

**CAMDEN COUNTY BOARD OF COMMISSIONERS MEETING
TUESDAY, MARCH 18, 2008 6:00 PM
COUNTY ANNEX, 107 GROSS ROAD
KINGSLAND, GEORGIA**

A regular meeting of the Camden County Board of Commissioners was held at 6:00pm on Tuesday, March 18, 2008 at the County Annex in Kingsland, Georgia.

Present: Chair Preston Rhodes; Vice-Chair Katherine Nisi Zell; Commissioner David Rainer; Commissioner Stephen L. Berry; Commissioner Charlene Sears; County Administrator Steve L. Howard; County Attorney Brent Green and County Clerk Jodi Gregory.

Chairman Rhodes called the meeting to order at 6:00 p.m.

Chairman Rhodes delivered the invocation and then led the Pledge of Allegiance.

The roll call indicated that all Commissioners were present.

AGENDA AMENDMENTS:

The following amendments were offered:

CLARIFY THE LANGUAGE OF AGENDA ITEM NUMBER 6 TO READ AS FOLLOWS:

“Glenn Dukes (Estate) Special Use Permit Request #SU-001-08.”

ADD REGULAR AGENDA ITEM NO. 11:

“Approval of budget amendments to finalize the departmental budgets for the audit”

ADD REGULAR AGENDA ITEM NO. 12:

“Acceptance of Warranty Deed from Woodbine Lions Club, Inc.”

MOTION TO ADOPT THE AGENDA:

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

The motion carried unanimously.

APPROVAL OF MINUTES:

Vice-Chair Zell made a motion, seconded by Commissioner Sears, to approve the regular meeting minutes of March 4, 2008.

The motion carried unanimously.

PRESENTATIONS:

- **Keep Georgia Beautiful (*Doug Cooper*)**

Mr. Cooper, Chair of the Chamber of Commerce’s litter control steering committee, sought the Commissioners’ support in implementing a litter control initiative for Camden County. This initiative would be modeled after the “Keep Georgia Beautiful” plan. As part of that support, Mr. Cooper was seeking financial assistance with the \$2,900.00 application fee. County Administrator Steve Howard informed the Commissioners that Solid Waste Director Lannie Brant reached out to Stateline for assistance, and Stateline contributed \$2,500.00. Mr. Cooper is now seeking \$100.00 from the County and \$100.00 from each of the cities. The Commissioners gave their full support of the program.

- **“Business Images of the Coastal Georgia Corridor”** published for the Coastal Georgia Regional Development Center. (*Amy Normand, Journal Communications, Inc.*)

Ms. Amy Normand gave an overview of the publication her company is working on for the RDC. She said the magazine is a good marketing and recruiting tool for attracting new businesses to the area. Mr. Howard stated that this would be a good opportunity for the JDA.

- **Presentation of Citizen Survey Results (*Diana Smith, Strategic Planning Director*)**

Diana Smith provided the Commissioners with the results of the citizen survey.

PUBLIC COMMENTS:

- **Darryl Dukes**

Regarding Agenda Item #6, Mr. Dukes stated he would like the Commissioners’ to consider extending the time for moving the business from six months to December 31, 2008. The probate of his father’s estate is taking longer than expected, and the funds for this move are tied up in this process. He has removed the signs from the property.

At the request of the Chair, Planning and Development Director Loretta Hylton gave a history on this matter. Staff recommended approval, but the Planning Commission denied the Special Use Permit due to complaints from some of the neighbors in the area. Although the Planning Commission recommended denying the permit, it did give the Dukes Estate six months to move the business.

Commissioner Berry stated the Planning Commission does not have authority to grant an extension. The only way to do this would be to approve the permit.

Mrs. Hylton advised the Commissioners that the individuals who spoke against this matter at the Planning Commission were satisfied with allowing the Estate six months to move the business.

Commissioner Berry stated that the Board does not have the authority to grant an extension, but what the Board could do, if it was so inclined, is deny the permit and put their hands over their eyes for six months and not enforce it. Commissioner Zell said she could not support that, and that she has not received any calls in support of allowing this business to stay in this residential area.

Commissioner Berry questioned why they could not rent space now for the business. County Attorney Brent Green stated the Dukes are seeking permission from the Court to do that.

Commissioner Rainer asked how the business received permitting in the first place. Mrs. Hylton stated she was not sure; she would not have allowed the permitting.

Chairman Rhodes said the matter would be considered under Item #6.

- **April Hoylman**

Ms. Hoylman has no complaints with the Dukes business remaining in the neighborhood.

- **Valerie Brown**

Ms. Brown has no complaints with the Dukes business remaining in the neighborhood.

OLD BUSINESS:

None.

