

**CAMDEN COUNTY BOARD OF COMMISSIONERS MEETING
TUESDAY, MARCH 18, 2003, 6:00 P.M.
WOODBINE, GEORGIA**

A regular meeting of the Camden County Board of Commissioners was held on Tuesday, March 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 was absent due to a death in the family.

Commissioner Rainer called the meeting to order at 6:00 p.m.

Commissioner Rhodes delivered the invocation.

Commissioner Rainer led the Pledge of Allegiance.

The roll call indicated all Commissioners were present.

AGENDA AMENDMENTS:

Motion by Mr. Feller, seconded by Mr. Rhodes, and voted unanimously to add two (2) "In Lieu of Rent Agreements" for the DF ACS office and the Ralph Bunche Center as item g.; to add approval of an Intergovernmental Agreement on elections as item h.; to add two (2) deeds for Chaney Road Right-of-Ways to Road Department Business under item b.; to add a resolution supporting Impact Aid for Camden County Schools as item i.; to delete item d., Annexation request, which was withdrawn by Mr. Chip Drury; and to add item e. - Flea Hill Land Purchase -to the executive session under real estate and delete personnel from the executive session.

Motion by Mr. Rhodes, seconded by Mr. Feller, and voted unanimously to add litigation to the executive session, upon County Attorney Brent Green's advice.

Motion by Mr. Rhodes, seconded by Mr. Feller, and voted unanimously to adopt the agenda as amended.

PUBLIC HEARING: None

PRESENTATION: None

WORK SESSION: None

PUBLIC COMMENTS:

- Lynn and Timothy Roberts of Ben Butler Lane in Woodbine, Georgia, approached the Board about the drainage at their home. The Roberts bought their 1 and 1/2 acre property in August, 2002, and had the property cleared. The couple has had a serious drainage problem since November, 2002. Ms. Roberts said there are two drains that have been cut into off of Ben Butler Lane, and drain off onto her and her husband's property. She said they spoke with Road Superintendent Larry Lampe about the problem and Commissioner Rhodes looked at their site on March 8, 2003. The Roberts have had to rent water pumps several times to pump the water off their property. Mr. Lampe said he could take some more shots [of the water] and see where the water goes and see in which direction they can guide the excess water. Mr. Lampe said he has met with Ms. Woodard and Mr. Green about the Roberts' drainage problem, to try to come up with a solution. The Roberts said the Road Department did take 3 shots off of Ben Butler Lane to see where the water drained. Mr. Lampe said they tried to see if they could direct the water toward the railroad, but were unable to do so. Mr. Lampe said another option is to drain

the water to a slough behind the Roberts' home, except that the slough drains into a swamp and Mr. Lampe is concerned the swamp may overflow its banks with the added drainage in a heavy rain. Mr. Rainer asked Mr. Lampe to reassess the situation and to report to the Board what could be done to help resolve the problem.

- Amanda Sizemore of Bull Head Bluff addressed the Board about getting emergency help with maintaining her road; emergency vehicles and school buses cannot travel it, because of the heavy rains, according to Ms. Sizemore. The river has flooded and Ms. Sizemore must use a boat to reach her front door. Ms. Sizemore said her husband and another neighbor grade the part of the road that is private, but that the condition due to flooding is so bad, additional maintenance is needed. Culverts are washed out, she said. Mr. Lampe explained that the County grades the public portion of the road, and that Ms. Sizemore lives at the very end of the road which is private. Mr. Rainer said the County once graded Bull Head Bluff, and could grade it again if the County were given easements by some of the homeowners along the road. The grader must first travel over the portion of the road owned by the Mannings, neighbors of Ms. Sizemore's who do not want their portion of the road graded, in order to reach Ms. Sizemore's section. Mr. Berry suggested condemning that part of the road unless the Mannings' voluntarily offer the County the Right-of-Way so the Road Department may grade the road.

Approval of Minutes for the February 20, 2003 Public Forum regarding Health Care, and the March 4, 2003 Regular Commission Meeting

Motion by Mr. Feller, seconded by Mr. Rhodes, and voted unanimously to approve the minutes for the February 20, 2003 Public Forum regarding Health Care, and the March 4, 2003 Regular Commission Meeting, as amended by the Clerk.

1. Reports:

The Commissioners reviewed the March and April calendars. Mr. Berry suggested scheduling budget meetings for the end of April as soon as Ms. Woodard returns to the office.

2. Unfinished Business: Planning Commission

Motion by Mr. Herrin, and seconded by Mr. Rhodes, and so voted to accept a rezoning application submitted by B.G. Hollingsworth.

Mr. Hollingsworth wants to rezone about 90 acres located on the westerly section of Colerain Road from Agriculture-Forestry (A-F) to Agriculture-Residential (A-R). The property is identified as a portion of Parcel 5 on Zoning/Tax Map 69.

So Voted 4-1

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

The motion carried.

