

**CAMDEN COUNTY, GEORGIA
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
OCTOBER 2, 2012, 6:00 PM**

A regular meeting of the Camden County Board of County Commissioners was held at 6:00 p.m. on Tuesday, October 2, 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.

Finance & Budget Director Mike Fender delivered the invocation.

Chair Rainer led the Pledge of Allegiance.

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

Agenda Amendments:

Move item 10 to item 4 and renumber the agenda accordingly:

Office of the Sheriff - Sheriff Tommy Gregory

4. Consideration of approval of Real Estate Agreement for the purchase of property located adjacent to the Camden County Public Safety Complex.

Added item under regular agenda:

Administration - County Administrator Steve Howard

11. Approval of Services Agreement between City of Kingsland and Camden County Board of Commissioners.

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

The motion carried unanimously.

Motion to Adopt the Agenda:

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

The motion carried unanimously.

Approval of Minutes

- September 18, 2012 Regular Meeting minutes

Vice-Chair Keene made a motion, seconded by Commissioner Starline to approve the September 18, 2012 regular meeting minutes.

The motion carried unanimously.

Presentations

- Proclamation designating November 4th as Retired Educators Day

County Clerk Katie Bishop read the Proclamation declaring November 4th as Retired Educators Day and Chairman Rainer presented the Proclamation to Ceola Foreman representing Retired Educators of Camden County.

Declaring November 4, 2012 “Retired Educators Day”

WHEREAS, more than 97,000 retired educators have devoted their time, energies and talents to public education, providing the academic development of millions of outstanding Georgia citizens; and

WHEREAS, retired educators touched and influenced the lives of generations of young people and motivated and inspired them to use their innate talents and abilities to the fullest and to become responsible, contributing citizens; and

WHEREAS, retired educators possess valuable knowledge and use their lifetime experiences and skills to enrich the educational process in a variety of settings. They often continue to be a major source of insight and direction for our state and our nation. Many continue to serve in religious, civic and political organizations; and

WHEREAS, for 54 years, the Georgia Retired Educators Association has dedicated its efforts to improving the welfare of retired educators and has provided opportunities for them to become involved in community activities; and

WHEREAS, citizens of Georgia are grateful for the work done by retired educators around the State and Nation. We commend them for their time and commitment to bettering our country; and

NOW, THEREFORE, BE IT RESOLVED that the Camden County Board of County Commissioners hereby declare November 4, 2012 as

“Retired Educators Day”

and urge our citizens to recognize the lasting contributions of our State’s retired educators.

- Proclamation declaring October as “Breast Cancer Awareness Month”

County Clerk Katie Bishop read the Proclamation declaring October as “**Breast Cancer Awareness Month**” and Chair Rainer presented the Proclamation to Beth Lane of the American Cancer Society.

Declaring October “Breast Cancer Awareness Month”

WHEREAS, October is National Breast Cancer Awareness Month with the aim of increasing awareness of the disease and to facilitate research into its causes, prevention, diagnosis, treatment and finding a cure; and

WHEREAS, nationally, over 230,000 women and men are diagnosed with breast cancer each year; and in 2012 breast cancer continues to be a common cause of cancer in the Southeast Georgia; and

WHEREAS, the health and well being of our community are enhanced as a direct result of increased awareness and education regarding breast cancer, and from encouraging our citizens to take actions to lower their risk of developing the disease; and

WHEREAS, this month, pink ribbons will be displayed around our country, adorning jackets and public spaces alike, casting a sign of solidarity, these ribbons remind us of our commitment to preventing and treating breast cancer, and to supporting those courageously battling this disease; and

WHEREAS, countless Americans will participate in events to raise awareness alongside survivors and their families, working together to support research that will save lives; and

WHEREAS, Friday, October 12, 2012 is “Pink Out Friday” and we encourage our citizens to wear pink on this day to increase awareness of this disease; and

WHEREAS, the 14th Annual Breast Cancer Awareness Fashion Show and Silent Auction will be held Saturday, October 13th at Borrell Creek Landing to help promote prevention, early detection, treatment and finding a cure of breast cancer; and

NOW, THEREFORE, BE IT RESOLVED that the Camden County Board of County Commissioners hereby declare October as

“Breast Cancer Awareness Month”

and we encourage our citizens, government agencies, private businesses, nonprofit organizations, and all other interested groups to join in these activities that will increase awareness of what Americans can do to prevent and control breast cancer.

- Proclamation recognizing November 8th as Bryan Lang Historical Archives Day

County Clerk Katie Bishop read the Proclamation declaring November 8th as Bryan Land Historical Archives Day and Chair Rainer presented the Proclamation to Bryan Lang Archivist Judy Buchanan.

