

**CAMDEN COUNTY, GEORGIA  
BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
MARCH 20, 2012, 6:00 PM**

**A regular meeting of the Camden County Board of County Commissioners was held at 6:00 p.m. on Tuesday, March 20, 2012, 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.

Solid Waste Director Lannie Brant 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:**

**Added Item to Regular Agenda:**

Facilities Management - Harvey Amerson

5. Approval to Contract for RFP #2012-107 Public Safety Complex AHU 3 Control System Update.
6. Georgia Department of Corrections - Agreement Work Detail

Vice-Chair Keene made a motion, seconded by Commissioner Clark to adopt the agenda amendments as presented.

***The motion carried unanimously.***

**Motion to Adopt the Agenda:**

Vice-Chair Keene made a motion, seconded by Commissioner Clark to adopt the agenda as amended.

***The motion carried unanimously.***

**Approval of Minutes**

- March 3, 2012 Regular Meeting minutes

Commissioner Clark made a motion, seconded by Vice-Chair Keene to approve the March 3, 2011 Regular meeting minutes.

***The motion carried unanimously.***

## **Presentation**

- Joint Proclamation declaring March 31, 2012, Earth Hour 2012, beginning at 8:30 p.m. for 1 hour

County Clerk Katie Bishop read the Joint Proclamation declaring March 31, 2012, Earth Hour 2012, beginning at 8:30 p.m. for 1 hour and stated that it will be forwarded to the St. Marys Earth Keepers later in the week.

- Proclamation declaring April 1, 2012 “Kiwanis Club of St. Marys Fiftieth Birthday Celebration Month”

County Clerk Katie Bishop read the Proclamation declaring April 1, 2012 “Kiwanis Club of St. Marys Fiftieth Birthday Celebration Month” and Chair Rainer presented the proclamation to Christopher D. Thurner, President, Kiwanis Club of St. Marys.

- Proclamation declaring the Month of April 2012 as Child Abuse and Neglect Prevention Month

County Clerk Katie Bishop read the Proclamation declaring the Month of April 2012 as Child Abuse and Neglect Prevention Month.

- St. Marys River Management Committee (SMRMC) Annual Report

SMRMC Treasurer John Myers presented the 2011 Annual Report for the St. Marys River Management Committee to the Board.

### 2011 Annual Report

Please accept the following as the Committee’s required Annual Report:

The St. Marys River Management Committee (SMRMC or Committee) is a quasi-governmental advisory panel established by Interlocal Agreement between Baker and Nassau counties in Florida and Camden and Charlton counties in Georgia. The Committee is comprised of five voting representatives from each county: one county Commissioner and four appointed members (two riverfront landowners or representatives of corporations with riverfront property and two at-large members). One representative from the St. Johns River Water Management District and one representative from the Georgia Department of Natural Resources serve as non-voting members. All meetings are open to the general public with notice provided on the Committee’s website: [www.saintmarysriver.org](http://www.saintmarysriver.org).

### Summary of 2011 Committee Activity

Activity in 2011 focused on four major areas: water quantity (including many state and federal permits and regulations), water quality, land use and planning, and public outreach. Each of these focus areas has a subcommittee of three to four appointed members who track the issues between monthly meetings.