CONSENT AGENDA:

1. **Approve and authorize the Chairman to execute Tax Release Applications.**
2. **Approve adding the 1994 Freightliner Ambulance, VIN 1FV3GFBC4RL579786, and the 1998 Freightliner Ambulance, VIN 1FV3GFAC1WH888460 to the surplus list.**

Commissioner Sears made a motion, seconded by Vice-Chair Zell to approve the Consent Agenda Items 1 and 2.

The motion carried unanimously.

REGULAR AGENDA:

3. First reading of ordinance establishing a Regular Meeting Schedule for the Calendar Year, a Code of Conduct and Rules Governing Public Participation in Meetings.

Commissioner Rainer made a motion, seconded by Commissioner Sears, to incorporate the recommendations regarding the language made during the public hearing and to waive the first reading of the ordinance.

Commissioner Berry stated he does not support this ordinance. He believes the meetings are fine the way they are now.

So voted,

Chair Rhodes – yea

Vice-Chair Zell – yea

Commissioner Rainer – yea

Commissioner Sears – yea

Commissioner Berry - nay

The motion carried.

4. Second reading of the Flood Damage Prevention Ordinance.

5. Adoption of the Flood Damage Prevention Ordinance.

Commissioner Rainer made a motion, seconded by Vice-Chair Zell, to waive the second reading of the Flood Damage Prevention Ordinance, as amended, and to adopt the Flood Damage Prevention Ordinance, as amended.

The motion carried unanimously.

6. Glenn Dukes (Estate) Special Use Permit Request #SU-001-08.

Planning and Development Director Loretta Hylton advised the Commissioners that the Planning Commission denied the permit but recommended allowing the Estate six months to relocate the business.

Vice-Chair Zell made a motion, seconded by Commissioner Sears, to deny the Special Use Permit for the Estate of Glenn Dukes, but to allow the Estate six months to relocate the business.

Prior to Chairman Rhodes stating the question, Commissioner Berry stated the Board does not have the authority to grant the six months. Vice-Chair Zell stated she received calls from neighbors stating they would prefer four months, but would go along with six months.

Commissioner Berry again stated that if the Board denied the permit, it would be up to Mrs. Hylton's department to enforce any violations, and if the Board is of the inclination to allow them time to move because it is the humanitarian thing to do, Mrs. Hylton's has the prerogative to allow this to sit on her desk for four to six months. Commissioner Berry stated that this is the only way the Board could allow this.

Commissioner Rainer stated the mistake of granting the permit originally should be rectified.

Mrs. Hylton stated if the permit was denied, she would have to send Code Enforcement out to cite the Dukes, and then the matter would be heard in Magistrate Court. The Court would then rule on the time in which they would have to move the business.

Chairman Rhodes asked Mr. Green if denial and enforcement could be separated. Mr. Green said it could not.

Vice-Chair Zell made a motion to deny the Special Use Permit for the Estate of Glenn Dukes.

Commissioner Berry asked that the matter be tabled so he could think about it further.

Chairman Rhodes called at recess at 6:55 p.m. The meeting reconvened at 7:00 p.m.

Chairman Rhodes stated there was a motion on the floor.

Vice-Chair Zell stated her motion was to deny the Special Use Permit for the Estate of Glenn Dukes. Commissioner Sears seconded the motion.

Commissioner Berry stated the applicant agreed to move the trucks immediately. He stated to the applicant that staff is going to deal with this from an enforcement standpoint, and that he has 120 days to relocate. However, if someone complains, action will have to be taken.

So voted, the motion carried unanimously.

7. Consideration and approval of the River Trail Development.

Commissioner Rainer made a motion, seconded by Commissioner Sears, to approve the River Trail Development.

The motion carried unanimously.

8. Accept and approve the Southern Concrete Construction Co., Inc., proposal for the replacement of three bridges.

Public Works Director Scott Brazell stated only one bidder responded to the RFP for the replacement of the Lampodoshia Road Bridge, Owens Ferry Road Bridge, and the Spring Hill Road Bridge. That bidder was Southern Concrete Construction Co., Inc.

Commissioner Sears made a motion, seconded by Commissioner Rainer, to accept and approve the Southern Concrete Construction Co., Inc., contract in the amount of \$541,063.00 for the replacement of the three bridges.

The motion carried unanimously.

9. Camden County Strategic Plan 2008 - 2013

Mr. Howard presented the Camden County Strategic Plan for 2008 – 2013. Mr. Howard said this plan focuses on growth and development; fiscal sustainability; and, organizational excellence. This plan lays the foundation to meet our strategic priorities.

Vice-Chair Zell made a motion, seconded by Commissioner Sears, to adopt the Camden County Strategic Plan 2008 – 2013.

The motion carried unanimously.

