

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, October 16, 2012 in the Commissioners' Meeting Room at the Effingham County Administrative Complex. Chairman Zeigler was not present.

PERSONS ATTENDING THE MEETING

Mr. Eric Gotwalt, County Attorney, Mr. David Crawley, County Administrator, Mr. Adam Kobek, Community Relations Director, Mr. Toss, Allen, Civil Engineer, Mrs. Patrice R. Crawley, County Clerk, Ms. Rushe Hudzinski-Sero, Human Resources Director, Mrs. Joanna Wright, Finance Director, Mr. Joe Maner, Mr. Jack C. Garvin, Ms. Gussie Nease, Mr. Franklin Goldwire, Mr. Charlie Kea, Ms. Wanda Rowe, Ms. Rosalie King, and Mr. Roy W. Lee.

CALL TO ORDER

Vice-Chairman Loper called the regular meeting to order.

INVOCATION

Commissioner Jones gave the invocation.

PLEDGE TO THE AMERICAN FLAG

Vice-Chairman Loper gave the pledge to the American Flag.

AGENDA APPROVAL

County Clerk Crawley explained that the Retired Educators of Effingham County would like for the Board to proclaim November 4, 2012 as Retired Educators Day in Georgia. Since this item was received after the Commissioner Agenda Books had already gone out and the date to proclaim is November 4; this item would need to be added to the agenda for approval.

Commissioner Jones made a motion to approve the Agenda with the addition of New Business Number 10 – Consideration to approve a proclamation to proclaim November 4, 2012 as Retired Educators Day in Georgia. Commissioner Mason seconded the motion. The motion carried unanimously.

MINUTES

Commissioner Mason made a motion to approve the minutes for October 02, 2012 Commissioners Minutes with corrections that are highlighted in red. Vice-Chairman Loper 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.

CORRESPONDENCE

Vice-Chairman Loper stated that if anyone wanted to see the correspondence received, contact the County Clerk.

CONSENT AGENDA

CONSIDERATION TO APPROVE SANITATION RELEASES (01):

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

NEW BUSINESS

CONSIDERATION TO APPROVE A PROCLAMATION THAT PROCLAIMS THE MONTH OF OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH (01):

Ms. Gussie Nease with Victim Witness read the Proclamation out loud.

Commissioner Kieffer made a motion to approve a Proclamation that proclaims the month of October as domestic violence awareness month. Commissioner Brantley seconded the motion. The motion carried unanimously.

APPEARANCE

RECYCLE BANK: Mr. Art Smith with Republic Waste gave a brief review of how recycle bank works.

NEW BUSINESS CONTINUED

CONSIDERATION TO APPROVE A SUBGRANTEE AGREEMENT FOR FUNDING AWARDED BY GEORGIA EMERGENCY MANAGEMENT AGENCY FROM THE DEPARTMENT OF HOMELAND SECURITY FOR A GSAR LOGISTICS EQUIPMENT CACHE (02):

Community Relations Director Kobek explained that the Board approved a memorandum of understanding (MOU) for the Logistics' Cache' in January, 2012. The MOU gave GEMA the authority to purchase the Logistics' cache' on behalf of Effingham County. This sub-grantee agreement spells out the various responsibilities of the County and GEMA for reporting, deployment, terms and conditions. The cache' or tent city is a disaster relief/response asset, it does come with federal and state requirements and obligations. The County has not requested this cache' this is a state offer with some heavy reporting requirements and legal pitfalls

including possible audit issues of compliance. Staff recommends denying approval of the subgrantee agreement and rescinding the MOU with GEMA approved January 1, 2012.

