

**CITY OF RINCON  
OFFICIAL MINUTES  
RINCON CITY COUNCIL MEETING  
MONDAY, OCTOBER 9, 2017  
COUNCIL CHAMBERS  
107 W. 17<sup>TH</sup> STREET  
7:00 PM**

**Councilmembers Present:**

Reese Browher  
Paul Wendelken  
Levi Scott, Jr.  
James Dasher  
Christi Ricker  
Ann Daniel

**Present:**

Ken Lee, Mayor  
W.E. Smith, Jr., City Manager  
Raymond Dickey, City Attorney  
Dulcia King, City Clerk  
LaMeisha Kelly, City Planner  
Tim Bowles, Public Works Director  
Phillip Scholl, Police Chief  
Corey Rahn, Fire Chief  
Linda Rahn, Finance Officer  
Josh Williams, Lost Plantation Golf Pro

The meeting was called to order at 7:05 PM. The Invocation was given by Councilmember Scott and the Pledge to the Flag was recited.

**Approval of the agenda with the following addition of item 5A:**

Consideration to adjust the part-time fire fighter pay rate from \$10.00 per hour to \$12.00 per hour.

Motion to approve: Councilmember Dasher

Second: Councilmember Ricker

Vote by Council: Unanimous

**Approval of the September 18, 2017 minutes with the following correction:**

The word owned was misspelled under new business item 12.

Motion to approve: Councilmember Ricker  
Second: Councilmember Dasher  
Vote by Council: 5 yes votes, Councilmember Daniel abstained

**Approval of the September 25, 2017 minutes with the following corrections:**

Old business item number 1 motion should be to accept the Bent Tree Subdivision warranty deed; new business 1 Councilmember Ricker's name was misspelled; and under new business 3 the word great was misspelled.

Motion to approve: Councilmember Daniel  
Second: Councilmember Ricker  
Vote by Council: 5 yes votes, Councilmember Scott abstained

**Old Business:**

**1. Vote on a petition filed by MPV II, LLC for a variance request to Article VI, Section 30 to reduce the length of the parking spaces from 20 feet to 18 feet. Property is located at 429 S. Columbia Ave. Property is zoned GC (General Commercial) and is owned by Enmark Stations Inc. (Map # R212-14) (Tabled at the 9/18/2017 meeting)**

No action taken, leave on the table.

**2. HHNT Consulting Engineers requests approval of pay request #15 in the amount of \$4,600.00, for engineering services associated with the Lower Floridan Well project. LI# 40.6260.4418 and #40.6260.4419 (Tabled at the 9/25/2017 meeting)**

Motion to remove from table: Councilmember Dasher  
Second: Councilmember Scott  
Vote by Council: Unanimous

Brant Lane said the footers are in the ground, the site looks better, all fill is in place and it is draining better. Mr. Lane said he thinks they will need to request an extension due to the heavy rains. This payment is for two months of monitoring the site, construction administration. The tank work is scheduled for next week. He said the tank does not have to be complete in order for us to meet the obligation of the well going into service; no extension has to be requested for that.

Motion to approve: Councilmember Daniel  
Second: Councilmember Wendelken  
Vote by Council: Unanimous

**3. PINCO requests approval of Change Order #1 for a 30 day increase to the contract, extending the contract deadline to January 13, 2018. LI# 40.6260.4418**

Mr. Lane said this is to get the contractor caught up during the months of May, June and July of the additional rain fall they experienced through those months. This is for a 52 day increase not 30 day as the agenda said. The January 13<sup>th</sup> deadline is for final completion. Substantial completion would be December 13<sup>th</sup>, that would mean everything done and the well going in to operation. Final completion would mean getting everything cleaned up and all the punch list items done. We are still at a point where they should be able to get substantial done by December.

Mr. Bowles asked where the rainfall totals are coming from, Mr. Lane said it is all defined in the contract and it is a NOAA website for average rainfall. Attorney Dickey asked going forward since we need an extension with EPD what are the steps that need to be taken and who is going to take them. Mayor Lee said he will feel more comfortable we make the request with supporting documents from HHNT. Mrs. Kelly said we will have HHNT write a very detailed engineering letter on how they confirmed the rain dates and why we are asking for an extension with the project. Mrs. Kelly asked Mr. Lane if he could have something in two weeks, he said yes.

Motion to approve a 52 day extension of the contract: Councilmember Scott  
Second: Councilmember Daniel  
Vote by Council: Unanimous

**4. Caldwell Tanks, Inc. requests approval of Change Order #1 for a 30 day increase to the contract, extending the contract deadline to January 13, 2018. LI# 40.6260.4419**

This should also be a 52 day increase not 30 day. Mr. Lane said this contract was longer than the PINCO contract and the deadline should be April 13, 2018.

Motion to approve: Councilmember Ricker  
Second: Councilmember Daniel  
Vote by Council: Unanimous

**5. Agreement between the City of Rincon and the Georgia Municipal Association, Inc. for Telecommunications and Right of Way Management.**

Mrs. Kelly said there was a previously submitted agreement and this is the revised agreement that removed some of the language per the City Attorney. We have franchise agreements with Georgia Power, Wind Stream, and Comcast and we need to make sure we are maximizing our revenue. GMA has provided these services to larger communities. The yearly rate for these services is around \$5000.00. Mayor Lee asked do they base their fees on, Mrs. Kelly said the fee are based on the Georgia Code, they look at our franchise agreements and there are different laws that dictate how much we can charge the telecom providers.

