

**CAMDEN COUNTY BOARD OF COMMISSIONERS MEETING  
AND PUBLIC HEARING  
ON FLEA HILL WATER SYSTEM ORDINANCE  
TUESDAY, FEBRUARY 18, 2003, 6:00 P.M.  
WOODBINE, GEORGIA**

A regular meeting of the Camden County Board of Commissioners was held on Tuesday, February 18, 2003, at 6:00 p.m. in the Commissioners' Meeting Room at the Courthouse in Woodbine, Georgia

Present: Commissioner Stephen L. Berry, Commissioner Sanford S. Feller, Commissioner David L. Rainer, Commissioner E. B. Herrin, Jr., Commissioner Preston Rhodes, County Attorney O. Brent Green, Interim County Administrator Penny Woodard.

Commissioner Rainer called the meeting to order at 6:00 p.m.  
Rev. Elliott Foss, Waverly United Methodist Church, delivered the invocation.  
Commissioner Rainer led the Pledge of Allegiance.  
The roll call indicated all Commissioners were present.

**AGENDA AMENDMENTS:**

Chairman Rainer informed the Board that Architect Craig Buckley of Buckley and Associates had a scheduling conflict and was not present to give an update on the new Courthouse construction and would make the presentation on March 4<sup>th</sup>. Mr. Berry suggested Camden County Public Library Manager Robert Lee make his presentation to the Board instead.

Motion by Mr. Feller, seconded by Mr. Rhodes, and voted unanimously to substitute the library presentation for the courthouse presentation, to add Ella Park Church Road contract modification to item g., Road Department Business, and delete item m., County Reorganization-County Administrator.

**PUBLIC HEARING:**

County Attorney Brent Green recommended to Chairman Rainer that the changes made to the Flea Hill Water System Ordinance be recorded in these minutes. The base monthly fee to residential users has been changed from \$54 to \$22. Residential users include churches without accessory uses such as daycares, group homes, schools, etc. Also, the water and sewer rate schedules will be reviewed as necessary by the Camden County Board of Commissioners, rather than reviewed annually.

- Mary Byers of Flea Hill Place addressed the Board about the Flea Hill Water System Ordinance. Ms. Byers asked if the annual review of rate schedules could be changed to a six-month review or an as needed review, since it is estimated other homes in areas surrounding Flea Hill will eventually connect to the water system. She also asked if homes less than 1,000 feet of the water system were required to connect to it. Ms. Byers told the Board she preferred for the water system to expand, so that her water bills would go down when other users come into the system. She asked if the Board could guarantee Flea Hill residents that the \$150,000 loan to build the system will be paid off.

Mr. Herrin said Ms. Byers raised a good point, and asked Camden County Planning and Building Director Frank Etheridge if the money from Flea Hill Water System users' fees would go into a water system fund or go into County coffers. Mr. Etheridge said the money would be placed in a separate account and would be used for maintaining the water system.

## **PRESENTATION:**

Camden County Public Library Manager Robert Lee presented a plaque from the Camden County Public Library Board of Trustees to Mr. Rainer in appreciation for his dedicated service to the library from 2001 to early 2003. Mr. Rainer served on the Library Board as Chairman.

## **WORK SESSION:**

- Flea Hill Water System

Engineer Robert Brown of Jordan, Jones & Goulding [JJ&G] and Camden County Planning and Zoning Director Frank Etheridge briefed the Board on the installation of the Flea Hill Water System. Jim Harris of the Environmental Protection Division [EPD] was unable to attend the meeting.

The Flea Hill Water System issue began in August 2001, according to Mr. Etheridge. The County accepted Flea Hill Road at that time, and having done so was responsible for what lay in the right-of-way, namely the water system. In December 2001 the County was notified by EPD that there was a problem with Flea Hill's water quality. Mr. Etheridge reported that EPD and a staff member of the State Attorney General's Office stated they could not resolve the issue with the Flea Hill homeowners, and that as the water head was in the right-of-way, the system was – by default – the County's. Initially, EPD told the County that the current Flea Hill Water System could be repaired for about \$50,000. However, Mr. Etheridge stated that the concern with the repair option is twofold; one, the current system is in a flood zone which is against today's regulations and two, the water pressure is only between 12 and 14 PSI. The water pressure should at least be above 40 PSI. Mr. Etheridge said he and JJ&G looked at two properties outside Flea Hill on which to place the water head for the new system.

Mr. Etheridge stated Spring Hill residents also had a system in trouble, and would eventually connect to the new Flea Hill system. Mr. Brown said the County is required by the state to service the 42 Flea Hill residents, and that the new Flea Hill Water System could service up to 150 users with minimal upgrades. Mr. Brown added that the sites picked out for the new system would allow for expansion, protect the well head from flooding as most of Flea Hill is marshland, and is 100 feet from the water. Mr. Etheridge also informed the Board that the County applied for a grant when it applied for the GEFA loan to build the Flea Hill Water System. To date, the state has not met to award the grant, he said. Mr. Etheridge said water quality tests are still being conducted at Flea Hill. The water quality fails in three areas of the test: total dissolved solids in the water, sodium content and iron content.

## **PUBLIC COMMENTS:**

- Chip Drury, who co-owns Laurel Island with Roger Murray, spoke to the Board about their plans for development. They intend to submit a rezoning request to the County in the next few days and have employed Privett and Associates to work on engineering land plans. Mr. Drury said the plan calls for 378 home sites and includes retaining as many old growth trees as possible. Many homes would also have marsh views. Mr. Drury said the Planning and Building Department informed him that his project could have a final plat as soon as April 4, once all the engineering plans have been turned in to the County.

### **1. Approval of Minutes for the February 3, 2003 Called Commission Meeting, and the February 4, 2003 Regular Commission Meeting**

Motion by Mr. Rhodes, and seconded by Mr. Herrin, and voted unanimously to approve the minutes for the February 3, 2003 Called Commission Meeting and the February 4, 2003 Regular Commission Meeting, as amended by the Clerk.

