

**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, March 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, Mr. Phillip Scholl, Mr. Brent Fisher, Mrs. Irma Davis, Mr. Franklin Goldwire, Mr. Michael King, Mr. Dennis Ansel, Ms. Beverly H. Scott, Mr. Levan Scott, Jr., Ms. Norma Wallace, Ms. Lucille Pate, Mr. Roy Griffin, Mr. Rodell Seckinger, Ms. Elaine Spencer, Mr. Joe Shearouse, Mr. Troy Davis, Mr. Corey Rahn, Mr. John Dotson, Mr. Marcus Kessler, and Mr. Mike Dant.

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 Kieffer seconded the motion. The motion carried unanimously.

MINUTES

Commissioner Loper made a motion to approve the minutes for February 26, 2013 and March 05, 2013. Commissioner Floyd 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.

OLD BUSINESS

CONSIDERATION TO APPROVE AN AGREEMENT TO PROVIDE FISCAL AGENT SERVICES FOR THE COMMUNITY IN SCHOOL (01): Executive Director of Family Connection Commission, Inc. Spencer explained that with the help of the grant from Communities in School, Family Connection can promote community awareness of the benefits of a drug free community through education involving participation of students, school staff, family members and designated community organizations to reduce drug use in the community. To receive this grant, Family Connection Commission, Inc. needs the Effingham County Board of Commissioner to act as the fiscal agent.

County Attorney Gotwalt stated that there was a duplicated sentence that needed to be removed in the agreement.

Commissioner Loper made a motion to approve an agreement to provide fiscal agent services for the Community in Schools with the corrections (see minute book page _____). Commissioner Floyd seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN AGREEMENT TO PROVIDE FISCAL AGENT SERVICES FOR THE WILLING INTERVENTION NOW FOR STUDENTS (02): Executive Director of Family Connection Commission, Inc. Spencer explained that with the help of the grant from United Way Willing Intervention Now for Students program, Family Connection can promote community awareness of the benefits of a drug free community through education involving participation of students, school staff, family members and designated community organizations to reduce drug use in the Community. To receive this grant, Family Connection Commission, Inc. needs the Effingham County Board of Commissioner to act as the fiscal agent.

County Attorney Gotwalt explained that there was a duplicated sentence that needed to be removed in the agreement.

Commissioner Mason made a motion to approve an agreement to provide fiscal agent services for the Willing Intervention Now for Students with the corrections (see minute book page _____). Commissioner Kieffer seconded the motion. The motion carried unanimously.

APPEARANCE

COASTAL WORKFORCE INVESTMENT BOARD: Coastal Workforce Investment Board representative Michael King and Brett Fisher presented a power point presentation. Mr. King explained that since Coastal Workforce Investment Board inception, it has assisted thousands of adults, dislocated workers, and youth in southeastern Georgia acquire the needed skills to obtain jobs with family sustaining wages. The CWIB is supported by Workforce Investment Act funds from the federal government that are administered by the Georgia Department of Labor. There are six One-Stop Centers within the nine county region served by CWIB that implement the program by providing a host of services to local residents. The Effingham One-Stop Center served 1632 people in 2012 and offered eight job fairs.

PUBLIC HEARING

Chairman Kessler opened the public hearing on the abandonment of a portion of Old Augusta Central Road.

There were no comments received.

Chairman Kessler closed the public hearing.

OLD BUSINESS CONTINUED

CONSIDERATION TO APPROVE CHANGE ORDER NUMBER 4 WITH BAKER INFRASTRUCTURE GROUP ON OLD AUGUSTA ROAD PHASE 2A, 2B AND SIGNAL IMPROVEMENTS (03): 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 conversations with the Board indicated a desire to improve this section of roadway as part of the construction of Old Augusta Road. Plans were developed in-house and presented to Baker Infrastructure Group for consideration to construct as a change Order. Pricing for the improvements to Ft. Howard Road

utilize the unit prices from Effingham County's current contract with Baker Infrastructure Group. Since the agenda books came out, Baker Infrastructure Group has given an updated pricing of \$144,075.90. This will allow Ft. Howard Road to tie into the City of Rincon's portion.