Whereas, the Bryan-Lang Historical Archives is celebrating twenty-five years of service to the people of Camden County, as the custodian and depository of the cultural, genealogical, and official history of Camden County, one of the eight original counties in Georgia, and;

Whereas, the Bryan-Lang Historical Archives has continually grown its holdings of Camden County history to include thousands of family histories, cultural histories, books, photographs, microfilm, documents, maps, and artifacts, and;

Whereas, the Bryan-Lang Historical Archives and staff provide daily assistance to researchers of Camden County history, including historians, students, genealogists, teachers, and environmentalists, and;

Whereas, the Bryan-Lang Historical Archives, as a historical and genealogical center for

our knowledge of human society, promote democracy, and enhance the quality of life for all.

Now, Therefore, I, David L. Rainer, serving as Chairman of the Board of County Commissioners, Camden County, Georgia, do hereby officially proclaim

NOVEMBER 8, 2012 as “Bryan-Lang Historical Archives Day”

Public Comments

Joy Lynn Turner, Clerk of Court

Mrs. Turner stated that she is a member of the Insurance Committee and thanked each of the members of the Board who chose to meet with them and allowing them to voice concerns regarding the proposed Consulting Services Contract with Cumberland Financial Group. She thanked Mr. Howard, Staci Bowick and Mary Smith for taking the time to review their specific concerns and go over the language contained in the contract. She stated although the presentation tonight with contain propelling evidence to merit the proposed 27% increase, she explained she is here to give voice to the employees who feel disenfranchised by this process and disillusioned by words that elude to budgetary restraints. She stated that is neither an attack on the expertise Mrs. Smith brings to these negotiations nor a lack of appreciation for her endeavors towards providing quality health care for the employees of Camden County at the greatest savings. She explained it is, rather, a glaring disparity in recognition and compensation of the collective contributions of the dedicated workforce of Camden County. She explained daily we are asked to do more with less, from the paper we use to produce vital records for varying agencies, to the equipment used by facilities maintenance, firefighters, EMS and law enforcement. She stated they are called upon to be diligent and cost effective in the performance of their respective duties and they have risen to the occasion. She stated that we now provide vital services to over 50,000 covered lives in Camden County. She stated the Cumberland Financial Group has been afforded a review of their performance of services for this County and it has been deemed appropriate to grant a 27% increase in that contract. She acknowledged the services have been reviewed in light of industry standard and indeed the contract is well below that norm. She further stated, however, the employees have neither been afforded performance reviews nor any comparison of industry standards that could lead to greater compensation for jobs well done. She explained that employees were told at the beginning of the budget negotiation process for 2013 there is no more, there will be no more and do not ask for more. She declared we were charged to continue the performance of our respective duties with the expertise we bring to our diverse positions understanding there would be no more and she explained it is indeed a bitter pill to swallow when we realized this item was not only budgeted but also approved by the administration. She stated as recently as two weeks ago this Board voted to return the proposed millage rate increase of .50 mills to the Camden County School Board with such commentary as we have made every effort to seek ways to cut spending within our budget and we suggest they do the same. She stated our finance director Mr. Fender presented the commissioners with information showing a tax digest that continues to shrink because of the current economic position we find ourselves facing and in light of the recent vote defeating T-SPLOST she suggests that SPLOST VII may face opposition as well. She stated that the implementation of the Affordable Health Care Act in 2013 brings further unknown impact to our current health care costs. She explained that taking into consideration one of these factors should give reason for

future.

Lori Whitlow, CCSO

Mrs. Whitlow thanked the Board for the time to address them tonight and thanked those who took the time to meet with herself and Mrs. Joy Lynn Turner. She explained that she found out about the contract and did not know about it, being a member of the insurance committee as well. She stated that the Camden County Sheriff's Office employees have been sent out information explaining all the bits of information she has collected and gained from Staci, Mary and doing her own research. She explained that the overall, entire, report back from the employees is they do not understand why. She stated that how do we ask every department within the Camden County government to maintain last years budget and then still ask that we make an exception. She stated that at this time she understands Mrs. Mary Smith's company is operating in a contract to provide a function to the Camden County government at a lower cost but at this time we have also asked that everyone stay within that and now we are going to allow one change to come through. She stated that when one change comes through there will be others. She explained they have gone back to all of our vendors and shrunk those contracts. She stated they have looked at them and said if there is anything you can do to lower the cost to us at this time we are ask you to do that, at the same time looking to see if there is a new vendor that can provide a better service at a lower cost. She asked the Board to think long and hard tonight and think about this before you take this step because it is not the right time. She stated that there may be an economic time that it will be right but it is not today and the employees are truly wondering why.

Jeremy Wright, 105 Brazell Place, Kingsland

Mr. Wright stated that he is also a county employee and he is here tonight to talk about the same proposed contract increase of 27% for Cumberland Financial Group. He stated that since 2009 we have had a consistent decrease in health care benefits through increase in premiums and increase in the amount we pay as employees. He explained there **hasn't** been any reduction and he understands that come studies have been done to show that Cumberland Financial Group deserves more money. He stated that a similar study was done by the University of Georgia that shows that employees deserve a raise and that was six years ago. He explained for the last six years **we've** operated below fair market value while continuing to provide outstanding service throughout the County and took a reduction in cost, equipment and still made it work. He challenged the Board to search their souls and do what you think is right for the County employees and the County budget. He stated that a 27% increase is a huge increase while most of us would be happy with a 2 ½ % increase and he **doesn't** understand the cost increase as far as what it costs her to do business with Cumberland Financial Group and he apologized. He asked the Board that before they make a decision he would really like for the Board to look at the study as well as any studies that have been done since then and perhaps put this contract out for bid to see if we can get a lower bid. He stated that maybe it is not possible, maybe she is the lower bidder but he **doesn't** feel that it is appropriate to make that kind of decision tonight. He explained that most of the County employees feel that it is a slap in the face to grant somebody a

27% increase.