Motion to approve: Councilmember Scott  
Second: Councilmember Dasher  
Vote by Council: Unanimous

**New Business:**

**1. Presentation of the 2016 audit from Caines, Hodges and Company, PC.**

Donald Caines was presented the 2016 Audit. He mentioned there were 60 audit adjustments city wide; no disagreements with management; and there were four internal control findings and a couple were repeat findings: accruals were not recorded, accounts payables had not been reconciled, there were several misclassification and there were significant billing errors, that staff is working on.

**2. Request approval of payment to Tremblay Pump and Motor Inc. in the amount of \$3,567.70 for lightning damages at Lost Plantation Golf Course. LI# 80.8300.3312**

Mr. Smith said this was for a lightning strike that occurred at one of the pump locations.

Motion to approve: Councilmember Dasher

Second: Councilmember Scott

Vote by Council: Unanimous

**3. P.C. Simonton requests approval of Pay Request #20 in the amount of \$1,280.00, for engineering services associated with the WWTP Headworks replacement. LI# 50.7280.4411**

Marcus Sack said this is for their ongoing construction observation process. At the end of this month they will be doing a construction report.

Motion to approve: Councilmember Daniel

Second: Councilmember Ricker

Vote by Council: Unanimous

**4. Request approval of proposal from P.C. Simonton & Associates, Inc. for engineering services associated with the preparation for a Solar Array.**

Mr. Smith said this was presented in workshop and needed to be brought before Council for formal action. A motion was made to approval the Solar Array project in the amount of \$3550.00.

Motion to approve: Councilmember Browher

Second: Councilmember Scott

Councilmember Ricker asked Attorney Dickey if he had received this. Attorney Dickey asked Mr. Smith if there were any changes. He said there was a change to the dispute resolution that was corrected.

Vote by Council: Unanimous

**5. M.C. Rahn Services requests approval of Change Order #1 in the amount of a \$6,500.00 for a total contract cost of \$79,500.00. LI# 10.4430.4415**

Corey Rahn said he had discussions with multiple Councilmembers over the phone, this was for extra work and overtime that was done prior to the hurricane.

Motion to approve: Councilmember Dasher

Second: Councilmember Ricker

Vote by Council: Unanimous

**5A. Consideration to adjust part-time fire fighter pay rate from \$10.00 per hour to \$12.00 per hour.**

Motion to approve: Councilmember Browher

Second: Councilmember Ricker

Mrs. Kelly asked Council if they wanted to make this effective July 31, 2017, the day it was discussed. Both motions were amended to include the effective date of July 31, 2017.

Vote by Council: Unanimous

**6. Administrative Reports:**

**City Manager** – Mr. Smith said he received proposal for insurance broker services, received 3 proposals; the chloride problem with HEPCO at sewage plant, is paid and over; he has had conversation with GIRMA and Attorney Dickey about the Golf Course storage area, he is working on the rental fees GIRMA should cover us; Councilmember Ricker asked about the GIRMA claims, she wanted to know did we ever set a threshold where we would pay for it ourselves instead of filing with GIRMA, Mr. Smith said he will check into it.

**Chief of Police** – A written report was submitted.

**Fire Department** – A written report was submitted.

**Building/Zoning Dept.** – Mrs. Kelly said she attended the grant recipient workshop, and there was good representation there. She said we had to be competitive to receive this grant. Councilmember Scott thanked staff and Mrs. Kelly.

**Water/Sewer/Public Works** – Mr. Bowles said they have started repairs on well #3; Councilmember Browher asked where are we with drainage issue in Williamsburg, Bowles said it is private property. Mrs. Kelly said it is on the list to discuss with Attorney Dickey. Mrs. Kelly asked if Council would approve getting an easement, she said she can contact the surveyor tomorrow to get easements.

**Finance** – A written report was submitted.

**Lost Plantation** – Mr. Williams said the Golf Course is \$7000.00 above total revenue; he also said he needs to talk with Council about departure of Seth Zeigler. Councilmember Ricker asked had he seen any geese, Mr. Williams said he has not seen any geese in about six months.

**Mayor and Council** – Councilmember Dasher told Mr. Smith that he would like to see what the reuse water is being sent to the Golf Course.

**7. Executive session to discuss personnel, pending litigation, attorney client privilege, and real estate.**

Motion: Councilmember Dasher  
Second: Councilmember Ricker  
Vote by Council: Unanimous

Motion to return to meeting: Councilmember Ricker  
Second: Councilmember Daniel  
Vote by Council: Unanimous

**8. Follow the statutes of executive session, to put on file an executive session affidavit and resolution.**

Motion to approve: Councilmember Ricker  
Second: Councilmember Daniel  
Vote by Council: Unanimous

**9. Take any action that is needed on the items from executive session.**

No action taken.

**Adjourn:**

Motion to adjourn: Councilmember Dasher  
Second: Councilmember Scott  
Vote by Council: Unanimous