

**CAMDEN COUNTY BOARD OF COMMISSIONERS MEETING
THURSDAY, FEBRUARY 17, 2005 6:00 PM
WOODBINE, GEORGIA**

A regular meeting of the Camden County Board of Commissioners was held on Thursday, February 17, 2005, at 6:00 p.m. in the Courtroom of the Historic 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; Charles Akridge and County Attorney Brent Green.

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

Commissioner Rhodes delivered the invocation.

Chairman Rainer led the Pledge of Allegiance.

The roll call indicated all Commissioners were present.

AGENDA AMENDMENTS:

Chairman David Rainer proposed the following:

Work Session immediately following the Agenda Amendments with Sheriff Bill Smith regarding a retirement plan and action if deemed appropriate.

To add the following New Business Items:

- 12 G. Addition of more tax release applications
- 12 R. Consideration of Business Property Lease for Camden County Joint Development Authority.
- 12 S. Solid Waste Bids – Expansion of Landfill – New Cell

Commissioner Feller made a motion, seconded by Vice-Chairman Herrin to accept the agenda amendments as detailed. The motion was unanimous to accept the agenda amendments.

The motion carried unanimously.

Commissioner Feller made a motion to amend the agenda to include an Executive Session for matters of personnel and litigation and then have a public discussion regarding the issues, Commissioner Berry seconded the motion. The vote was unanimous.

The motion carried unanimously.

WORK SESSION:

Sheriff Bill Smith addressed the Board regarding a Retirement Plan for the Sheriff of Camden County. He stated that he felt that the County should have adopted some sort of retirement plan for the Sheriff years ago. Sheriff Smith stated that he had a Resolution for the Board to consider as well as a proposed Retirement Plan for the Sheriff of Camden County. He stated that the tax payers would not be putting any of the money into this retirement plan. Sheriff Smith indicated that the funds would come from violators who pay their tickets in court and that an assessment fee would be attached to the ticket and those monies would go into the retirement plan.

Vice-Chairman Herrin made a motion, seconded by Commissioner Rhodes to adopt the Resolution for a Retirement Plan for the existing Sheriff of Camden County.

Commissioner Feller made a motion to table this issue until the next Board of Commissioners Meeting. Motion failed for a lack of a second.

The motion was unanimous to adopt the Resolution for a Retirement Plan for the existing Sheriff of Camden County.

So voted:

Chairman Rainer – yea

Vice-Chairman Herrin – yea

Commissioner Rhodes – yea

Commissioner Berry – yea

Commissioner Feller – abstained

The motion carried.

MOTION TO ADOPT THE AGENDA:

Vice-Chairman Herrin made a motion, seconded Commissioner Rhodes 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 minutes of February 1, 2005. The vote was unanimous to approve the minutes of February 1, 2005.

The motion carried unanimously.

REPORTS:

A. Calendar

The February/March 2005 calendar was read.

B. County Manager's Report

County Manager Charles Akridge stated he, along with Chairman Rainer and Vice-Chairman Herrin had the opportunity to meet with the State Department of Transportation (DOT) Commissioner Harold Linnenkohl in Atlanta. He stated that they discussed different items of interest of the citizens of Camden County, one being Colerain Road. He stated that Mr. Linnenkohl gave them good feedback regarding Colerain Road and that the issue is being sent to DOT's finance committee and the widening of Colerain will be discussed in May, specifically looking at the west side of I-95. Mr. Akridge also stated that the Highway 40 widening is projected for the Governor's Road Improvement Program (GRIP) and sent to the district for preliminary engineering. He stated that they also discussed the federal funding of Horsestamp Church Road. Mr. Akridge stated that the paving priority list was also discussed.

Mr. Akridge stated that in conjunction with the Joint Development Authority, Camden County will be hosting the State Department of Transportation Board in November.

Chairman Rainer stated that one of the projects that were initially on the paving priority list, including Pine Street, Village Drive and Cross Street, was committed by Mr. Linnenkohl to be paved by the State and they have been removed from the priority list.

Commissioner Berry asked when the Board voted about going ahead and paving Colerain Road. He stated that according to the minutes, County Manager Charles Akridge was instructed to meet with the mayors and begin to formulate a plan and proposal. He asked where the authority came from to start talking to the DOT about \$32,000,000.00 to pave a road.

