

**CAMDEN COUNTY BOARD OF COMMISSIONERS MEETING
TUESDAY, MARCH 2, 2004 6:00 PM
WOODBINE, GEORGIA**

A regular meeting of the Camden County Board of Commissioners was held on Tuesday, March 2, 2004, at 6:00 p.m. in the Commissioners' Meeting Room of the Camden County Courthouse, Woodbine, Georgia.

Present: Chairman David L. Rainer; Vice-Chairman 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 Tommy Sikes, Burnt Fort Baptist Church, delivered the invocation.

Chairman Rainer led the Pledge of Allegiance.

The roll call indicated all Commissioners were present.

AGENDA AMENDMENTS:

Vice-Chairman Herrin made a motion, seconded by Commissioner Rhodes and voted unanimously to add Work Session Item 6A, *Vacation Accrual*; to New Business, Item K, *First reading of an Ordinance regarding Gatherings for the Purpose of Public Expression*; Item L, *Donation of Leave*; Item M, *Approval of Revised Final Plat for Sanctuary Cove at St. Andrews Bay*; and Item N, *Accept corrected Warranty Deed regarding Greenspace Property – Gilligan's Island*.

The motion carried unanimously.

WORK SESSION:

A. Donation of Leave/Vacation Accrual – Vice-Chairman Herrin and Commissioner Berry

Vice-Chairman Herrin proposed a donation of leave policy to fill the coverage gap left by the deletion of the short-term disability.

Mrs. Penny Woodard, Human Resources Director, advised she constructed a policy similar to the Family and Medical Leave Act. Mrs. Woodard noted before an employee could be eligible to use donated leave, all other leave must be exhausted. To prevent abuse of the policy, a committee, appointed by the County Manager, would be established to oversee the donated leave policy.

Vice-Chairman Herrin asked if this policy would cost the County any money, and Mrs. Woodard advised it would not.

Commissioner Berry advised staff had reviewed the vacation accrual and was prepared to make recommendations on the same. Commissioner Berry asked Mrs. Woodard to share the recommendations with the Commissioners. Mrs. Woodard advised staff proposes the following vacation accrual: employees with one (1) to four (4) years of service and work eight (8) hours per day receive 6.66 hours per month, and those who work twelve (12) and twenty-four (24) hours per day receive 8.66 hours per month; employees with five (5) to nine (9) years and work eight (8) hours per day receive 13.33 hours, and those who work twelve (12) and twenty-four (24) hours receive 15.33 hours; employees with ten (10) to fourteen (14) years and work eight (8) hours per day receive 16.33 hours, and those who work twelve (12) and twenty-four (24) hours receive 18.33 hours; employees with fifteen (15) to nineteen (19) years and work eight (8) hours per day receive 20.00 hours, and those who work twelve (12) and twenty-four (24) hours receive 22.00 hours; employees with twenty (20) to twenty-four (24) years and work eight (8) hours per day

receive 23.33 hours, and those who work twelve (12) and twenty-four (24) hours receive 25.33 hours; and employees with twenty-five (25) and over years and work eight (8) hours per day receive 26.33 hours, and those who work twelve (12) and twenty-four (24) hours receive 28.33 hours.

Mrs. Woodard advised staff would propose sick leave accrue at four (4) hours per month for employees who work eight hour days, and eight (8) hours for employees who work twelve (12) and twenty-four hour days.

Mrs. Woodard stated leave would begin accruing immediately, but vacation leave could not be used until the employee had completed one (1) year of service.

B. Comcast Cable – Mr. Bill Ferry

Mr. Bill Ferry, Comcast Cable, advised the Commissioners that Comcast Cable had entered into sale and transfer agreements with US Cable. Mr. Ferry advised the Commissioners that Comcast Cable is a nationwide company and would provide quality service to Camden County subscribers.

Commissioner Berry stated cable service is the number one complaint in his district, and he would like for Comcast Cable's rates and service to be comparable to Kings Bay Cable's rates and service.

Commissioner Feller also stated he would like rates and service adjusted, and he also asked Comcast to consider donating equipment for the broadcast of Board of Commissioners' meetings.

