

THE EFFINGHAM COUNTY COMMISSIONERS' MEETING

The Board of Commissioners of Effingham County, Georgia, Mr. Reginald S. Loper, Sr., Vice-Chairman, Mrs. Vera Jones, Mr. Steve Mason, and Mr. Phil Kieffer met in regular session at 5:00 p.m. on Tuesday, November 06, 2012 in the Commissioners' Meeting Room at the Effingham County Administrative Complex. Chairman Zeigler and Commissioner Brantley were not present.

PERSONS ATTENDING THE MEETING

Mrs. Elizabeth Pavlis, County Attorney, Mr. David Crawley, County Administrator, Mr. Adam Kobek, Community Relations Director, Mrs. Patrice R. Crawley, County Clerk, Mrs. Joanna Wright, Finance Director, Mrs. Rush Hudzinski-Sero, Human Resources Director, Mr. Toss Allen, Civil Engineer, Ms. Karen Arnold, Executive Assistant, Mr. Jack C. Garvin, Mrs. Betty Renfro, Rev. Reginald Roberts, Rev. Alyce Bullock, Mr. Travis Blankenship, Mrs. Gini Nichols, Mrs. Claudia Collier and Mr. Craig Johnson.

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 Jones made a motion to approve the Agenda with the moving of new business number 17 to come up between new business 3 and 4. Commissioner Mason seconded the motion. The motion carried unanimously.

MINUTES

Commissioner Kieffer made a motion to approve the minutes for the October 16, 2012, Board of Commissioners. Commissioner Jones 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 Consent Agenda number 1 and 2.

Commissioner Jones made a motion to approve the Errors and Releases for Mobile Home Tax (01) and Property Tax (02) as submitted by the Tax Commissioner. Commissioner Kieffer seconded the motion. The motion carried unanimously.

OLD BUSINESS

CONSIDERATION TO APPROVE THE SECOND READING FOR AN AMENDMENT TO THE OFFICIAL CODE OF EFFINGHAM COUNTY CHAPTER 30 ENVIRONMENTAL PART V CRITERIA ORDINANCES (01):

The Board held discussion on the amendment to the Official Code of Effingham County Chapter 30 Environmental Part V Criteria Ordinance on October 02, 2012 and then had the public hearing and first reading on October 16, 2012.

Commissioner Mason made a motion to approve the second reading for an amendment to the Official Code of Effingham County Chapter 30 Environmental Part V Criteria Ordinance (see minute book page _____). Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE CHANGE ORDER NUMBER 2 WITH BAKER INFRASTRUCTURE GROUP WITH OLD AUGUSTA ROAD PHASE 2A, 2B AND SIGNAL IMPROVEMENTS (02):

Civil Engineer Allen explained that more time is needed on getting information that is needed for change order number 2A, 2B and signal improvements and request that this item be tabled.

Commissioner Jones made a motion to table this item until November 20, 2012. Commissioner Kieffer seconded the motion. The motion carried unanimously.

NEW BUSINESS

CONSIDERATION TO APPROVE THE RELEASE OF PROPERTY TAXES FROM MAP 0376A-001-E00 AS REQUESTED BY WALTER MOODY (01):

Walter Moody explained that the process was started to have the roads in phase 10 and 11 of Auriga Farms deeded over to Effingham County.

Michelle Moody stated that she had spoken to Stephanie Johnson and the documents should be completed for the roads to be given to Effingham County.

Mr. Moody stated that he would pay for the taxes on the property, but would request that the penalties and interest be waived by the Board.

Commissioner Jones made a motion to release the penalties and interest on 0376A-001-E00. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE RELEASE OF PROPERTY TAXES FROM MAP G0070-004 AS REQUESTED BY BORN AGAIN TABERNACLE (02): Rev. Reginald Roberts explained that Samuel Smalls had promised a piece of property to the church to be used as a parsonage. When Mr. Smalls passed away, all of his possessions went to Michael Garvin. In 2012, Michael Garvin deeded over the promised property to the Church. That is when the church found out the taxes was owed on the property in the amount of \$8,702.37. The church has filed to be exempt from property taxes but that will take in effect in 2013. Also years ago, the Church paid some money on the taxes but it seems this money was posted to a different account. The Born Again Tabernacle is a small church and can't afford to pay that amount in taxes and is requesting the Board waive the taxes.

