

**CAMDEN COUNTY BOARD OF COMMISSIONERS MEETING
TUESDAY SEPTEMBER 16, 2003 6:00 PM
WOODBINE, GEORGIA**

A regular meeting of the Camden County Board of Commissioners was held on Tuesday, September 16, 2003, at 6:00 p.m. in the Commissioners' Meeting Room at the Courthouse in Woodbine, Georgia.

Present: Commissioner David L. Rainer; Commissioner E.B. Herrin, Jr.; Commissioner Preston Rhodes; Commissioner Stephen L. Berry; Commissioner Sanford S. Feller; County Manager Charles D. Akridge; and County Attorney Brent Green.

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

Reverend Doran Womack, Point Peter Baptist Church, delivered the invocation.

Chairman Rainer led the Pledge of Allegiance.

The roll call indicated all Commissioners were present.

AGENDA AMENDMENTS:

A motion was made by Commissioner Feller, seconded by Commissioner Herrin and voted unanimously to add the Environmental Health Fees Schedule, as approved by the Camden County Board of Health, to the agenda as Item I.

Commissioner Feller made a motion, seconded by Commissioner Herrin and voted unanimously to enter into Executive Session, prior to adjourning, to discuss the Ante Litem Notice submitted by Margie McRae dated September 5, 2003.

MOTION TO ADOPT THE AGENDA:

Motion made by Commissioner Rhodes, seconded by Commissioner Herrin and voted unanimously to adopt the agenda as amended.

WORKSESSION:

A. Honorable Kenneth Smith, Mayor, City of Kingsland.

Mayor Kenneth Smith, City of Kingsland, addressed the Commissioners regarding the City's commitment to the County in mending any issues in connection with water and fire hydrants.

The Commissioners stated their appreciation for the City's positive step forward in this matter.

Commissioner Berry requested Mr. Akridge speak with the City of Kingsland's City Manager, Dayton Gillette, to further facilitate this matter.

APPROVAL OF MINUTES – SEPTEMBER 2, 2003 and SEPTEMBER 6, 2003:

Commissioner Feller made a motion, seconded by Commissioner Rhodes and voted unanimously to approve the September 2, 2003, regular meeting minutes and the September 6, 2003, special called meeting minutes.

REPORTS:

A. Calendar

The September/October 2003 calendar was read.

Commissioner Rhodes advised the Commissioners he would be absent from the October 7, 2003, regular meeting due to travel. The Commissioners discussed moving the meeting to another date, but ultimately decided to leave the meeting as scheduled.

B. County Manager's Report

- Mr. Akridge reported the following:

The Gateway Community Service Board requested a member be appointed to the Service Board. This request will be placed on the October 7, 2003, agenda for the Commissioners' consideration.

Mr. M. R. Kevan resigned from the Coastal Georgia Region Twelve Workforce Investment Board, and he requested an appointee to fulfill the remainder of his three (3) year term.

The Georgia Department of Transportation invited the Commissioners and appointed officials to a Public Open House Meeting regarding the interstate system plan. The meeting will be held on September 30, 2003, 5:00 p.m., at the Coastal Georgia RDC.

The First Annual "Coastal Showcase" will be held November 20, to 22, 2003, at Jekyll Island. This would be an opportune time to meet with State legislators prior to the General Assembly reconvening in January.

Commissioner Rhodes stated the RDC was instrumental in organizing this event in this area prior to the legislative session taking place in Atlanta.

The Tax Digest has been approved by the State Department of Revenue. Tax Commissioner, Brenda Wainright, is currently in the process of sending tax bills.

Mr. Lannie Brant was recognized for being elected President of the Solid Waste Association of North America. Mr. Brant acknowledged and thanked the Commissioners for support provided to him through the years.

PUBLIC COMMENTS

- Rubin A. Gomez advised Mr. Akridge the County's webpage was too slow and not properly maintained, i.e. the banner is still announcing the September 2nd meeting. Mr. Gomez stated according to the individual voting record of each Commissioner, it appeared to him there was a block in the voting process of the Board.
- Diane McCoy would like to know why there is a per mile price difference between the projects of widening and paving of Harriett's Bluff Road and the extension of that widening and paving to Sadler's Cove, as well as, what funds would pay for the same.

At the request of Chairman Rainer, Mr. Lampe explained the difference is due to State funding.

Chairman Rainer further explained it was his understanding with regards to the first project the State would perform all the work with the exception of the shoulder work. On the second part, the State would not pay for the widening therefore requiring the County to pay for the widening from S.P.L.O.S.T funds. Chairman Rainer advised these projects would be paid from S.P.L.O.S.T funds.

Mr. Lampe stated these projects were part of a fifteen year plan.