C. Indigent Defense – Mr. Michael Mears, Director, Georgia Indigent Defense Council

Mr. Mears stated that legislation was passed last year creating a state wide public defenders system, and funding for this program is taking place now and expected to be in place by December 31st. Camden County will be in the Brunswick Judicial Circuit Public Defenders System. Mr. Mears stated the cost to run the state wide program will be \$44,789,379.00 with \$7,000,000.00 being allotted to death penalty cases. On December 31st, all future death penalty cases will be handled by the state office, and counties will not have to put any money into these future cases. Mr. Mears advised the Commissioners that counties will still need to fund the indigent defense system at the same level as previous years – an increase is not expected. However, Mr. Mears stated counties will share in the cost of the defenders' physical office space in the County's circuit. Mr. Mears anticipates Circuit Defenders to be named by the end of April, and by December 31st the office should be fully staffed and operational.

Commissioner Feller inquired about feedback from the District Attorneys, and Mr. Mears stated the District Attorneys were receptive to the program.

Commissioner Berry asked were Camden County's \$94,000.00 would be allocated. Mr. Mears said some attorneys would still need to be appointed due to conflict or in instances were the Circuit Defenders could not handle cases because of case load.

Commissioner Berry stated that Camden County's system is very efficient, and he is very concerned that the County's level of service will decrease as a result of this new system and will cost Camden County more money. Mr. Mears stated the level of service cannot decrease, and the service will increase with the funding provided by the State and Camden County's \$94,000.00.

Commissioner Berry then asked if Camden County would be guaranteed a defender from this County. Mr. Mears said he could not guarantee that a defender would be named from Camden County.

Commissioner Berry asked what the County was to do with the three (3) year contract it currently has with its Public Defender, and Mr. Mears advised that the County could use the \$94,000.00 to fund that contract.

Mr. Clyde Urquhart, Public Defender, inquired how the Circuit Defender is appointed, and Mr. Mears stated the Defender would be appointed by a five (5) member committee. The committee members have to be residents of the circuit, and a member is appointed by the Governor, Lieutenant Governor, Speaker of the House, Supreme Court Chief Justice, and this Circuit's Chief Judge. Mr. Mears stated if Mr. Urquhart and Mr. Sweat are interested in being appointed, they should contact the committee members. Mr. Urquhart also inquired if the \$94,000.00 funded by Camden County would be pooled with monies from other counties, and Mr. Mears stated funding would not be pooled together.

D. County History Book Publication – Mr. Darren Harper

Mr. Darren Harper, Bryan-Lang Historical Library, advised the Commissioners the quantity of County history books is low, and he would like to request authority to have 1000 copies of the book reprinted.

Commissioner Berry made a motion, seconded by Commissioner Feller and voted unanimously to allocate \$12,000.00 from the Contingency Fund for the reprinting of 1000 copies of the Camden County History Book.

The motion carried unanimously.

MOTION TO ADOPT THE AGENDA:

Commissioner Rhodes made a motion, seconded by Commissioner Feller and voted unanimously to adopt the agenda as amended.

The motion carried unanimously.

APPROVAL OF MINUTES:

Commissioner Rhodes made a motion, seconded by Vice-Chairman Herrin to approve the February 17, 2004, regular meeting minutes.

Commissioner Feller requested the minutes be clarified to reflect his proposal for Tidewater Plantations, Inc., to obtain a two (2) million dollar performance bond was for the protection of prospective lot buyers should complications with water and sewer create undo problems.

So voted unanimously to approve the March 2, 2004, regular meeting minutes as corrected.

The motion carried unanimously.

REPORTS:

A. Calendar

The March/April 2004 calendar was read.

B. County Manager's Report

None.

PUBLIC COMMENTS

- Ms. Shirley Hackett stated she received a notice from the Board of Education advising that buses could no longer transport children living along the road of Annadale Subdivision due to the bad condition of the road. Ms. Hackett advised that the Board of Education relocated the bus stops to one stop at Incachee and Aberdeen, and now some children would have to walk a mile to reach the bus stop.

It was determined that this road is not a County road. However, Fire Chief Danny Daniels advised the Commissioner that Fire/Rescue frequently responds to calls on this road and requested the Commissioners to find an emergency solution because the bad road condition might hinder emergency vehicles responding to calls on this road.

There was debate among the Commissioners regarding the grading and maintaining of private roads in the County. Commissioner Rhodes inquired what needed to be done to help Ms. Hackett, and Mr. Green advised a motion declaring a state of emergency would be needed. Mr. Green recommended doing this one time.

