

**CAMDEN COUNTY BOARD OF COMMISSIONERS  
TUESDAY, DECEMBER 17, 2002, 6:00 P.M.  
WOODBINE, GEORGIA**

A regular meeting of the Camden County Board of Commissioners was held on Tuesday, December 17, 2002, at 6:00 p.m. in the Commissioners' Meeting Room at the Courthouse in Woodbine, Georgia

Present: Chairman Stephen L. Berry; Vice Chairman David L. Rainer; Commissioners Kenneth G. Hase; E. B. Herrin, Jr.; Preston Rhodes; County Attorney O. Brent Green; Acting Administrator Bill Shanahan.

Chairman Berry called the meeting to order at 6:00 p.m.  
Reverend Jimmy Cone, Woodbine United Methodist Church, delivered the invocation.  
Chairman Berry led the Pledge of Allegiance.  
The roll call indicated all Commissioners present.

**PRESENTATION:** On behalf of the Camden County Board of Commissioners, Chairman Steve Berry presented plaques of appreciation to Commissioner Ken Hase and former Commissioner Bob Becker, in recognition of their dedicated service to Camden County.

**AGENDA AMENDMENTS:**

Motion by Mr. Rhodes, seconded by Mr. Herrin and voted unanimously to add a budget update to the Work Session; to add Board of Assessors, item h., as discussion to solve impasse with the Board of Assessors on a temporary basis; and, to move item a. to the Executive Session to discuss with other personnel items.

**WORK SESSION:**

Mr. Rhodes asked the Board of Commissioners to reexamine Camden County's Road Acceptance Policy, so the board could discuss modifying the terms and conditions where by the county accepts roads for maintenance. Mr. Rhodes recommends the board, via the Road Department and the County Attorney, specifically consider a more "user-friendly" road maintenance policy for citizens who live along dirt roads. Mr. Rainer and Mr. Herrin agreed with Mr. Rhodes that the road policy issue should be revisited, and that this reexamination begin with the list of roads that have been recently abandoned by the county or are no longer maintained because they are privately owned. Mr. Rhodes and Mr. Rainer would like to give private road owners the opportunity to deed less than 80 feet of right-of-way of a road to the county, so that the county can legally maintain the particular road. According to state and federal law, counties cannot maintain privately owned roads.

County Road Superintendent Larry Lampe told the board his department had spent about six months researching county road ownership at the board's request.

Mr. Lampe explained how the county cannot maintain some roads because it does not have deeds for them. According to Mr. Lampe, on July 1, 1973, the code of Georgia required counties to forward a list of roads to the state that were being maintained by each county. Georgia considers the roads on the 1973 list to be part of a county's inventory of official roads, even without a county possessing deeds to these roads. Along with its list of official roads, Camden County sent the state a letter stating that the roads on its list were in accordance with the 1968 Department of Transportation map. Mr. Lampe added that some of the roads on the 1968 DOT map were there by prescriptive easement. Mr. Lampe further explained that roads voted on by the commissioners and accepted as public roads are also considered by the state to be county-owned roads. Mr. Lampe said if he and his department found roads with plats that had been accepted by the county commission prior to 1973, these roads were also considered by the state to be public roads.

Mr. Rhodes reiterated that the road department should revisit the county's public roads list, by looking first at the roads which were dropped from the list. Mr. Rhodes suggested Williams Place and Chaney Road could be among the first roads the road department reexamines.

Chairman Berry asked Mr. Lampe and Mr. Green to work together to draft a new Roads Policy to bring to the January 7, 2003, commission meeting.

Finance Director Mike Fender gave the board a budget update. Mr. Fender said the general fund took in about \$3.8 million dollars by the end of November. He said expenditures are as expected for November, roughly \$1.7 million dollars. And Mr. Fender said several departments are keeping under budget, and should be commended for their efforts. Mr. Fender informed the board that the county has borrowed \$876,200 so far in the line of credit, but added that tax revenues are starting to come in. Mr. Fender believes once tax revenues are in, the county can pay off the line of credit on time. He also told the commission that the Solid Waste revenues are better than expected, and Solid Waste expenditures are about 2/3rds of where they normally would be. Mr. Fender also briefed the board on SPLOST, saying the last of the revenues from SPLOST IV have been received.