Regular Agenda

1. Agreement for Benefit Management / Consulting and Insurance Agency Services.

Vice-Chair Keene made a motion, seconded by Commissioner Clark to approve the agreement for Benefit Management / Consulting and Insurance Agency Services with Cumberland Financial Group, LLC / Health and Wellness Division.

Power point presentation - Performance Review Presented by: Steve L. Howard, County Administrator Staci J. Bowick, Director of Support Services Presented by: Steve L. Howard, County Administrator Staci J. Bowick, Director of Support Services

Cost Effective Innovations to Improve Employee Health Plan
How Do We Compare Nationally?

	<u>National Average</u>	<u>Camden County</u>
Cost Share	73%/27%	82%/18%
Annual Premium	\$4,300	\$2,7642
Deductible	\$1,000	\$500

1 Comparisons based on medical coverage only.

2 Premium shown reflects wellness discount; Annual Premium without wellness discount is \$3,455.

Source: Williams, Misty (2012, September 11). Health costs rise, but more slowly. *The Atlanta Journal-Constitution*. Retrieved from <http://www.ajc.com>

*Based on: Chenoweth, D. (2011). Promoting Employee Well-Being: Wellness Strategies to Improve Health, Performance and the Bottom Line. SHRM Foundation's Effective Practice Guidelines Series. Pp 3-7.

Agreement between Camden County Board of Commissioners and The Cumberland Financial Group LLC for Benefit Management / Consulting And Insurance Agency Services

County Administrator Steve Howard stated he is going to start out with a comparison, some of the members were on the Board at the time and some were not, but we were facing a major issue looking at the sustainability of the health care program which was

average.

Support Services Director Staci Bowick explained to the Board they are going to take them back a little bit and the first thing they put in place was a comprehensive wellness program complete with biometric screenings, health risk assessment, life style coaching and we now have interactive activities such as the get active program which nearly 70 employees participate in that successfully. She stated we also have provided cash incentives and discounts through the wellness money provided to us through negotiations with Aetna. She explained that money is not county money it is money received from Aetna to provide those incentives for the wellness program. She stated that the next area they began to focus on was the onsite clinic and began to look at the resources we already had in place such as the fulltime nurse who was overseeing the workers comp program and the acute care moving into phase 2 which was to bring on a part-time nurse and the chronic disease management program, further providing physician hours bringing our medical director Dr. Daniel Matricia coming every other Wednesday. She explained he helped us to establish formal protocol in the clinic and

changes and productivity measurements.

County Administrator Steve Howard stated that we are a self insured plan not fully insured which requires more hands to manage the plan and continues to save money by doing that. He explained that He stated that he took the temperature of this plan back in 2009 asking multiple carriers and fully insured carriers if they were to take over Camden **County's** plan what would it cost us and it was \$7.1 million dollars which we continue to move that down to about \$4.1 million now. He stated that as you can see

services at the same time look at marketing our Employee Health Plan.

Chair Rainer stated that the Board has the proposal and it is recommended that we renew the contract. He asked for a motion from the Board.

Vice-Chair Keene asked is there any reason we cannot go out for an RFP for those consulting services sooner than 2014.

County Administrator Steve Howard answered that one of the reasons why it was important when this team was formed to carry this out where we are at now. He stated that doing it prior to that **doesn't** really get you a lot in his opinion you need that consultant/broker with you when you go out to bid again in the future.

Chair Rainer asked how long this contract has been in existence.

County Administrator Steve Howard answered since 2009.

Chair Rainer stated that we are going three years without a bid.

County Administrator Steve Howard stated that in 2009 when the Board of Commissioners authorized changing the team you never went out for bid for a broker service. He explained that historically the broker service never went to the Board. He stated that they negotiated a three year spread on this and that is why it is important for your consideration tonight.

Chair Rainer stated that we have an awful lot of dissatisfaction among the employees and asked are we creating something that we **don't** want. He stated that it bothers him from that stand point that we basically will be going without a bid for 4-5 years. He explained he understands the results but we have to separate the results from the issue because the issue at hand is this the best price that can be gotten for the employees of Camden County. He declared the issue is not the results, the issue is there someone that can do the same or a better job for less money and it seems that it is an overriding situation from the standpoint that the employees and a 27% increase is an awful lot. He stated that he has problems with that.

Vice-Chair Keene asked if the Board should get a motion and a second on the floor.

