

CAMDEN COUNTY BOARD OF COMMISSIONERS
TUESDAY, SEPTEMBER 5, 2000, 6:00 P.M.
WOODBINE, GEORGIA

A regular meeting of the Camden County Board of Commissioners was held on Tuesday, September 5, 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.

EMPLOYEE OF THE QUARTER:

Chairman Becker read and presented a resolution to Willene Manning who was selected as the Employee of the Quarter for July through September 2000. Ms. Manning has performed superbly as the County Gardener since November of 1999.

WORK SESSION:

Mike Fender, Finance Director, distributed the June 30, 2000, year-end report to the Board of Commissioners. Mr. Fender reported that we have come from a deficit of approximately \$1.6 million in 1997 to a fund balance of almost \$4 million in 2000. Mr. Fender introduced Carl Hoffman, the auditor for Camden County. Mr. Hoffman stated that the County is steadily improving and he is pleased with the 1999 audit. Mr. Hoffman will start working on the 2000 audit soon, and will help the County to meet the requirements for a Certificate of Excellence.

Commissioner Herrin congratulated the staff on accomplishing a substantial fund balance and an excellent audit report.

Frank Etheridge, Planning Director, recommended that the Board of Commissioners approve four-year terms for the Planning Commission members. This was the intent in 1975 when the Planning Commission was established.

Commissioner Dawson stated that he would like to extend Mr. Joe Bryant's term on the Planning Commission until December 31, 2000. This would allow the new Commissioner coming on board in January 2001, to appoint someone for the four-year term.

Julie Cooper and Kirsten Phillips, representatives from the Humane Society, spoke to the Board regarding the services offered at the shelter after hours. Mrs. Cooper stated that the shelter is available to animal control 7 days per week, and the Humane Society provides cages and water for animals left at the Humane Society after hours. If an animal is in distress, hit by a car, shot, sick, or whatever the situation is, 911 has a triage system and it starts with the shelter employees who are all authorized to do euthanasia.

Commissioner Herrin stated that he was upset by a speech given by the Humane Society in the past where the Commissioners were told there would be no questions, no answers, end of subject, and the speaker walked out. Commissioner Herrin stated that this was very rude and the Commissioner ought to at least have the opportunity to ask questions and get answers without being insulted.

Mrs. Cooper stated that she was the person who gave the speech and she was sorry and did not mean to be rude.

Citizens wishing to address the Board:

Chairman Becker stated that the citizens have voted to study consolidation, and he would like to invite all those who would like to participate on the Consolidation Committee to come to the Committee meeting on September 26th at 6:30 p.m. at the Recreation Center.

Mr. Sandy Feller asked that a couple of meeting packets be available for the citizens to look at prior to the meetings.

Chairman Becker called the meeting to order at 7:35 o'clock p.m.

A moment of silence was observed for Camden County Deputy Carlton "Dan" Jenkins who was killed in the line of duty.

Nancy Weisensee delivered the invocation.

Chairman Becker led the Pledge of Allegiance.

The Roll Call indicated all Commissioners present.

1. Adoption of agenda:

Motion by Commissioner Herrin, seconded by Commissioner Dawson, and voted unanimously to adopt the agenda.

2. Approval of minutes for August 15, 2000:

Motion by Commissioner Dawson, seconded by Commissioner Foddrell, and voted unanimously to approve the minutes for August 15, 2000, Commission meeting.

3. Appointment to Planning Commission:

Motion by Commissioner Dawson, seconded by Commissioner Foddrell, and voted unanimously to extend Mr. Joe Bryant's term on the Planning Commission until December 31, 2000.

4. Appointment to the CGRDC Historic Preservation Advisory Council:

Motion by Commissioner Hase, seconded by Commissioner Dawson, and voted unanimously to re-appoint Mr. Henry Williams, Sr., to the CGRDC Historic Preservation Advisory Council for a term of three years.

5. Tax Commissioner's requests for tax waivers:

- a. Waiver of tax bill for St. Marys Union Hall as per agreement.

Motion by Commissioner Herrin, seconded by Commissioner Dawson, and voted unanimously to waive the tax bill for St. Marys Union Hall and to remove the Union Hall from digest until expiration of this agreement in July 2004.

