

CAMDEN COUNTY BOARD OF COMMISSIONERS
TUESDAY, AUGUST 15, 2000, 6:00 P.M.
WOODBINE, GEORGIA

A recessed meeting of the Camden County Board of Commissioners was held on Tuesday, August 15, 2000, at 6:00 p.m. in the Commissioners' Meeting Room at the Courthouse in Woodbine, Georgia.

Present: Chairman Robert G. Becker; Vice Chairman James H. Foddrell; Commissioner E. B. Herrin, Jr.; Commissioner Lemon Dawson; Commissioner Kenneth G. Hase; County Administrator Barrett T. King; County Attorney O. Brent Green; and Assistant County Administrator Nancy C. Weisensee.

Chairman Becker convened the work session at 6:00 p.m.

1. Planning Commission Business:

Frank Etheridge handed out copies of two proposals for the Commissioners to review regarding assistance with the Governor's Greenspace Program. Mr. Etheridge pointed out that the proposal submitted by the Coastal Georgia Land Trust does not include completion of the actual plan. The proposal from Tiffany Busby includes completion of the plan.

Mr. Etheridge reviewed the Planning Commission Business and announced that Bill Gross had withdrawn his request to rezone 16 acres located between I-95 and EMS Tower Road.

2. Second reading and adoption of ordinances:

Attorney Green recommended to waive the second reading of the Ordinance to Amend the Zoning Ordinance and the Ordinance to Amend the Speed Limit Ordinance and that the Ordinances be adopted.

3. Refund request:

The Tax Commissioner forwarded a request from Carol C. Rowland for refund of interest and penalty for late payment of property taxes. Ms. Rowland claimed that the bills were mailed to the wrong address.

4. DCA grants and Project Impact grants:

Barry King reviewed the grants with the Board. The Board discussed the grants and agreed that they were a benefit to the County and should be accepted.

5. Budget Amendment:

Mike Fender reviewed the Resolution to Amend the FY200-2001 budget to make adjustment for the receipt of \$400,000 for the sale of the Colerain Road Fire Station.

6. Contract with St. Marys Tourism Council:

Barry King reviewed the contract with the Board of Commissioners, and Attorney Green stated that the contract was legal.

7. Commissioner Becker stated that Commissioner Hase had asked for the Humane Society Contract to be added to the agenda.

Barry King stated that the contract with the Humane Society only deals with an 8-hour day. The animal control officer is concerned about after hours emergencies. After general discussion regarding the contract and the concerns of the animal control officer, the Commissioners agreed to postpone a decision on this matter.

8. Citizens wishing to address the Board:

Mr. Sandy Feller addressed the Board stating that he was appalled that the Board of Commissioners had let the PSA get away with not producing an audit each year as they require from other agencies.

Commissioner Herrin stated that the Board had requested an audit from the PSA for several years and there has been no response.

Chairman Becker concluded the work session at 7:05 p.m.

Chairman Becker called the meeting to order at 7:20 p.m.

Nancy Weisensee delivered the invocation.

Chairman Becker led the Pledge of Allegiance.

The Roll Call revealed that all Commissioners were present.

1. Adoption of agenda:

Motion by Commissioner Dawson, seconded by Commissioner Herrin, and voted unanimously to adopt the agenda as amended by adding Item 10A. Adjourn into Executive Session to discuss litigation and land acquisition.

2. Approval of minutes for August 1, 2000, Commissioners' Meeting:

Motion by Commissioner Herrin, seconded by Commissioner Dawson, and voted unanimously to approve the minutes for August 1, 2000.

3. Planning Commission Business:

Motion by Commissioner Hase, seconded by Commissioner Foddrell, and voted unanimously to approve the Planning Commission Business as presented.