### **2. Reports:**

Ms. Woodard reviewed the Board Calendar for February/March 2003.

Ms. Woodard reviewed the status of appointments:

- Coastal Georgia Regional Development Board of Directors Appointment Re-appointment of Craig Root as Camden County's non-public representative – his term expired 1-16-03

**3. OLD BUSINESS: None**

**4. NEW BUSINESS:**

**a. Re-Appointment of Craig Root to RDC Board**

Motion by Mr. Feller, seconded by Mr. Herrin, and voted unanimously to approve the re-appointment of Craig Root as Camden County's non-public representative to the RDC Board.

Mr. Feller commented that he would like the representatives who sit on the various County boards and committees to report to the Commission about their activities from time to time.

**b. Limited Purpose Agreement, Old School Renovation Committee**

Motion by Mr. Rhodes, seconded by Mr. Feller, and voted unanimously to adopt the Limited Purpose Agreement with the Old School Renovation Committee.

**c. Authorize hiring a Georgia Extension 4-H Program Assistant and a Mosquito Control Technician**

County Interim Administrator Penny Woodard briefed the Board on the two requested positions. She told the Board that the Mosquito Control Department has budgeted for two full-time technicians, and is requesting one technician be hired prior to mosquito season, to allow for training.

Ms. Woodard informed the Board that the Georgia Extension office has budgeted \$24,091.50 for three part-time 4-H Program Assistants. The cost to hire one full-time 4-H Program Assistant with benefits is \$23,051.70. She recommended hiring one full-time assistant. Georgia Extension Agent Jake Price briefed the Board on the 4-H program assistant's duties. The program, which is aimed at Camden County fifth graders, is currently on hold.

Motion by Mr. Rhodes, and seconded by Mr. Feller, to hire both the Mosquito Control Technician and a full-time 4-H Program Assistant.

Discussion ensued. Mr. Berry suggested hiring three part-time assistants without benefits over a full-time assistant with benefits. Mr. Berry voiced his concern that hiring an individual with health benefits runs the risk of raising insurance costs should that person suffer a catastrophic illness. Mr. Berry said the County was hurt financially last year due to several employees' catastrophic illnesses which raised health care costs. Mr. Berry advised amending the motion to hire the part-time assistants for 4-H.

Mr. Feller moved previous question, thereby limiting debate. Mr. Rhodes motioned to deny, Mr. Herrin seconded.

Mr. Herrin said he is not against 4-H, but doesn't understand how the Board could hire in one department and not in others, when the Board has imposed a hiring freeze because the County's budget is tight.

Mr. Rainer believes hiring requests should be considered on a case-by-case basis. He added that there would be more continuity in the 4-H program with one full-time assistant over three part-time assistants. Still, he felt the Board should "hold the line" regarding the hiring freeze.

Mr. Feller said the discussion is about hiring to maintain two departments, not to expand these departments.

Mr. Berry also commented that Mosquito Control was run and operated by one employee, and said someone would have to be hired before Mosquito Season.

**So Voted 4-1**

Mr. Berry – nay

Mr. Feller – yea

Mr. Rainer – nay

Mr. Herrin – nay

Mr. Rhodes – yea

The motion failed.

Mr. Berry wanted it recorded that he voted against the hiring requests because of the way the motion was phrased.

**d. Tax Refund Request from Habitat for Humanity**

Motion by Mr. Berry, seconded by Mr. Herrin, and so voted to grant Habitat for Humanity's refund request for \$476.42 in penalties and interest.

Habitat for Humanity stated that the tax bill was sent to an incorrect address, and therefore a Habitat for Humanity client received penalties for not paying the bill. Habitat for Humanity did pay the \$2,070.47 tax bill in November 2002.

**So Voted 4-1**

Mr. Berry – yea

Mr. Feller – nay

Mr. Rainer – yea

Mr. Herrin – yea

Mr. Rhodes – yea

The motion carried.

**e. Tax Release Applications**

Motion by Mr. Herrin, and seconded by Mr. Rhodes, and voted unanimously to approve the tax release applications in the total amount of \$14,504.83.

Mr. Herrin commented that he was disturbed that the County must make refunds due to clerical errors. Seven of the eight applications were tax releases, one was a refund.

**f. Bid, Underground Utility Contractors, Inc. for Temple Church Road**

Motion by Mr. Rainer, seconded by Mr. Rhodes, and voted unanimously to accept the bid from Underground Utility Contractors, Inc. for Temple Church Road in the amount of \$375,915.74.

**g. Road Department Business**

- Acceptance of Right-of-Way deed to Rising Daughter Road, Russell Brothers, Inc.
- Acceptance of Right-of-Way deed for a portion of Chaney Road, C.C. Higginbotham, Jr.
- Acceptance of Right-of-Way deeds (5) for Lewis Road: Henry Kerry Peeples; Rhonda p. and William Tuttle; Elizabeth P. Dawson
- Acceptance of Right-of-Way deed to Lindsey Lane, Charles L. Clark
- Modification to Ella Park Church Road contract

Motion by Mr. Rhodes, seconded by Mr. Herrin, and so voted to accept the Right-of-Way deeds.

Discussion ensued. Mr. Feller asked Road Superintendent Larry Lampe to clarify the location of Rising Daughter Road.

Mr. Berry stated he did not have a problem with accepting these roads, he objected to the methodology of accepting the roads. He stated the deeds and titles were in poor shape and that the legal descriptions of the roads' locations were not clear.

**So Voted 3 -1**

Mr. Berry – nay  
Mr. Feller – nay  
Mr. Rainer – yea  
Mr. Herrin – yea  
Mr. Rhodes – yea

The motion carried.