Chairman Rainer stated that this was only a preliminary basis and that DOT agreed to look at it from their standpoint, but absolutely no commitments were made whatsoever.

Commissioner Berry stated that he felt discussion and/or a vote by the Board should have occurred before any talks with DOT regarding funding of a road that had not been approved.

Chairman Rainer stated that these were only discussions and they were only laying the foundation and that there were no commitments made by either DOT or Camden County.

County Manager Charles Akridge stated that regarding the financial report for January, with the standard for expenditures being 58.33% being the standard, we are exactly at

58% which is right on target for expenditures. Revenues, with the standard also being at 58.33%, we are at 72% which is 13.33% over projected revenues.

Commissioner Feller stated that he received a call regarding Old Jefferson Road in Woodbine. He stated that the school buses are no longer going down that road. He stated that he would give this to Mr. Rhodes. He also stated that he was told that because of the situation with people around there, the County comes in and does a grading job, and then people are almost immediately ruining the road with ATV's. He stated that the person who contacted him has a daughter with cancer and she is concerned about this situation.

Commissioner Feller also stated that the second item he had concerned Item 12 Q on the agenda.

Commissioner Berry asked Mr. Feller why he didn't give the information regarding Old Jefferson Road to Mr. Rhodes prior to the meeting rather than telling him in a public meeting as a courtesy.

Chairman Rainer told Commissioner Feller that if he had a concern about Item 12 Q, that he should address that when the Board gets to that item and Commissioner Feller concurred.

PRESENTATION:

A. Dr. Bryan Warren – Mental Health Board

Dr. Warren addressed the Board and stated that he is a child and family psychiatrist, retired in Camden County. He stated that he is the Camden County representative appointed by the Board to the planning board for the Georgia Department of Human Resources Division for Mental Health, Developmental Disabilities and Addiction Disorders for the Southeast Region of Georgia. He stated that he was reporting into the board at this time. He stated that information concerning the needs of the citizens with services to the mentally ill, mentally retarded and drug addicted people in our county are conveyed to the State administration and legislature. He stated that the planning board then receives information from the State which the County representative makes available to the Board and media describing the advantages and failures of its programs for these services. He stated that his service on the planning board is in the interest of providing the benefits of fully funded health services for the mentally afflicted in the County. He stated that there was a recent public forum to assess the priorities for the need for services. He stated that from the list, two priorities of importance were availability of mental health assessment at hospital emergency rooms and police departments, which is not available, and mental health services for the schools. He stated that there was a concern about the lack of adult mental health services in Camden County, specifically the availability of emergency mental health services for law enforcement agencies and emergency rooms. Dr. Warren also stated that another program of interest is the Coastal Georgia Girls Home, Inc., called Haven of Grace. This

will provide to coastal Georgia a residential placement for initially ten early adolescent girls. Dr. Warren asked for endorsement by the Board regarding this program for securing donations and grants needed to launch the program.

B. Darren Harper – Library Board, Camden Challenge

Darren Harper addressed the Board regarding a proposal that the Bryan Lang Historical Library made regarding the distribution of the proceeds from the sale of the Camden Challenge History Book. Mr. Harper stated that the Board proposed that out of the sale of each book, the County would receive a total of \$21.34 of which \$11.34 would go to the cost of printing the book there would be a \$10.00 profit from the sale of each book that would come back to the County. The Board is requesting that the \$21.34 be deposited into the account that is set up for future reprinting of the book because there would probably have to be another volume of the County history written. He stated that the County has always received all of the profits from the sale of the books and that now they are asking that the Bryan Lang Foundation begin to receive some of the profits from the sale of these books. Mr. Harper stated that the County would receive its cost of printing the books as well as a \$10.00 profit from the sale of each book and the Bryan Lang Historical Library would receive \$8.66 when the books were sold to dealers and \$18.66 when they are sold to individuals.

Commissioner Rhodes made a motion, seconded by Commissioner Feller to divide the proceeds of the sale of the Camden Challenge History Book between Camden County and the Bryan Lang Library as stated in the minutes. The motion was unanimous to divide the proceeds of the sale of the Camden Challenge History book between Camden County and the Bryan Lang Library.