#### **PUBLIC COMMENTS:**

- Mr. Leroy Hamilton wanted to discuss the road policy as it pertains to Chaney Road. Mr. Hamilton said he has filed a grievance against the road department for not maintaining Chaney Road. Mr. Hamilton would like the owners of Chaney Road to work with the county and offer the county the necessary right-of-way.
- Mrs. Neill Buie McClure of Burnt Fort, Georgia, said Cemetery and Burnt Fort Chapel Roads were once graded and considered to be public roads. She asked why the county abandoned these roads and stated that people should have access to these cemeteries. County Attorney Brent Green said these roads are not being maintained because the county does not own them. Mr. Green informed those attending the meeting that it is against the law for the county to maintain private roads.
- Mr. Jimmy Middleton asked why the county requires 80 feet of right-of-way to get assistance from DOT in maintaining a road, when the cities accept less right-of-way. Mr. Lampe said the county right-of-way criteria for paving a road is 80 feet, and an exception must be requested for anything less than 80 feet. Mr. Middleton said DOT will accept 60 feet of right-of-way, and Mr. Lampe agreed to-a-point, saying the state will accept 60 feet as an exception.
- Mr. Jim Keating asked what it would cost and how would Camden County citizens benefit if the commission revises Road Policy and Procedures.
- Mr. Hoyt Drury of White Oak said he does not want SPLOST funds used as a tax credit. Mr. Drury said the funds should be used to renovate the old Courthouse as was voted on by Camden citizens. He is concerned that if the renovation is postponed, the old Courthouse would eventually be destroyed.
- Mr. Marion Wall of Kingsland said the Courthouse renovation should be postponed until the county budget crisis is resolved.
- Mayor Burford Clark of Woodbine said SPLOST funds should be allocated for the projects that the voters approved. Mayor Clark said the county needs to reduce its cost of operation, in order to reduce taxes.
- George Scott said the commission needs to inform the public about where their tax dollars are going.
- Joanne Flannigan said SPLOST funds should be used to renovate the old Courthouse, as was voted by Camden voters.
- Jim Keating questioned the legality of taking sales tax money and applying it to a property tax rebate. Mr. Keating also asked how the county will ensure that everyone who has paid property taxes gets their fair share of the rebate.

**1. Approval of Minutes for December 02, 2002:**

Motion by Mr. Rhodes, seconded by Hase, and voted unanimously to approve the minutes for December 02, 2002, as amended by the Clerk.

**2. Reports:**

Mr. Shanahan reviewed the Board Calendar for December/January 2002/03.

Mr. Shanahan informed the board that the Grand Jury will nominate individuals to fill terms on the Board of Equalization that will expire on December 31, 2002.

Solomon Sparks – regular member – 12/31/02

Lorie Wright – alternate member – 12/31/02

Mary Elaine Allen – regular member – 01/01/2001 – 12/31/2003 – has resigned from the Board of Equalization.

**3. OLD BUSINESS: No Old Business**

**4. NEW BUSINESS:**

**a. Short Term Administration: County Administrator**

Item a. was moved to the Executive Session under Personnel.

**b. Surplus Vehicles: Sheriff's Department**

Mr. Shanahan informed the board that these vehicles are no longer in good condition and that the Finance Department recommends they be sold.

Motion by Mr. Rainer, seconded by Mr. Herrin, and voted unanimously to surplus the Sheriff's Department's vehicles.

**c. Resolution: Transfer of funds from the Solid Waste Fund to the Curbside Collection Fund**

Motion by Mr. Rhodes, seconded by Mr. Herrin, and voted unanimously to transfer \$126,002 from the Solid Waste Fund to the Curbside Collection Fund.

