

**CAMDEN COUNTY, GEORGIA
BOARD OF COUNTY COMMISSIONERS
SPECIAL CALLED MEETING
DECEMBER 20, 2012, 5:45 PM**

A Special Called Meeting of the Camden County Board of County Commissioners was held at 6:00 p.m. on Thursday, December 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.

Finance & Budget Director Mike Fender delivered the invocation.

Chairman David L. 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; County Clerk Kathryn Bishop.

Agenda Amendments:

No agenda amendments were offered during this time.

Motion to Adopt the Agenda:

Commissioner Blount made a motion, seconded by Vice-chair Keene to adopt the special called meeting agenda as presented.

The motion carried unanimously.

Public Comments

No comments were offered during this time.

Special Called Agenda

1. Approval of Intergovernmental Agreement regarding 2013 Special Purpose Local Option Sales Tax.

Commissioner Blount made a motion, seconded by Commissioner Clark to approve the Intergovernmental Agreement regarding 2013 Special Purpose Local Option Sales Tax with the following language added to page 12: The first \$5,335,000.00 collected from the tax shall be used for the funding of the County-Wide Level Two (2) projects as listed above. No disbursements will be made for any other listed purpose in this agreement, or to any other entity that is a party to this agreement, until this provision of the

agreement has been satisfied.

Commissioner Starline stated that sales tax is the fairest tax, however he feels that this is not be handled fairly and will not support the item.

County Attorney Brent Green suggested adding the following language, provided by Vice-Chair Keene, to the agreement: The first \$5,335,000.00 collected from the tax shall be used for the funding of the County-Wide Level Two (2) projects as listed above. No disbursements will be made for any other listed purpose in this agreement, or to any other entity that is a party to this agreement, until this provision of the agreement has been satisfied.

So voted:

Chairman Rainer - Yes

Vice-Chair Keene - Yes

Commissioner Clark - Yes

Commissioner Starline - No

Commissioner Blount - Yes

The motion carried 4-1.

Insert agreement here (19 pages)

2. Approval of Resolution authorizing the Chairman to execute the Intergovernmental Agreement regarding 2013 Special Purpose Local Option Sales Tax.

Commissioner Blount made a motion, seconded by Commissioner Clark to approve the with Resolution authorizing the Chairman to execute the Intergovernmental Agreement regarding 2013 Special Purpose Local Option Sales Tax with the following language added: The first \$5,335,000.00 collected from the tax shall be used for the funding of the County-Wide Level Two (2) projects as listed above. No disbursements will be made for any other listed purpose in this agreement, or to any other entity that is a party to this agreement, until this provision of the agreement has been satisfied.

The motion carried unanimously.

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF CAMDEN COUNTY, GEORGIA APPROVING AND AUTHORIZING EXECUTION, BY THE CHAIRMAN OF THE CAMDEN COUNTY BOARD OF COMMISSIONERS, OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE COUNTY AND CERTAIN MUNICIPALITIES OF CAMDEN COUNTY CONCERNING A COUNTY ONE PERCENT SPECIAL PURPOSE LOCAL OPTION SALES AND USE TAX ENACTED PURSUANT TO O.C.G.A. § 48-8-110 ET SEQ., REPEALING PRIOR RESOLUTIONS IN CONFLICT; AND FOR OTHER PURPOSES.

WHEREAS, O.C.G.A. § 48-8-110 et seq. authorizes the imposition of a one percent county special purpose local option sales and use tax (SPLOST) for the purposes inter alia of financing capital outlay projects to be owned or operated by the County and one or more municipalities; and

WHEREAS, CAMDEN County, Georgia, the Municipality of KINGSLAND, Georgia, the Municipality of ST. MARYS, Georgia, and the Municipality of WOODBINE, Georgia desire to utilize the proceeds of a SPLOST for the one or more of the purposes authorized under O.C.G.A. § 48-8-111 (a)(1).

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of CAMDEN County, Georgia as follows:

SECTION 1. The attached intergovernmental agreement addressing the disbursement of SPLOST proceeds among CAMDEN County, the Municipality of KINGSLAND, the Municipality of ST. MARYS, and the Municipality of WOODBINE and other related matters is hereby approved.

SECTION 2. The Chairman of the CAMDEN County Board of Commissioners is authorized to execute the intergovernmental agreement on behalf of the Board of Commissioners of CAMDEN County, Georgia and affix the seal of the County thereto.

SECTION 3. All resolutions, or parts of resolutions, in conflict herewith are repealed.

ADOPTED IN A LAWFUL ASSEMBLY BY A MAJORITY VOTE OF THE CAMDEN COUNTY BOARD OF COMMISSIONERS AND SPEAD UPON THE OFFICIAL MINUTES OF CAMDEN COUNTY,

This the 20th day of December, 2012.

3. Resolution calling for Special Election to be held March 19, 2013 for the purposes of voter approval or rejection of 2013 proposal regarding Special Purpose Local Option Sales Tax.