The motion carried unanimously.

PUBLIC COMMENTS:

Travis Boyd

Travis Boyd addressed the Board regarding the demotion of Danny Daniels. Mr. Boyd stated that he has been employed by Camden County for 10 years and has been the chaplain for three years. He stated that the Fire and Rescue Department's morale is at an all time low. He stated that he has received many phone calls and personal visits at his home from members of the department concerned about the punishment that Danny Daniels received. He stated that members of the department feel that this was an unjust punishment that in their eyes, and his, had done nothing wrong. He stated that he felt the decision to demote Mr. Daniels was extreme and unfitting to a man who has given so much. He stated that Danny Daniels has admitted to his wrongdoing and has personally spoken to him and the department. He stated that it was his opinion that his intentions were for the better of the department given that no evidence points toward personal gain. He asked the Board to consider reversing their decision and reappointing Danny Daniels to the position he was called to do. He closed by stating that Danny Daniels applied

discipline when needed, but also applied a lot of open arms to members of the department.

Robin Daniels Horne

Mrs. Horne addressed the Board on behalf of her family and stated that she does know that he did some things wrong, but is human. She stated that the punishment and demotion does not fit the findings from the audit. She stated that the department is suffering as evidenced by the number of people in attendance to show their support for Danny Daniels. Mrs. Horne stated that she felt that Mr. Daniels was a “fall out” guy and that there are many people who are responsible for a lot of the audit findings and she asked for the Board and the County Manager to rethink the demotion.

Susan Highsmith

Ms. Highsmith addressed the Board regarding the fire station being built in the Dover Bluff area. She asked if there was any new news to report regarding any alternative sites for the fire station.

Kelly Kirby

Mr. Kirby addressed the Board regarding requesting a name change of Black Hammock Loop. He stated that there are two roads off of Dover Bluff that are named Black Hammock Loop and that people are often confused and turn down the wrong road. He stated that a Georgia Forestry vehicle recently got stuck going the wrong direction and emergency vehicles going the wrong way and not knowing exactly where they are going could cause problems.

Lawton Teston

Mr. Teston addressed the Board regarding the failed appointment of a planning commissioner by the Board. He also expressed his concern about a sewage treatment facility going in near a church. Mr. Teston also asked about the need to four lane Colerain Road unless it is made four lanes all the way down Highway 40 to Folkston. He also expressed his concern regarding problems with school buses going down roads. He stated that this should be a priority.

Gene Murray

Mr. Murray stated that he has been with the Fire and Rescue Department for six years. He asked that the Board reconsider the demotion of Danny Daniels and to reinstate their Chief. He stated that there are a lot of people in the department that do not feel that his punishment was just.

Mike Ellerson

Mr. Ellerson addressed the Board and asked that the Board consider reinstating Danny Daniels as Chief. He stated that it is because of Danny Daniels and his employees that he is alive today. He stated that it was because of the training that Danny Daniels instilled in the people that work for Fire and Rescue that he survived a heart attack at the age of 34.

This concluded Public Comments.

OLD BUSINESS

A. Consideration of Curbside Collection Ordinance

Vice-Chairman Herrin made a motion, seconded by Commissioner Rhodes to adopt the Curbside Collection Ordinance.

So Voted 4-1:

Chairman Rainer – nay

Vice-Chairman Herrin – yea

Commissioner Rhodes – yea

Commissioner Berry – yea

Commissioner Feller – yea

The motion carried.

NEW BUSINESS

A. Consideration of Paving Priority List

Commissioner Feller made a motion, seconded by Vice-Chairman Herrin to approve the Paving Priority List. The motion was unanimous to approve the Paving Priority List.

The motion carried unanimously.

B. First Reading of an Emergency Management Ordinance of the Official Code of Camden County, Georgia.

Commissioner Feller made a motion, seconded by Vice-Chairman Herrin to waive the first reading of the Emergency Management Ordinance. The motion carried unanimously to waive the first reading of the Emergency Management Ordinance.

The motion carried unanimously.

