

**CAMDEN COUNTY, GEORGIA
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
MAY 17, 2011, 6:00 PM**

A regular meeting of the Camden County Board of County Commissioners was held at 6:00 p.m. on Tuesday, May 17, 2011, in the Board of County Commissioners' Meeting Chambers of the Government Services Building, Woodbine, Georgia.

Chair Rainer called the meeting to order at 6:00 p.m.

Planning & Development Director John Peterson delivered the invocation.

Chair Rainer led the Pledge of Allegiance.

Present: Chair David L. Rainer; Vice-Chair Willis R. Keene, Jr.; Commissioner Chuck Clark; Commissioner Jimmy Starline; Commissioner Gary Blount; County Administrator Steve Howard; County Attorney Brent Green, and County Clerk Kathryn Bishop.

Agenda Amendments:

No agenda amendments were offered.

Motion to Adopt the Agenda:

Vice-Chair Keene made a motion, seconded by Commissioner Clark to approve the Agenda as presented by staff.

The motion carried unanimously.

Approval of Minutes

- May 3, 2011 Regular Meeting minutes

Vice-Chair Keene made a motion, seconded by Commissioner Clark to approve the May 3, 2011 Regular Meeting Minutes.

The motion carried unanimously.

Presentations

Interim Strategic Initiatives Director Adam Kabasakalian presented the following 2011 Legislative Update, signed into Law by the Governor:

HB 265 Sentencing Reform Bill to create the 2011 Special Council on Criminal

Justice Reform for Georgians

The General Assembly finds and determines that: (1) It has been many years since there has been a systematic study of the State of Georgia's correctional system and criminal justice structure and there exists a need for such study today; (2) A study of Georgia's criminal justice and correctional system is necessary to enhance public safety, reduce victimization, hold offenders more accountable, enhance probation and parole supervision, and better manage a growing prison population through increasing public safety, improving rehabilitation, and lowering state expense; (3) Such a study and the formulation of recommendations for criminal justice structural changes can best be carried out through an established council; and (4) Enactment of council recommendations, if deemed appropriate at the 2012 session of the General Assembly, is best carried out through a deliberative and specific legislative process.

SB 10 Sales of package sales of wine or alcohol

This law requires a referendum placed on the ballot by jurisdiction (each county/city must make their own decisions). There are limited options for this referendum to ensure a special election is not called just to handle this item. 2011 election option would be November 8th (city election day) - ***would require all precincts to be open (3-4 more precincts than otherwise necessary)*** 2012 election options would be the presidential preference primary February, August 21 (primary), and November 6th (general election) Hours must be specified and between 12:30 pm to 11:30pm, County or Cities are responsible for their jurisdictions, Board resolution will create 1 of 2 possible referendums - the first option would permit Sunday sales of malt beverages and wine. The second option would include alcohol.

HB 503 Georgia Crime Victims Emergency Fund

The cost of medical examination to collect evidence for violent crime victims would be paid for the GA Crime Victim's Emergency Fund RATHER than the investigating party

HB 415 Jury Pool

This bill creates a statewide jury list for the use by all counties of the state. The Council of Superior Court Clerks will be responsible for providing an accurate and up to date list of qualified jurors to each county. The cost is not to exceed .03 cents per name provided.

HB 238 Public Defender System changes

Restructures the statewide public defender system by clarifying the roles and responsibilities of the Georgia Public Defender Standards Council (GPDSC) and the Director of the Agency. The legislation also reduces the size and responsibilities of the local supervision panels and has the local circuit public defender reporting to the Director of GPDSC. Reconstitutes the Council from a 15 member to a 9 member Council. The Governor has five appointments, three of which must be county commissioners; the Lt. Governor and Speaker each have two appointments.

SB 39 Mental Health Courts at the county level

The statute is based on the drug court model currently in place. This bill does not

governments in jail and medical costs while addressing public safety concerns.

HB 256: Prepaid Cell phone 911 fees

January 1, 2012 effective date with funds to be distributed by October of each year
Requires Board of Commissioner resolution or ordinance in order to get 75 cent fee on prepaid phones. State to collect the fee just like sales tax, Fees distributed to local 911 centers based upon a population formula rather than where the collection was made

SB 157: Local waste management reporting

The ordinance and updates shall adopt the plan and any updates by local ordinance or resolution. Simplifies reporting requirements.

HB 92: Elections; in-person absentee balloting; provide limitations

The 45 day advanced voting period will be reduced to 21 days to line up with cities and the average national period. This will include at least one Saturday.

HB 87: Illegal Immigration Reform and Enforcement Act of 2011

This law focuses on a requirement for building contractors to ensure they and all subcontractors use the EVERIFY system and forward such information to the County within 5 days. It also increases rules for harboring illegal aliens.