Commissioner Kieffer made a motion to deny the Grantee-subgrantee agreement for funding awarded by Georgia Emergency Management agency from the Department of Homeland Security for a GSAR logistics equipment cache and to rescind the Memorandum of Understanding that was approved in January, 2012. Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN AGREEMENT WITH COMCAST FOR SERVICE ON 109 GOSHEN ROAD COMMERCIAL PARK DRIVE (03): IT Director Jenkins explained that Effingham County is establishing a multi-service location in Rincon to meet service agreement requirements which will require internet service with greater bandwidth than DSL circuits allow. This site will be supporting Public Safety and one stop service to the public which will consume IT services via internet connectivity from the Administrative Complex. Using these services remotely creates a need for greater bandwidth than DSL internet services allow. Comcast Business Class Service installed on site will meet the required information technology needs for Goshen Station.

Commissioner Mason made a motion to approve an agreement with Comcast for service on 109 Goshen Road Commercial Park Drive (see minute book page ____).

Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN ENGAGEMENT LETTER WITH CAINES, HODGES, PACE & COMPANY P.C. FOR THE AUDIT OF FISCAL YEAR ENDING JUNE 30, 2012 (04): Finance Director Wright explained that the Board awarded a bid to Caines, Hodges, Pace & Company P.C. for audit services earlier this year. Staff recommends that the Board approve an engagement letter with Caines, Hodges, Pace & Company, P.C.

Commissioner Kieffer made a motion to approve an engagement letter with Caines, Hodges, Pace & Company P.C. for the audit of fiscal year ending June 30, 2012 (see minute book page _____). Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE CHANGE ORDER NUMBER 2 WITH BAKER INFRASTRUCTURE GROUP ON OLD AUGUSTA ROAD PHASE 2A, 2B AND SIGNAL IMPROVEMENTS (05): Civil Engineer Allen explained that construction began on Old Augusta Road in March of 2012. Several changes have

occurred during this time, some of which will require that items not included in the original contract be added. Most items in the contract contain unit prices and those items are to be paid based on the actual quantity required. Since we know that some of these items will require greater quantities than those contained in the contract, staff has valued engineered other items to balance the total project cost. Although, these items do not require a change order, they are being included so that the Board can see the full cost implication of adding additional items to the contract. On September 4th, the Board approved change order number 1 for Old Augusta Road, Phase 2A, 2B and signal improvements. At that time it was stated that there would be changes made to the signal at Old Augusta Road and SR21 but that approval of the change had not yet been received from Georgia Department of Transportation. Therefore the pricing wasn't available. After construction began, the owner of the property approached the County with a request to make changes to the proposed location of the strain poles, pedestrian signals and conduits associated with the signal to be installed at SR21 and Old August Road in order to allow for a future roadway to be constructed on the property which will access the proposed traffic signal. There are also some additional conduits, etc. that will need to be installed in order for the future signals that will be installed as part of the construction of an access road in the property to gain access into the control panel for the signal, which is located on the opposite side of SR21 from the owner's property. Change Order Number 2 will increase the contract price of \$48,550.06. Due to some cost changes, staff recommends tabling this change order.

Commissioner Mason made a motion to table change order number 2 with Baker Infrastructure Group to the November 6, 2012 meeting. Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AWARDING A BID FOR OFF-SYSTEM SAFETY IMPROVEMENT LOCATIONS ON MCCALL ROAD, LITTLE MCCALL ROAD AND BLUE JAY ROAD (06): Civil Engineer Allen explained that in October, 2011, the Board voted to enter into a contract with the Georgia Department of Transportation for High Risk Rural Roads improvements to McCall Road, Little McCall Road and Blue Jay Road. The apparent low bidder is Diversified Traffic Services, Inc. with a bid price of \$44,657.00.

Commissioner Jones made a motion to approve the lowest bidder. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE FIRST READING FOR AN AMENDMENT TO THE OFFICIAL CODE OF EFFINGHAM COUNTY CHAPTER 30 ENVIRONMENTAL PART V CRITERIA ORDINANCES (07):

County Administrator Crawley explained that as a result of a recent water assessment survey by Department of Community Affairs, staff looked into whether the required ordinances were ever adopted. No evidence could be found showing that they had previously been adopted. Staff drafted the required model ordinance for Water Supply Watersheds, Groundwater Recharge Areas, Wetlands Protection and River Protection. Mountain Protection is required by the state Act, but since there are no mountains in the County, that article is unnecessary.