C. First Reading of an Ordinance to Amend Chapter 30, Section 66 – Nuisances – Definitions to Article 1 of the Official Code of Camden County, Georgia

Commissioner Feller made a motion, seconded by Vice-Chairman Herrin to waive the first reading of the Ordinance to Amend Chapter 30, Section 66 – Nuisances – Definitions. The vote was unanimous to waive the first reading of the Ordinance to Amend Chapter 30, Section 66 – Nuisances – Definitions.

The motion carried unanimously.

D. Consideration to accept Marys Court.

Commissioner Berry made a motion, seconded by Vice-Chairman Herrin to accept Marys Court as a county road. The motion was unanimous to accept Marys Court as a county road.

The motion carried unanimously.

E. Consideration of Appointment of Artie Jones to the Planning Commission to represent District 5 of Camden County.

Chairman Rainer made a motion, seconded by Commissioner Feller to appoint Artie Jones to the Planning Commission to represent District 5 of Camden County. The vote was unanimous to appoint Artie Jones to the Planning Commission to represent District 5 of Camden County.

The motion carried unanimously.

F. Consideration of Appointment of Denise R. Taylor to the Planning Commission to represent District 4 of Camden County.

Commissioner Feller made a motion, seconded by Commissioner Berry to appoint Denise R. Taylor to the Planning Commission to represent District 4 of Camden County.

So Voted 1-4:

**Chairman Rainer – nay
Vice-Chairman Herrin – nay
Commissioner Rhodes – nay
Commissioner Berry – nay
Commissioner Feller – yea**

The motion was defeated.

G. Consideration of Tax Release Applications

Commissioner Rhodes made a motion, seconded by Vice-Chairman Herrin to approve the tax release applications of:

- Billy J. Day, Digest Year 2004, Bill No. 5016
- Roger L. Lively & Janet L. Besley, Digest Year 2004, Bill No. 11657
- Soncel Construction, Inc., Digest Year 2004, Bill No. 18519
- Soncel Construction, Inc., Digest Year 2004, Bill No. 18521
- Soncel Construction, Inc., Digest Year 2004, Bill No. 18522
- Soncel Construction, Inc., Digest Year 2004, Bill No. 18529
- Soncel Construction, Inc., Digest Year 2004, Bill No. 18518
- Soncel Construction, Inc., Digest Year 2004, Bill No. 18523
- Soncel Construction, Inc., Digest Year 2004, Bill No. 18526
- Soncel, Inc., Digest Year 2004, Bill No. 18635
- Soncel, Inc., Digest Year 2004, Bill No. 18640
- Soncel, Inc., Digest Year 2004, Bill No. 18651
- Soncel, Inc., Digest Year 2004, Bill No. 18594
- Soncel, Inc., Digest Year 2004, Bill No. 18574
- Soncel, Inc., Digest Year 2004, Bill No. 18570
- Soncel, Inc., Digest Year 2004, Bill No. 18596
- Soncel, Inc., Digest Year 2004, Bill No. 18578

So Voted 4-1:

Chairman Rainer – yea

Vice-Chairman Herrin – yea

Commissioner Rhodes – yea

Commissioner Berry – yea

Commissioner Feller – nay

H. Consideration of Extending Lease Agreement between Gwendolyn Edenfield and Camden County Board of Commissioners and increase in the lease amount from \$6,000.00 to \$6,600.00 per year.

Vice-Chairman Herrin made a motion, seconded by Chairman Rainer to approve the extension of the lease agreement between Gwendolyn Edenfield and Camden County Board of Commissioners and increase the lease amount from \$6,000.00 to \$6,600.00 per year. The motion was unanimous to approve the extension of the lease agreement between Gwendolyn Edenfield and Camden County Board of Commissioners and increase the lease amount from \$6,000.00 to \$6,600.00 per year.

The motion carried unanimously.

I. Consideration of Request of Satilla River Soil & Water Conservation District.

Commissioner Rhodes made a motion to approve the request of Satilla River Soil & Water Conservation District for Camden County to provide \$200.00 to carry out their responsibilities, seconded by Vice-Chairman Herrin. The motion was unanimous to approve the request of Satilla River Soil & Water Conservation District for Camden County to provide \$200.00 to carry out their responsibilities, seconded by Vice-Chairman Herrin.