**d. Resolution: Re-Authorize the Imposition of a Monthly 911 Emergency Answering Service Charge**

Motion by Mr. Rainer, seconded by Mr. Rhodes, and voted unanimously to re-authorize the imposition of a Monthly 911 Emergency Answering Service Charge.

**e. SPLOST: Renovation of Old Court House/Tax Credit**

Mr. Berry reminded the Board that at the 12/02/02 Commissioners' Meeting he intended to put on the 12/17/02 agenda a motion that the Board abandon the SPLOST renovation of the Old Court House Building from both SPLOST IV and V for a total of \$3,500,000 and rebate the funds back to the county residents as a tax credit.

Mr. Hase said, as he has interpreted the law on SPLOST, in order to abandon the old Courthouse renovation project, the county would have to prove it is no longer feasible. Mr. Herrin said he was reluctant to abandon the SPLOST projects as they were approved by the voters. Mr. Rainer said abandoning the SPLOST projects would be premature, and that he would need facts and figures before putting the issue before the voters in another referendum. Mr. Rhodes said the county should go ahead with the projects as he doesn't believe the commission has the authority to abandon these projects.

Motion by Mr. Berry, seconded by Mr. Hase and voted to abandon the old Courthouse renovation and rebate a total of \$3.2 million in SPLOST funds back to county residents as a tax credit, \$2 million of it to be given back next year and \$1.2 million to given back in

increments as it is collected over the next five years, minus \$300,000 to maintain the old Courthouse and courthouse annex.

**So voted - 4 - 1**

Commissioner David Rainer – Nay  
Commissioner Ken Hase – Nay  
Commissioner Steve Berry – Yea  
Commissioner E. B. Herrin – Nay  
Commissioner Preston Rhodes – Nay

The motion failed.

**f. Resolution: Funding requirements for the Georgia Coastal Incentive Grant**

Motion by Mr. Herrin, seconded by Mr. Hase, and voted unanimously to fund requirements for the Georgia Coastal Incentive Grant.

**g. LOST/Distribution Formula Approval**

Motion by Mr. Rainer, seconded by Mr. Hase, and voted unanimously to approve the LOST/ Distribution Formula.

**h. Board of Assessors**

Motion by Mr. Hase, seconded by Mr. Rhodes, and voted unanimously to stay any further Board of Commissioners action against the Board of Assessors and to allow the Board of Assessors time to modify its procedures and operations. The board had passed a resolution at the 11/19/02 commission meeting calling for the Board of Assessors and Chief Tax Appraiser Doug Miles to resign.

**5. Adjourn into Executive Session to discuss Personnel and Short Term Administration - County Administrator: (7:30 p.m.)**

Motion by Mr. Rhodes, seconded by Mr. Herrin, 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 the County Attorney, for the purpose of discussing personnel and short term administration.

That upon 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 Commissioner's Meeting Room that this Board is back in session.

That upon coming back into open session that 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 the actions of the Board in closed session were as required by law and approved by the County Attorney.

**6. Reconvene: (9:16 p.m.)**

Motion by Mr. Rhodes, seconded by Mr. Hase, and voted unanimously to reconvene the meeting.

Motion by Mr. Herrin, seconded by Mr. Rhodes, and voted unanimously to appoint Human Resource Director Penny Woodard as Interim County Administrator. Ms. Woodard was tasked with handling the day-to-day operations of the county until the

County Administrator position was filled. Ms. Woodard was given an adjustment in pay of 15% prorated over the time she was to serve as Interim County Administrator.

Motion by Mr. Rainer, seconded by Mr. Herrin, and voted unanimously to re-advertise the County Administrator position locally for two more weeks and to extend the deadline for receiving resumes for the County Administrator position until January 31, 2003.

**7. Adjournment: (9:20 P.M.)**

Motion by Mr. Hase, seconded by Mr. Rhodes, and voted unanimously to adjourn the meeting.

Respectfully submitted,

Stephen L. Berry  
Chairman

Denise Etheridge  
Executive Secretary/County Clerk