Commissioner Clark made a motion, seconded by Vice-Chair Keene to approve the Resolution calling for Special Election to be held March 19, 2013 for the purposes of voter approval or rejection of 2013 proposal regarding Special Purpose Local Option Sales Tax with the following language added: The first \$5,335,000.00 collected from the tax shall be used for the funding of the County-Wide Level Two (2) projects as listed above. No disbursements will be made for any other listed purpose in this agreement, or to any other entity that is a party to this agreement, until this provision of the agreement has been satisfied.

The motion carried unanimously.

Insert Resolution here (20 pages)

4. Resolution calling for a Special Election to be held on March 19, 2013 to fill the office of Judge of the Probate Court and establishing the Qualifying Fees for the March 19, 2013 Special Election for the Office of Judge of the Probate Court.

Commissioner Blount made a motion, seconded by Commissioner Clark to approve the Resolution calling for a Special Election to be held on March 19, 2013 to fill the office of Judge of the Probate Court and establishing the Qualifying Fees for the March 19, 2013 Special Election for the Office of Judge of the Probate Court.

The motion carried unanimously.

RESOLUTION OF THE CAMDEN COUNTY BOARD OF COMMISSIONERS
CALLING FOR A SPECIAL ELECTION TO BE HELD ON MARCH 19, 2013 TO FILL THE
OFFICE OF JUDGE OF THE PROBATE COURT AND
ESTABLISHING THE QUALIFYING FEES FOR THE MARCH 19, 2013 SPECIAL ELECTION
FOR THE OFFICE OF JUDGE OF THE PROBATE COURT

WHEREAS, the formerly elected judge of the Camden County Probate Court scheduled to take office on January 1, 2013 has resigned the position by notice to the Governor for the State of Georgia and said Governor has accepted the resignation thereby leaving the office vacant.

WHEREAS, Georgia Law O.C.G.A. § 15-9-1, O.C.G.A. § 45-2-4, and the ruling of the Supreme Court of the State of Georgia in PAUL B. GARCIA, JR. V. BEN J. MILLER, 261 Ga. 531, 408 S.E.2d 97, (1991), and the Camden County Charter authorizes the current Probate Judge to continue in office until a successor is elected and qualified.

WHEREAS, due to the afore-stated vacancy the current Probate Judge Martin O. Gillette has consented to continue the duties of the Office of the Probate Judge beyond December 31, 2012 until such time that a special election can be held and a new Judge elected as required by law.

WHEREAS, O.C.G.A. § 21-2-540 (c)(1)(A) establishes March 19, 2013 (the third Tuesday in March of odd-numbered years) as the next date that a special election may be held.

WHEREAS, the Camden County Board of Commissioners request that Probate Judge Martin O. Gillette continue in Office as provided by law until such time that the Office of Judge of the Probate Court can be filled through the Special Election process and the Probate Judge Elect is qualified as envisioned by Georgia Law.

WHEREAS, the Camden County Board of Commissioners request that the Judge of the Probate Court serving as the Camden County Elections Superintendent call a Special Election to be held on March 19, 2013 for the election of a qualified citizen of Camden County to be sworn in as Judge of the Probate of Camden County.

WHEREAS, O.C.G.A. § 21-2-131 (1)(A) and (B) as amended establishes the qualifying fee for the Office of the Probate Judge at 3% of the base salary of \$63,164.60 as stated in O.C.G.A. § 15-9-63(a)(1). The qualifying fee shall be \$1,894.94.

NOW THEREFORE BE IT RESOLVED, The Camden County Board of Commissioners hereby request that the Martin O. Gillette, Judge of the Probate Court serving as the Camden County Elections Superintendent call a Special Election for March 19, 2013 for the purpose of electing a qualified citizen of Camden County to serve as the Judge of the Camden County Probate Court as provided by law.

NOW THEREFORE BE IT FURTHER RESOLVED, the statutory qualifying fee for the Office of the Judge of the Probate Court is hereby set at \$1,894.94.

NOW THEREFORE BE IT FINALLY RESOLVED, the Clerk for the Camden County Board of Commissioners is hereby directed to deliver this lawfully adopted Resolution to the Judge of the Probate Court of Camden County for the calling of a Special Election to be held March 19, 2013 for the election of a qualified citizen to serve as Judge of the Probate Court for Camden County..

ADOPTED IN A LAWFUL ASSEMBLY BY MAJORITY VOTE OF THE CAMDEN COUNTY BOARD OF COMMISSIONERS AND SPREAD UPON THE OFFICIAL MINUTES OF CAMDEN COUNTY.

THIS 20TH DAY OF DECEMBER 2012.

Additional Public Comments

County Attorney Brent Green stated that the Intergovernmental Agreement regarding 2013 Special Purpose Local Option Sales Tax will be forwarded to all three (3) Cities immediately and will need to be fully executed and returned to the County no later than Thursday, January 3, 2013.

ADJOURNMENT:

Commissioner Clark made a motion, seconded by Vice-Chair Keene to adjourn the December 20, 2012 Special Called Meeting. The meeting adjourned at 6:10 p.m.

Respectfully submitted,

David L. Rainer, Chair

Kathryn A. Bishop, County Clerk