The motion carried unanimously.

J. Joseph Stover (#S036-04-F) Consideration of final plat approval for a portion (8 lots and 2 tracts) of Sheffield Plantation – Phase V. The property is located on Mason Lane adjacent Woodland Trails – Phase II. It is identified as a portion of parcel 5 on zoning/tax map 82.

Commissioner Berry made a motion, seconded by Vice-Chairman Herrin to approve the final plat approval for a portion (8 lots and 2 tracts) of Sheffield Plantation – Phase V, contingent upon Mr. Stover meeting the engineering requirements dictated in a letter by Jordan, Jones and Goulding. The motion carried unanimously to approve the final plat approval for a portion (8 lots and 2 tracts) of Sheffield Plantation – Phase V, contingent upon Mr. Stover meeting the engineering requirements dictated in a letter by Jordan, Jones and Goulding

The motion carried unanimously.

K. James Loper (#R-001-05) Consideration of rezoning from Commercial-Interchange (C-1) to Commercial-General (C-G) of 3.19 acres at 1801 Harrietts Bluff Road. The property is the site of the old ice house and is identified as parcel 17-A on zoning/tax map 93.

Vice-Chairman Herrin made a motion to approve the rezoning for James Loper from Commercial-Interchange to Commercial-General of 3.19 acres at 1801 Harrietts Bluff Road. The motion carried unanimously to approve the rezoning for James Loper from Commercial-Interchange to Commercial-General of 3.19 acres at 1801 Harrietts Bluff Road.

The motion carried unanimously.

- L. James Loper (#SU-001-05) Consideration of a special use permit for the outside display and sales of merchandise on property located at 1801 Harrietts Bluff Road. The property is the site of the old ice house and is identified as parcel 17-A on zoning/tax map 93.**

Vice-Chairman Herrin made a motion, seconded by Commissioner Feller to approve James Loper's special use permit for the outside display and sales of merchandise on property located at 1801 Harrietts Bluff Road. The vote was unanimous to approve James Loper's special use permit for the outside display and sales of merchandise on property located at 1801 Harrietts Bluff Road.

The motion carried unanimously.

- M. Jason Coffel (#R-002-05) Consideration of a rezoning from Agriculture-Forestry (A-F) to Agriculture-Residential (A-R) of 8.584 acres located at 1704 Providence Church Road. The property is identified as parcel 1 on zoning/tax map 63.**

Commissioner Rhodes made a motion, seconded by Commissioner Feller to approve the rezoning request of Jason Coffel from Agriculture-Forestry to Agriculture-Residential of 8.584 acres located at 1704 Providence Church Road. The vote was unanimous to approve the rezoning request of Jason Coffel from Agriculture-Forestry to Agriculture-Residential of 8.584 acres located at 1704 Providence Church Road.

The motion carried unanimously.

- N. Merle Gowen (#R-003-05) Consideration of a rezoning from Agriculture-Forestry to Residential-1 (R-1) of 4.93 acres located in what is referred to as the Gowen Tract. It is identified as parcels 11 & 12 on zoning/tax map 131-C.**

Commissioner Feller made a motion, seconded by Vice-Chairman Herrin to approve the rezoning request of Merle Gowen from Agriculture-Forestry to Residential-1 of 4.93 acres located in what is referred to as the Gowen Tract. The motion was unanimous to approve the rezoning request of Merle.

The motion carried unanimously.

- O. William T. Ligon, Jr. (#R-004-05) Consideration of a rezoning from Agriculture-Residential (A-R) to Agriculture-Forestry (A-F) of 16.82 acres located at the intersection of Horsestamp Church Road and Quarterman Cemetary Road. It is identified as parcel 20-A on zoning/tax map 74.**

Commissioner Rhodes made a motion, seconded by Vice-Chairman Herrin to approve the rezoning request of William T. Ligon, Jr., from Agriculture-Residential to Agriculture-

Forestry of 16.82 acres located at the intersection of Horsestamp Church Road and Quarterman Cemetary Road. The vote was unanimous to approve the rezoning request of William T. Ligon, Jr.

The motion carried unanimously.