Water Quantity Subcommittee In early 2011, the subcommittee was focused on concerns about potential property damage from boat traffic when the river is flooded, and about inadequate wetland monitoring for excessive draw-down when pumping water from proposed wells in the Hawthorne Formation in the St. Marys River Basin. The proposed wells were part of the consolidated Consumptive Use Permit for JEA, a regional utilities service provider for northeast Florida, being reviewed by St. Johns River Water Management District (SJRWMD). The Committee requested that a University of Florida student, with the Conservation Clinic, continue to investigate how Georgia and Florida enforcement officials interpret existing boat wake regulations. The Committee also wrote a letter to the SJRWMD, urging them to require additional test wells as a condition of the permit. These concerns were quickly eclipsed by the permit application to Georgia Environmental Protection Division (GEPD) from Miocene Holdings LLC (Miocene) to withdraw water from and discharge wastewater to the upper St. Marys River. Most of the year was spent gathering information about the Miocene request and passing it along to the appropriate counties. At the Committee's June meeting, Emmet Noblitt (Miocene representative and facilities manager), Stuart Stevens (consultant, coastal ecology expert), and Chris Stovall (author of the permit application and an engineer with Thomas Hutton Civil Engineering) made a formal presentation and then answered questions. In short, the initial application was for withdrawal of up to 350,000 gallons-per-day (GPD) from the river and return of 349,000 GPD to the river of water from which tannins had been extracted. The discharge would also contain a small amount of extraction chemicals including potassium and chloride. The company representatives explained how their proposed project would work, where it would be located along the river, and for what the extracted tannins would be used. County Commissioners from Baker, Camden and Charlton counties attended the meeting. The Committee voted to send a letter to GEPD voicing concerns over the volume of water to be extracted from a low-flow section of the river, the impact of discharge of higher pH water on the ecology of the blackwater ecosystem, and the implications of one state unilaterally approving withdrawal of water from a border river. In July, Cliff Lewis, Acting Assistant Branch Chief for the Ochlockonee, Suwannee, Satilla, and St. Marys River Basins with GEPD, attended the SMRMC meeting to assure the Committee that the state would thoroughly investigate all aspects of the application before issuing the permit. He said GEPD would plan a site visit if necessary. He also said that Miocene was considering the option of increasing their agricultural activities in order to eliminate direct discharge to the river. Finally, he indicated that GEPD had requested additional information from Miocene in order to evaluate whether additional permits would be required. The Committee informed GEPD that some activity, including possible pumping and filtration, had been occurring at the Miocene property. In October, GEPD explained that Miocene had canceled their withdrawal application. The Committee asked whether GEPD staff had found a withdrawal pipe while they were on the Miocene property. The GEPD representative said they had found a pipe and were reviewing whether current activity complied with the Georgia Water Quality Control Act. In November, the Committee made a Georgia Open Records Act (GORA) request for original documents pertaining to the Miocene application. GEPD responded that the documents would be available in Atlanta at a cost of \$0.25/page when the case was resolved. As of December, the Committee's understanding was that GEPD had determined that Miocene needed a Land Application Systems permit to continue operation of the site as a research facility. The Committee is pursuing the possibility of partnering with the Southern Environmental Law Center to reduce photocopying costs of several hundred pages of original documents when they become available. Such cooperation would reduce the cost to SMRMC while still allowing

it to provide accurate information to the four Boards of County Commissioners.