Tax Commissioner McDaniel stated that she would have to research the payment being posted to a different account.

Commissioner Mason made a motion to table this item until November 20, 2012 so that the correct amount owed can be shown. Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE RELEASE OF PROPERTY TAX RELEASES AS SUBMITTED BY THE TAX COMMISSIONER (03): County Clerk Crawley explained that at the last meeting the Board questioned the policy for releasing errors and releases of property not on the digest. To answer that question, Chief Tax Appraiser Bevill was asked to come before the Board.

Chief Tax Appraiser Bevill explained that it is a policy of the Board of Assessors to correct property characteristics in the property maintenance records as soon as errors are discovered and reviewed. All documentation explaining the reason for the correction should be filed in property record file of the map and parcel or in case of personal property, the file of the account number. The correction is presented to the Board of Assessors at their meeting for approval. Upon approval, the release is filed in the Tax Commissioner's office. The Tax Commissioner will complete the process by presenting the changes to the Board of Commissioners and upon their approval; a

corrected tax bill or refund is issued.

On personal property, a report is received from the Cities or the County as to whether or not the business has paid for their occupation license. If the license has not been renewed, then it is assumed that the business has been terminated. Therefore, the paperwork is completed stating that and gone to the Board of Assessor's for release. Due to the limited staff and the amount of business, staff can only go with the information that is provided.

Commissioner Jones made a motion to deny the release of property tax releases as submitted by the Tax Commissioner. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE APPLYING FOR TOURISM PROJECT DEVELOPMENT GRANT OFFERED BY THE GEORGIA DEPARTMENT OF ECONOMIC DEVELOPMENT TOURISM DIVISION AND GEORGIA COUNCIL FOR THE ARTS, TO OFF SET COST OF A NEW BATHROOM FACILITY AT THE LIVING HISTORY SITE, APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE HISTORIC EFFINGHAM SOCIETY AND A LETTER OF SUPPORT (17): County Administrator Crawley explained that the grant is worth up to \$15,000 and is designed to financially support sustainable tourism development activities at the local level that maintain and/or create jobs and attract tourist. The Historic Effingham Society is interested in completing a bathroom facility capable of handling large groups; plans are for 6 or 8 toilet bathroom, divided into men and women facilities inside the block building beside the Old Jail Museum. The grant opportunity covers this type of brick and mortar project. The bathroom is needed to support large groups of visitors to the County. The grant application deadline is November 9, 2012, award letters mailed December 12, 2012, project start date January 5, 2013, and completion report is due July 14, 2012. This grant requires a local match and the Historic Effingham Society is willing to pay 100% of the cash match. The MOU states that the County will execute the grant award agreement with Ga. Department of Economic Development, serve as project manager for the grant, contribute and document County in-kind services as committed to the grant budget, remit grant proceeds received from the grant to the Historic Effingham Society for carrying out the grant activities. The application is submitted electronically so authorization is needed

so that County officials can submit the grant. The purchasing policy will be followed when purchasing the items needed for the grant.

Commissioner Jones made a motion to applying for the Tourism Product Development Grant offered by the Georgia Department of Economic Development Tourism Division and Georgia Council for the Arts, to offset costs of a new bathroom facility at the living history site, and approving a MOU with the Historic Effingham Society, with the corrections to the MOU (see minute book page _____).

Commissioner Mason seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN AGREEMENT WITH SAVANNAH TECHNICAL COLLEGE, ADULT EDUCATION DEPARTMENT FOR GED

TESTING (04): Deputy Warden Brown explained that the Prison is required to offer GED preparation and testing. The Prison has always paid for these tests through inmate recreation funds. The County previously employed a part time GED instructor. Savannah Tech now provides GED instruction. Tests are currently administered at Coastal State Prison in Chatham County. This agreement would simply place Savannah Tech as our testing resources at the Prison facility. Having testing at the Prison facility will save transportation and staff time. Approximately 5 to 10 inmates are prepared to take the 5 hour exam every 6 to 8 weeks.

Commissioner Kieffer made a motion to approve an agreement with Savannah Technical College, Adult Education Department for GED testing (see minute book page _____). Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE 2012-2016 EFFINGHAM COUNTY MULTI-JURISDICTION DEBRIS MANAGEMENT PLAN (05):

EEMA Director Myrick explained that the Effingham County Debris Management Plan is essential to the overall emergency response and preparedness of Effingham County. This plan was developed through the Effingham County Emergency Management Agency in cooperation with key Effingham County personnel, the Cities of Guyton, Rincon, and Springfield. The Debris Management Plan creates uniformed guidelines for all departments and municipalities in Effingham County in the event of an emergency.