Mr. Berry wanted the record to show that he voted against the motion because he believes these titles/deeds do not adequately identify the roads. He is concerned this will cause difficulties for future Boards and property-owners.

Motion by Mr. Rhodes, seconded by Mr. Rainer, and voted unanimously to accept the amended Ella Park Church Road contract.

The contract amendment is in the amount of \$85,642.80 for pipe installation on Ella Park Church Road over Hardy Swamp.

Mr. Lampe said the contract modifications were a compromise between the County and the Army Corps of Engineers, to meet the requirements of the U.S. Department of the Interior – U.S. Fish and Wildlife Services.

**h. Intergovernmental Agreement with St. Marys for Building Inspection Services**

Motion by Mr. Herrin, seconded by Mr. Rainer, and voted unanimously to accept the intergovernmental agreement with the City of St. Marys for Building Inspection Services.

**i. Flea Hill Water System Ordinance and Resolution**

Motion by Mr. Feller, seconded by Mr. Rainer, and voted unanimously to waive the second reading of the ordinance, and to accept the ordinance with modifications and the resolution for the GEFA loan. The modifications include the base monthly fee for residential users, which has been changed from \$54 to \$22. Residential users include churches without accessory uses such as daycares, group homes, schools, etc. Also, the water and sewer rate schedules will be reviewed as necessary by the Camden County Board of Commissioners, rather than reviewed annually.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
CAMDEN COUNTY, GEORGIA**

**An Ordinance providing for the provision of water and sewer services in the unincorporated areas of Camden County, with the establishment of fees and billing methods, setting application methods for customers of the systems, providing for the addition of sections to the Utilities Ordinance (Chapter 62 of the Official Code of Camden County, providing for definitions; providing for supplementary regulations; providing for conflicting provisions; providing for severability; providing for applicability; providing for an effective date; providing for penalties; and providing for Codification.**

**Whereas**, the Board of County Commissioners of Camden County, Georgia has made the following determinations of fact; that 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,

**NOW THEREFORE BE IT ENACTED** by the Board of County Commissioners of Camden County, Georgia that the Official Code of Camden County is hereby amended to read as follows

## **ARTICLE I. IN GENERAL**

### **Sec. 62-1. Purpose.**

The County has experienced considerable growth over the past several years. In order to provide water and sewer service to the citizens of the County, in the interest of maintaining and protecting the health, sanitation, public safety, and welfare of the general public, it is the purpose and intent of this chapter to establish a uniform rate schedule for water and sewer service and define design and construction standards.

### **Sec. 62-2 Application for Water and Sewer Service.**

- (a) The consumer shall make application for water and sewer service, in person, at the County Commission Water Department and at the same time shall make a cash security deposit of \$50.00 for water and \$50.00 for sewer service. Failure to submit a complete application (Social Security number, date of birth, and driver license number) will result in collection of an additional deposit. If a six month history is not available, a flat fee of \$250.00 will be charged.
- (b) A flat fee of \$25.00 will be charged, for temporary water, plus any water used, for a time period of less than 30 days.

### **Sec. 62-3. County's Responsibility and Liability.**

- (a) The County shall run a line from its distribution lines to the property line where the service line exists or is to be constructed, if the distribution line runs immediately adjacent and parallel to the property to be served.
- (b) The basic connection shall be for a service line not exceeding 100 feet from the County's distribution lines.
- (c) The County may make connections to service other properties not adjacent to its lines upon payment of reasonable costs for the extensions of its distribution lines as may be required to render such.
- (d) The County may install its meter of connection at or near the property line at the County's option.
- (e) The County reserves the right to refuse service unless the consumer's lines or pipes are installed in such a manner as to prevent cross-connections or back-flow.
- (f) Under normal conditions, the consumer will be notified of any anticipated interruptions of service by the County.
- (g) The County shall run a line from its collection line to the property line where the service line exists, if the line runs immediately adjacent and parallel to the property to be served. The basic connection fee shall be for a service line not exceeding 100 feet from the County's collection lines.

### **Sec. 62-4. Consumer's Responsibility and Liability.**

- (a) Water furnished by the County shall be used for consumption by the consumer and employees only. The consumer shall not sell water to any other person or permit

any other person to use said water. Disregard for this rule shall be sufficient cause for refusal and/or discontinuance of service.

- (b) When a meter or box has been placed for service, it must be unobstructed and accessible at all times to the meter reader.
- (c) The consumer shall furnish and maintain a private cut-off valve on the consumer's side of the meter.
- (d) The consumer's piping and apparatus shall be installed and maintained by the consumer at the consumer's expense, in a safe and efficient manner, and in accordance with the sanitary regulations of the state health department.
- (e) In order to be received as a customer and entitled to receive water from the County's water system, all applicants must offer proof that any private wells located on their property are not physically connected to the lines of the County's water system. All applicants by becoming consumers of the County shall agree that so long as they continue to be consumers of the County they will not permit the connection of any private wells on their property to the County's water system. An onsite inspection shall be conducted to verify the well has been cut off from the structure(s).
- (f) Sanitary sewer service furnished by the County shall be for waste water generated only by the County water system. No waste water from private wells, storm drains, roof drains, or similar sources shall be discharged in to the system.
- (g) The consumer's sewer piping and apparatus shall be installed and maintained at the consumer's expense. All contractors or plumbers installing water/sewer system service lines shall be registered with the County Commission. All such connections and service line work shall be done in accordance with County specifications, and all work shall be inspected and approved by the County prior to the piping being connected.

**Sec. 62-5. Access to Premises and Extensions of System.**

- (a) Duly authorized agents of the County shall have access during normal working hours or at other times arranged with the consumer to the premises of the consumer for the purpose of installing or removing County property, inspecting piping, reading and testing meters, or for any other purpose in connection with the water service and its facilities.
- (b) Extensions to the system shall be made only when the consumer shall grant or shall cause to be granted or conveyed, to the County a permanent easement of right-of-way across any property traversed by the water and sewer lines.