Water Quality Subcommittee The subcommittee continued summarizing the various contaminants in the St. Marys River with a presentation to the committee on dissolved oxygen and fecal coli form impairments. In March, SMRMC hosted the second annual Water Quality Technical Meeting. The purpose of the annual meetings is to promote discussion of water quality measurements between the state and federal agencies including Georgia Environmental Protection Division, Florida Department of Environmental Protection (FDEP) and the United States Environmental Protection Agency (EPA). The 2011 meeting focused on fecal coli form, which is one of the most prevalent contaminants of the St. Marys River. Topics of discussion included comparative fecal coli form testing methods, septic tank regulations, agricultural/animal waste regulations, and methods of ranking streams and tributaries of the St. Marys River for fecal coli form levels. FDEP volunteered to spearhead an effort to record existing Florida and Georgia data into a spreadsheet to do the comparisons. FDEP also committed to adding two new tributaries to their sampling list. By June, all of the data had been entered and it was clear that the mainstream of the river was clean and that the tributaries were largely un-sampled or were listed as contaminated. Attempts were made to sample additional streams (Brandy Branch and the Little St. Marys) but the drought left most tributaries without any water to sample. Because of funding constraints, GEPA was not able to add any sampling sites in 2011. The Water Quality Technical Committee suggested that the SMRMC ask the county commissions whether they would find an annual report on the health of the river helpful for making policy decisions. In January 2011, Dr. Laurie Fowler with University of Georgia River Basin Center submitted an application for an EPA Section 319 grant to the Georgia Department of Natural Resources. The monies became available via a special allocation to each division of the Georgia Water Council. Fowler chose to apply for remediation of Horsepen Creek (Camden County), which has had a historically high fecal coli form level. The grant will fund pre- and post-remediation sampling, a remediation project, and policy meetings to discuss possible county-wide ordinances to prevent recurrence of the problem. The grant was awarded in June with a proposed release of funding in November 2011. As of December no monies had been released and the Committee was waiting for a go-ahead from Fowler. Once funding is ready, the Committee will hold planning, analysis and policy meetings. The Committee will also be in charge of organizing a field day to introduce a demonstration project to local health officials. The Septic Think Tank, a consortium of Environmental Health Department officials from each of the four counties, temporarily postponed activity in light of uncertainty in septic tank regulations in Florida. The same group will be involved in the policy meetings associated with the Section 319 grant for Horsepen Creek and will continue to partner with the Committee in spite of the current legislative climate. SMRMC also continued to cooperate with St. Marys River Fisheries Restoration Project, a subunit of the Southeast Aquatic Resources Partnership. Atlantic white sturgeons are now being caught not only in Kings Bay but also upriver. One shortnose sturgeon was also caught. The fisheries project would like to be informed of any American shad being caught in the river.

Land Use and Planning Subcommittee Members of the Land Use and Planning Subcommittee are the SMRMC liaisons with the county commissions and city councils. There is a proposal before the subcommittee to create a four-county St. Marys River geographic overlay to assist county and city governments in determining what areas need to be included in promotion and protection plans. The Committee wrote a letter to support the application by St. Marys, Georgia, for funding to repair the city dock so that citizens would have better access to the

recurrence of the fecal coli form problems.

Public Outreach Subcommittee SMRMC hosted the Annual River Clean-Up and Celebration on March 19. Approximately 600 volunteers removed more than 17 tons of trash from the river and its tributaries. Each volunteer was given a t-shirt and following the Clean-Up, volunteers enjoyed hot dogs at Gilman Park in St. Marys, Georgia. "Keep Nassau Beautiful" and "Friends of the Earth - St. Marys" partnered with SMRMC to make the celebration a success. Other sponsors, including Nassau County Farm Bureau, Nassau County Soil and Water Conservation, Nassau Baptist Hospital, Sand Hill Recycling Center and State Line Disposal, provided financial support and in-kind donations. The Committee would like to expand the Celebration to other counties if suitable partnering organizations can be identified. Other promotional events such as a fish fry are also being considered.

Administrative In August, SMRMC began reviewing its by-laws, last amended in 2005, to clarify procedures and more accurately reflect current operation. The Committee approved revisions in December.

In 2011, SMRMC received \$1,000.00 from the following counties, per the established Interlocal Agreement: Baker--\$500.00, Nassau--0, Camden--0, and Charlton--\$500.00. The Committee also received a \$1,500 grant from Rayonier to help with the annual St. Marys River Celebration Clean-up event, as well as \$2,750.00 in donations from various sponsors for the clean-up. Expenditures during 2011 included \$4,427.41 for the annual River Clean-Up, \$2,530.24 for the administrative assistant (including costs for mileage, postage and copying fees), and \$113.00 for lunch provided to the Water Quality Technical Committee.

Mr. Myers brought to the Board's attention that Camden County is delinquent in monies owed to the SMRMC per the Interlocal Agreement.

