

**THE EFFINGHAM COUNTY
COMMISSIONERS' MEETING**

The Board of Commissioners of Effingham County, Georgia, Mr. Wendall Kessler, Chairman, Mr. Steve Mason, Vice-Chairman, Mr. Forrest Floyd, Mrs. Vera Jones, Mr. Reginald Loper, Sr., and Mr. Phil Kieffer met in regular session at 5:00 p.m. on Tuesday, February 19, 2013 in the Commissioners' Meeting Room at the Effingham County Administrative Complex.

PERSONS ATTENDING THE MEETING

Mr. Eric Gotwalt, County Attorney, Mr. David Crawley, County Administrator, Mr. Adam Kobek, Director of Community Relations, Mr. Toss Allen Civil Engineer, Mrs. Patrice R. Crawley, County Clerk, Ms. Karen Arnold, Executive Assistant, Mrs. Joanna Wright, Finance Director, Ms. Allison M. Judge, Ms. Brandy McDonald, Ms. Tabatha Bruner, Ms. Shannon Middleton, Mr. Greg Jaudon and Mr. James Gray.

CALL TO ORDER

Chairman Kessler called the meeting to order.

INVOCATION AND PLEDGE TO THE AMERICAN FLAG

Chairman Kessler gave the invocation and led the Pledge to the American Flag.

AGENDA APPROVAL

Vice-Chairman Mason made a motion to approve the Agenda as presented (see minute book page _____). Commissioner Jones seconded the motion. The motion carried unanimously.

MINUTES

Commissioner Loper made a motion to approve the minutes for February 07, 2013. Commissioner Kieffer seconded the motion. The motion carried unanimously.

PUBLIC COMMENTS

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

CONSENT AGENDA

CONSIDERATION TO RELEASE OR NOT RELEASE FIRE FEES AS SUBMITTED BY THE FIRE DEPARTMENT (01): Commissioner Loper made a motion to release fire fee on parcel 0401A-004 and to not release any fire fees on parcel 2950-025. Vice-Chairman Mason seconded the motion. The motion carried unanimously.

OLD BUSINESS

CONSIDERATION TO APPROVE AWARDING A BID FOR INMATE MEDICAL (01): Purchasing Agent Charleton stated that at the January 22, 2013 meeting, staff presented proposals for inmate medical services for the prison and jail. The Commissioners requested staff to conduct negotiations with our current inmate medical provider TransformHealthRX before accepting a bid. TransformHealthRX agreed to stagger their current nursing hours for expanded coverage which can be customized should the Sheriff or Warden require, lower their annual contract fee by \$12,000 and agreed to not to increase their contract fee for two years. Staff recommends going with TransformHealthRX because of the quality of service with proven results.

Ms. Allison Judge and Finance Director Wright stated why the County should stay with TransformHealthRx.

Commissioner Jones made a motion to approve awarding a bid for inmate medical to TransformHealthRX. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN AGREEMENT TO PROVIDE FISCAL AGENT SERVICES FOR THE COMMUNITY IN SCHOOLS PROGRAM (02): County Clerk Crawley stated that Executive Director Spencer has requested that this item be tabled until March 19th so that she could go over the changes with Family Connection's Executive Board.

Commissioner Kieffer made a motion to table this item until March 19th. Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN AGREEMENT TO PROVIDE FISCAL AGENT SERVICES FOR THE WILLING INTERVENTION NOW FOR STUDENTS PROGRAM (03):

County Clerk Crawley stated that Executive Director Spencer has requested that this item be tabled until March 19th so that she could go over the changes with Family Connection's Executive Board.

Commissioner Kieffer made a motion to table this item until March 19th. Commissioner Loper seconded the motion. The motion carried unanimously.

NEW BUSINESS

CONSIDERATION TO APPROVE A CONTRACT WITH ARAMARK FOR FOOD SERVICES AT THE PRISON (01): Purchasing Agent Charleton explained on January 22, 2013, the Board accepted a bid from Aramark Correctional Services to provide food services for the County Prison, Jail and Senior Citizens. The initial term of the agreement with Aramark Correctional Services is from April 1, 2013 through June 30, 2014 and by mutual agreement may be renewed for three additional one year periods. The agreement from Aramark Correctional Services complies with the accepted bid and has been reviewed and approved by the County Attorney.