Vice-Chair Keene made a motion, seconded by Commissioner Clark to approve the Agreement for Benefit Management / Consulting and Insurance Agency Services.

Commissioner Blount asked if any of these programs we have in place, including the wellness clinic and anything that is related to that be in place at this point with out Cumberland Financial.

County Administrator Steve Howard answered that at that time we **didn't** have those

you can see the results of what was happening there.

Commissioner Blount asked if this was something we could do in house with our own HR department.

County Administrator Steve Howard answered that the scope of this project, with what you are trying to do here, no you could not.

Commissioner Blount stated that both sides are presenting compelling arguments and he understands the employee side and the cost benefits Cumberland Financial has provided. He stated that this is a contract and not an employee with not just one individual providing this service. He stated that she has a staff and thirty plus years of experience. He stated that he certainly does not want to lose those and he explained that he understands insurance costs. He stated that these things involve a lot more folks and people look at her and associate that this money is going to just her when there are costs associated with that. He asked what kind of time Cumberland Financial is putting in to this.

County Administrator Steve Howard answered from his experience lots of hours.

Support Services Director Staci Bowick stated that one day a week they meet and may talk to her on a daily basis. She stated that from her experience she spends 8-12 hours a week but that is not including email received at night and emails she is copied in on.

Commissioner Blount asked if all these programs we have in place are constantly being maintained and tweaked and is this something that is a moving or fluid situation constantly being monitored, adjusted and maintained.

County Administrator Steve Howard answered that he hit the nail right on the head there exactly, we have to manage this program to sustain it and it takes lots of work to continue to manage it.

Vice-Chair Keene stated that the question is do we need the service and the answer is we do need it to maintain the level of service. He stated that from what he has seen since he has been here it is worth it. He stated that the clinic is a huge benefit and when he goes to the doctor he has to go to Jacksonville. He stated there are not very many better plans out there and the employees have shared some additional costs but the programs we have gotten from Cumberland Financial have offset some of those costs. He stated that the question is if we **don't** get the service from Cumberland Financial where are we going to get it from at the lowest cost. He stated that this contract does have a 30 day out provision which is pretty significant since if you look at many insurance agreements in the private sector you will never see that. He stated that someone made the comment it is more like a rental agreement for services more than it is a contract. He stated that from his stand point it is pretty good for us since at any time that we decide we **don't** like her or find a better price tomorrow we can say here is your 30 day notice. He further stated that we need to keep in mind this is a vendor and not

an employee situation which is treated differently.

Commissioner Blount expanded on the comment Mr. Wright brought up regarding the premiums something to realize in 2009 the split was 88/12 and those types of cuts were coming inevitably due to the sustainability of the plan.

Commissioner Starline stated that sometimes we casually say Mary where Mary represents a company. He stated that this is a business and the money is not going directly to her she has expenses. He explained that she is going to charge us \$87,000 and if she would have charged us this in the beginning we would have been very happy. He stated that he thinks she worked to cheap in the beginning. He explained that he agrees with Vice-Chair Keene that we basically have a rental agreement and nobody argues with results.

Vice-Chair Keene stated that one of the arguments is that we **don't** take the employees into consideration. He stated that as an employer you have to take into consideration the employees and the health plan is a benefit that you get with the goal that you offer a benefits package that is sustainable. He stated that we want the good employees to stay with us and other good employees to come work with us. As an employer our goal is to continue to offer a sustainable benefits package.

Commissioner Clark stated that looking back as an employer that one time had to buy insurance the bottom line is that from 2009, 2010 to 2012 are we in a better position and the answer is yes we have saved money. He stated that without Cumberland Financial what cuts would we have to make and he will have to support this for the saving we have done.

Chair Rainer stated that it is not an employee situation and the services have improved with a tremendous benefit however I would have asked for bids to document so that we have it documented and now we have created a moral problem with employees that will be there for a long time.

Commissioner Blount asked with the 30 day out what would preclude us from doing a bid to put some of these issues the employees have at ease.

County Administrator Steve Howard stated he was concerned with the numbers already out there now but at some point it can be done.

Commissioner Blount stated that is a valid point but there are a lot of factors to make it comparable.

Commissioner Starline stated that there is one portion of this contract that will make it unlikely very many people will even bid on it and that is the 30 day out.

Vice-chair Keene made a motion, seconded by Commissioner Blount to amend the original motion to approve the agreement for Benefit Management / Consulting and Insurance Agency Services with Cumberland Financial Group, LLC / Health and Wellness Division as presented with the requirement that staff put the scope of services as defined in the contract out for bid to be completed in 120 days.

So voted:

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

The motion carried 4-1.

This Agreement, made and entered into on this 1st day of July 2012 by and between Camden County Board of Commissioners, a Political Subdivision of the State of Georgia, (hereinafter called "CCBC") and The Cumberland Financial Group LLC / Health and Wellness Management Division (hereinafter called "TCFG") both Parties hereto agree as follows:

WITNESSETH

WHEREAS CCBC and the Government of Camden County, Georgia (CCBC) is a Political Subdivision of the State of Georgia and are authorized by State law to enter into agreements.