New Business:

1. Privett & Associates – replat Misty Harbor, Phase 2 for the purpose of relocating a drainage easement, map 131, parcel 1. (Approved)
2. Darrow, Jr., Harold – variance from requirements of Section 503 C.(4) of the Zoning Ordinance for reduction of sideyard setback from 15 ft. to 10 ft., map 160-B, parcel 5-A. (Approved)
3. Gross, William – rezone from C-1 to I-G, 16 acres between I-95 and EMS Tower Road, map 93, a portion of parcel 16. (Denied by Planning Commission. Mr. Gross withdrew this request)
4. McCollough, Scott G. – rezone A-F to A-R, 6.35 acres at southeasterly intersection of Refuge and Maryfield Plantation Roads, map 51, parcel 10-B. (Approved)
5. Williams, Beth – rezone R-1 to R-2 of Satilla Plantation, Phase I, subdivision is located on Hickory Bluff Road, map 125, portion of parcel 1. (Approved)

4. Second reading and adoption of Ordinance to Amend the Zoning Ordinance:

Motion by Commissioner Hase, seconded by Commissioner Foddrell, and voted unanimously to waive the second reading and adopt the Ordinance to Amend the Zoning Ordinance as follows:

An Ordinance to Amend Appendix B, Zoning Ordinance, of the Official Code of Camden County, Georgia

The purpose of this ordinance is to continue to provide for the best use of property promoting the health, safety, morals, convenience, order, prosperity, and general welfare of the

people of Camden County while clarifying the applicability and definition of a Special Permit use,

BE IT ENACTED by the Camden County Board of Commissioners that the Zoning Ordinance of Camden County is hereby amended as follows:

Appendix B, Zoning Ordinance, is hereby amended to read as follows:

Article Three (Interpretation of Terms and Definitions), Sec. 302. Definitions, definition 43 shall new read:

- (43) Special use. A special use is a use that would not be appropriate generally or without restriction throughout the zoning district, but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare. Such uses may be permitted in zoning districts as special uses, if specific provisions for such special uses are made in this zoning ordinance. Special Use Permits shall not be assignable or transferable. This is not to be confused with a variance.

Article Nine (Enforcement and Administration), Sec. 905. Special permit uses, a paragraph 5 shall be added to read:

- (5) Where the Planning Commission authorizes the issuance of a special use permit for the use of land or building, as listed in the land use districts defined in Article 5, that permit shall be issued only to the applicant/entity requesting the Special Use Permit and only for the specific use presented at the Public Hearing. No Special Permit Use shall be transferable or assignable, even if the use is unchanged.

This Ordinance shall take effect and be enforced as of 15 August 2000.

Adopted in legal assembly this 15th day of August 2000.

5. Second reading and adoption of Ordinance to Amend the Speed Limit Ordinance:

Motion by Commissioner Hase, seconded by Commissioner Herrin, and voted unanimously to waive the second reading and adopt the Ordinance to Amend the Speed Limit Ordinance as follows:

SPEED ORDINANCE REVISION
ON SYSTEM (Continued)

6. Request from Tax Commissioner for refund of interest and penalty:

Motion by Commissioner Hase, seconded by Commissioner Dawson, and voted unanimously to deny the request from Carol C. Rowland for refund of \$137.23 penalty and interest charged for late payment of 1999 property taxes.

7. Acceptance of State DCA grants:

Motion by Commissioner Foddrell, seconded by Commissioner Dawson, and voted unanimously to accept two State Local Assistance Grants from the Department of Community Affairs for \$30,000 to convert two military surplus trucks to fire trucks, and \$32,000 to upgrade the Fire Safety House.

(The grant documents are on file in the County Administrator's Office.)

8. Project Impact Grants:

Motion by Commissioner Herrin, seconded by Commissioner Dawson, and voted unanimously to accept five FEMA Project Impact grants as follows:

1. Disaster Preparedness Education - \$30,600
2. Texas Tech Training Course (software development, and potential damage caused by various wind loads (tornadoes, hurricanes, severe storms) - \$16,961.33
3. Red Cross House (to increase wind resistance at ARC building) - \$15,000.00
4. Mobile Demonstration Homes (construct 3 mobile demonstration homes) - \$20,00.00
5. State University of West Georgia (studies, mapping, etc.) - \$10,000.00

(The grant documents are on file in the County Administrator's Office.)