Motion by Mr. Feller, seconded by Mr. Herrin, and voted unanimously to table a request from Bluff Properties, Inc. for Final Plat approval for Creekside Oak Estates, because the developer did not present a letter of credit. Creekside Oak Estates is a 42-lot subdivision in the R-1 zoning district on Dover Bluff Road. The property is identified as a portion of Parcel 12 on Zoning/Tax Map 126.

Motion by Mr. Rhodes, seconded by Mr. Herrin, and voted unanimously to accept a rezoning request from Pamela and Angela D' Amico to rezone 27.78 acres located on Dover Bluff Road from Agriculture-Forestry (A-F) to Agriculture-Residential (A-R). The property is identified as Parcel 42 on Zoning/Tax Map 139.

Motion by Mr. Feller and seconded by Mr. Rhodes, to accept the Preliminary Plat approval request for St. Andrews Plantation [formerly Dover Bluff] from P & A Engineering, as agent for Dover Bluff Economic Development, LLC [Mr. Joe McDonough] and Blue Green Golf. St. Andrews Plantation is a proposed golf and marina community to be located in the northeasterly quadrant of 1-95 and Dover Bluff Road.

Discussion ensued. Mr. Berry suggested striking the language from the document that states, "Camden County will acquire the land for the fire station and move toward substantial construction of the fire station within 36 months after the developer has paid the County \$500,000 toward the completion of the Dover Bluff area fire station. If the County has not acquired the land for the fire station and has not moved toward substantial construction of the fire station within 36 months then the \$500,000 will be returned to the developer."

Mr. Berry said he did not want to lock the County into the 36-month time limit for constructing a fire station. He would rather have the County build a fire station when it is economically feasible to do so.

Motion by Mr. Berry, seconded by Mr. Rhodes, and so voted to amend the motion by deleting the aforementioned language from the Planned Unit Development document.

So Voted 4-1

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

The motion carries.

Further discussion ensued. Mr. Rainer said the Board could include in an amendment that the County would earmark the \$500,000 amount for construction of a fire station and return the money to the developer if a fire station is not built.

Motion by Mr. Berry, seconded by Mr. Rainer, and voted unanimously to further amend the language of the PUD that the \$500,000 paid by the developer will be earmarked for construction of a fire station for Dover Bluff, and if the County chooses not to build a fire station then the money will be given back to the developer.

The Board's vote on the original item, acceptance of the Preliminary Plat Approval for St. Andrews Plantation as amended, was unanimous.

3. NEW BUSINESS:

a. Tax Refund Request, Ms. Betty Savage

Motion by Mr. Rhodes, and seconded by Mr. Herrin, and voted unanimously to refund, interest and penalties in the amount of \$20.61 to Ms. Savage.

Mr. Rainer said Ms. Savage had changed addresses in 2001, and in 2002 the tax bill was sent to the correct address. However, in 2003, the tax bill was sent to her former 2001 address.

b. Road Department Business

Motion by Mr. Rhodes, seconded by Mr. Herrin, and so voted to accept two (2) Right-of-Way deeds to Sheffield Island Road and Sheffield Court Road.

So Voted 4-1

Mr. Berry - yea

Mr. Feller – nay

Mr. Rainer – yea

Mr. Herrin – yea

Mr. Rhodes - yea

The motion carried.

Motion by Mr. Rhodes, seconded by Mr. Feller, and voted unanimously to accept a drainage easement from Ms. N.B. Osborn. Road Superintendent Larry Lampe asked, for the record, to convey his appreciation for Ms. Osborn's generosity in allowing the County to dig this drainage ditch across the easement owned by Okefenokee Electric Company.

Motion by Mr. Rhodes, seconded by Mr. Feller, and voted unanimously to grant Mr. Stephen Sloop and Burwell Russell's abandonment request for a portion of Right-of-Way along Mulino Road.

Motion by Mr. Rhodes, seconded by Mr. Herrin, and so voted to accept Right-of-Way deeds from Varn Inc. and Mr. McCarthy for Chaney Road.

So Voted 4-1

Mr. Berry – yea

Mr. Feller - nay

Mr. Ramer – yea

Mr. Herrin - yea

Mr. Rhodes – yea

The motion carried.

c. De-annexation request, Robert and Randall Thrift

Motion by Mr. Feller, seconded by Mr. Rhodes, and voted unanimously to de-annex the Thrifts' property from the City of Kingsland.

d. DELETED -Annexation request, Chip Drury

e. MOVED TO EXECUTIVE SESSION - Flea Hill Land Purchase

f. Condemnation Resolution for New Courthouse drain field

Motion by Mr. Feller, seconded by Mr. Rhodes, and voted unanimously to authorize County Attorney Brent Green to begin proceedings to condemn property for the new Courthouse drain field.

g. In Lieu of Rent Agreements, Ralph Bunche Center and the DFACS Office Building

Motion by Mr. Rhodes, seconded by Mr. Herrin, and voted unanimously to approve the leases, with the stipulation that the spelling of the Ralph Bunche Center is corrected.

h. Intergovernmental Agreement on Elections

Motion by Mr. Feller, seconded by Mr. Rhodes, and voted unanimously to approve the Intergovernmental Agreement on Elections.

i. Resolution endorsing Impact Aid for Camden County Schools

Motion by Mr. Feller, seconded by Mr. Rainer, and voted unanimously to adopt a resolution endorsing Federal Impact Aid for Camden County Schools.