Commissioner Kieffer made a motion to approve change Order number 4 that was given at the meeting with Baker Infrastructure Group on Old Augusta Road Phase 2A, 2B, and signal improvements (see minute book page _____). Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN AGREEMENT WITH THE DEPARTMENT OF JUVENILE JUSTICE FOR OFFICE SPACE (04): Director of Community Relations Kobek explained that the Board has been renting office space to the Department of Juvenile Justice for quite some time. The County rents the Brown Building at 508 Pine Street and the State Properties Commission pays \$1,236.83 per month. Staff is looking at finding Juvenile Justice a place that is owned by the County.

Commissioner Loper made a motion to approve an agreement with the Department of Juvenile Justice for office space (see minute book page _____). Vice-Chairman Mason seconded the motion. The motion carried unanimously.

NEW BUSINESS

CONSIDERATION TO APPROVE A CONTRACT WITH TRANSFORMHEALTHRX TO PROVIDE INMATE MEDICAL SERVICES FOR THE PRISON AND JAIL (01): Purchasing Agent Charleton explained that on February 19, 2013 the Board accepted a bid from TransformHealthRX to provide inmate medical services for the Prison and Jail inmates. The agreement fee is \$238,000 per year for 2 years from April 1, 2013 through April 1, 2015 and may be automatically renewed for two additional one year periods unless written notice of nonrenewal is given 60 days prior to the end of the initial term or renewal term.

Commissioner Jones made a motion to approve a contract with TransformHealthRx to provide inmate medical services for the Prison and Jail (see minute book page _____). Commissioner Loper seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AWARDING A BID FOR SURVEY SERVICES FOR COURTHOUSE ROAD EXTENSION (02): Transportation Engineer Allen explained that improvements to Courthouse Road have been discussed with the Board on several occasions. The improvements are included in the approved short term work program. A request for quote for survey services on Courthouse Road Extension was sent out and two bids were received. EMC Engineering Services, Inc. was the lowest bid with a lump sum of \$9,000.

Commissioner Floyd made a motion to approve awarding a bid for survey services for Courthouse Road Extension to EMC Engineering (see minute book page ____). Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AWARDING A BID FOR SURVEY SERVICES FOR HERBERT KESSLER ROAD (03): Transportation Engineer Allen explained that on November 1, 2011 a request was brought before the board to consider closing a portion of Herbert Kessler Road. At that meeting the Board requested cost estimates for purchasing the required right of way, constructing a paved roadway, maintaining the existing dirt road and to construct a cul-de-sac. That information was presented to the Board at their December 6, 2011 meeting. Due to the request of several property owners that Herbert Kessler not be closed, the Board decided to hold a public hearing at their January 2, 2012 meeting. At that meeting the Board voted unanimously to leave Herbert Kessler open as a dirt road and to obtain right of way for the maintenance of the road. A request for quote for survey services on Herbert Kessler were sent out and two bids were received. EMC Engineering Services, Inc was the lowest bid of \$13,500.

Ms. Irma Davis and Mr. Troy Davis stated that they would donate right of way if possible.

Commissioner Loper made a motion to approve awarding a bid for survey services for Herbert Kessler Road to EMC. Vice-Chairman Mason seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN APPLICATION AND ACCEPTANCE FOR A GRANT WITH THE GOVERNOR'S OFFICE OF HIGHWAY SAFETY 2013 TO PURCHASE

EQUIPMENT FOR THE SHERIFF'S DEPARTMENT (04): Finance Director Wright explained that the Sheriff's Office has located a grant from the Governor's Office of Highway Safety for the purchase of equipment. The equipment is the Intoxilyser 9000 at an approximate cost of \$8,000. This is a reimbursement grant which means we will need to expend the funds and then request the expenditure to be reimbursed.