- b. Waiver of taxes for St. Marys former OICC Building.

Motion by Commissioner Herrin, seconded by Commissioner Dawson, and voted unanimously to waive the taxes on the former OICC Building from the date of sale.

6. Resolution to accept roadways in Nelson Manor Subdivision:

Motion by Commissioner Hase, seconded by Commissioner Dawson, and voted unanimously to approve the Resolution to accept roadways in Nelson Manor Subdivision as recommended by staff.

RESOLUTION

BE IT RESOLVED that the members of the Camden County Board of Commissioners are hereby authorized to accept the conveyance hereinafter described for the purpose set forth, upon such terms and conditions as they deem advantageous to the County. Said Board members are further authorized to execute such other instruments as may be necessary or proper to consummate said transaction. The purpose of said transaction is to obtain real estate for the purpose of providing right-of-way access to the lands know as Nelson Manor Subdivision. Same being as follows, to-wit:

All roads, streets, easements, etc. in that certain subdivision situate, lying and being in the 31st G.M District, Camden County, Georgia, being more particularly described as Nelson Manor Subdivision as shown by that certain Subdivision Plat of 'Nelson Manor', dated July 9, 1996, last revised March 31, 1998, certified and approved by Roger C. Purcell, Georgia Registered Land Surveyor No. 2435, a copy of said plat being recorded in Plat Drawer "12", Map No. 93,

Camden County Public Land Records, said plat by this reference being incorporated herein for descriptive and all other purposes.

Accepted in legal assembly this 5th day of September 2000.

7. Application from Sam Wilcox for Retail Sale and for Consumption on Premises of liquor, malt beverages, and wine licenses:

Mr. Sammy Kaye Wilcox applied for a Retail Sale of Spirituous Liquor, Malt Beverages, and Wine license, for The Palm Package Store; and a Consumption on Premises of Spirituous Liquor, Malt Beverages, and Wine license for The Cherokee Rose Lounge. These businesses are located at the former Island Grove Package Store and Island Grove Lounge on Highway 17 in Waverly. The background investigation did not reveal any reason to deny the licenses, and the businesses comply with zoning. No one has come forward to object.

Motion by Commissioner Foddrell, seconded by Commissioner Dawson, and voted unanimously to approve the licenses as applied for by Mr. Sammy Kaye Wilcox.

8. Camden County Animal Shelter:

Chairman Becker stated that if the Board of Commissioners did not vote to accept the Humane Society Contract, then the Board would make a decision about a Countywide animal shelter.

Motion by Commissioner Hase, seconded by Commissioner Dawson, to accept the contract with the Humane Society.

So Voted 3 – 2 to accept.
Commissioner Hase voted aye.
Commissioner Dawson voted aye.
Commissioner Foddrell voted no.
Commissioner Herrin voted no.
Commissioner Becker voted aye.

AGREEMENT

This Agreement entered into this 5th day of September 2000, between the Humane Society of Camden County, Inc., herein referred to as the Humane Society, and the County of Camden, hereinafter referred to as the Entity.

WHEREAS, the Humane Society has been incorporated for the purpose of acquiring, establishing, maintaining and operating a shelter for animals, and

WHEREAS, the Entity is desirous of utilizing the services provided by the Humane Society,

THEREFORE, the parties agree as follows:

General Provisions

1.

The term of this Agreement shall be for one year from July 1, 2000 through June 30, 2001.

2.

In consideration for the services provided by the Humane Society to the Entity, the Entity shall pay the sum of \$33,435.00. Said sum shall be paid in equal quarterly installments of \$8,358.75 with each installment being due on the first day of each quarter. Payment shall be considered past due if received after the fifth day of each quarter.

3.

In the event payment is not received within thirty days from the payment date, then this Agreement shall automatically terminate, as to those parties in default, and no services shall be provided by the Humane Society to the defaulting party.

4.

In the event the Humane Society's operation of the animal shelter should be terminated, any funds remaining from the Entity's contributions shall be returned to the contracting entity in the same proportion as they were received.

5.