Commissioner Jones made a motion to approve the 2012-2016 Effingham County Multi-jurisdiction Debris Management Plan (see minute book page _____).

Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A RESOLUTION TO CREATE EFFINGHAM RESOURCE COUNCIL (06): EEMA Director Myrick explains that the Effingham Resource Council will be an invaluable resource for both the Effingham County Citizens and the Board of Commissioners. The Effingham Resource Council was developed through the Effingham County Emergency Management Agency with planning efforts from key administrative staff and is endorsed by volunteer organizations. The Resolution to create is accompanied by the Effingham Resource Council by-laws which governs and outlines operating guidelines. The Effingham County Board of Commissioners shall create the Effingham Resource Council, but will work independently from the County once it either receives its 501(c) (3), non-profit status or July 1, 2013, whichever shall come first.

Commissioner Jones made a motion to approve a Resolution to create Effingham Resource Council (see minute book page _____). Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE COMCAST INTERNET SERVICE AND PRI CIRCUIT FOR FAX AGREEMENT (07): IT Director Jenkins explained that Windstream currently provides a PRI for County fax and Comcast provides the primary internet service. Windstream currently charges \$1,505 for monthly PRI fax service. Comcast is offering a PRI and internet upgrade for \$525 a month.

Commissioner Jones made a motion to approve Comcast Internet Service and PRI Circuit for Fax Agreement (see minute book page _____). Vice-Chairman Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN AGREEMENT WITH WALGREENS FOR AN ON SITE FLU SHOT CLINIC (08): HR Director Hudzinski-Sero explained that Walgreen's has the option to provide an onsite workplace flu shot clinic as an approved provider for United Health Care (UHC). The flu shot is free for county employees and those covered under the UHC plan as opposed to the standard \$25 co-pay. There is flexibility to schedule on site at different county offices for expediency of service without resorting to prescheduled physician appointments.

Commissioner Mason made a motion to approve an agreement with Walgreens for an onsite flu shot clinic (see minute book page _____). Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE ANY CHANGES TO THE COUNTY RETIREMENT PLAN (09): HR Director Hudzinski-Sero explained that the 457(b) plans have overall investments is valued at \$2,505,270.35 and the enrolled active participation rate is 58.431%. The 401(a) plans have an overall investment valued at \$3,637,557.16 in which the year to date return is 12.19% and active participation rate is 95.930%. The Defined Benefit Plan has a value of \$6,253,876 with a year to date return of 12.23%. The assets allocation is still in line with the Commissioners Investment policy statement of a Moderate Investment Objective.

Staff recommends no changes to the investment platforms.

Commissioner Jones made a motion to approve no changes to the county retirement plan. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A WATER AGREEMENT WITH BGN INVESTMENTS, LLC FOR SOUTHBROOK SUBDIVISION (10): County Engineer Liotta explained that as of this morning the owners of Southbrook Subdivision requested changes to the terms of the agreement. Since these changes, staff request that this item be tabled until November 20, 2012.

Commissioner Jones made a motion to table this item until November 20, 2012. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A WARRANTY DEED WITH BGN INVESTMENTS, LLC FOR THE WELL SITE, WELL, STORAGE TANK, AND RELATED IMPROVEMENTS IN SOUTHBROOK SUBDIVISION (11): County Engineer Liotta explained that due to the requested change, that the Board denies accepting the warranty deed.

Commissioner Jones made a motion to deny the warranty deed with BGN Investments, LLC. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AWARDED A BID, APPROVING A CONTRACT, CHANGE ORDER NUMBER 1 AND ISSUE A NOTICE TO PROCEED FOR OFF-SYSTEM SAFETY IMPROVEMENTS IN THREE LOCATIONS (12): Civil Engineer Allen explained that on October 16, 2012, the Board voted to award a bid for off-system safety improvements in three locations to Diversified

Traffic Services, Inc. On October 26th, a letter was received stating that Diversified Traffic Services didn't feel that they would be able to meet the requirements of the contract. Therefore, staff recommends awarding the contract to the next lowest bidder; which is Middle Ga. signs-Signs-Designeffex, Inc. As discussed at the October 16th Board meeting, items were removed from the project to insure that the project cost would not exceed the total amount eligible for reimbursement from Ga. Department of Transportation. Since the bids were lower than estimates, staff would like to add those items back to the project. To do so will require a change order.