**Sec. 62-6. Change of Occupancy.**

Not less than three days notice must be given in person or in writing, at the Camden County Water Department to discontinue water and sewer service or to change occupancy. The outgoing party shall be responsible for all water consumed up to the time of departure or the time specified for departure, whichever period is longer. If the disconnect date is disputed, the consumer must show proof of said date from another utility. The new occupant shall apply for service before occupying the premises. Failure to do so will result in the disconnection of the service until said deposits are paid and will make him/her liable for paying for all the water consumed since the last meter reading.

**Sec. 62-7. Meter Reading; Billings; Collections.**

- (a) Bills to customers for water and sewer service shall be mailed out on such day or days of each month as may be determined as desirable by the County. Bills must be paid by 5:00 p.m. on the due date at the water department of the County to avoid late charges. Payments may also be mailed to the Camden County Water

Department; however, we do not check postmarks on payments received by mail. Failure to receive mailed bills shall not prevent such bills from becoming delinquent nor relieve the consumer from payment of same. The failure of water and/or sewer users to pay charges duly imposed shall result in the automatic imposition of the following penalties:

- (1) Nonpayment within 20 days from the bill date will be subject to a penalty of fifteen percent of the delinquent account.
  - (2) Nonpayment within 30 days from the billing date will result in the water being shut off from the water user's property.
  - (3) Nonpayment for 60 days after original due date will allow the County, in addition to all other rights and remedies, to terminate agreement, and in such event, the water user shall not be entitled to receive, nor the County obligated to supply, any water under this agreement.
- (b) Service disconnected for non-payment of bills will be restored only after bills are paid in full, and any additional security deposit that may be required. A service charge of \$25.00 will be applied to each account if it appears on the disconnect list. Water meters may only be turned off or on by a County employee, there is a fine of \$50.00 to any individual or company that tampers with the meter. Each offense will cause the fine to double. Any damage sustained by the customer, will be charged directly to the customer.
- (c) When consumers have paid, by check, for services and check is returned for non-sufficient funds (NSF), a \$25.00 service charge will be added to the total due. If there was a bank error, upon justification from the bank in writing, the NSF fee will be waived. All NSF checks must be picked up and replaced with cash or a money order. We will not send an NSF check back through the bank for a second approval. If the NSF check was for the customer's security deposit, the water will be disconnected. If the customer has two NSF checks, they will be required to pay in cash or money order only.

#### **Sec. 62-8 Suspension of Service.**

- (a) When water and sewer is discontinued and all bills are paid, the security deposit shall be refunded to the consumer by the County. Additionally, a customer who has maintained an account in good standing for 3 years may request a refund of their security deposit. The County shall process the refund within 90 days of either of the two situations listed above.
- (b) Upon discontinuance of service for nonpayment of bills, the security deposit may be applied by the County toward settlement of the account. Any balance will be refunded to the consumer; however, if the security deposit is insufficient to cover the bill, the County may proceed to collect the balance in the usual way provided by the law for collection of debts.
- (c) The County reserves the right to discontinue its service without notice for the following additional reasons:
  - (1) To prevent fraud or abuse.
  - (2) Consumer's willful disregard of the County's rules.
  - (3) Emergency repairs.
  - (4) Legal processes.
  - (5) Direction of public authorities.
  - (6) Insufficiency of water supply due to circumstances beyond the County's control.
  - (7) Strike, riot, fire, flood, hurricane, unavoidable accidents.
  - (8) Incomplete water/sewer application or tap application.
  - (9) NSF check given.

#### **Sec.62-9. Transfers.**

There is a transfer fee of \$25.00 for transferring from one address to another within the County's water system. This will be added to the consumer's bill at the time the transfer occurs.

**Sec. 62-10. Complaints, Adjustments.**

If the consumer believes his/her bill to be in error, he/she shall present his/her claim, in person, at the County Water Department, before the bill becomes delinquent. Such claim, if made after the bill becomes delinquent, shall not be effective in preventing discontinuance of service as provided in this ordinance. The consumer must pay such bill under protest although said payment shall not prejudice his claim.

- (1) The County will make a special water meter reading at the request of the consumer for a fee of \$20.00 provided, however, that if such a special reading discloses that the meter is found defective or was over-read, no charge will be made.
- (2) The County is not responsible for personal injuries or property damage resulting or relating from water and sewer service. Adjustments to service bills due to broken water lines and similar problems may be made by the Finance Director at his or her discretion, upon written request by the customer and after appropriate investigation. All such requests must be received with the bill.
- (3) If the seal of a meter is broken, by other than the County's representatives, or if the meter fails to register correctly, or is stopped for any cause, the consumer shall pay an amount estimated from proper data to repair the meter.
- (4) The County will not give adjustments for filling any type of pool, nor will they allow fire hydrants to be used for filling any type of pool—this is the sole responsibility of the consumer.

**Sec. 62-11. Time Limitation for Connections.**

- (a) When basic water and/or sewer connection fees have been paid by an individual, the subscriber will have 12 months to connect to the system without additional charges. If actual connection does not occur during the 12 month period, the subscriber shall be required to pay any increases in the basic fee or fees that may have been adopted by the County Commission by amendment to this article.
- (b) Both water and sewer connection fees shall be for a specific location only and shall not be transferable. On properties or sites that are to be redeveloped, the following rules shall apply: In cases where residences, mobile homes, and any other buildings have burned, been demolished, abandoned, vacated, or otherwise had the intended use discontinued for a period of 24 months a new water/sewer capital recovery fees shall be required in an amount totaling 50 percent of currently established rates plus connection fees and any associated cost created by the abandonment of the property. An exception to this requirement shall be made when the user has continued to pay the minimum monthly water and/or sewer fees, provided it is replaced with the same type of structure.