The Humane Society shall maintain appropriate records of the reclamation and boarding fees of animals reclaimed within the first five days after the animal is placed in the shelter. Additionally, at the time of reclamation the representative of the Humane Society shall attempt to ascertain the residency of the person reclaiming the animal and make an appropriate entry as to the fees received. The Entity shall be entitled to a refund at the end of the contract year in an amount equal to the sums received from the boarding fees from the first five days of boarding and any reclamation fees for animals reclaimed within the first five days.

6.

The Humane Society shall hold harmless the Entity from any action or liability that is caused once an animal is transferred into the hands of the Humane Society.

7.

The Humane Society shall furnish the following services:

- a) Operate a facility for the shelter and care of animals;
- b) Food, shelter, sanitation services for animals delivered to the shelter by the Entity's Animal Control Officer or by any county resident, as determined by proof of identification of residency;
- c) In accord with the appropriate statutory authorities, such animals accepted by the Humane Society shall be held for a minimum of five days after which time period the animals may either be placed for adoption or terminated;
- d) The Humane Society shall be entitled to charge a reclaim fee for each animal in an amount not to exceed \$15.00 per animal plus a charge of \$5.00 per day for each day or any portion thereof which the animal has been housed by the Humane Society;
- e) In addition to the reclaiming fees as stated above, any persons reclaiming an animal must supply appropriate proof of proper rabies inoculations for the animal or pay a charge in the amount of \$12.00 to have the animal inoculated;
- f) The Humane Society shall cooperate with law enforcement officers in the investigation and prosecution of cruelty cases which are brought to its attention or of which it has knowledge. Further, the Entity and the Humane Society may appoint agents for the purpose of investigating violations for the purpose of protecting animals or preventing any act of cruelty thereto;
- g) The Humane Society shall use its best efforts to advertise the animals for adoption including, but not limited to, advertisements in local media;
- h) All responsibilities for the picking up of animals from within the jurisdiction of the Entity shall be the Entity's responsibility;
- i) After 5:00 p.m. on normal business days or on weekends and holidays, all requests or calls for collection of accepting of animals to be housed within the shelter shall be the responsibility of the Entity from which the call originates; the Humane Society will furnish animal holding cages at the shelter for use by the Animal Control Officer for confining animals collected in times other than regular business hours, on weekends or on holidays;
- j) The Humane Society agrees to allow review of the program operations upon reasonable request of any representative of the Entity to discuss such matters as may be necessary due to said review. When an operations problem is noted in writing by the Entity, it shall be resolved within a 30-day time period. A 30-day notice of intent to cancel the contract may be given and this contract may then be cancelled by either the Humane Society or the Entity, at their option.

9. Resolution to adopt ACCG/Pension Service Company as administrator for Deferred Compensation Plan:

Motion by Commissioner Hase, seconded by Commissioner Foddrell, and voted unanimously to table this item.

10. Proposals to assist with Governor's Greenspace Program:

Mr. Frank Etheridge, Planning Director, presented two proposals he received to assist the County with the Greenspace Plan. Mr. Etheridge recommended the proposal submitted by the consultant, Tiffany Busby. Ms. Busby's proposal, at a cost of \$8,000, includes research and preparation of the plan. The other proposal from the Coastal Georgia Land Trust, at a cost of \$8,500, does not include preparation of the plan.

Motion by Commissioner Hase, seconded by Commissioner Foddrell, and voted unanimously to accept the proposal from the Consultant, Tiffany Busby, in the amount of \$8,000, to prepare the Camden County Greenspace Plan.

(A copy of the 10-page proposal is on file in the County Administrator's Office.)

11. Short-term Disability Insurance:

Motion by Commissioner Hase, seconded by Commissioner Dawson, and voted unanimously to approve the establishment of a self-insured short-term disability insurance program for County employees and to eliminate the leave bank-sharing program immediately.

12. County Administrator's Contract:

Motion by Commissioner Hase, seconded by Commissioner Dawson, and voted unanimously to table this item.

13. Proposal to include tuition benefit in County Personnel Policy:

Motion by Commissioner Hase, seconded by Commissioner Foddrell, and voted unanimously to table this item.

14. Review procedure for placing items on the agenda:

Motion by Commissioner Hase, seconded by Commissioner Dawson, to accept the Resolution to Adopt Rules of Procedure for Placing Items on the Agenda and Limiting Amendment of an Existing Agenda.