Commissioner Kieffer made a motion to approve awarding a bid, approving a contract, change order number 1 and issue a notice to proceed for off-system safety improvements in three locations (see minute book page _____). Commissioner Mason seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A BUDGET AMENDMENT FOR YEAR ENDING 06/30/2012 (13): Finance Director Wright explained that each year the Board of Commissioners proposes a tentative budget for the year. During the year, the Board receives request from agencies and department heads to adjust the budget. Additionally, other factors such as revenue may fluctuate thereby allowing the Board to direct additional expenditures to be made. As such, a formal budget resolution incorporating these factors is made to adjust the budget accordingly. These additional budget adjustments are being made in order to close the fiscal year ending 06/30/12.

Commissioner Jones made a motion to approve a budget amendment for year ending 06/30/2012 with the changes presented (see minute book page _____). Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE SENDING A LEASE TERMINATION LETTER TO DR. HAMBY FOR THE 2ND FLOOR OFFICE SPACE CURRENTLY USED BY EFFINGHAM EMS (14): Community Relations Director Kobek explained that the County EMS currently rents the second floor of a building owned by Dr. Hamby. The site is no longer needed with the construction of Goshen Station. The County is scheduled to complete construction of the Goshen Station by November 30th. Notice of at least 30 days is required to terminate the lease agreement with Dr. Hamby.

Commissioner Mason made a motion to approve sending a lease termination

letter to Dr. Hamby for the 2nd floor office space currently used by Effingham EMS (see minute book page _____). Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE CHANGE ORDER NUMBER 1 FOR THE GOSHEN PUBLIC SAFETY BUILDING (15): Community Relations Director Kobek explained that the Board authorized the construction of Goshen Station earlier this year. Construction is now scheduled for completion on November 30th. The station will serve as a Sheriff's substation, EMS site, and Fire Station. The change order is a credit, the total credit the Board is approving is \$1,166, the architect will be paying an additional \$875 raising the total credit to \$2,041.

Commissioner Jones made a motion to approve change order number 2 for the Goshen Public Safety Building (see minute book page _____). Vice-Chairman Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A CONTRACT WITH AGL RESOURCES FOR GOSHEN PUBLIC SAFETY BUILDING (16): Community Relations Director Kobek explained that the Board authorized the construction of this station earlier this year; the project is scheduled for completion on November 30, 2012. The site is served by a backup generator to provide power to the well system and the station, the building is also served with gas bay heaters and gas water heaters. This contract authorizes the line extension to serve the site. The cost of running this service is \$3,638.46 and is an expense that was budgeted for.

Commissioner Mason made a motion to approve a contract with AGL Resources for Goshen Public Safety Building (see minute book page _____). Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE COUNTY CLERK TO CONTINUE AS THE EFFINGHAM COUNTY'S LEGISLATIVE COORDINATOR WITH ACCG (18): County Clerk Crawley explained that in 2012, ACCG established a network of county legislative coordinators to help improve communications with the members while the General Assembly is in session. In the past, the County Clerk has been the County Legislative Coordinator. ACCG would like to know if Effingham County will keep the same County Legislative Coordinator or if another one will be appointed. If someone else is appointed, then the board will need to pass a new resolution stating who

this person will be.

Commissioner Kieffer made motion to approve the County Clerk to continue as the Effingham County's legislative coordinator with ACCG. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE CHANGING FUTURE BOARD OF COMMISSIONERS MEETING BY CANCELING DECEMBER 18, 2012 MEETING AND MOVING THE JANUARY 1, 2013 MEETING TO JANUARY 8TH AND MOVING THE JANUARY 15, 2013 MEETING TO JANUARY

22ND(19): County Clerk Crawley explained that due to the holidays, the Board has always had one meeting in the month of December. Due to January 1st being a County Holiday, it would be necessary to move the first meeting in January. Since there will be five Tuesday's in January, it would be easy to move the January meetings one week behind.

Commissioner Jones made a motion to move the December 4th meeting to December 11th, canceling the December 18th meeting, moving the January 1st meeting to January 8th and moving the January 15th meeting to January 22nd. Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE NOMINATIONS TO THE HOSPITAL AUTHORITY FOR THE FIFTH DISTRICT (20): Commissioner Jones explained that do to a possible conflict; she would step down for the nominations to the Hospital Authority.