**Sec. 62-12. Backflow Prevention.**

- (a) The County Water and Sewer Department is authorized to discontinue water service when necessary to prevent contamination of the public water system due to possible cross-connections when requested to do so by the County Water and Sewer Department or the County Planning and Building Department or when it is necessary to protect the water system or individual properties from emergency cross connection or backflow situations.
- (b) The County Water and Sewer Department is authorized to install or have installed suitable backflow prevention devices at the customer's service connection or

other areas as needed to prevent contamination or the risk thereof for the public water system.

**Sec. 62-13. Deposit Required for Developers and Builders.**

- (a) The County hereby requires real estate developers and builders to pay a deposit of \$50 for water and \$50 for sewer for the use of the County's water and sewer service during the time of construction, building and improving of real estate.
- (b) The Finance Department is directed to collect the deposit prior to the issuance of a building permit by the Planning & Building Department.

**Sec. 62-14. Separate Water and Sewer Connections Required.**

In order to encourage and promote conservation of the County's water resources and discourage wasteful or unnecessary use of the limited capacity of a County sewage treatment plant and wastewater collection system, a separate water meter and sewer connection will be required for each and every family dwelling unit, apartment, house, mobile home, condominium or commercial establishment located within the County when water or sewer connections are requested for such locations and can be provided by the County.

**ARTICLE IV. RATE SCHEDULES**

**Sec. 62-75. Water and Sewer System Capital Recovery Fees.**

The rate schedule for all new water and sewer system capital recovery fees are as follows:

(1) Water capital recovery:

¾ inch meter.....	\$ 750.00
1 inch meter.....	\$ 950.00
1 ½ inch meter.....	\$ 1,200.00
2 inch meter.....	\$ 1,700.00
3 inch meter.....	\$ 4,000.00
4 inch meter.....	\$ 6,000.00
6 inch meter.....	\$ 8,700.00
8 inch meter.....	\$11,000.00

(2) Irrigation/fire protection:

- a. No taps shall be issued for irrigation systems. Any irrigation system installed by the customer, will not be connected to the County's water system.
- b. Taps for fire protection must be purchased separately, subsection (1) of this section are applicable here.
- c. In all cases of new multiple type users subscribing for water and/or sewer service, the County will make the determination as to the installation of either a master meter(s) or individual meters for each unit.

(3) Sewerage capital recovery fees.

Sewer Tap Size	Capital Recovery fee
¾ inch.....	\$ 1,500.00
1 inch.....	2,500.00
1 ½ inch.....	3,000.00
2 inch.....	4,000.00
3 inch.....	5,500.00
4 inch.....	7,500.00
6 inch.....	11,500.00
8 inch.....	16,500.00

**Sec. 62-76. Special Capital Recovery Fee.**

The County offers a Special Capital Recovery Fee payment for single-family residential customers to pay the water and wastewater recovery fees in installments over a twelve month period of time. The total fees must be at least \$1200 or the period of time will be reduced to three months with no lien required. The consumer must provide a copy of the legal description of the property and proof of ownership. Only one Special Capital Recovery Fee per family is allowed. The account must stay in the name of the person who applied for the tap until said tap is paid in full. This capital recovery fee installment will be added to the customer’s water bill on a monthly basis. Upon application for this installment plan, the customer must make an initial payment of 1/12 of the total recovery fee representing the first month’s fee and a \$100.00 security deposit. There will be a lien placed on the property until the capital recovery fee has been paid in full.

**Sec. 62-77. Existing and New Users.**

The following rate schedule for use of County water and sewer services shall apply to each existing user and all new users. This rate schedule is applicable to each user, whether actually connected to the system or the availability exists.

**WATER AND SEWER RATE SCHEDULE**

Flat rate non metered systems:

Un-metered systems will be billed at a rate representing the minimum fees for the total number of customers on the system needed to generate adequate funds to operate the system within the Camden County Water and Wastewater Business Plan. Each segment of the system will be variable dependent upon the number of customers on a specific segment of the system as reviewed and recommended by the County’s engineer.

Metered systems

Rates	Amount of Water Used	Rate Per Month
(1) Residential		\$22.00(base fee)
	0—6,000	3.00/thousand gal
	6,000 and over	3.50/thousand gal

Churches without accessory uses such as daycares, group homes, schools, etc. will qualify for the residential rate.

(2) Commercial I: Includes buildings such as laundries, laundromats, dry cleaners, restaurants, bottling plants, service stations, garages, car washes, manufacturing facilities, hospitals, clinics, and schools. Commercial II and Industrial: Commercial II includes buildings returning only domestic sewage, such as office buildings, churches, hotels (without restaurants), warehouses (for storage only), retail sales, community centers, and recreational buildings. Commercial III includes users discharging less than 70 percent of metered water into sewage system such as commercial docks (except florists) as in nurseries and greenhouses.

		25.00(base fee)
	0—6,000	4.00/tgal(variable fee)
	6,000 and over	4.50/tgal

Hotels with restaurants will receive two (2) base rates plus variable fees.

(3) Equivalent dwelling unit(s). 5,000 gallons equal one EDU. This will apply to apartments, condominiums, trailer parks, duplexes, or any other multifamily dwelling

units with one water meter. Their bills will be calculated by dividing their water consumption by 5,000 gallons, then multiplying the EDU's by the base fee of their classification, listed above, plus the variable fee.

(4) Senior citizens (65 years of age and older) will receive a 10 percent discount on the base fee and variable fee.

(5) The County is not currently providing sewer services within the community and thus, will not set a sewer rate without further study on an actual proposed system and service area.