9. Resolution to amend FY2000-2001 budget:

Motion by Commissioner Herrin, seconded by Commissioner Dawson, and voted unanimously to approve the amendment to the FY2000-2001 budget as follows:

BE IT RESOLVED by the Camden County Board of Commissioners, Camden County, Georgia, in regular session lawfully assembled for County purposes:

That it is necessary to reallocate funds due to the sale of the fire station on Colerain Road and to construct a new station, purchase fire trucks, and equipment,

That the above transactions can be fulfilled by changing the following budget accounts in the Capital Improvements Fund:

Budget Account	Adopted Budget	Net Change	Proposed Budget
39.2100	\$ -0-	(\$400,000)	(\$400,000)
54.1300	\$ 169,122	\$ 210,000	\$ 419,122
54.2600	\$ 72,850	\$ 190,000	\$ 222,850

THEREFORE BE IT RESOLVED that the Camden County Board of Commissioners does hereby ordain, resolve and enact the foregoing budget amendments for Camden County, Georgia.

Adopted this 15th day of August, 2000.

10. Contract with St. Marys Tourism Council:

Motion by Commissioner Dawson, seconded by Commissioner Hase, and voted unanimously to approve the Contract with St. Marys Tourism Council as follows:

**CONTRACT FOR PROMOTIONAL SERVICES
ST. MARYS TOURISM COUNCIL, INC.**

This contract and agreement, made and entered into this 15th day of August, 2000, by and between the St. Marys Tourism Council, Inc., a Georgia non-profit Corporation having its principal place of business in St. Marys Camden County, Georgia, and Camden County Board of Commissioners, County Seat, Woodbine, Georgia.

Whereas, the County is authorized to levy a tax on public accommodations in the unincorporated areas of the county for the purpose of promoting tourism, conventions, and trade shows in Camden County, Georgia, under the provisions of O.C.G.A. Sec. 48-13-51; and

Whereas, the County is desirous of securing the services of the Corporation to promote tourism, conventions and trade shows in Camden County, Georgia; and

Whereas, the Corporation is an authorized entity under O.C.G.A. Sec. 48-13-51 and the County believes the Corporation to be able to undertake and perform such services and desires to contract with the Corporation for the performing of such services; and

Now therefore, in consideration of the mutual agreements hereinafter contained and subject to the terms and conditions hereinafter stated, it is hereby understood and agreed by the parties hereto as follows:

1. Work to be performed: The Corporation, in addition to its routine functions for the City of St. Marys and other participants, shall provide specific promotional and public relations services to promote tourism industries in Camden County by aiding, advertising, promoting, and assisting said industries for the enhancement of economic opportunities of said citizens. The Corporation shall have all authority, responsibility, duties, obligations, and privileges necessary to perform this function and to generally do and perform any and all acts and things necessary, convenient, expedient, and ancillary or in aid to the accomplishment of the foregoing end and to engage in any lawful act or activity to accomplish this end.
2. Conduct: The Corporation will conduct its operations in a business-like manner using the highest ethical standards prevalent in the advertisement, promotional, and public relations industries in order to enhance the image of the city of St. Marys, Cumberland Island, and Camden County, its citizens and its attractions.
3. Budget: The Corporation shall adopt a budget plan specifying how much funds are requested from the County and how these funds specifically will be used to meet the expenditure requirements of O.C.G.A. Sec. 48-13-51. This budget shall be submitted to the County and such budget shall be made part of the County Budget Plan prior to the distribution of any County funds approved by this contract.
4. Audits and Reports: The Corporation shall provide audit verification that the Corporation's use of such funds requested from the provided by the County has conformed to the requirements of O.C.G.A. Sec. 48-13-51. Audit verification is due and outstanding for the period July 1, 1998, through June 30, 1999. A financial statement prepared by the Corporation's accountants shall constitute audit verification for past years. The Corporation will provide a GAAP audit in future years effective the Fiscal Year beginning July 1, 2000. The Corporation shall submit quarterly financial reports to the County beginning October 1, 2000, and shall continue such submissions each quarter during the terms of this contract.
5. Expiration: This contract shall expire on June 30, 2001. This contract may be renewed annually during the County's budget cycle unless either party gives written notice not to renew prior to April 1 each year. The Corporation's intent to renew shall be indicated by the submission of a proposed budget indicating their proposed use of county funds and their prior year's audit to the County on or before April 1.
6. Payments: The County shall pay its contracted amount in quarterly installments due July 31, October 31, January 31, and April 30.
7. Any changes, modifications, or alterations of this contract are not effective unless reduced to writing and executed by the parties hereto.
8. Termination: Termination of this contract may be perfected by either party upon a 90-day written notice of termination without cause. A breach of this contract or a violation of state or federal statute may be grounds for an immediate termination for cause.