WHEREAS CCBC is desirous of engaging the services of a Benefit Management Consultant / Insurance Agency / Agent to assist in the organization, implementation and maintenance of the County's Health Insurance Program; and ,

WHEREAS TCFG is capable and desirous of providing such services to the County; NOW THEREFORE, in consideration of the mutual covenants and agreements set forth herein, the Parties agree as follows:

SECTION 1. TERM

- a. The first term of this agreement shall be in effect as of July, 1 2012 and shall continue through June 30, 2014. This agreement may be extended for three additional one year periods by the County under the terms and specifications contained herein.
- b. Either CCBC or TCFG may terminate this Agreement by giving a written 30 day notice of termination to the other party. Termination will be without prejudice to the rights and obligations accrued to date of termination. Written Notice of Termination shall be given to TCFG or to CCBC by Certified Mail or Hand Delivery to the following addresses, or in the event of a change of address as to which notice is given. Notice will be deemed given on receipt to the following:

CCBC MAIL: Camden County Board of Commissioners
Attn: County Administrator
POB 99
Woodbine, GA 31569

CCBC Hand Delivery: Camden County Board of Commissioners
Attn: County Administrator
Government Services Building 4th Street
Woodbine, GA 31569

TCFG Mail or Hand Delivery: The Cumberland Financial Group LLC
Mary T. Smith CIC, President
6250 HWY 40 East
St Marys, GA 31558

SECTION 2. SCOPE OF SERVICES

CCBC engages TCFG and TCFG agrees to perform in a good and professional manner the services set in herein. TCFG agrees to provide Professional Benefits Management Services and Insurance Agency Services on a fixed fee basis. These services shall include matters relating to the following employer paid welfare benefit program(s) (together the PROGRAM):

Medical, Prescription Drug, Dental, Vision, Group Life, Accidental Death & Dismemberment, Employee Assistance Program, Long Term Disability, Wellness/Chronic Disease Management and Clinic Assistance

- a. TCFG's services hereunder shall include, but are not limited to, assistance with coordination of the administration, financial structure and service standards for the PROGRAM;
- b. Assist in the evaluation of vendors and monitor vendors for compliance with agreed upon structure and service standards;
- c. Assist with the coordination of appropriate benefit communications;
- d. Help secure Insurance for the PROGRAM and in the event an Insurance Company cancels or refuses to place the necessary Insurance, seek to obtain appropriate replacement coverage. TCFG shall not assume any responsibility or liability for the non payment of Insurance Carrier claims; and
- e. Provide Employee Benefit Summaries annually;
- f. Attend weekly meetings to discuss claims, loss control, risk exposure changes, general administrative matters and review and analyze current coverage for the Benefit PROGRAM;
- g. Provide Data Analysis to refine medical and prescription plan designs;
- h. Work with the Wellness program design to integrate Disease Management Program initiatives;
- i. Provide data for Wellness program design and benchmarking and monitor measures for outcomes;
- j. Help identify risk for outcome management and large claim avoidance;
- k. Assist in Clinic Collaborations and integration of Clinic Data to Carrier through Electronic Medical Record Data transfer; and
- l. Maintain an office in Camden County

SECTION 3. ADDITIONAL SERVICES

The Parties understand and agree that such additional services and the fees for same shall be subject to negotiation between the parties and subject to a written amendment to this agreement.

SECTION 4. COMPENSATION

For all services actually, timely and faithfully rendered, CCBC shall compensate TCFG as follows:

- a. Beginning 07/01/2012 and through 06/30/2014, TCFG shall receive a fixed fee of \$86,959.00 annually for Consulting and Agency Services outlined in Section 2 of this agreement. Compensation shall be paid to TCFG in twelve equal installments of \$7,246.59 at the beginning of each business month. In the event TCFG is required to travel for CCBC or incur expenses for the benefit of CCBC, then said expenditures shall be refunded to TCFG once invoiced and approved by the Director of Support Services with final approval by the County Administrator.

SECTION 5. INDEPENDENT CONTRACTOR

This agreement does not establish an employee employer relationship between CCBC, TCFG, Mary T. Smith, CIC or any of TCFG's other personnel. TCFG, Mary T. Smith CIC and their

not be enrolled as a member of any of the benefits provided by CCBC to their employees.

SECTION 6. HIPPA PRIVACY

TCFG and the County shall each comply with any prohibitions, restrictions, limitations, conditions, or other requirements to the extent they apply to it directly or indirectly pursuant to the Health Insurance Portability and Accountability Act of 1996 (HIPPA) and its implementing regulation concerning privacy of individuals identifiable health information as set forth in 45 CFR Parts 160 164, as amended from time to time.