The Resolution is as follows:

**RESOLUTION OF THE CAMDEN COUNTY BOARD OF COMMISSIONERS
PETITIONING NATIONAL LEADERS TO RECONSIDER IMPACT AID TO
SCHOOL SYSTEMS RESPONSIBLE FOR EDUCATING THE CHILDREN OF
MILITARY FAMILIES**

WHEREAS, the Board of Education of Camden County, elected by and accountable to the citizens of Camden and the State of Georgia to ensure a free and appropriate education to children of Camden County; and,

WHEREAS, Federal Impact Aid (Title VIII of Elementary and Secondary Education Act) is a grant signed into law to reimburse schools for tax revenue lost due to a federal presence and to compensate for federal ownership or federal activity interfering with the traditional financial base of a public school and the increased expenditures due to the enrollment of federally connected children; and,

WHEREAS, Camden County Schools sacrifice valuable educational tax revenue because parents of 48% of all Camden County school children work on non-taxable federal land for the federal government or a non-taxable corporation exempt from commercial property tax and taxes on goods or services; and,

WHEREAS, military personnel, regardless of the location of their residence, are exempt from paying certain local personal property taxes and state income taxes; and,

WHEREAS, Impact Aid provides payment directly to school districts in lieu of these lost taxes to assist with the basic educational needs of federally connected students and is justly based on the financial impact on the district by these students; and,

WHEREAS, the school system must, by state law, educate the children of federally connected families regardless of exemptions granted to the federal governments and its tenant corporations; and,

WHEREAS, the administration's *No Child Left Behind Act* under implementation by Camden County Schools sets high expectations for student achievement, school success, the district's fiscal resources; and,

WHEREAS, the President's FY 04 budget, predicated on the elimination of three of the five categories of children eligible under the Impact Aid Program, results in denial of support for 92% of all federally connected school children in Camden County including 87% (2,622) of all active duty military dependents who reside with parents in off-base housing; and,

WHEREAS, adoption of the President's proposed budget results in the loss of 5.2 million dollars to Camden County Schools in the coming year representing an amount equal to nearly 50% of the district's entire tax digest for 2003; and,

WHEREAS, the 5.2 million dollar reduction proposed by the President's budget, denies children of Camden County significant support for education and numerous school services, places a devastating burden on tax-paying citizens and threatens the quality of education available to families at a time when mothers and fathers are being asked to leave their homes to defend our nation.

NOW, THEREFORE BE IT RESOLVED: We, the Camden County Board of Commissioners, petition the President and Congress to reconsider the proposed FY 04 budget with respect to Impact Aid and to protect crucial support essential to a school system charged with the responsibility of educating the children of military families.

Entered at Woodbine, Georgia this 18th day of March, 2003.

5. Adjourn into Executive Session to discuss Litigation and Real Estate (7:00 p.m.)

Motion by Mr. Rhodes, seconded by Mr. Feller, 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 litigation and real estate.

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: (7:20 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. Rhodes, and voted unanimously to purchase two (2) acres of land on which to place the Flea Hill Water System.

7. Adjournment: (7:25 p.m.)

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

Respectfully submitted,

David L. Rainer
Chairman

Denise Etheridge
Executive Secretary/County Clerk

RESOLUTION OF THE CAMDEN COUNTY
BOARD OF COMMISSIONERS

BE IT RESOLVED by the Camden County Board of Commissioners as follows:
At the meeting held on the 19th of March, 2003, the Board of Commissioners entered into closed session for the purpose of discussing real estate and litigation. At the close of the discussions on this subject, the Board did agree to reconvene into open session and herewith takes the following action in open session:

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

AFFIDAVIT AS REQUIRED UNDER O.C.G.A. Sec. 50-14-4(b)

Personally appeared before the undersigned attesting officer duly authorized to administer oaths, David A. Raines, who, after being duly sworn, deposes and on oath states the following:

- (1) I was the chairperson/presiding officer of a meeting of the Camden County Board of Commissioners held on the 19 day of March, 2003.
- (2) The subject matter of the closed portion of the meeting which was closed for the purposes of discussing real estate and litigation as allowed by the O.C.G.A. Sec. 50-14-2 and Sec. 50-14-3 was devoted to matters within those exceptions and as provided by law.
- (3) This affidavit is being executed for the purpose of complying with the mandate of O.C.G.A. Sec. 50-14-4(b) that such an affidavit be executed.

This 19 day of March, 2003.

David A. Raines
Chairperson/Presiding Officer

Sworn to and subscribed before me
this 19 day of March, 2003.

Denise G. Herdige
Notary Public

Those voting in favor of the Resolution:
Commissioners Raines, Jello, Berry, Herin and Rhodes

Those voting against the Resolution:
Commissioners none