Commissioner Jones made a motion to approve a contract with Aramark for food services at the Prison (see minute book page _____). Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN ASSEMBLAGE PERMIT FOR HENRY DRAYTON TO BLOCK OFF A SECTION OF LOWGROUND ROAD BETWEEN MCCALL AND BURNT TREE ON FEBRUARY 23, 2013 (02): Zoning Administrator Shaw explained that Henry Drayton is requesting for an assemblage permit to block off a public road to shoot scene for a short film but due to the weather is requesting that the request be tabled to the next meeting.

County Administrator Crawley requested that the Board go ahead and grant the permit but with a stipulation that the Mr. Drayton must notify staff 7 days before, public notification of the road being closed, that he pay for the Sheriff's Department to direct traffic and that this permit shall expire at end of March.

Vice-Chairman Mason made a motion to approve with conditions that Mr. Drayton provide public notification, provide traffic control from the Sheriff's Department with two officers, staff be notified at least 7 days before the closing

and that the activity be completed by March 31, 2013. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE REAPPOINTING THREE AT LARGE PLANNING BOARD MEMBERS (03): Zoning Administrator Shaw explained that the three at large seats on the Planning Board are up for appointment. These seats are occupied by Alphonso Giles, William Sellers, and Dave Burns. All three of these individuals would like to be reappointed. Staff ran an ad in the paper requesting interested parties to complete an application and no one came forward.

Commissioner Loper made a motion to approve reappointing Alphonso Giles, William Sellers, and Dave Burns to the Planning Board. Commissioner Floyd seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE CHANGE ORDER NUMBER 4 WITH BAKER INFRASTRUCTURE GROUP ON OLD AUGUSTA ROAD PHASE 2A, 2B, AND SIGNAL IMPROVEMENTS (04): Transportation Engineer Allen explained that the current construction plans for Old Augusta Road Phase 2A stop approximately 2,650 feet from the improvements that the City of Rincon made to Ft Howard Road. Previous conversation with the Board indicated a desire to improve this section of road way as a part of the construction of Old Augusta Road. Plans were developed in-house and presented to Baker Infrastructure Group for consideration to be constructed as a change order. The proposed design is for a three lane road section which will accommodate the school which is planned to be constructed on Ft. Howard Road. The intersection with Old Augusta Road is designed to accommodate any future signalization of this intersection without any modifications to the roadway. This change order will result in an increase in the contract price of \$945,652.90. The Board discussed options for Ft. Howard Road improvements including three lanes or basic resurfacing. Staff was directed to provide a cost estimate for resurfacing the road.

Commissioner Mason made a motion to table this item until March 5, 2013. Commissioner Kieffer seconded the motion. The motion carried unanimously.

PUBLIC APPEARANCE

DENNIS ANSEL – Mr. Ansel discussed and showed the destruction and effect to Riverside Drive from a logging operation.

CONTINUE NEW BUSINESS

CONSIDERATION TO APPROVE A MEMORANDUM OF UNDERSTANDING WITH THE BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA ON BEHALF OF THE UNIVERSITY OF GEORGIA COOPERATIVE EXTENSION (05): Director of Community Relations Kobek explained that the UGA Cooperative Extension office has had a local presence in Effingham County for quite some time. This MOU is to memorialize our agreement with the Board of Regents to continue providing these services in Effingham County. The County finance office is responsible for annually reviewing the financial practices of the County Extension office to ensure proper accounting, reconciliation of reimbursements, handling of disbursements, etc. The Extension office is used by many residents and citizens of Effingham County. This agreement sets the terms of agreement to have a UGA Extension office located in Effingham County.