Ms. McCoy inquired about the budgeting for the Maintenance Facility construction, and Chairman Rainer advised it was allocated in S.P.L.O.S.T. funds.

At her request, Mr. Akridge advised he would email her a S.P.L.O.S.T. list.

Ms. McCoy asked if the 4-H advisor position approved at the September 2, 2003, meeting was a budgeted item. Chairman Rainer informed Ms. McCoy that the position was budgeted for in the 4-H program. This is not a new position, but a position being filled due to a resignation.

Ms. McCoy suggested providing more than one agenda book for the public's review.

- George Scott questioned if the Commissioners had received the Citizens Advisory Committee's Phase One report. Commissioner Feller stated he had received the report. Mr. Akridge advised the report is readily available in the Commissioners' office. Mr. Scott stated the report contained the answers to the Commissioners' questions posed during the August Staffs' Responses meeting. Mr. Scott also stated if the Commissioners had the report prior to establishing the millage rate, the Commissioners could have had a better understanding of what they were doing. Also, George Scott stated since the Staffs' presentation, the individuals who made the original recommendations have not received any questions, and he would like to know why.

Commissioner Feller stated the Board was not interested.

Commissioner Berry disagreed as he was very interested in conversing with the Committee regarding the recommendations.

Chairman Rainer said it was a misstatement to say the Board was not interested. Chairman Rainer stated the Advisory Committee was created with good intentions. However, once the recommendations were made there seemed to be implications the Board did not know what it is doing as Mr. Scott had commented certain items had not been reviewed. Adding, it was the responsibility of each Commissioner to make a decision whether or not to accept the recommendations. Chairman Rainer believed the Advisory Committee should have been comprised of a representative body from all Camden County districts. Chairman Rainer had no reservations about recommendations made in the best interest of Camden County. He does have reservations when it goes beyond that point stating once recommendations are made, they are placed in the hands of the County Commissioners.

Mr. Scott stated it seemed to the citizens, who are familiar with the recommendations, that the Commissioners missed opportunities to put the County back on a stable course. If any actions had been taken on the original recommendations made, they have not been made public.

Mr. Scott advised the Commissioners several employees had expressed to him their concern about the benefits being threatened. Mr. Scott believed neither the employees nor the Board fully understands the recommendations. In discussing this matter with some employees, Mr. Scott said it was evident the employees were not apprised of the pay raise recommendation.

OLD BUSINESS

None.

NEW BUSINESS

A. 5311 Transportation Program/Coastal Georgia Transportation, Inc.

Commissioner Rhodes made a motion, seconded by Mr. Rainer to allocate \$6,000 for insurance funds needed for the 5311 Transportation Program; enter into the Memorandum of Agreement with Coastal Georgia Transportation, Inc., with the stipulation that the County will revisit the funding for the insurance on a year to year basis; and with the caveat if Coastal Georgia Transportation, Inc., folds, then the County would be under no obligation to continue under the auspices of the 5311 Program.

On discussion, Mr. Akridge advised the funding for the \$6,000 insurance cost would be distributed over Special Appropriations funds. According to a memorandum received from Mike Fender, the cost would be covered by overages in the Coastal Georgia RDC dues, ACCG dues, and the St. Marys River Management Program.

Commissioner Feller stated he endorsed the project, but he could not expose the County to the liability this program presented.

Commissioner Berry stated the County would only be liable up to \$1,000,000.00, which is the aggregate policy limits.

Mr. Jim Heath stated this program has been supported throughout the State of Georgia.

So voted 3 to 2

Chairman Rainer – Yea
Commissioner Herrin – Nay
Commissioner Rhodes – Yea
Commissioner Berry – Yea
Commissioner Feller – Nay

The motion carried.

B. Appointment of Voting Delegate for the ACCG Fall Policy Conference Business Session.

Commissioner Herrin made a motion, seconded by Commissioner Feller and unanimously voted to appoint County Manager, Charles Akridge, as the Voting Delegate for the ACCG Fall Conference.

C. Request from St. Marys Tourism Council.

Mr. Akridge recommended participating with the St. Marys Tourism Council in the Georgia On My Mind travel guide advertising opportunity for the sum of \$250.00.

Commissioner Rhodes made a motion, seconded by Chairman Rainer to approve the St. Marys Tourism Council's \$250.00 request for participation in the Georgia On My Mind travel guide advertisement.

On discussion, Commissioner Berry stated \$21,000.00 was previously given to the Council with the condition it be used for advertising Camden County. Additionally, Commissioner Berry inquired as to were the \$250.00 would to be taken from.

Mr. Akridge stated the \$250.00 could be funded from overages in dues.

Commissioner Berry further stated he intended to place on the next agenda an item addressing the need for the Finance Department and Mr. Akridge go through each line item in the budget to determine actual overages contained therein.