Public Hearing was held and there were no objectors.

Commissioner Mason made a motion to approve the First Reading for an amendment to the Official Code of Effingham County Chapter 30 Environmental Part V Criteria Ordinances. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE ACCEPTING THE 2012-2013 GRANT AWARD FROM THE COUNCIL OF JUVENILE COURT JUDGES OF GEORGIA FOR THE PURCHASE OF SERVICES FOR JUVENILE OFFENDERS PROGRAM (08):

Community Relations Director Kobek explained that the Juvenile Offenders program grant is an annual award cycle and Effingham County has been participating for at least 6 years. These funds are non-matching and are used to provide education and tutorial assistance, community service supervision and group counseling for juvenile offenders. The total grant award is for \$3,000 and is governed by the Council of Juvenile Court Judges of Georgia as authorized by the juvenile justice and delinquency prevention act of 1974. The grant award is for the period of October 1, 2012 to September 30, 2013. The funds will be used exclusively for the categories in which they have been set aside for education, community service supervision and group counseling. Staff will get a Memorandum of Understanding to outline the duties. Funding is not available right now but hopefully will become available in the future.

Commissioner Jones made a motion to approve accepting the 2012-2013 grant award from the Council of Juvenile Court Judges of Georgia for the purchase of services for Juvenile Offenders Program and that staff draft a Memorandum of Understanding

between Juvenile Justice and Effingham County Board of Commissioners. Commissioner Brantley seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A TRANSMITTAL RESOLUTION FOR THE 2012 CAPITAL IMPROVEMENT ELEMENT (09): Zoning Administrator Shaw explained that the Capital Improvement Element update is an accounting of how impact fee collections were used. It also includes a Short Term Work program for how future fees are expected to be used. It must be submitted yearly to the Department of Community Affairs for review and adopted by the Board of Commissioners. The Capital Improvement Element update must be approved to maintain the County Qualified Local Government Status.

Commissioner Mason made a motion to approve a Transmittal Resolution for the 2012 Capital Improvement Element with the change of Old Augusta in progress to postponed for water and sewer. Commissioner Brantley seconded the motion. Commissioner Jones opposed the motion. Vice-Chairman Loper, Commissioners Brantley, Mason, and Kieffer voted in favor of the motion. The motion carried.

ADDITION TO THE AGENDA

CONSIDERATION TO APPROVE A PROCLAMATION TO PROCLAIM NOVEMBER 4, 2012 AS RETIRED EDUCATORS DAY IN GEORGIA (10): County Administrator Crawley read the Proclamation with the changes suggested.

Commissioner Jones made a motion to approve a proclamation to proclaim November 4, 2012 as Retired Educators Day in Georgia with changes. Commissioner Kieffer seconded the motion. The motion carried unanimously.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

Vice-Chairman Loper discussed the following:

- ◆ Ms. Lovette from Coastal Regional Council shared how well she was treated by Effingham County.

Commissioners Mason discussed the following:

- ◆ A citizen requested an ordinance against baggy pants

County Attorney Gotwalt discussed the following:

- ◆ Will be receiving a letter of opinion on Executive Session.

County Administrator Crawley discussed the following:

- ◆ Central School Site – waiting for the corrective title deed
- ◆ ACCG Fall Meeting – Commissioner Loper and Jones will be attending
- ◆ ACCG-GMA Joint Fall Training – Nov 15-16 in Macon if you want to attend please let County Clerk Crawly know
- ◆ Stephenson Drive – speed limit – waiting on a response from Public Safety Department
- ◆ Annual Contracts – Patrice working on a spreadsheet
- ◆ Excise Information – Have not received a response to the letter sent out.