Commissioner Feller requested Mr. Akridge to ascertain ownership of the road and in the meantime, declare an emergency to resolve the problem.

Commissioner Rhodes made a motion, seconded Commissioner Feller to declare the road of Annadale Subdivision an emergency situation and to take whatever means necessary to rectify the situation.

Commissioner Berry stated he did not believe this to be an emergency situation and that this was not the only road in the County with these problems.

Chairman Rainer stated he does believe this to be an emergency because school buses are not able to travel down the road and that emergency vehicles would need to be able to travel the road as well.

So voted, 4 to 1

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

The motion carried.

- George Scott complimented Vice-Chairman Herrin and Sheriff Smith for proposing a leave donation policy to off-set the deletion of the short-term disability. He would suggest looking at the taxability of the leave donated.

PRESENTATION:

A. Review of Fiscal Year 2002 – 2003 Audit by Kathy Todd, CPA, Karp, Ronning & Tindol, P.C.

Kathy Todd and Rick Tindol presented a review of the 2002-2003 Audit.

Ms. Todd advised that an unqualified opinion was given with the following four (4) reportable conditions: Assess the Accounting Department Staffing Needs, Segregation of Duties, Capital Assets, and Account Receivable Reconciliation.

After presenting some comparative ratios and information regarding the need of an audit and financial statements, Mr. Tindol advised that the County was in solid financial shape.

B. The Humane Society of Camden County, Inc.

Charlotte Bartzack, President of the Humane Society of Camden County, Inc., reviewed the County's Animal Shelter proposal and its budget, and the Humane Society believes the County's proposal is lacking and their budget previously presented is equitable. However, to demonstrate their willingness to cooperate with the County, Ms. Bartzack presented a reduced 2004-2005 contract in the amount of \$86,282.00 for the Commissioners' consideration.

Additionally, Ms. Bartzack presented a petition signed by citizens encouraging the County not to pursue an Animal Control Facility.

RECESS:

Chairman Rainer called a ten (10) minute recess at 7:53 p.m., and he called the meeting back to order at 8:03 p.m.

OLD BUSINESS

A. Animal Shelter Proposal/Contract with Humane Society

Chairman Rainer made a motion, seconded by Vice-Chairman Herrin to accept the reduced Humane Society contract in the amount of \$86,282.00.

Commissioner Feller stated he would like the issues between the Humane Society and Animal Control Officers resolved, and suggested the appointment of an arbitrator to help resolve the matters. Chairman Rainer agreed, but believed the matters could be resolved under the direction of Mr. Akridge.

Commissioner Berry stated his concern over the escalating costs of the service and suggested the Humane Society look at diversifying their funding sources. Commissioner Berry asked that the County keep its shelter plans in place in case the County did need to move in that direction.

Vice-Chairman Herrin, Commissioner Rhodes, and Commissioner Feller expressed their appreciation for the Humane Society making a good faith effort in revising its contract. Commissioner Feller further added he would like Mr. Akridge to implement a licensing program to help with costs.

So voted unanimously. The motion carried.

B. Consent of assignment and transfer of cable franchise from US Cable to Comcast Cable.

Commissioner Feller made a motion, seconded by Vice-Chairman Herrin and voted unanimously to approve the assignment and transfer of the cable franchise from US Cable to Comcast Cable.

The motion carried unanimously.

NEW BUSINESS

A. First Reading of an amendment to the No Smoking Ordinance

County Attorney Brent Green advised that Section 4, PENALTY, subsection (a) should read "...or imprisonment as allowed by law."

Commissioner Feller made a motion, seconded by Commissioner Rhodes and voted unanimously to change the language as advised by the County Attorney and waive the first reading of the amendment to the No Smoking Ordinance.

The motion carried unanimously.

B. Application of Leroy Pasley for Retail Sale of Malt Beverages and Wine License for Smokey Bear Trading Post, 13256 Highway 17, Woodbine

Commissioner Rhodes made a motion, seconded by Vice-Chairman Herrin and voted unanimously to approve the application of Leroy Pasley for retail sale of malt beverages and wine license for Smokey Bear Trading Post, 13256 Highway 17, Woodbine, Georgia.

The motion carried unanimously.