- Volunteer Program Project Update

Fire Rescue Chief Dennis Gailey presented a project update to the Board regarding the Volunteer Program. He explained the Authority was to provide direction given by the Camden County Board of Commissioners on February 7, 2012 and the mission the of the Camden County Fire Rescue Volunteer Firefighter Program is to utilize volunteer firefighters to fill existing gaps in staffing to achieve compliance with the level of services adopted by the Board of Commissioners. He stated that the vision is the types of volunteers which are Support/CERT - limited capacity with specialized function, Register Volunteer - limited capacity with broad and Function - Certified Volunteer -full capacity with broad function. Chief Gailey explained the Organizational Management regarding the program will be known as a division

February 5th Final Report.

The consensus of the Board was the schedule of updates is acceptable.

County Administrator Steve Howard stated that Bridget Wenum, Executive Director, Camden County CASA Program, Inc. has arrived if the Chair would like to present the proclamation to her at this time.

***Chair Rainer called for a recess at 5:27 PM to allow time for the signing of the original Proclamation declaring the Month of April 2012 as Child Abuse and Neglect Prevention Month.***

Chair Rainer executed the original Proclamation declaring the Month of April 2012 as Child Abuse and Neglect Prevention Month and presented each copy to Bridget Wenum, Executive Director, Camden County CASA Program, Inc.

***Chair Rainer reconvened the meeting at 5:29 PM.***

## **Public Comments**

Jeff Bourdon, 95 Harbor View Drive.

Mr. Bourdon stated that he is a ten (10) year resident who is proud to call Camden County home. He stated that he has twenty (20) years construction experience and his comments are his opinions and are by no means a reflection of others. He stated that he is not a fan of closed door bids and the process that previously took place by this Board was evident of this. He stated that he believes gross errors of judgment were made in the steps that were taken and only one (1) commissioner voted to award the contract to the next lowest bidder. He commended Commissioner Starline for that decision. He stated that he believes it was an ironic decision and unfair to ask the contractors that went through the bid process, who followed the rules, to go through the

asked, what the legal ramifications are if the Sheriff is affected by the delay.

Ben Casey, 403 Vacuna Road

Mr. Casey stated that this is the third time he has come before the Board to complain about the noise from the gun range adjacent to his home. He informed the Board that the noise has decreased on Sundays and during hours in which the range should be closed but despite that the issue still exists. He stated that the gun range is located on the same property as approximately one hundred and fifty (150) mobile homes and the number of existing homes jumps to approximately two hundred or more off premises. He stated that the burm surrounding the property is not constructed following the guidelines of the Board. He explained that he believes that the gun range is not only a noise issue but a safety issue as well. He stated that the fence erected on the property is not to the specifications required by the Board at the time of permitting and children can easily gain access to the gun range. He stated that anybody of any age can shoot any type of weapon at this establishment. He urged the Board to acknowledge the safety hazard of an automatic weapon discharging a stray bullet and the possibility of the bullet leaving the compound. He further stated that he has environmental concerns regarding lead leaking into the creek near the property. Mr. Casey asked the Board to revoke the special use permit granted to the establishment until the owner complies with the specifications set forth by the Board.

Chair Rainer directed staff to validate the statements made by Mr. Casey and make a definitive effort to find out if the conditions set forth by the Board had been met.

James Casey, 162 Vacuna Road

Mr. Casey urged the Board to require the gun range to cease operations until they comply with pre-existing county codes or require the owner to make the business an indoor gun range to comply with the County's noise ordinance. He informed the Board that he could hear rifle and pistol shots inside his home and he explained that he is often forced to play music to suppress the noise. He stated that there are open burm areas which provide no way to stop a stray bullet.

### **Regular Agenda**

1. Resolution to authorize County staff to amend the Official Code of Camden County, Georgia, Chapter 6, to allow package sales on Sundays by retailers of packaged malt beverages, wine and distilled spirits between the hours of 12:30 PM and 11:30 PM.