Finance & Budget Director Mike Fender and County Administrator Steve Howard presented the following concerning the Fiscal Year 2012 Budget:

- No Millage Rate Increase (Consensus of Board of County Commissioners)
- \$2.3 Million Decline in Revenues
- Reduces Spending to 2006 Levels
- 3.48% across the board cuts from all departments and funded agencies
- Utilize all tools as discussed at April 28th Work Session to balance the budget
- Use of \$550,000 Fund Balance

Tax Digests Comparison Pattern of Declining Revenues

General Fund Comparison Pattern of Declining Revenues

A consensus of the Board was to hold a Public Hearing on June 7, 2011 at 5:00 PM to receive comments from the public concerning the Fiscal Year 2012 Budget as well as the official adoption of the budget be held on June 21, 2011 during the regular meeting.

Public Comments

Vernon Copeland, Dover Bluff Road.

Mr. Copeland expressed his concern with the elimination or reduction in the Impact Fees. He stated he believes the developers should pay for infrastructure that they are bringing in and take the burden off the tax payer. He explained that the commissioners had it right in 2007 that developers should pay fees on new subdivisions not put the burden on the taxpayer, but in 2009 it was wrong and placed on everyone. He stated for example people that are already living there and want to place a house on their property. He stated that his grandson wanted to build a house but could not afford the impact fee and that part is running people out of the County.

Robert Nutter, St. Marys

Mr. Nutter stated that impact fees are needed now more than any other time with the previous budget presentation. He explained that inventory must catch up with demand, as well as increase more supply than demand. He stated that he wrote each Commissioner talking specifically about this topic. He stated that impact fees go for parks, roads, fire services, libraries, etc. and in a number of years approximately \$163,000,000.00 would be in that fund which would benefit future citizens. He stated that he is aware that the Board is going through a very deep and exhausting review of the County ISO rating and there is enough currently to cover building one fire substation. He exclaimed now is not the time to incite the construction business. He stated that St. Marys has 3,000 building lots already plated to go. He asked the Board to simply make a careful deliberation on this matter.

Regular Agenda

1. Consideration of Chair to execute Tax Release Applications.

Vice-chair Keene made a motion, seconded by Commissioner Starline to approve the chair to execute the Tax Release Applications.

The motion carried unanimously.

2. Resolution requesting consideration by the Georgia Department of Natural Resources to allow Golf Carts within the confines of Crooked River State Park.

Commissioner Starline made a motion, seconded by Vice-Chair Keene to approve the Resolution requesting consideration by the Georgia Department of Natural Resources to allow Golf Carts within the confines of Crooked River State Park.

The motion carried unanimously.

3. Appointment of Glenn W. Ivey, District 4, to the Camden County Planning & Zoning Board.

Commissioner Blount made a motion, seconded by Commissioner Starline to appoint Glenn W. Ivey, District 4, to the Camden County Planning & Zoning Board.

The motion carried unanimously.

4. Consideration of Budget Amendments for Fiscal Year 2011.

Vice-chair Keene made a motion, seconded by Commissioner Clark to approve the Budget Amendments for Fiscal Year 2011.

The motion carried unanimously.

Convene Public Hearing at 6:33 PM.

- Introduction of Regular Agenda **Item 5 - 7** by Planning & Development Director John Peterson and receive public comments regarding this item.

Katheryn J. Alexander is requesting a Rezoning of her property from A-F general agriculture - forestry) to R-1 (residential) so that she may build a new single-family residence. This property is located on Clarks Bluff Road, Kingsland, GA, on Tax Map #083, Parcel #008.

STAFF ANALYSIS: Section 1206 of the UDC states that in order to be approved a rezoning will have to be consistent with the Future Land Use Map (FLUM). The FLUM shows the area as Residential, consistent with the proposed R-1 rezoning request. The 2.45 acre lot width is approximately 113 feet at Clarks Bluff Road. The 1st attached map shows that the rear 60% of the lot is shown as freshwater forested wetlands. The current Zoning pattern may be seen on the 2nd attached map in your packet, along with the aerial view and the FLU Map showing the existing 2.45 acre parcel located on the north side of Clark's Bluff Road west of the Catfish Creek crossing.

Staff and Planning Commission recommend approval of the Rezoning from A-F general agriculture-forestry district to R-1 single family residential district of the 2.45 acres located on the north side of Clarks Bluff Road Map 083 Parcel 008.

Proposed Motion: Motion to approve the rezoning request by Katheryn J. Alexander of the 2.45 acre lot on Clarks Bluff Road shown as Tax Map #083, Parcel #008, from A-F general agriculture forestry to R-1 residential.

PROPOSED AMENDMENTS to *Section 4. and sub-section 4.01. paragraphs 1., 3. & 4.* (The underlining indicates additions to existing ordinance text; strikethroughs are deletions.)
Section 4. Imposition of Development Impact Fees.

Any person who after the effective date of this Ordinance engages in development shall pay a development impact fee in the manner and amount set forth in this Ordinance except as provided below or exempted herein.

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Any person who after the effective date of this Ordinance engages in development shall pay a development impact fee in the manner and amount set forth in this Ordinance except as provided below or exempted herein.

4.01. Construction Not Subject to Impact Fees.

1. Rebuilding no more than the same number of units of development as defined in this Ordinance, legally in existence anytime prior to permit application, that were removed by demolition, or destroyed by fire or other catastrophe, on the same lot or property.