Commissioner Loper made a motion to approve an application and acceptance for a grant with the Governor's Office of Highway Safety 2013 to purchase equipment for the Sheriff's Department (see minute book page _____). Commissioner Jones seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE ACCEPTING CENTRAL SCHOOL PROPERTY AND AUTHORIZING THE CHAIRMAN TO EXECUTE PROPERTY SWAP WITH THE EFFINGHAM COUNTY BOARD OF EDUCATION FOR THE SHEEHY PROPERTY (05): Director of Community Relations Kobek explained that the County and the School Board decided to swap parcels of land, with the County receiving a tract commonly known as Central Learning Center property from the Board of Education, while the Board of Education receives a tract commonly known as the Sheehy Property. The County will use Central Learning Building for its gymnasium; temporary housing of the Sheriff's Office and perhaps in the future used for Social Services. The School Board will use the Sheehy property for outdoor education. The County will be accepting the Central site with a tenant and existing lease agreement with Head Start which will expire at the close of the school year in late May. The Board of Education will be accepting the Sheehy property with the Conservation Easement covenants. The Board is responsible for all land transaction decisions. This property swap has been discussed for some time and provides property to both the BOE and BOC which best suits each parties needs. There will be future costs associated with refurbishment of the Central site, fiber relocation being the only guaranteed expense to immediately reuse the site. Funding was outlined in the STWP in the amount of \$921,000 for Social Service Building.

Dr. Goldwire spoke in favor of the property swap..

Commissioner Loper made a motion to approve accepting Central School Property and authorizing the Chairman to execute property swap with the Effingham County Board of Education for the Sheehy Property (see minute book page _____). Vice-Chairman Mason seconded the motion. The motion carried unanimously.

DISCUSSION OF THE TIMBER OPERATIONS ORDINANCE (06): Director of Community Relations Kobek explained that Vice-Chairman Mason requested that staff explore the possibility of a timber operations ordinance, to protect the County road, network, to provide efficient notice and collection of timber taxes owed, and to eliminate roadway debris caused by timber harvesting operations. As written the process would begin and end at the Tax Commissioners Office. This is a discussion item only and does not require Board action, if the Board has any comments or suggested changes, staff will make the necessary changes and bring back for required public readings.

Vice-Chairman Mason commented that he would like no fee but for logging companies to take responsibility when a county road is made impassable.

Mr. Steve Collins stated his opposition to timber operations ordinance.

Mr. Dennis Ansel stated that he was in favor of the ordinance.

PLANNING BOARD

NEW BUSINESS

BANK OF NEWINGTON – PUBLIC HEARING (01): A Public Hearing was held on the application by Bank of Newington to rezone 9 acres located off of Old Augusta & Seckinger Ford Road from PD-I to B-3 Map 475 Parcel 58B located in the Fifth District.

Zoning Administrator Shaw presented the request.

Mr. Joe Shearouse represented three of the four property owners and agrees with the Planning Board stipulations.

Mr. Dobson, who represents the Bank of Newington, was available for questions.

Commissioner Kieffer made a motion to approve the first reading for the application by Bank of Newington to rezone 9 acres located off of Old Augusta & Seckinger Ford Road from PD-I to B-3 Map 475 Parcel 58B with the following stipulations:

1. Each lot shall meet the requirements of the B-3 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.
5. No junk yards, truck stops, funeral homes, or crematoriums.
6. Property owner shall maintain a 50 foot buffer on the southeast border of the property.

Commissioner Loper seconded the motion. The motion carried unanimously.

Commissioner Jones stepped down due to possible conflict of interest.

ASHLEY DASHER – PUBLIC HEARING (02): A Public Hearing was held on the application by Ashley Dasher to rezone 7.04 acres located off of Noel C. Conaway Road from AR-1 to AR-2 Map 397 Parcel 54 in the Second District.

Zoning Administrator Shaw stated that the applicant would like to change the rezoning from 7.04 acres to 3.28 acres.

Mr. Marcus Kessler representing Ashley Dasher was available to answer questions.

No objectors were present.