#### **Sec. 62-78. Water and Sewer Availability.**

The minimum charge as provided in the rate schedule, shall be made for such availability. The fixed base rate will be \$11.00 for water, and \$11.00 for sewer. No free service or use of facilities will be permitted and all connections will be metered. Senior citizens will receive a 10 percent discount.

#### **Sec. 62-79. Review by County Commission.**

The water and sewer rate schedules will be reviewed as necessary by the County commission. The rates will be revised as needed to provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of required services.

### **ARTICLE V. SEWER USE**

#### **DIVISION 1. GENERALLY**

#### **Sec. 62-80. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Biochemical oxygen demand*(BOD) means the quantity of oxygen utilized in the biochemical *oxidation* of organic matter under standard laboratory procedure in five days at 20 degrees Celsius, expressed in milligrams per liter.

*Building drain* means that part of the lowest horizontal piping of a drainage system, which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet(1.5 meters) outside the inner face of the building wall.

*Building sewer* means the extension from the building drain to the public sewer of other place of disposal, also called house connection.

*Combined sewer* means a sewer intended to receive both wastewater and storm water or surface water.

*Easement* means an acquired legal right for the specific use of land owned by others.

*Floatable oil* means oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

*Garbage* means the animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods.

*Industrial wastes* mean the wastewater from industrial processes, trade or business as distinct from domestic or sanitary wastes.

*Natural outlet* means any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

*pH* means the logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen-ion concentration of  $10^{-7}$ .

*Properly shredded garbage* means the wastes from the preparation, cooking, and dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch (1.27 centimeters) in any dimension.

*Public sewer* means a common sewer controlled by a governmental agency or public utility.

*Sanitary sewer* means a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and in situations together with minor quantities of groundwater's and surface waters that are not admitted intentionally.

*Sewage* means the spent water of a community. The preferred term is "wastewater."

*Sewer* means a pipe or conduit that carries wastewater or drainage water.

*Slug* means any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than 15 minutes more than five times the average 24-hour concentration or flows during normal operation and shall adversely affect the collection system and or performance of the wastewater treatment works.

*Storm drain or storm sewer* means a drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.

*Superintendent* means the superintendent of wastewater facilities and/or of waste water treatment works and/or of water pollution control of the County, or his authorized deputy, agent or representative.

*Suspended solids* means total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in Standard Methods for the Examination of Water and Wastewater and referred to as nonfilterable residue.

*Unpolluted water* means water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

*Wastewater* means the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with any groundwater, surface water and stormwater that may be present.

*Wastewater facilities* means the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.

*Wastewater treatment works* means an arrangement of devices and structures for treating wastewater, industrial wastes and sludge. Sometimes used as synonymous with "waste treatment plant" or "wastewater treatment plant" or "water pollution control plant."

*Watercourse* means a natural or artificial channel for the passage of water either continuously or intermittently.

## **Sec. 62-81. Discharges to Natural Outlet.**

It shall be unlawful to discharge to any natural outlet within the County, or in any area under the jurisdiction of the County, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this article.

**Sec. 62-82. Privies, Septic Tanks, etc., Prohibited Generally.**

Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of wastewater.

**Sec. 62-83. Toilet Facilities—Connection to Sewer Required When Available.**

The owners of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the County and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the County, is hereby required at the owner's expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this article, within 90 days after date of official notice to do so provided that the public sewer is within 100feet (30.5 meters)of the property line.

**Sec. 62-84. Use of Private Disposal System where County Sewer is not Available.**

Where a public sanitary sewer is not available under the provisions of section 62-83, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this article.

**Secs. 62-85—62-100. Reserved.**

**DIVISION 2. PRIVATE DISPOSAL SYSTEMS**

**Sec. 62-101. Permit Required; Application.**

Before commencement of construction of a private wastewater disposal system the owner shall first obtain a written permit signed by the Planning & Building Director. The application for such permit shall be made on a form furnished by the County, which the applicant shall supplement with plans, specifications, and other information as are deemed necessary by the Environmental Health Department. A permit and inspection fee shall be paid to the Environmental Health Department or the County Water and Sewer Department, dependent on the system being installed, at the time the application is filed.

**Sec. 62-102. Inspection, Approval Prior to Permit becoming Effective.**

A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the Environmental Health Department. The Environmental Health Department and the Planning & Building Department shall be allowed to inspect the work at any stage of construction, and, in any event, the applicant for the permit shall notify the Environmental Health Department when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 96 hours of the receipt of notice by the Environmental Health Department.

**Sec. 62-103. Specifications.**

The type, capacities, location, and layout of a private wastewater disposal system shall comply with all recommendations of the Department of Health and Department of Natural Resources of the state. No permit shall be issued for any private wastewater disposal system employing subsurface soil absorption facilities where the area of the lot is less than required by the state's Manual for On-Site Sewage Management Systems. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

**Sec. 62-104. Abandonment Upon Connection to Public Sewer.**

As such time as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in section 62-103, a direct connection shall be made to the public sewer within 60 days in compliance with is article, and any septic tanks, cesspools and similar private wastewater disposal facilities shall be cleaned of sludge and filled with suitable material.

**Sec. 62-105. Operation, Maintenance.**

The owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the County.

**Sec. 62-106, Additional Requirements Imposed by State.**

No statement contained in this division shall be construed to interfere with any additional requirements that may be imposed by various state entities.

**Secs. 62-107-125 Reserved.**

DIVISION 3. SEWER CONSTRUCTION

**Sec. 62-126. Permit Required.**

No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any pubic sewer or appurtenance thereof without first obtaining a written permit from the Planning and Building Department.

**Sec. 62-127. Costs, Expenses Borne by Owner; Indemnification of County.**

All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the County from any loss directly or indirectly occasioned by the installation of the building sewer.

**Sec. 62-128. Separate Sewer Required for Each Building; Exception.**

A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the front building may be extended to the rear building and the whole considered as one building sewer, but the County does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.