Commissioner Clark made a motion, seconded by Vice-Chair Keene to approve the Resolution to authorize County staff to amend the Official Code of Camden County, Georgia, Chapter 6, to allow package sales on Sundays by retailers of packaged malt beverages, wine and distilled spirits between the hours of 12:30 PM and 11:30 PM.

***The motion carried unanimously.***

2. Approval of Chair to execute Tax Release Applications.

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

***The motion carried unanimously.***

***Chair Rainer adjourned the regular meeting at 6:45 PM.***

***Chair Rainer convened the public hearing at 6:45 PM.***

- Introduction of Regular Agenda Item 3-4 by Planning & Development Director John Peterson and receive public comments regarding this item.

No comments from the public were offered during this time.

***Chair Rainer adjourned the public hearing at 6:48 PM.***

***Chair Rainer reconvened the regular meeting at 6:48 PM.***

3. Proposed amendments to the Unified Development Code of Camden County, Georgia (UDC) Sec. 228: NAICS Code 5172 to show that a Special Use approval is required to meet UDC Sections 330 & 1249; and , NAICS Code 71312 adding *Electronic Gaming Promotions* as a Special Use approval required and reference the Gaming Ordinance.

Commissioner Starline made a motion, seconded by Vice-Chair Keene to approve the Proposed amendments to the Unified Development Code of Camden County, Georgia (UDC) Sec. 228: NAICS Code 5172 to show that a Special Use approval is required to meet UDC Sections 330 & 1249; and, NAICS Code 71312 adding *Electronic Gaming Promotions* as a Special Use approval required and reference the Gaming Ordinance.

***The motion carried unanimously.***

4. Proposed adoption of the Capital Improvement Element Transmittal Resolution, and forwarding the Annual Impact Fee Report and 2012 Short Term Work Program to the Coastal Regional Center and the State Department of Community Affairs for review and Public Comment.

Vice-Chair Keene made a motion, seconded by Commissioner Starline to adopt the Capital Improvement Element Transmittal Resolution, and forwarding the Annual Impact Fee Report and 2012 Short Term Work Program to the Coastal Regional Center and the State Department of Community Affairs for review and Public Comment.

***The motion carried unanimously.***

5. Approval to Contract for RFP #2012-107 Public Safety Complex AHU 3 Control System Update.

Vice-Chair Keene made a motion, seconded by Commissioner Blount to approve and award the Contract for RFP #2012-107 Public Safety Complex AHU 3 Control System Update to Certified Electric, Inc. in the amount of \$39,000.00.

***The motion carried unanimously.***

6. Georgia Department of Corrections - Agreement Work Detail

Vice-Chair Keene made a motion, seconded by Commissioner Starline to approve the Georgia Department of Corrections - Agreement Work Detail .

Vice-Chair Keene applauded Sheriff Gregory and staff for working to bring this partnership to the project.

County Administrator Steve Howard stated that, absolutely, the Sheriff deserves credit for his hard work in bringing this partnership together, as well as the Criminal Justice Collaboration Council and Stat Probation.

***The motion carried unanimously.***

## **Reports**

- Calendar - March & April 2012

County Clerk Kathryn Bishop read the calendars for March & April 2012.

- County Administrator's Report

County Administrator Steve Howard stated that he has asked Support Services Director Staci Bowick to brief the Board on the upcoming launch of the Wellness Program

Support Services Director Staci Bowick presented the Board a power point presentation regarding the launch of the Wellness Program. She explained to the Board that the hope is to get everyone excited about the program, at the same time reaching those wellness milestones.

*\*Insert power point here*

## **Additional Public Comments:**

No comments from the public were offered during this time.

## **Adjournment:**

Commissioner Blount made a motion, seconded by Commissioner Clark to adjourn the March 20, 2012 meeting. The vote was unanimous to adjourn the meeting at 7:08 PM.

BY:  
DAVID L. RAINER, CHAIRMAN  
CAMDEN COUNTY BOARD OF COMMISSIONERS

ATTEST:  
KATHRYN BISHOP, COUNTY CLERK