Commissioner Loper made a motion to approve a Memorandum of Understanding with the Board of Regents of the University System of Georgia on behalf of the University of Georgia Cooperative Extension (see minute book page _____). Commissioner Mason seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A LOCATION AGREEMENT WITH AVERITT CENTER FOR THE ARTS FOR THE USE OF THE HISTORIC EFFINGHAM COUNTY COURTHOUSE ON MARCH 16, 2013 FOR A PRODUCTION (06): Director of Community Relations Kobek explained that the Averitt Center for the Arts in partnership with the Mars Theatre group are interested in having a play at the Historic Effingham County Courthouse. A portion of the proceeds will go to the Mars Theatre group to help fund the renovations of the theater. The play is entitled "Twelve Angry Jurors" and they are requesting to perform the play on Saturday, March 16, 2013. The Averitt Center and Mars Theatre group will arrange for an employee of Effingham County to open and close the building. It was

suggested that in lieu of a fee being charged to the Averitt Center, that the County receive acknowledge on the play bill.

Commissioner Loper made a motion to approve a location agreement with Averitt Center for the Arts for the use of the Historic Effingham County Courthouse on March 16, 2013 for a production with the County receiving acknowledgment on the play bill (see minute book page _____). Commissioner Floyd seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE EFFINGHAM COUNTY BOARD OF COMMISSIONERS TO SPONSOR THE SUMMER FOOD PROGRAM FOR 2013 AND TO APPROVE THE CHAIRMAN TO EXECUTE A CONTRACT WITH BRIGHT FROM THE START

AFTER ATTORNEY APPROVAL (07): County Clerk Crawley explained that for the past several years the Board has participated in the Summer Food Service Program. This program offers a nutritious summer lunch for children in the Guyton, Clyo and Springfield area. Some of the costs of the program are reimbursed from state/federal funds. Ms. Natalie Scott was the program director last year and has agreed to be the director this year. In 2012, the program ran for 31 days while school is out and served 3,060 meals. The total cost including groceries, personnel and expenses equaled \$13,466.00 and the county was reimbursed \$10,342.80. When the food services for the Prison were bid out, the company was made aware of the summer food program and the cost of the lunches will be approximately \$2.00 per lunch. The agreement is an online agreement and has to be filled out in parts before being able to print out.

Commissioner Jones made a motion to approve Effingham County Board of Commissioners to sponsor the Summer Food Program for 2013 and to approve the Chairman to execute a contract with Bright from the Start after attorney approval with the stipulation that funding shall not to exceed the remaining \$3,200 and to bring the budget back to the Board (see minute book page _____). Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE COMMISSIONERS TRAINING FOR ACCG SPRING TRAINING (08): County Clerk Crawley explained that a policy was passed

requiring Board approval any travel. Chairman Kessler and Commissioner Floyd will be traveling to Tifton for training on March 21st and 22nd. This training is necessary for the Commissioners to become a Certified Commissioner.

Commissioner Kieffer made a motion to approve Commissioner training and travel to ACCG Spring Training. Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN INTERGOVERNMENTAL AGREEMENT FOR THE ALLOCATION AND DISTRIBUTION OF PROCEEDS FROM THE ENERGY EXCISE TAX

(09): County Administrator Crawley explained that the Board and the Cities of Rincon and Springfield previously entered into an intergovernmental agreement for the allocation and distribution of proceeds from the energy excise tax. The City of Guyton failed to inform the County in a timely manner to be included in the Intergovernmental Agreement. In order to allow the City of Guyton to be included in the Intergovernmental Agreement, a new Intergovernmental Agreement must be executed including all of the Cities.

Commissioner Loper made a motion to approve an Intergovernmental Agreement for the allocation and distribution of proceeds from the energy excise tax (see minute book page _____). Commissioner Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A RESOLUTION BY THE EFFINGHAM COUNTY BOARD OF COMMISSIONERS OPPOSING LEGISLATION REQUIRING EFFINGHAM COUNTY TO HOLD NON-PARTISAN ELECTIONS FOR COUNTY COMMISSIONERS (10):

Chairman Kessler read aloud the Resolution opposing legislation requiring Effingham County to hold non-partisan election for County Commissioners.