Commissioner Loper made a motion to approve the first reading for the application by Ashley Dasher to rezone 3.28 acres located off of Noel C. Conaway Road from AR-1 to AR-2 Map 397 Parcel 54 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.

Commissioner Floyd seconded the motion. The motion carried unanimously

Commissioner Jones rejoined the Board.

MICHAEL & BRENDA DANT (GEORGE & LINDA YOUNGBLOOD) - PUBLIC HEARING (03): A Public Hearing was held on the application by Michael & Brenda Dant to rezone 3.68 acres located off of Green Morgan School Road from AR-1 to AR-2 Map 362 Parcel 22 in the Third District.

Zoning Administrator Shaw presented the rezoning.

No objectors were present.

Commissioner Mason made a motion to approve the first reading for the application by Michael & Brenda Dant to rezone 3.68 acres located off of Green Morgan School Road from AR-1 to AR-2 Map 362 Parcel 22 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.

Commissioner Jones seconded the motion. The motion carried unanimously.

LLOYD MURRAY SR – PUBLIC HEARING (04): A Public Hearing was held on the application by Lloyd Murray Sr. to rezone 2 acres located off of Race Path Road from AR-1 to AR-2 Map 391 Parcel 11 in the Fourth District.

Zoning Administrator Shaw presented the rezoning.

No objectors were present.

Commissioner Loper made a motion to approve the first reading for the application by Lloyd Murray Sr. to rezone 2 acres located off of Race Path Road from AR-1 to AR-2 Map 391 Parcel 11 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.

Commissioner Kieffer seconded the motion. The motion carried unanimously.

NEW BUSINESS CONTINUED

Commissioner Floyd stepped down due to possible conflict because he works for Georgia Power.

CONSIDERATION TO APPROVE CERTIFICATION OF ABANDONMENT OF A PORTION OF OLD AUGUSTA ROAD CENTRAL (07): County Administrator Crawley explained that Georgia Power has requested the ability to close the road to the creation of a single secured entrance. This would require the abandonment of 27.2 acres as currently designed. The next step is that the county must certify abandonment of the property.

Commissioner Loper made a motion to approve certification of abandonment of a portion of Old Augusta Road Central (see minute book page _____). Commissioner Jones seconded the motion. The motion carried unanimously.

Commissioner Floyd rejoined the Board.

REPORTS FROM COMMISSIONERS AND ADMINISTRATIVE STAFF

Commissioner Floyd discussed the following:

- ◆ Roads in St. Matthews Parrish fixed and taken over by the County

Commissioner Mason discussed the following:

- ◆ Communication Tower

Chief Scholl was on hand to discuss the Communication Tower.

Commissioner Mason discussed the following:

- ◆ Old Augusta Road traffic shift, signage and traffic control

County Attorney Gotwalt discussed the following:

- ◆ Commissioner Jones was correct on the impact fees

County Administrator Crawley discussed the following:

- ◆ Still evaluating the video recording of the Commissioners Meetings
- ◆ Hotel/Motel options that are available
- ◆ Moving of Building Inspections to the Administrative Complex
- ◆ Moving of Zoning to the Historic Courthouse
- ◆ Copy of the monthly financials are attached to the Committee Reports

Transportation Engineer Allen discussed the following:

- ◆ Recommendations for Green Drive – Board suggested to bid out the work

County Administrator Crawley discussed the following:

- ◆ 911 Committee to discuss communication
- ◆ Summer Food program budget – Board okay with continuing

EXECUTIVE SESSION MINUTES

Commissioner Jones made a motion to approve the Executive Session Minutes. Commissioner Kieffer seconded the motion. The motion carried unanimously.

EXECUTIVE SESSION

At 8:50 p.m., Commissioner Jones made a motion not to go into Executive Session. Vice-Chairman Mason seconded the motion. The motion carried unanimously.

ADJOURNMENT

At 8:50 p.m., Commissioner Jones made a motion to adjourn the meeting. Commissioner Loper seconded the motion. The motion carried unanimously.

Wendall Kessler, Chairman

Patrice R. Crawley, County Clerk