This item does not have a quorum of the Commissioners to vote on it.

Commissioner Jones rejoined the meeting.

Commissioner Kieffer made a motion to table this item until November 20th. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A LICENSE AGREEMENT WITH ASCAP MUSIC (21): County Administrator Crawley explained that ASCAP began calling several months ago to inquire as to what types of music the County plays at sporting events, public gatherings, festivals and public events and if the County has a license to be able to use this music. ASCAP then sent a letter and contract, which according to them was crafted for local governments. The base license fee is \$637 and covers events presented or hosted by the County and covers events such as Arts and

Craft fairs, festivals, amateur athletic events, concerts, parades, carnivals, and County sponsored conventions. The County does play music from time to time, but not at recreation facilities and we host dance classes but the teacher provides the music licenses. Music considered in the public domain, 1922 and earlier, does not require a license.

Commissioner Jones made a motion to deny a license agreement with ASCAP Music. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

DISCUSSION ON AN ORDINANCE TO LEVY A LOCAL EXCISE TAX ON ENERGY USED IN MANUFACTURING (22): County Administrator Crawley explained that during the 2012 legislative session, The General Assembly passed legislation that would phase out local sales tax over a 4 year period on energy used in manufacturing. The legislation allows for local governments to recoup lost local sales tax revenue by levying an energy excise tax at a rate equal to the amount exempted. To levy the excise tax, the county must first hold a meeting with all municipalities within the county to discuss whether and when to levy the excise tax. Written notice was provided on August 21, 2012 and a meeting was held on September 4, 2012. Further, as directed by the Board, staff provided a written correspondence to all known industries within the County to begin evaluating the magnitude of revenue the tax would generate. Today, staff has only received verbal information. The Board does not currently have or imposed such an excise tax, however, these funds are currently received through LOST and SPLOST.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

Commissioner Jones discussed the following:

- ❖ The roads in Coldbrook Subdivision. Staff stated that these roads would have to be brought up to county standard.
- ❖ Hearing for the “Kno” animal. Staff stated that this hearing is required by law.

Commissioner Mason discussed the following:

- ❖ Big trucks using roads for short cuts. Can we put weight limits on the roads? Staff to look into this.

County Administrator Crawley discussed the following:

- ❖ Waiting on the corrective deed to be filed in Effingham County Superior Court.
- ❖ ACCG joint training meeting in Macon.
- ❖ Stephenson Crystal drive speed limit.
- ❖ Annual Contracts still working on handling that.
- ❖ Hospital property – waiting on a meeting.
- ❖ Drainage issue – Toss is working on it.
- ❖ Chicken Survey is completed and in your box.
- ❖ Met with bank concerning Laurel Mill and will present additional information to the Board at the next meeting.

- ❖ Chamber is requesting for the Board to pass a resolution concerning issues that were brought up at the Chamber Annual Retreat.
- ❖ Options for connecting Fort Howard Road to the City portion of the road. Toss to bring a plan and numbers to the next meeting.
- ❖ New LOST analysis for the Commissioners that were not at the LOST meeting.
- ❖ Merrill Lynch is closing public funds account and the Staff has already sent out RFP.
- ❖ Financial summary for September 2012.

EXECUTIVE SESSION MINUTES

Commissioner Jones made a motion to approve the Board of Commissioners executive session minutes for October 16, 2012. Vice-Chairman Loper seconded the motion. The motion carried unanimously.

EXECUTIVE SESSION

At 8:33 p.m., Vice-Chairman Loper made a motion to go into Executive Session to discuss personnel, property, and pending litigation. Commissioner Kieffer seconded the motion. The motion carried unanimously.

County Administrator Crawley and Commissioners discussed property. (See copy of Chairperson's affidavit on minute book page number _____).

At 9:00 p.m., Commissioner Mason made a motion to go back into Regular Session. Commissioner Jones seconded the motion. The motion carried unanimously.

ADJOURNMENT

At 9:00 p.m., Commissioner Kieffer made a motion to adjourn the meeting. Commissioner Jones seconded the motion. The motion carried unanimously.

Reginald S. Loper, Sr., Vice-Chairman

Patrice Crawley, County Clerk