Commissioner Floyd made a motion to approve a Resolution by the Effingham County Board of Commissioners opposing legislation requiring Effingham County to hold non-partisan elections for County Commissioners (see minute book page _____). Commissioner Kieffer seconded the motion. Vice-Chairman Mason and Commissioner Loper opposed the motion. Commissioners Floyd, Jones, and Kieffer voted in favor of the motion. The motion carried.

PLANNING BOARD

NEW BUSINESS

JAMES M. GRAY – PUBLIC HEARING (01): A Public Hearing was held on the application by James Gray for a variance use to allow for a camper for seasonal use for 10 months out of the year Map 250-24 located at 233 Porter Road in the Third District.

Zoning Administrator Shaw presented the request.

There were no objectors present.

Vice-Chairman Mason made a motion to deny the application by James Gray for a variance use to allow for a camper for seasonal use for 10 months out of the year. Commissioner Loper seconded the motion. The motion carried unanimously.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

Commissioner Mason asked Greg Jaudon to speak to the Board concerning weigh limits on county roads.

Greg Jaudon explained that heavy trucks are wearing out McCall road. He recommended the Board enforce no through traffic on certain county roads.

County Administrator Crawley discussed the following:

- ◆ Hospital property – Showed a revised sketch of the property requested. Staff was directed to redraw the sketch and bring back before the Board.

Director of Community Relations Kobek discussed the following:

- ◆ Gateway building and the property that the building is on.

County Administrator Crawley discussed the following:

- ◆ Weight limits – Staff suggested classifying roads to include certain weight limits or thru truck traffic
- ◆ Log Permits – Staff will provide an ordinance once process for a log permit has been established.
- ◆ Water rate increase from the City of Savannah – Wholesale water rates will increase from \$1.78 per 1000 gallons to \$1.84 per 1000 on April 1, 2013. Staff will bring rate changes to the Board.
- ◆ Olde Effingham Day – planning for this event continues.
- ◆ Eli Whitney Watershed ditch – County Attorney is reviewing the information gathered on the ditch.
- ◆ Subdivision street lights – Staff provided information a few meetings ago. Any comments or directions to staff.
- ◆ ACCG training in April – if you are planning on attending please let the County Clerk know as soon as possible.
- ◆ Transportation Advisory Board – The Transportation Advisory Board will make a recommendation to the Board of Commissioners for a proposed MPO boundary in Effingham County.
- ◆ Transportation Meeting – Staff has scheduled a meeting with DOT in Atlanta for Thursday.
- ◆ Financials – The Financials are attached for the Commissioners to review.

- ◆ Work Force Investment Act meeting – A meeting with Chief Elected Officers to discuss the work force investment act will be February 26th to determine the direction of future endeavors. If you would like to attend, please let the County Clerk know.
- ◆ Flood Insurance Rate Map update – Meeting with the local government officials concerning the flood insurance rate map will be February 27th at 1:30 – 3:30 and public meeting from 5:00 – 7:00.
- ◆ Video Recording of Meetings – Under review.

Vice - Chairman Mason discussed the following

- ◆ Dangerous Dog law – Representative Hitchens is working on revising the dangerous dog law and has requested for some feedback. The County Attorney has provided some information.

EXECUTIVE SESSION

At 8:01 p.m., Vice-Chairman Mason made a motion to go into Executive Session to discuss personnel, property, and pending litigation. Commissioner Loper seconded the motion. The motion carried unanimously.

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

RECONVENED

At 8:21 p.m., Commissioner Kieffer made a motion to reconvene into regular session. Commissioner Jones seconded the motion. The motion carried unanimously.

EXECUTIVE SESSION MINUTES

Commissioner Kieffer made a motion to approve the Executive Session Minutes with the stated correction. Commissioner Loper seconded the motion. The motion carried unanimously.

ADJOURNMENT

At 8:23 p.m., Commissioner Loper made a motion to adjourn the meeting. Commissioner Mason seconded the motion. The motion carried unanimously.

Wendall Kessler, Chairman

Patrice R. Crawley, County Clerk