**Sec. 62-129. Use of Old Sewers in New Buildings.**

Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Water Department or Building Department and the Environmental Health Department to meet all requirements of this division.

**Sec. 62-130. Specifications.**

The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling and trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the County such as Water and Wastewater Standards Ordinance. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the AWWA Manual of Practice No. 9 shall apply.

**Sec. 62-131. Connection of Roof Downspouts, Drains, etc.**

No person shall make connection of roof downspouts, foundation drains, areaway drains or other sources of surface runoff or groundwater to a building sewer unless such connection is approved by the Water Department or Building Department for purposes of disposal of polluted surface drainage.

**Sec. 62-132. Connection to Public Sewer.**

The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the County, such as the Water and Wastewater Standards Ordinance, or the procedures set forth in appropriate specifications of the AWWA Manual of Practice No. 9. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the Water Department or Building Department before installation.

**Sec. 62-133. Inspection, Supervision of Connection and Testing.**

The applicant for the building sewer permit shall notify the Water Department or Building Department when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the Water Department or Building Department.

**Sec. 62-134. Excavations; Safety Precautions, Restoration.**

All excavations for building sewer installation shall be adequately guarded with barricades and lights to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the County.

**Secs. 62-135—62-155. Reserved.**

DIVISION 4. USE REGULATIONS

**Sec. 62-156. Discharge of stormwater, runoff, etc., to sanitary sewer.**

No person shall discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, subsurface drainage, or cooling water to any sewer, except stormwater may be discharged to the sanitary sewer by permission of the Water Department or Building Department.

**Sec. 62-157. Discharges to Storm Sewers, Natural Outlets.**

Stormwater other than that exempted under section 62-156 and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the Planning & Building Department and other regulatory agencies. Unpolluted industrial cooling water or process waters may be discharged on approval of the superintendent or building official to a storm sewer or natural outlet.

**Sec. 62-158. Prohibited Discharges.**

No person shall discharge or cause to be discharged or cause to be discharged any of the following described waters or wastes to any public sewer:

- 1) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
- 2) Any waters containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any waste treatment process, constitute a hazard to humans or animals, create

a public nuisance, or create any hazard in the receiving waters of the wastewater treatment plant.

- 3) Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater works.
- 4) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the wastewater facilities such as, but not limited to ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

#### **Sec. 62-159. Restricted Substances.**

The following described substances, materials, waters or waste shall be limited in discharges to County systems to concentrations or quantities which will not harm the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The superintendent or building official may set limitations lower than the limitations established in the regulations below if in his opinion such more severe limitations are necessary to meet the above objectives. In forming his opinion as to the acceptability, the water department official or the building official will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, degree of treatability of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the County are as follows:

- (1) Wastewater having a temperature higher than 150 degrees Fahrenheit (65 degrees Celsius).
- (2) Wastewater containing more than 25 milligrams per liter of petroleum oil, nonbiodegradable cutting oils, or product of mineral oil origin.
- (3) Wastewater from industrial plants containing floatable oils, fat or grease.
- (4) Any garbage that has not been properly shredded (see section 62-76). Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.
- (5) Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the County for such materials.
- (6) Any waters or wastes containing odor producing substances exceeding limits which may be established by the County.
- (7) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the County in compliance with applicable state or federal regulations.
- (8) Quantities of flow, concentrations, or both which constitute a slug as defined herein.
- (9) Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- (10) Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.

#### **Sec. 62-160. Authority of County to Reject Wastes, Require Pretreatment, etc.**

- (a) If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in section 62-159, and which in the judgment of the County may have a deleterious effect upon the wastewater facilities, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Building Official may:
- (1) Reject the wastes.
  - (2) Require pretreatment to an acceptable condition before for discharge to the public sewers.
  - (3) Require control over the quantities and rates of discharge.
  - (4) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges
- (b) When considering the above alternatives, the building official shall give consideration to the economic impact of each alternative on the discharger. If the building official permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the building official.

**Sec. 62-161. Interceptors.**

Grease, oil and sand interceptors shall be provided when, in the opinion of the County, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts as specified in section 62-159(3), or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the building official, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors the owner shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates, and means of disposal which are subject to review by the building official. Any removal and hauling of the collected materials not performed by the owner's personnel must be performed by currently licensed waste disposal firms.

**Sec. 62-162. Maintenance of Treatment or Flow-Equalizing Facilities.**

Where pretreatment or flow-equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

**Sec. 62-163. Required Structures, Appurtenances to be Provided.**

When required by the building official, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such structure, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the building official. The structure shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

**Sec. 62-164. Authority to Require Information from User.**

The building official may require a user of sewer services to provide information needed to determine compliance with this division. These requirements may include:

- (1) Wastewaters discharge peak rate and volume over a specified time period.
- (2) Chemical analyses of wastewaters.
- (3) Information on raw materials, processes, and products affecting wastewater volume and quality.
- (4) Quantity and disposition of specific liquid, sludge, oil solvent or other materials important to sewer use control.

- (5) A plot plan of sewers on the user's property showing sewer and pretreatment facility location.
- (6) Details of wastewater pre-treatment facilities.
- (7) Details of systems to prevent and control the losses of materials through spills to the County sewer.

**Sec. 62-165. Measurements, Tests, Analyses.**

All measurements test and analyses of the characteristics of waters and wastes to which reference is made in this division shall be determined in accordance with the latest edition of AWWA published by the AWWA. Sampling methods, location, times, durations and frequencies are to be determined on an individual basic subject to approval by the building official.

**Sec. 62-166. Special Agreements.**

No statement contained in this division shall be construed as preventing any special agreement or arrangement between the County and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the County treatment.