4.01. Construction Not Subject to Impact Fees.

3. Replacing a residential housing unit, legally in existence anytime prior to permit application with another housing unit on the same lot or property.

Proposed Motion: Motion to waive the Second Reading of the Development Impact Fee Ordinance Proposed Text Amendments, to approve the proposed text amendments, as written, to be effective at 8:00 a.m. May 18, 2011, and to have the amended ordinance published on the Camden County Web Site.

Proposed Motion: Motion to waive the Second Reading of the Development Impact Fee Ordinance Proposed Amendment to "Schedule A - Fee Schedule -" from 60% of the maximum, to 20% of the maximum, and to adopt the proposed change to be effective at 8:00 a.m. May 18, 2011, and to have the amended ordinance published on the Camden County Web Site.

Public Comments:

Robert Nutter, St. Marys

Mr. Nutter expressed his feelings against any changes that decrease the current Impact Fee.

Royal Weaver, St. Marys

Mr. Weaver stated that he had done some reading on the subject of impact fees and shared some information he found insightful. He stated that he completely agrees with the text amendment changes and the gentleman in the second row who spoke concerning his grandson wanting to build a house. He stated that the County does need impact fees in the case of new development. He stated that there is no documentation that states reducing the impact fee will jump start new development. He stated that he does not think this matter should be looked at lightly, there are not enough studies and if that was the case why have more cities and counties not followed the same. He urged the Board to let them remain where they are currently.

Adjourn Public Hearing at 6:47 PM.

5. Consideration of request by Katheryn J. Alexander (#RZ2011-2) for a Rezoning of her property from A-F (Agricultural Forestry) to R-1 (Residential) so that she can build a new single-family residence. This property is located on Clarks Bluff Road, Kingsland, GA, on Tax Map #083, Parcel #008.

Vice-Chair Keene made a motion, seconded by Commissioner Blount to approve the request by Katheryn J. Alexander for rezoning of the 2.45 acre lot on Clarks Bluff Road shown as Tax Map #083, Parcel #008, from A-F general agriculture forestry to R-1 residential.

The motion carried unanimously.

6. Second Reading & Adoption of the Development Impact Fee Ordinance Proposed Text Amendments.

Commissioner Blount made a motion, seconded by Vice-Chair Keene to waive the Second Reading of the Development Impact Fee Ordinance Proposed Text Amendments, to approve the proposed text amendments, as written, to be effective at 8:00 a.m. May 18, 2011, and to have the amended ordinance published on the Camden County Web Site.

The motion carried unanimously.

7. Second Reading & Adoption of the Development Impact Fee Ordinance Proposed Amendment to Schedule A - Fee Schedule .

Vice-Chair Keene made a motion, seconded by Commissioner Blount to waive the Second Reading of the Development Impact Fee Ordinance Proposed Amendment to "Schedule A - Fee Schedule -" from 60% of the maximum, to 20% of the maximum, and to adopt the proposed change to be effective at 8:00 a.m. May 18, 2011, and to have the amended ordinance published on the Camden County Web Site.

So voted:

- Chair Rainer - **Yes**
- Vice-Chair Keene - **Yes**
- Commissioner Starline - **No**
- Commissioner Blount - **No**
- Commissioner Clark - **Yes**

The motion carried 3-2.

Reports

- Calendar - May & June 2011

County Clerk Kathryn Bishop read the calendars for May & June 2011.

- County Administrator's Report

County Administrator Steve Howard stated that Governor Deal vetoed the legislation for

the establishment of Altamaha Technical College in Camden County.

He stated that staff will continue to work on calendars and keep the Board updated on any attempts to schedule Board meetings prior to fit their schedules.

Additional Public Comments:

Royal Weaver, St. Marys

Mr. Weaver stated that Chair Rainer made a point that the areas that have lowed impact fees to zero are growing very well, he stated that a comparison should be done to see what they are really doing as to bringing in economic development and what the difference is compared to Camden County. He stated that hopefully when the time comes Camden County is able to close that gate and look at all avenues.

Pastor Leon Washington, Zion Missionary Baptist Church

Pastor Washington stated that a portion of the unpaved Springhill Road is rapidly deteriorating and becoming a bad situation for residents. He stated that he appreciates the extra attention the road is getting from Public Works to keep it worthy of traffic but the road has been on the paving list since 1942. He exclaimed that is a long time for a road to be waiting to get paved and the south side of the road is already paved so it appears to be an unfinished project.

Chair Rainer stated that the Board and staff are working on the list.

Pastor Washington asked how soon.

Chair Rainer stated that County Administrator Steve Howard will be in contact with him and discuss this matter further.

Adjournment:

Commissioner Clark made a motion, seconded by Commissioner Keene to adjourn the May 17, 2011 meeting. The vote was unanimous to adjourn the meeting at 7:10 PM.

Respectfully submitted,

David L. Rainer, Chair

Kathryn A. Bishop, County Clerk