C. Application of Robin Ashley Williams for Consumption on Premises of Spirituous Liquors, Malt Beverages and Wine License for The Mad Minnow, 307 Hickory Bluff Drive, Waverly

Commissioner Rhodes made a motion, seconded by Vice-Chairman Herrin and voted unanimously to approve the application of Robin Ashley Williams for consumption on premises of spirituous liquors, malt beverages and wine license for The Mad Minnow, 307 Hickory Bluff Drive, Waverly, Georgia.

The motion carried unanimously.

D. Accept Drainage Easement from Joseph Michael and Kimberly Paige Henderson

Vice-Chairman Herrin made a motion, seconded by Commissioner Rhodes and voted unanimously to accept the drainage easement from Joseph Michael and Kimberly Paige Henderson for the Audrey Atkinson's Harriett's Bluff Subdivision.

The motion carried unanimously.

E. Re-appointment of George L. Hannaford and Craig Root to the Bryan-Lang Historical Library Board

Commissioner Rhodes made a motion, seconded by Vice-Chairman Herrin and voted unanimously to re-appointment Mr. George L. Hannaford and Mr. Craig Root to the Bryan-Lang Historical Library Board.

The motion carried unanimously.

F. Approval of extension of Mowing Services Contract with Pine Acre Farms

Vice-Chairman Herrin made a motion, seconded by Commissioner Rhodes to extend the Pine Acre Farms' \$36,000.00 contract for two (2) mowing cycles.

Commissioner Feller stated the bidding policy should be followed and that there was not a prevision in the contract for extension. Commissioner Feller said the contract should go out for bid.

Vice-Chairman Herrin stated the contract could be sent out for bid again, however, this contractor did have the lowest bid and only two (2) mowing cycles remained in this fiscal year.

So voted 4 to 1,
Chairman Rainer – Yea
Vice-Chairman Herrin – Yea
Commissioner Rhodes – Yea
Commissioner Berry – Yea
Commissioner Feller – Nay

The motion carried.

G. Review of Budget Calendar

The Budget Calendar Workshop dates were revised to accommodate the schedules of the Commissioners.

H. Approval of New Courthouse Computer Networking Equipment

Vice-Chairman Herrin made a motion, seconded by Commissioner Rhodes and voted unanimously to accept the low bid from Global Computer Supplies in the amount of \$24,146.00 for equipment to make the network operational in the new Courthouse.

The motion carried unanimously.

I. Approval of proposed Leave Donation Policy

Vice-Chairman Herrin made a motion, seconded by Commissioner Rhodes and voted unanimously to approve the Leave Donation Policy retroactive to January 1, 2004, which by this reference is incorporated into these minutes.

The motion carried unanimously.

J. Opening Date of New Courthouse

Commissioner Feller made a motion, seconded by Vice-Chairman Herrin and voted unanimously to open the new Courthouse on May 17, 2004, and to hold an “Open House” during the second week of April, 2004.

The motion carried unanimously.

K. First reading of an Ordinance regarding Public Gatherings for the Purpose of Public Expression

Commissioner Feller made a motion, seconded by Commissioner Rhodes and voted unanimously to waive the first reading of the Ordinance regarding Public Gatherings for the Purpose of Public Expression.

The motion carried unanimously.

L. Employee Vacation Accrual

No action taken.

M. Approval of Revised Final Plat for Sanctuary Cove at St. Andrews Bay

Mr. Akridge requested Mr. Bruce Dickinson, Bluegreen, to address the Commissioners regarding the revision to the Final Plat for Sanctuary Cove. Mr. Dickinson advised the Commissioners’ changes were made in a road way to preserve a 200 year old tree and wetlands.

Commissioner Feller made a motion, seconded by Commissioner Rhodes and voted unanimously to approve the revised Final Plat for Sanctuary Cove at St. Andrews Bay.

The motion carried unanimously.

N. Accept corrected Warranty Deed regarding Greenspace Property – Gilligan’s Island

Mr. Green advised the Commissioners a clause was added as required by Georgia statute restricting the use of the property for Greenspace only.

Commissioner Feller made a motion, seconded by Chairman Rainer and voted unanimously to accept the corrected Warranty Deed regarding the Greenspace Property known as Gilligan’s Island.

The motion carried unanimously.

ADJOURNMENT:

Motion made by Commissioner Rhodes, seconded by Vice-Chairman Herrin and voted unanimously to adjourn the meeting at 8:33 p.m.

Respectfully submitted,

David L. Rainer
Chairman

Jodi M. Galloway
Executive Assistant