff's office and jail (see minute book page _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE STAYING WITH THE CURRENT INVESTMENT PLATFORM FOR RETIREMENT PLANS AND REVIEW OF THE 2011 ACTUARIAL REPORT (02): Human Resources Director Hudzinski-Sero gave an overview of the current investment platform for retirement plans.

Commissioner Jones made a motion to stay with the current investment platform for the retirement plans. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO EXPENSE FY2011/2012 CONSTRUCTION IN PROCESS COST WHICH IS NO LONGER A PART OF THE SHORT TERM WORK PROGRAMS OR THE CAPITAL IMPROVEMENT ELEMENT (03): Finance Director Wright explained that over the last several years the count engaged in several projects which are no longer within the CIE or STWP. These projects were considered construction in process. The cost associated with design implementation or constructing new assets must be captured as Construction in Process prior to in-service date. Normally, construction in process accounts are closed out and converted to a depreciable asset when the project is substantially completed, occupied or placed in service. The Heritage Track project has been dropped off the viable projects list and is no longer considered CIP. During subsequent years the cost for engineering in the amount of \$400,018 was incurred and recorded under CIP. Given this project will not be done in the foreseeable future; the cost needs to be expensed.

Commissioner Jones made a motion to approve expense 2011/2012 Construction In Process cost for the Heritage track engineering, which is no longer a part of the short term work programs or the capital improvement element in the amount of \$400,018. Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE DIRECTION FOR THE JAIL FINANCING (04): Finance Director Wright explained that Board of Commissioners tentatively approved a jail capital improvement project with a budget of \$16,425. The project will require the County to finance over a period of five years. In prior years, the County has elected to use tax-exempt, lease-purchase financing and certificate of participations (COPS). This is commonly known as a facilities leasing program. Key participants in this type of financing arrangement include ACCG, an underwriter, and bond counsel. Effingham County has previously financed major projects like the judicial complex in this manner.

Commissioner Jones made a motion to approve moving ahead with securing the bond counsel of Gray, Pannell & Woodward and using Merchant Capital as the underwriter on the financing of the jail. Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN EASEMENT WITH GEORGIA POWER AT THE LANDFILL SITE (05): Community Relations Director Kobek explained that the Board has previously approved the construction of a new landfill and sanitation office building. The new office building will be served with a new three phase power drop. Georgia Power will provide the new connection from an adjoining pole, free of charge but will require an easement from the Board.

Commissioner Kieffer made a motion to approve an easement with Ga Power at the landfill site (see minute book page _____). Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A RESOLUTION TO SET THE 2013 SANITATION FEES (06): County Administrator Crawley explained that every year the Board adopts a Resolution setting the Sanitation Fee. The fee last year was \$180 and staff proposes the fee to increase to \$200 a year. This fee is collected by the Tax Commissioners office.

Mr. Stephen Thompson and Mr. Richard Thrasher stated their concerns about the increase of the sanitation fee and the recycling program.

Commissioner Kieffer made a motion to approve a Resolution to set the 2013 Sanitation Fees to \$200 a year, addition cart of \$100 a year, and elderly special school exemption of \$100 a year (see minute book page _____). Commissioner Mason seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A RESOLUTION TO ADOPT LOCAL GOVERNMENT RECORD RETENTION SCHEDULE (07): County Clerk Crawley explained that per the Georgia Records Act all local governments must adopt a records management plan. In 2005, the Board approved a resolution to adopt a local government record retention but it has expired. In the proposed Resolution, it states that Effingham County will follow the retention schedules for local

government records schedule that are approved by the Secretary of State; therefore, the Resolution will not expire.

Commissioner Jones made a motion to approve a Resolution to adopt local government record retention schedule (see minute book page _____). Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE CALLING LOCAL OPTION SALES TAX (LOST) NEGOTIATIONS (08): County Administrator Crawley explained that Local Option Sales Tax law requires counties and qualified cities receiving general purpose LOST revenue to renegotiation distribution agreements prior to the expiration of the tax on December 31, 2012. Renegotiation must begin on or before July 1, 2012. It is the responsibility of the county to call for the renegotiation process to begin, however if the county fails to do so, any qualified city may call for renegotiation after July 1, 2012. Once renegotiation begins, the local government has 60 days to reach an agreement for the distribution of LOST. If they fail to reach an agreement within the time period, the law requires that we submit immediately to nonbinding mediation, arbitration, or another alternative dispute resolution process. Nonbinding dispute resolution must conclude within 60 days. If an agreement, is not reached one or more of the parties must petition the superior court of the count to initiate baseball arbitration. Baseball arbitration is binding and puts the superior court in a position to create the terms of the distribution of LOST. Currently LOST distribution within the County is Guyton 2.90%, Rincon 13.84%, Springfield 5.76% and the County 77.50%. The current LOST distribution will expire on December 31, 2012. Staff would like to set up a pre-negotiation meeting with the Cities.

Commissioner Jones made a motion to approve County Administrator Crawley to send a letter to the Cities requesting a pre-negotiation meeting. Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE PROVIDING REVISED TERMS TO THE CITY OF GUYTON FOR WASTEWATER TREATMENT CAPACITY (09): County Administrator Crawley explained that more recent conversations with the City of Guyton have indicated that the City may once again be willing to discuss the purchase of

wastewater capacity from the County. Staff has created a simple outline of terms to present to the City.

Commissioner Brantley made a motion to approve the Chairman to send a letter to the City of Guyton with a list of terms in order to facilitate discussions on wastewater treatment. Commissioner Mason seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A LEASE AGREEMENT WITH WOODLAWN PLANTATION FOR COMMEMORATING THE 150TH ANNIVERSARY OF THE AMERICAN CIVIL WAR AND THE PLACEMENT OF HISTORICAL MARKER FOR CAMP DAVIS WHICH WAS FORMERLY LOCATED ON SAID PREMISES (10): County Administrator Crawley explained that The Effingham Convention and Visitors Bureau is holding a commemoration of the 150th Anniversary of the Civil War at the site of the original Camp Davis which is now Woodlawn Plantation. The commemorative event will be held on May 12th. The ECVB has been working diligently on this project; the event is open to the public and could be a tourist draw for the community which in turn can benefit the County.

County Attorney Pavlis would like for the wording “in force” be struck from the agreement.

Commissioner Mason made a motion to approve a lease agreement with Woodlawn Plantation for commemorating the 150th Anniversary of the American Civil War and the placement of historical marker for Camp Davis which was formerly located on said premises with the stipulation of striking the wording “in force”, correcting the date, and no driveway will be put in the DOT right of way (see minute book page _____). Commissioner Jones seconded the motion. Vice-Chairman Loper opposed the motion. Commissioners Brantley, Jones, Mason, and Kieffer voted in favor of the motion. The motion carried.

WORKSHOP

FIRE FEES: County Administrator Crawley gave the Board different calculations on the fire fees.

Mr. Frances Palmer, Mr. Fredrick Weitman, Mr. Richard Arnold, Mr. Richard Thrasher, Mr. Mack Thompson, Mr. Travis Blankenship, Mr. David Gnann, Mr.

Charlie Kea, Mr. Ralph Graham, and Mr. Evans Blackburn stated their concerns about the fire fees.

ADJOURNMENT

At 9:34 p.m., Commissioner Mason made a motion to adjourn the meeting. Commissioner Jones seconded the motion. The motion carried unanimously.

C. D. Zeigler, Chairman

Patrice R. Crawley, County Clerk