**Sec. 62-167. Damaging, Tampering with Facilities.**

No person shall maliciously, willfully or negligently break, damage, uncover, deface, or tamper with any structure, appurtenance, or equipment, which is part of the wastewater facilities. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

**Sec. 62-168. Right of Entry.**

The building official and other duly authorized employees of the County bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing pertinent to discharge to the community system in accordance with the provisions of this division.

**Sec. 62-169. Withholding of Confidential Information.**

The building official or other duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The industry may withhold information considered confidential. The industry must establish that the revelation to the public information in question might result in an advantage to competitors.

**Sec. 62-171. Easements.**

The building official and other duly authorized employees of the County bearing proper credentials and identification shall be permitted to enter all private properties through which the County holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the wastewater facilities lying within the easement. All entry and subsequent work, if any, on the easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

**ARTICLE VI. LEGAL STATUS PROVISION**

**Conflict with other Laws – Whenever the regulations of this Ordinance require a greater width, depth, or size of yard or impose other more restrictive standards than are required in or under any other statute or covenants, the requirements of this Ordinance shall govern. Whenever the provisions of any other statute or covenants require more restrictive standards than those of this Ordinance, the provisions of such statutes or covenants shall govern.**

**Severability** – In the event any article, section, subsection, sentence, clause, or phrase of this Ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other articles, sections, subsections, sentences, clauses, or phrases of this Ordinance, which shall remain in full force and effect, as if the article, section, subsection, sentence, clause, or phrase so declared or adjudged invalid or unconstitutional were not originally a part thereof. The Board of Commissioners hereby declare that it would have adopted the remaining parts of the Ordinance if it had known that such part or parts would be declared or adjudged invalid or unconstitutional.

**Repeal of Conflicting Resolutions** – All resolutions and ordinances or portions thereof in conflict with this Ordinance are hereby repealed.

## **ARTICLE VII. EFFECTIVE DATE OF THIS ORDINANCE**

This Ordinance shall be effective 1 January 2003.

### **j. Planning Commission Business**

- Milner S. Carnes as owner and agent for co-owners Charles and Susan Jordan requests a preliminary and final plat approval for the Michael Glyndon Berrie tract. Two lots located in A-F zoning district north of U.S. Highway 17 and west of Old Bryson Farm Road. The property is identified as Parcel 6-A on Zoning/Tax Map 85.

Motion by Mr. Feller, seconded by Mr. Rhodes, and voted unanimously to accept the Camden County Planning Commission's recommendation to accept Mr. Carnes' application.

### **k. PSA Deed, Maple Ford Park**

Motion by Mr. Rhodes, and seconded by Mr. Herrin, and voted unanimously to accept the PSA Deed for the Park at Maple Ford.

County Attorney Brent Green said the purchase of the Maple Ford Park property for the PSA has been a goal since 1995. Mr. Green commented that there is a monument to the victims of the Thiokol explosion at the park.

Mr. Rhodes said the Maple Ford Park purchase presents a fine recreation facility for the residents of north Camden County.

## **5. Adjourn into Executive Session to discuss Personnel and Litigation (7:45 p.m.)**

Motion by Mr. Rhodes, seconded by Mr. Herrin, and so voted 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 litigation.

Mr. Berry requested it be recorded in these minutes that he voted against entering into closed session to discuss personnel pertaining to the proposed hiring of a County Administrator. Mr. Berry stated that the discussion to hire a County Administrator should be conducted publicly.

### **So voted 4 – 1**

Steve Berry – nay  
Sanford Feller – yea  
David Rainer – yea  
E.B. Herrin – yea  
Preston Rhodes – yea

The motion carried.

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: (8:25 p.m.)**

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

Chairman Rainer signed the affidavit as required by O.C.G.A. Sec. 50-14-4(b). The original copy of the affidavit is on file in the County Clerk's office, and a copy is attached to these minutes.

Motion by Mr. Feller, seconded by Mr. Herrin, and so voted to defer the search for a County Administrator for six (6) months.

Discussion ensued. Mr. Berry saw no reason to defer the search for a county administrator. He said the costly advertising placed for the position would be wasted, and there were 40 applicants for the position from which a selection could be made. Mr. Berry said the citizens needed an administrator and that continuity in the front office was needed.

Mr. Herrin said County Interim Administrator Penny Woodard was doing an excellent job and that she has not failed at any task put before her as an administrator. He added that the citizens have not lost confidence in the Board by deferring the search for a county administrator. Mr. Herrin said the Board should take its time to fill the position.

Mr. Feller stated that Ms. Woodard has carried forward every request he has made in a timely and superb manner. He thanked Ms. Woodard for the job she had done as an administrator thus far.

Mr. Berry said Ms. Woodard has performed well, but added that she has indicated she would like to return to her position as Human Resource Director for the county. He said in all fairness, an administrator should be hired so Ms. Woodard can return to the job she wants to do.

Mr. Rainer said though Ms. Woodard has indicated she would like to return to her position as Human Resource Director, she has also pledged that she is willing to do whatever the Commission wants to do, for however long it wants to do it. Mr. Rainer reiterated that the search be deferred so that the hiring of an administrator may be carefully deliberated and not rushed.

Mr. Rhodes said the Board is obligated to the citizens to search diligently for an administrator and that the commission should not be stampeded into a decision that may be regretted later on. He added that he did not want to be pressured into making a mistake, and the search should be carried out methodically.

Mr. Berry responded that former County Administrator Barrett T. King had been terminated on November 19, 2002, and that the search for an administrator had not been rushed. He added that Board members did not seem displeased with the current applicants.

#### **So Voted 4 – 1**

Mr. Berry – nay  
Mr. Feller – yea  
Mr. Rainer – yea  
Mr. Herrin – yea  
Mr. Rhodes – yea

The motion carried.

**7. Adjournment: (8:35 p.m.)**

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

Respectfully submitted,

David L. Rainer  
Chairman

Denise Etheridge  
Executive Secretary/County Clerk