In Witness Whereof, the parties hereto have caused these provisions to be signed as of the day and year first above written.

Adopted in legal assembly by the Camden County Board of Commissioners this 15th day of August, 2000.

10 A. Adjourn into Executive Session to discuss litigation and land acquisition: (7:30 p.m.)

Motion by Commissioner Foddrell, seconded by Commissioner Dawson, and voted unanimously that this Board now enters into closed session as allowed by O.C.G.A. Sec.

50-15-4 and pursuant to advice by O. Brent Green, County Attorney, for the purpose of discussing litigation and land acquisition.

That upon the conclusion of the discussion or deliberation in the closed session portion of the meeting that this body enter back into open session, open to the public, at which point an announcement will be made in the Commissioners' Meeting Room that this Board is back in session.

That upon coming back into open session this body ratify the consensus taken in closed session; and

That this body, in open session, adopt a resolution authorizing and directing the chairman to execute an affidavit in compliance with O.C.G.A. Sec. 50-14-4, and that this body confirm that the actions of the Board in closed session were as required by law and approved by the County Attorney.

11. Reconvene: (8:20 p.m.)

Motion by Commissioner Foddrell, seconded by Commissioner Dawson, and voted unanimously to reconvene the meeting.

**RESOLUTION OF THE CAMDEN COUNTY
BOARD OF COMMISSIONERS**

BE IT RESOLVED by the Camden County Board of Commissioners as follows:
At the meeting held on August 15, 2000, the Board of Commissioners entered into closed session for the purpose of discussing litigation and land acquisition. At the close of the discussions, the Board did agree to reconvene into open session and herewith takes the following action in open session:

- (1) The actions of the Board and the discussions of the same regarding the matter set forth for closed session purposes are hereby ratified.
- (2) Each member of this body does hereby confirm that to the best of their knowledge, based upon the advice of the County Attorney, who was present during said closed session, that said subject matter of the meeting and the closed session portion was devoted to matters within the exceptions provided by law and the specific relevant exception is the subject matter as set forth above.
- (3) The Chairman of this Board, or the presiding officer, is hereby authorized and directed and pursuant to the Resolution shall execute an affidavit, in full support of the members of this Board, in order to comply with O.C.G.A. Sec. 50-14-4(b).
- (4) The affidavit shall be included and filed with the official minutes of the meeting and shall be in a form as required by the statute.

(A signed copy of the affidavit as required under O.C.G.A. Sec. 50-14-4(b) is attached to these minutes. Original signed copy is on file in the Clerk's Office.)

12. Adjournment: (8:22 p.m.)

Motion by Commissioner Foddrell, seconded by Commissioner Herrin, and voted unanimously to adjourn the meeting.

Respectfully submitted,

Robert G. Becker
Chairman

Nancy C. Weisensee
Assistant County Administrator