10. Memorandum of Understanding between Camden County and the Board of Health regarding Mass Prophylaxis Dispensing - CLOSED Point of Dispensing (POD)

Commissioner Rainer made a motion, seconded by Vice-Chair Zell, to approve the Memorandum of Understanding with the Board of Health.

The motion carried unanimously.

11. Approval of budget amendments to finalize the departmental budgets for the audit.

Director of Finance and Budget, Mike Fender, advised the Commissioners the amendments before them for consideration are the result of conversations with the auditor. These amendments are for the last fiscal year. Two of the amendments are for money received from a developer to build a fire station at Dover Bluff that needs to be moved from the Unincorporated Tax District to the Capital Improvements Fund.

Commissioner Sears made a motion, seconded by Vice-Chair Zell, to approve and authorize the amendments as presented.

Commissioner Berry stated that we would not vote for taking taxpayers money of \$23,700.00 to reimburse the drug fund and misused by the Sheriff.

Mr. Fender stated that this is a re-organization. A check was cut and sent to the Sheriff's Office, but it was returned to the Commissioners because the Sheriff's Office disagreed with what the auditor said. Mr. Fender said that because the check was not accepted, it must be put back in the General Fund as an expense. Commissioner Berry stated that he understood that, but there was no way he was going to support it. Commissioner Berry said that the money was misspent out of the drug funds, the auditor caught it, the auditor put it in the audit as a problem, and the Sheriff needs to reimburse that fund with \$23,700.00 from the drug funds. Mr. Fender said the account could not be reimbursed with drug funds.

Chairman Rhodes asked Mr. Fender what would happen if the Board does not approve the amendments. Mr. Fender explained that the Board would receive a write-up on the audit. Mr. Fender further stated that this just cleans up the bottom line.

Commissioner Berry stated that theses are expenses that were not approved by the Board. They were approved by the Sheriff and paid for out of the drug funds. He said our auditor said this was an improper expense from the drug money, and now the Board is being asked to pay for it. Mr. Fender stated that this could have been a result of the receipts not being documented, or something to that effect.

Commissioner Berry stated there was no way he would support this.

Mr. Fender stated if the amendments were not approved, the Board would receive a write up on the audit and a written explanation to the State would be required. It was Mr. Fender's recommendation to accept the amendments to clean up the bottom line now.

Mr. Howard clarified that a check was written, but returned un-cashed. Mr. Fender stated the \$23,700.00 is from the 2006 audit. The check was written in 2007, and now the Board is required to bring it back onto the books.

Commissioner Berry questioned what happens when the auditor advises that \$100,000.00 was misspent. Chairman Rhodes stated that will be voted on when it occurs.

Mr. Fender advised this was a transfer from General Fund to the Shared Assets Fund. Because it was never cashed, it must be returned to the General Fund. This reverses the initial transaction.

So voted,

Chair Rhodes – yea

Vice-Chair Zell – yea

Commissioner Rainer – yea

Commissioner Sears – yea

Commissioner Berry - nay

The motion carried.

A copy of said resolutions to amend are by this reference incorporated into these minutes.

12. Acceptance of Warranty Deed from Woodbine Lions Club, Inc.

Commissioner Rainer made a motion, seconded by Commissioner Sears, to accept the warranty deed from the Woodbine Lions Club, Inc., for the property commonly known as the Woodbine Lions Ball Fields. A copy of said deed is by this reference incorporated into these minutes.

So voted,

Chair Rhodes – yea

Vice-Chair Zell – abstained due to a conflict

Commissioner Rainer – yea

Commissioner Sears – yea

Commissioner Berry – yea

The motion carried.

REPORTS:

- **Calendar**

The March/April calendar was read.

- **County Administrator’s Report**

County Administrator Steve Howard reported the following:

- The new website is a huge success. It has had 21,000 hits.
- He encouraged everyone to attend the USS Georgia Flag ceremony.
- Diana Smith continues to monitor the legislative issues.

ADDITIONAL PUBLIC COMMENTS:

- **Vernon Copeland**

Mr. Copeland stated that the approval of the River Trail Development creates a burden on the taxpayer. Additionally, regarding the proposed rules on public comments, he would hope the five minute rule would also apply to developers. Mr. Copeland also said he would like to be able to speak on agenda items. Commissioner Sears advised Mr. Copeland that speaking on agenda items is in the proposed rules, and that the five minutes is more of a guideline.

- **Faye Copeland**

Mrs. Copeland wanted to know when the Commissioners meetings would return to Woodbine. Mr. Howard stated it might be July.

ADJOURNMENT:

Vice-Chair Zell made a motion, seconded by Commissioner Sears to adjourn the March 18, 2008 meeting. The vote was unanimous to adjourn the meeting at 7:42 p.m.

Respectfully submitted,

Preston Rhodes, Chairman

Jodi Gregory, County Clerk