- P. Jackson Surveying, Inc. (#S-022-04) Consideration of final plat approval for Sanctuary Cove at St. Andrews Sound – Phase VII; 128 lots on 44.63 acres. The property is identified as a portion of parcel 10-A on zoning/tax map 125.**

Commissioner Rhodes made a motion, seconded by Vice-Chairman Herrin to approve Jackson Surveying, Inc.'s final plat for Sanctuary Cove at St. Andrews Sound – Phase VII; 128 lots on 44.63 acres. The vote was unanimous to approve Jackson Surveying, Inc.'s final plat for Sanctuary Cove at St. Andrews Sound – Phase VII; 128 lots on 44.63 acres.

The motion carried unanimously.

- Q. P&A Engineering, Inc. (#SU-002-05) Consideration of a special use permit for the construction and operation of an Urban Water Reuse Plant. The property is located near Springbluff Community and is identified as parcel 14 on zoning/tax map 98.**

Commissioner Rhodes made a motion, seconded by Vice-Chairman Herrin to approve P&A Engineering, Inc.'s request of a special use permit for the construction and operation of an Urban Water Reuse Plant.

Commissioner Rhodes stated that a delegation from Rising Daughter Baptist Church and the community recommended approval of this Urban Water Reuse Plant.

Commissioner Feller stated that it was his understanding that P&A Engineering would continue to own this facility. He stated that this is putting someone in business that is free to charge anything he chooses for water treatment. He also stated that this project came into being to service a closed gate community across the street from the plant. Commissioner Feller also stated that it was his understanding that P&A Engineering would be reserving the right to develop further water treatment plants in the area. He stated that as far as he can tell, the Board would not have the right to say anything to him because it is a private utility. He stated he was concerned that in the future there would be problems with them charging high fees and the Board would have no right to control the fees charged because the Board is approving a project and not a utility and there are not enough safeguards in place to protect the taxpayers.

Commissioner Berry stated that he would have to vote no on this issue because of reservations he has about the future. He stated that he understands that the church has

looked at it and the parishioners have given their blessing on it, but that he believes there could be problems down the road.

So Voted 3-2:

Chairman Rainer – yea

Vice-Chairman Herrin – yea

Commissioner Rhodes – yea

Commissioner Berry – nay

Commissioner Feller – nay

R. Consideration of Business Property Lease for Camden County Joint Development Authority at 107 Gross Road, Suites 1 & 2.

Commissioner Berry made a motion, seconded by Commissioner Rhodes to approve the Business Property Lease for Camden County Joint Development Authority. The vote was unanimous to approve the Business Property Lease for Camden County Joint Development Authority

The motion carried unanimously.

S. Consideration of Solid Waste Bid Award – Expansion of Landfill – New Cell

Vice-Chairman Herrin made a motion, seconded by Commissioner Rhodes to award the bid for the new cell for the expansion of the landfill to Cooper, Barnett and Page (CBP) in the amount of \$2,959,543.83. The vote was unanimous to award the bid for the new cell for the expansion of the landfill to Cooper, Barnett and Page (CBP) in the amount of \$2,959,543.83.

The motion carried unanimously.

EXECUTIVE SESSION:

Commissioner Feller made a motion to go into Executive Session, seconded by Commissioner Berry.

Commissioner Berry stated that after consideration, he does not see any reason for Executive Session at this point in time. He did not feel that these are issues that concern the Board at this time. He stated that there are other things that are being done and looked at and until those things are done and finished he stated that he felt it would be premature for the Board to discuss these issues.

Chairman Rainer stated that he agreed with Commissioner Berry that this is not the time to go into Executive Session regarding these issues, but did agree that there will come a time when it does become necessary to do so.

So Voted 1-4:

Chairman Rainer – nay
Vice-Chairman Herrin – nay
Commissioner Rhodes – nay
Commissioner Berry – nay
Commissioner Feller – yea

The motion was defeated.

ADJOURNMENT:

Motion made by Commissioner Rhodes, seconded by Vice-Chairman Herrin to adjourn the February 17, 2005 meeting. The vote was unanimous to adjourn the meeting at 7:34 p.m.

Respectfully submitted,

David L. Rainer, Chairman

Diana Smith, Executive Assistant/Clerk