So voted 2 to 3

Chairman Rainer – Yea
Commissioner Herrin – Nay
Commissioner Rhodes – Yea
Commissioner Berry – Nay
Commissioner Feller – Nay

The motion failed.

D. Adoption of GIS fee schedule.

Mr. Akridge recommended adopting the fee schedule to bring Camden County's fees in line with those charged by surrounding counties such as Glynn County.

Commissioner Feller made a motion, seconded by Commissioner Herrin to adopt the proposed GIS fee schedule attached hereto and incorporated herein.

Commissioner Berry stated without being provided any supporting documentation justifying an increase in the GIS fees, he could not support a motion to do the same. Commissioner Berry stated increasing fees is akin to increasing taxes.

So voted 4 to 1,

Chairman Rainer – Yea
Commissioner Herrin – Yea
Commissioner Rhodes – Yea
Commissioner Berry – Nay
Commissioner Feller – Yea

The motion carried.

E. Application from Henry & Debra Warner, et al, for rezoning of 1.5 acres.

Commissioner Feller made a motion, seconded by Commissioner Rhodes and voted unanimously to approve the application of Henry and Debra Warner, et al, for the rezoning of 1.5 acres from Agriculture-Forestry (A-F) to Agriculture-Residential (A-R) in order to build a single-family dwelling.

F. Application by Faulk & Foster for a communications tower.

Commissioner Rhodes made a motion, seconded by Commissioner Herrin to approve the application of Faulk & Foster for the construction of a communication tower on the property of John McCarthy approximately 941 feet west of Burnt Fort Road.

Mr. Akridge added there is an agreement should the County need to co-locate any communication facilities on the tower, the County would be able to do so.

As part of the discussion, and pursuant to the motion, Commissioner Feller stated the County reserved the right to invoke the landscaping requirements should the large timber tract on which this tower will be located ever be cleared.

G. Application by William T. Ligon, Jr., for a preliminary and final plat approval for a major subdivision.

Commissioner Rhodes made a motion, seconded by Commissioner Feller and voted unanimously to approve the application of William T. Ligon, Jr., agent for

Linda Stanfield, for a five (5) acre tract for the construction of a single-family residence.

H. Citizens Advisory Committee.

Commissioner Berry stated he placed this item on the agenda at the request of Mr. Scott. The Advisory Committee feels unwanted. The Committee is still in the process of doing their work. They are working on the Sheriff's Office, Fire and Rescue and our fee schedules. The Committee is curious as to whether or not the Board wants them to continue and finish their work.

Commissioner Berry made a motion, seconded by Commissioner Feller to show a vote of confidence for the Citizens Advisory Committee and allow the Committee to complete their work.

On discussion, Commissioner Berry stated he believed the Board had appointed a high-caliber group of people and received good recommendations. Commissioner Berry stated the Committee made an enormous effort in looking into these matters, and he would like to have a meeting between the Commissioners and the Committee to discuss the questions that he has. Commissioner Berry did not realize there was an additional report. He believed the information given him to at the Staffs' Responses Meeting was the report. Commissioner Berry said he would like the Board to vote unanimously to give the Committee the approval and the support to finish the work they have started, and in the very near future have a meeting with the Committee to discuss their findings and recommendations.

Commissioner Rhodes added he felt Mr. Scott wanted the Commissioners to implement the recommendations of the Advisory Committee, which concerns him because the Committee is to be advisory in nature. Commissioner Rhodes expressed an Advisory Committee can be good and should be good. However, there is a difference between an Advisory Committee that makes recommendations and an Advisory Committee that states all of the recommendations should be taken due to the Board's lack of competence.

Commissioner Feller disagreed with Commissioner Rhodes in that the Committee never stated the Commissioners had to accept the Committee's recommendations. Commissioner Feller gave recommendations to the Committee on how to communicate with the Board and the Staff. Commissioner Feller reminded the Board the report was to be made to the Commissioners, and not the Staff. Commissioner Feller stated he requested a copy of the Committee's report. Additionally, Mr. Commissioner Feller stated that a sincere show of support needed to be shown for the Committee, or the Committee should be dissolved. But at the very least, the Committee should be given the courtesy of a workshop to review the findings. Commissioner Feller stated the Staff's involvement in this matter was a conflict of interest.

Chairman Rainer disagreed with the statement the Staff's position was a conflict of interest. The Staff has the expertise and should be involved in the recommendation process. Chairman Rainer further stated the recommendations made should be reviewed regardless of whether or not the Committee is dissolved. He also noted he has not seen the comparative analysis he requested regarding the financial impact on the employees. Upon reviewing such a comparative analysis, Chairman Rainer believed a decision to either support the recommendations or not could be made. Chairman Rainer said the process could have been continued if it had not been raised during this meeting.