- ◆ Hospital Property – Hospital will select names at their November 6th meeting on who will meet with a few of the Commissioners.
- ◆ Green Drive – drainage issue – staff is reviewing data
- ◆ Chicken survey – should have result soon
- ◆ New Parker’s store – Staff met with Coastal Bank
- ◆ Laurel Mill – Staff met with the bank and will present additional information at the next meeting
- ◆ Water and sewer refinancing – Any comments or concerns from information previously provided
- ◆ Rincon’s request to annex Silverwood Center.
- ◆ EMA Training Exercise – On November 5th, there will be a training exercise Preserving Human Capital. This exercise will include several public safety departments and the Commissioners attendance is welcome.
- ◆ Board Policies – Staff has provided a Board Policy for your review.
- ◆ Coastal Coaches – Report is attached for the request on coastal Coaches.
- ◆ Chamber Letter – The chamber has provided a letter concerning what was discussed at the Annual Chamber Retreat.

Transportation Engineer discussed the following:

- ◆ IDA has requested the speed limit on Old River Road to be lowered.

PLANNING BOARD

WANDA A. ROWE – PUBLIC HEARING (04): A Public Hearing was held on the application by Wanda A. Rowe to allow for a camper on property located at 290 Stagefield Road Map 300A Parcel 15 in the First District.

Zoning Administrator Shaw presented the request.

Ms. Roselyn King and Mr. Roy Lee spoke why the request should not be approved.

Ms. Wanda Rowe explained why the request should be approved.

Commissioner Brantley made a motion to deny the application by Wanda A. Rowe to allow for a camper on property located at 290 Stagefield Road. Commissioner Kieffer seconded the motion. The motion carried unanimously.

Zoning Administrator Shaw requested that the Board give Ms. Rowe a certain time to move the camper.

The Board approved to allow Ms. Rowe until December 1st to move the camper

EXECUTIVE SESSION

At 7:18 p.m., Commissioner Brantley made a motion to go into Executive Session to discuss personnel, property, and pending litigation. Commissioner Mason seconded the motion. The motion carried unanimously.

County Administrator Crawley and Commissioners discussed personnel, pending litigation and property. (See copy of Chairperson’s affidavit on minute book page number _____).

At 8:11 p.m. Vice-Chairman Loper made a motion to adjourn Executive Session. Commissioner Jones seconded the motion. The motion carried unanimously.

At 8:16 p.m. Vice-Chairman Loper called the meeting back into Regular Session.

EXECUTIVE SESSION MINUTES

Commissioner Mason made a motion to approve the Board of Commissioners executive session minutes for October 02, 2012 with the corrections. Commissioner Mason seconded the motion. The motion carried unanimously.

ADDITION TO THE AGENDA

Commissioner Kieffer requested to add New Business Number 11 – Consideration to award Connie Denise Burns with the first annual dedicated Citizenship Award. Commissioner Mason seconded the motion. The motion carried unanimously.

CONSIDERATION TO AWARD CONNIE DENISE BURNS WITH THE FIRST ANNUAL DEDICATED CITIZENSHIP AWARD (11): Community Relations

Director Kobek explained that several Commissioners have expressed an interest in an award to recognize outstanding citizens or volunteers. When Ms. Burns passed away there was some discussion on how best to recognize Ms. Burns for her community involvement and good citizenship to the Effingham community. Last meeting, Commissioner Kieffer and Brantley voiced support for moving forward with the award discussion during Committee Reports. The Effingham Magazine’s anniversary event has offered us some time and a venue to present the award. This is a community event with a live and silent auction food and beverages. The only thing we need to do is be there to present the award.

Commissioner Jones made a motion to award Connie Denise Burns with the First Annual Dedicated Citizenship Award. Commissioner Brantley seconded the motion. The motion carried unanimously.

ADJOURNMENT

At 8:21 p.m., Commissioner Brantley made a motion to adjourn. Commissioner Jones seconded the motion. The motion carried unanimously.

C. D. Zeigler, Chairman

Reginald S. Loper, Sr., Vice-Chairman

Robert Brantley

Vera Jones

Steve Mason

Phil Kieffer

Patrice Crawley, County Clerk