SECTION 7. INSURANCE AND LICENSING

TCFG / Mary T. Smith, CIC shall procure and maintain Professional Liability Insurance throughout the entire term of this agreement and will provide a Certificate of Insurance to CCBC annually. TCFG shall maintain its Georgia Insurance License and agrees to provide CCBC with an annual copy. Mary T. Smith, CIC agrees to maintain her Georgia Insurance Agent and Georgia Counselor's License and provide CCBC annual copies as well as maintain her Designation as Certified Insurance Counselor through the Society of Certified Insurance Counselors and certified by The National Alliance for Insurance Education and Research. Copies of licensing, Certificate of Professional Liability and CIC annual update are attached to this Agreement.

SECTION 8. AMENDMENT

This Agreement may not be amended except by a written instrument signed by CCBC and TCFG. This Agreement supersedes any oral or previous written agreement between CCBC and TCFG / Mary T. Smith CIC with respect to any of the matters dealt with herein.

SECTION 9. GOVERNING LAW

This Agreement will be governed by and construed in accordance with the law of the State of Georgia with the jurisdiction and venue to be the Superior Court of Camden County, Brunswick Judicial Circuit, State of Georgia.

LAST ENTRY OF AGREEMENT SIGNATURE PAGE FOLLOWS:

SIGNATURE PAGE TO BENEFIT MANAGEMENT / CONSULTING AND INSURANCE AGENCY SERVICES AGREEMENT FOR CAMDEN COUNTY BOARD OF COMMISSIONERS.

Hereby agreed to by the Parties on the date first above written.

2. Renewal of Memorandum of Understanding with City of St. Marys to Provide Onsite Clinic Services to City Employees.

Commissioner Blount made a motion, seconded by Vice-Chair Keene to approve the Renewal of Memorandum of Understanding with City of St. Marys to Provide Onsite Clinic Services to City Employees.

The motion carried unanimously.

3. Reappointment of Katherine Dixon to the Department of Family and Children Services Board of Directors.

Chairman Rainer made a motion, seconded by Vice-Chair Keene to reappoint Katherine Dixon to the Department of Family and Children Services Board of Directors to serve a term that shall expire on June 30, 2017.

The motion carried unanimously.

4. Consideration of approval of Real Estate Agreement for the purchase of property located adjacent to the Camden County Public Safety Complex.

Commissioner Blount made a motion, seconded by Commissioner Starline to approve the Real Estate Agreement for the purchase of property located adjacent to the Camden County Public Safety Complex.

The motion carried unanimously.

5. Consideration of request for relief regarding ad valorem taxes.

- Norman Wood, 184-005

Commissioner Starline made a motion, seconded by Vice-Chair Keene to approve the request for relief regarding penalties, interest and costs related to 2010 & 2011 ad valorem taxes by Norman Wood (184-005) in the amount of \$798.53.

The motion carried unanimously.

- Napili Holding - 125G-003 & 125F-050B

Commissioner Blount made a motion, seconded by Vice-Chair Keene to approve the request for relief regarding penalties, interest and costs related to 2010 & 2011 ad valorem taxes by Napili Holding (125G-003 & 125F-050B) in the amount of \$627.08.

The motion carried unanimously.

- Evergreen Missionary Baptist Church - 093-005

Commissioner Starline made a motion, seconded by Commissioner Blount to approve the request for relief regarding penalties, interest and costs related to 2011 ad valorem taxes by Evergreen Missionary Baptist Church (093-005) in the amount of \$630.12.

The motion carried unanimously.

- Sugarmill Homeowners Association - 134-021

Commissioner Blount made a motion, seconded by Vice-Chair Keene to deny the request for by Sugarmill Homeowners Association (134-021) in the amount of \$7,615.47.

Commissioner Blount withdrew his motion and Vice-Chair Keene withdrew the second

of \$7, 615.47.

Commissioner Blount made a motion, seconded by Vice-chair Keene to table this item and request Chief Appraiser Terry Ross be present during a future regular meeting in order to further discuss this item.

The motion carried unanimously.

6. Consideration of Chair to execute Tax Release Applications

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

The motion carried unanimously.

<u>Name</u>	<u>Digest Year</u>	<u>Amount</u>	<u>Reason for Change</u>
George Smith	2008	\$14.50	vehicle taxed in wrong district
George Smith	2009	\$12.16	vehicle taxed in wrong district
George Smith	2010	\$11.62	vehicle taxed in wrong district
George Smith	2011	\$11.61	vehicle taxed in wrong district
Mary A. Smith	2011	\$70.79	vehicle taxed in wrong district
Sean Tookes	2002	\$251.66	statute of limitations
Sean Tookes	2003	\$234.31	statute of limitations
Dennis Barlow	2000	\$203.58	statute of limitations
Dennis Barlow	2001	\$187.64	statute of limitations
Dennis Barlow	2002	\$192.48	statute of limitations
Dennis Barlow	2003	\$200.60	statute of limitations
Barry Barlow	2004	\$180.56	statute of limitations
Nathaniel & Austin Athell	2001	\$181.29	statute of limitations
Nathaniel & Austin Athell	2002	\$287.25	statute of limitations
Nathaniel & Austin Athell	2003	\$297.79	statute of limitations
Chris Utsler	1998	\$213.96	statute of limitations
Chris Utsler	1999	\$191.58	statute of limitations
Chris Utsler	2000	\$249.98	statute of limitations
Chris Utsler	2001	\$223.64	statute of limitations
Chris Utsler	2002	\$220.24	statute of limitations
Chris Utsler	2003	\$218.30	statute of limitations
Sandra Williams	2003	\$220.99	statute of limitations
Nathaniel & Austin Athell	2002	\$287.25	statute of limitations
Nathaniel & Austin Athell	2003	\$297.79	statute of limitations