Commissioner Berry stated he raised this issue because the Committee stated they did not believe the Board was listening to their recommendations. He said a meeting between the Board, Committee and the Staff would be productive and give the Board a clear understanding of the issues. Commissioner Berry believed the Committee's intention was to help. He does not feel the Committee was

trying to tell the Board what to do, but acting as an advocate in support of their position.

Chairman Rainer affirmed he never meant to imply the Committee was trying to influence the Board. Chairman Rainer stated he did not have a concern with the Committee making recommendations, but the Committee's involvement should not extend beyond that point.

During discussions between Chairman Rainer and Commissioner Berry regarding the issue of not seeing the Committee's recommendations, Mr. Akridge interjected that the initial recommendations were presented during the Staff's Responses presentation. Mr. Akridge advised Mr. Scott had provided additional information after the Staff's Responses presentation, and Commissioner Rhodes further clarified the recommendations made had been gone through item by item during the Staff's presentation. Commissioner Feller suggested scheduling a workshop to discuss this matter. Commissioner Herrin stated the Board has a professional staff and an excellent and professional Finance Director, and he is ready to put the matter to a vote.

There was further discussion among the Commissioners to ensure each was clear on the motion presented.

Chairman Rainer asked Mr. Scott for clarification on the Committee's time frame for bringing final recommendations on the current budget. Mr. Scott responded by stating he believed the final recommendations could be made within sixty (60) days.

So voted 2 to 3,

Chairman Rainer – Nay
Commissioner Herrin – Nay
Commissioner Rhodes – Nay
Commissioner Berry – Yea
Commissioner Feller – Yea

The motion failed.

Commissioner Herrin made a motion, seconded by Commissioner Rhodes to rescind the Resolution that created the Camden County Citizens Advisory Committee.

In opposition to this motion, Commissioner Berry asked his comments regarding the previous motion be incorporated by reference into this discussion.

Commissioner Feller called a point of order. Commissioner Feller advised the Board in a motion to reconsider those who are voting must have voted in the affirmative, and Commissioner Rhodes had not, therefore he could not vote on this motion.

Commissioner Berry stated his understanding was only someone who voted for the motion could make a motion to reconsider, and deferred to Mr. Brent Green for a ruling in the matter.

Commissioner Rainer agreed with Commissioner Berry.

Mr. Green recommended tabling the matter until the next meeting as he was unable to make a determination at the present time.

Commissioner Rhodes advised he would not be at the October 7th meeting.

Mr. Green advised that a motion to disband the Committee could be made, and Commissioner Herrin withdrew the motion and offered the following motion:

Commissioner Herrin made a motion, seconded by Commissioner Rhodes, to disband the Citizens Advisory Committee.

So voted 3 to 2,

Chairman Rainer – Yea
Commissioner Herrin – Yea
Commissioner Rhodes – Yea
Commissioner Berry – Nay
Commissioner Feller – Nay

The motion carried.

I. Camden County Board of Health Fee Schedule.

Dr. Stewart Stevens provided proposed changes to the Camden County Environmental Health Services' fee schedule. Dr. Stevens provided O.C.G.A. § 31-3-4(a) states that the Board of Health may set the fees, but the governing body must approve the fee scheduled.

Commissioner Feller made a motion, seconded by Commissioner Herrin to approve the Camden County Environmental Health Services' fee scheduled attached hereto and incorporated herein.

On discussion, Commissioner Berry stated his opposition to this motion would be the same as that to the GIS fee schedule increases and hereby references those comments and incorporates the same into this discussion.

So voted 4 to 1,

Chairman Rainer – Yea
Commissioner Herrin – Yea
Commissioner Rhodes – Yea
Commissioner Berry – Nay
Commissioner Feller – Yea

EXECUTIVE SESSION:

Commissioner Rhodes, seconded by Commissioner Feller, and voted unanimously that this Board enter into closed session as allowed by O.C.G.A. § 50-15-4 at 7:25 p.m., and pursuant to the advice by the County Attorney, for the purpose of discussing litigation.

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. § 50-15-4, and that this body confirm the acts of the Board in closed session were as required by law and approved by the County Attorney.

RECONVENE:

Commissioner Feller made a motion, seconded by Chairman Rainer and unanimously voted to reconvene the meeting at 7:35 p.m.

Chairman Rainer signed the affidavit as required by O.C.G.A. § 50-15-4(b). The original copy of the affidavit immediately follows these minutes and a copy is on file in the Executive Assistant's office.

Chairman Rainer stated no action was taken during the Executive Session.

ADJOURNMENT:

Motion made by Commissioner Rhodes, seconded by Commissioner Feller and voted unanimously to adjourn the meeting at 7:40 p.m.

Respectfully submitted,

David L. Rainer
Chairman

Jodi M. Galloway
Executive Assistant