So Voted 3 – 1 to accept.

Commissioner Hase voted aye.

Commissioner Dawson voted aye.

Commissioner Foddrell voted aye.

Commissioner Herrin voted no.

A Resolution to Adopt Rules of Procedure for Placing Items on the Agenda and Limiting Amendment of an Existing Agenda

Whereas well organized meetings allow a Board of Commissioners to reach decisions in a fair and consistent manner; and

Whereas efficiency is served when the process of planning for and conducting public meetings is clearly stated and understood by public officials and citizens; and

Whereas public participation and access to governmental decision making is a key element of our democratic system; and

Whereas an agenda should serve as a vehicle for conducting a well organized meeting, a means of allowing Board members time to investigate and prepare for agenda items, as well as a means of allowing timely public notification of items to be discussed; and

Whereas it is desirable for members of the public to have access to the Board as well as for members of the Board to be able to place items on the agenda;

Now therefore be it resolved to put forth written rules and procedures to facilitate placing items on the agenda and limit unnecessary agenda additions and changes.

Rules concerning the above-mentioned are to be as follows:

Rule 1

All items and supporting materials that are desired to be placed on the regular agenda should be communicated to the County Clerk by the close of the fourth business day prior to the meeting date. Items may be placed on the agenda by phone, fax, mail, Internet, in person, or other suitable means by any citizen of Camden County or any government agency.

Rule 2

Once the agenda has been published in the legal organ it will not be amended except for items that, in the opinion of a majority of Commissioners present, are emergency items. Items having a deadline that cannot be met if delayed until a subsequent meeting may be added with consent of the majority of the Commissioners present. Items on the agenda, which are no longer relevant for the current meeting, should be tabled in the regular meeting. Per Robert's Rules of Order, "a question laid on the table remains there until the close of the next regular session; if not taken up at that time, the question dies."

Rule 3

The agenda may be opened and amended to add an Executive Session at anytime that, in the opinion of a majority of Commissioners present, one is warranted.

Adopted this 5th day of September 2000.

15. Resolution to authorize dismissal of SPLOST suit claims:

Motion by Commissioner Foddrell, seconded by Commissioner Hase, and voted unanimously to approve the following Resolution:

**RESOLUTION AUTHORIZING DISMISSAL
OF SPLOST SUIT CLAIMS**

WHEREAS pending in the Camden Superior Court is Civil Action No. 00V0429 styled, Camden County, Georgia vs. City of St. Marys, et al, which was brought and filed by the Camden County Board of Commissioners; and

WHEREAS the City of St. Marys has filed defensive pleadings in such action and has asserted certain claims for affirmative relief and counterclaims; and

WHEREAS a settlement of the dispute giving rise to the County's lawsuit and to the City's counterclaims has been proposed in which the County and the City will execute and exchange dismissals with prejudice of their respective claims; and

WHEREAS the Camden County Board of Commissioners has determined that the proposed settlement serves and furthers the best interest of the citizens and taxpayers of Camden County, Georgia.

NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Camden County Board of Commissioners that the County Attorneys for this litigation be and they are hereby authorized and empowered to execute a dismissal with prejudice of the County's lawsuit styled, Camden County, Georgia vs. City of St. Marys, et al, in the Camden County Superior Court as Civil Action No. 00V0429, and to transmit such dismissal to the City Attorney for the City of St. Marys, Georgia, upon receipt of a properly authorized and executed dismissal with prejudice of all claims made by the City against the County in the above indicated civil action.

Adopted this 5th day of September 2000.

16. Tax refund requests:

Doug Miles, Tax Assessor, presented the Board with a list of 17 requests. Six for refunds and eleven for tax credits.

Motion by Commissioner Foddrell, seconded by Commissioner Hase, and voted unanimously to approve the tax refunds and tax credits as presented by the Tax Assessor.

(The list of requests is attached to these minutes.)

17. Recess: (7:45 o'clock p.m.)

Motion by Commissioner Foddrell, seconded by Commissioner Hase, and voted unanimously to recess the meeting until Tuesday, September 19, 2000, at 6:00 p.m.

Respectfully submitted,

Robert G. Becker
Chairman

Nancy C. Weisensee
Assistant County Administrator