<u>Name</u>	<u>Digest Year</u>	<u>Amount</u>	<u>Reason for Change</u>
Charlie A. Marr, Jr.	1998	\$27.28	statute of limitations
Dan Roberts	1995	\$43.70	statute of limitations
Dan Roberts	1997	\$54.51	statute of limitations
Dale Scroggins	1998	\$429.51	statute of limitations
Dale Scroggins	2001	\$372.35	statute of limitations
Dale Scroggins	2002	\$389.70	statute of limitations
Denean Perdue	2004	\$363.20	statute of limitations
Denean Perdue	2003	\$388.59	statute of limitations

7. Consideration of approval of Camden County School Board millage rate resolution

Chairman Rainer made a motion, seconded by Commissioner Clark to approve the School Board millage rate resolution.

Commissioner Blount stated that he would like to clarify a few things regarding his intentions at the last meeting. He stated that after hearing rumors about monies he wanted to do a little due diligence of his own. He explained that he had anticipated that someone from the school board would have been here to answer questions. He stated that he has gone back and looked at the audited financial statements and fund balances proving that the rumors of monies are not there. He stated that his concerns were not so much directed at the Board of Education and that their hands are tied to some extent as well as ours. He stated that he has been provided information by the County Attorney that clarified to him that our function is ad ministerial. He stated that although he understands this it does not preclude him from asking questions about it and had someone been here from the Board of Education clarification could have been provided at the last meeting. He stated that his problem is with the process which would have to be changed by a constitutional amendment. He stated that he has gathered millage rates from other counties that exceed state limits and Camden County is tied at 79th place making it not as horrific that some might believe when comparing it to the rest of the State.

Commissioner Starline stated that he agrees we have no other choice and he would like to see the Board enact a motion similar to a few years ago that says he is not happy and make it so made.

Chair Rainer withdrew his original motion and Vice-Chair withdrew his second to that motion.

Commissioner Starline made a motion, seconded by Vice-Chair Keene to approve the School Board millage rate resolution with the inclusion of the resolution of the Board of Commissioners stating under protest the Camden County Board of Commissioners hereby adopts this resolution in conjunction with the Resolution establishing the 15.50 mill rate for the Camden County Board of Education for the Tax Digest year 2012.

The motion carried unanimously.

RESOLUTION OF THE CAMDEN COUNTY BOARD OF COMMISSIONERS TO ADOPT A COUNTY MILLAGE RATE FOR THE CAMDEN COUNTY BOARD OF EDUCATION

WHEREAS Camden County, Georgia is a political subdivision of the State of Georgia and is vested with the lawful authority to levy taxes on the property of Camden County for the funding of the general government of Camden County and the Camden County Board of Education as required by law, and

WHEREAS Camden County as well as the State and National economy is experiencing hard economic times, and

WHEREAS the Camden County Board of Commissioners has determined it is not in the best interest of the citizens of Camden County to increase the millage rate for the funding of the general county government for the Tax Digest year 2012, and

WHEREAS the Camden County Board of Education has forwarded to the Camden County Board of Commissioners a millage rate of 15.50 mills for the funding of the Camden County Board of Education which is .50 (½) mill increase over the previous year thereby causing a tax increase on the valuation of the property owned by the taxpayer of Camden County, and

WHEREAS the Camden County Board of Commissioners in a lawfully scheduled meeting September 18, 2012 failed to approve the requested millage rate of 15.50 mills and **called on the Board of Education to return to the previous year's millage rate, and**

WHEREAS the Constitution of the State of Georgia pursuant to Article VIII § VI, Para I, states in part as follows: “The board of education of each school system shall annually certify to its fiscal authority or authorities a school tax not greater than 20 mills per dollar for the support and maintenance of education. Said fiscal authority or authorities shall annually levy said tax upon the assessed value of all taxable property within the territory served by said school system, provided that the levy made by an area board of education, which levy shall not be greater than 20 mills per dollar, shall be in such amount and within limits as may be **prescribed by local law applicable thereto.**”, and

WHEREAS the Georgia Supreme Court held in County Board of Education of Wilcox County v. Board of Commissioners of Roads and Revenues of Wilcox County, 201 Ga. 815, 41 S.E.2d 398 (1947), (Mandatory on county board of commissioners to follow county boards of education recommendation on levying taxes) the court further states under this provision of the Constitution, it is mandatory upon county boards of commissioners, or other fiscal authorities levying taxes for the county, to follow the recommendation of the county boards of education as to the levy to be made for the support of education where such recommendation is within the limitation defined by the Constitution.

WHEREAS the Georgia Court of Appeals held in Rosa Rosser, et al. v. Meriwether County, 125 Ga. App. 239, 186 S.E. 2d 788 (1971), (The board of commissioners has no discretion in levying taxes; its action is ministerial.) the court further states the amount of the levy is discretionary with the board of education, within limits fixed by the Constitution or statute, and when duly determined it is mandatory.

NOW THEREFORE BE IT RESOLVED the Camden County Board of Commissioners by majority vote opposes the increase in the millage rate as determined by the Camden County Board of Education and calls on the Board of Education to review and reduce their annual budget to conform to the millage rate for Tax Digest for the previous year 2011, and

NOW THEREFORE BE IT FURTHER RESOLVED the Camden County Board of Commissioners has reviewed the law in regards to the establishment of the millage rate by the Camden County Board of Education and have determined that the Constitution of the State of Georgia and the ruling of the Georgia Supreme Court and the Georgia Court of Appeals affirms the mandatory adoption of the millage rate recommended by the Board of Education, and

NOW THEREFORE BE IT FURTHER RESOLVED under protest the Camden County Board of Commissioners hereby adopts this resolution in conjunction with the Resolution establishing the 15.50 mill rate for the Camden County Board of Education for the Tax Digest year 2012.

Adopted in a lawful assembly by majority vote of the Camden County Board of Commissioners and spread upon the Official Minutes of Camden County.

A Resolution to Adopt A County Millage Rate

For Camden County, Georgia

BE IT RESOLVED BY THE CAMDEN COUNTY BOARD OF COMMISSIONERS, CAMDEN COUNTY, GEORGIA, that the County hereby adopt the millage rates based on one dollar (\$1.00) of the taxable property of Camden County which appears on the Tax Digest for the year 2012 and on all property in said County that is subject to taxation, but is not returned for taxes and is not on the Tax Digest as provided by law, the same being levied and the same shall be collected by the Tax Commissioner for the following purposes;

In accordance with the Camden County School Board, the following millage was adopted at their September 06, 2012, meeting.

1. 15.50 mils for the maintenance and operations budget

THEREFORE, BE IT RESOLVED, that the Camden County Board of Commissioners does hereby adopt, resolve and enact the foregoing millage rates for Camden County, Georgia.

8. Surplus item list

Camden County Sheriff's Office is requesting to surplus eleven (11) vehicles. These vehicles have been stored at Ray Marr's Garage used to take spare parts off to keep in-use vehicles running without having to buy new parts. These vehicles have most useful parts taken off therefore they are of no use to the Sheriff's Office any longer.

Also, Adult Probation is no longer utilizing the portable building located at 207 E 2nd St. Woodbine. The County no longer has a use for this building and must be sold/disposed of to take off of the insurance.

Commissioner Blount made a motion, seconded by Vice-Chair Keene to approve the Surplus Item list.

The motion carried unanimously.

9. Annual Statement of Pricing for Engineering, Environmental and Surveying

Vice-Chair Keene made a motion, seconded by Commissioner Blount to approve the Annual Statement of Pricing for Engineering, Environmental and Surveying.

The motion carried unanimously.

10. Award contract for various road paving projects

Commissioner Starline made a motion, seconded by Vice-Chair Keene to award the contract for various road paving projects to Plant Improvement Company (Seaboard Construction).

The motion carried unanimously.

11. Approval of Services Agreement between City of Kingsland and Camden County Board of Commissioners.

The Services Agreement with the City of Kingsland is to allow Fire Rescue vehicles to have access to gasoline storage tanks located at 687 N. Lee Street for fueling. The gasoline usage will be billed to the County under the City's negotiated discounted rate,

year terms unless terminated by either party by giving 90 day advance written notice.

Commissioner Blount made a motion, seconded by Vice-Chair Keene to approve the Services Agreement between City of Kingsland and Camden County Board of Commissioners.

The motion carried unanimously.

Reports

- **Calendar - September & October**

County Clerk Kathryn Bishop read the calendars for October & November 2012.

- **County Administrator's Report**

County Administrator Steve Howard announced that a Rabies Clinic will be held on the Historic Courthouse front lawn for a nominal fee of \$8.00. The clinic will be held on Saturday, October 20th from 10:00 AM - 12:00 PM.

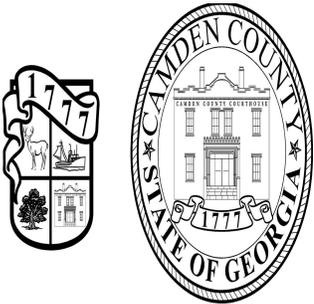
He presented Finance & Budget Director Mike Fender with a service award for 15 years of dedicated service to Camden County.

Additional Public Comments:

No additional public comments were offered.

Adjournment:

Commissioner Blount made a motion, seconded by Chairman Rainer to adjourn the October 2, 2012 meeting. The vote was unanimous to adjourn the meeting at 8:48 PM.



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

ATTEST: *Kathryn A. Bishop*
KATHRYN BISHOP, COUNTY CLERK