

**CAMDEN COUNTY BOARD OF COMMISSIONERS MEETING  
TUESDAY, JANUARY 17, 2006 6:00 PM  
WOODBINE, GEORGIA**

**A regular meeting of the Camden County Board of Commissioners was held on Tuesday, January 17, 2006, 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 Sanford Feller; Commissioner Stephen L. Berry; 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 that all Commissioners were present**

**Chairman Rainer recessed the Board of Commissioners Meeting in order to go back into the Work Session at 6:02 p.m.**

**The regular scheduled meeting of the Board of Commissioners Meeting reconvened immediately following the work session at 6:21 p.m.**

**AGENDA AMENDMENTS:**

Chairman proposed the following agenda amendments:

Add as Item 6A. Resolution Requesting Introduction of a Bill at the 2006 Regular Session of the General Assembly of the State of Georgia to Create the “unified Public Services and Facilities Authority for Camden County”

Addition of the following items under New Business:

- N. Consideration of Destination Camden to approve team members for The Housing Committee of Destination Camden and to allow the PSA to handle all funding of team training.

Delete the following items under New Business:

- L. Consideration of Finalizing Jail Committee Members.
- M. Consideration of Acceptance of Massey Lane and Williams Place.

Vice-Chairman Herrin made a motion, seconded by Commissioner Rhodes to approve the agenda amendments.

**The vote was unanimous to approve the agenda amendments.**

**MOTION TO ADOPT THE AGENDA:**

Vice-Chairman Herrin made a motion, seconded by Commissioner Rhodes and voted on unanimously to adopt the agenda as amended.

**The motion carried unanimously.**

Vice-Chairman Herrin made a motion, seconded by Commissioner Rhodes to approve the Resolution Requesting Introduction of a Bill at the 2006 Regular Session of the General Assembly of the State of Georgia to create the “unified Public Services and Facilities Authority for Camden County”

Commissioner Feller stated that this 42 page document was just received by the commissioners. He stated that he cannot support a project of this significance without first reading this document as it effects all residents in Camden County. He also stated that he believes that the cities would consider this a slap in the face because this is going to be a county water plan and they have not been consulted.

Commissioner Berry asked why during all the months that this has been worked on, why the city governments could not have been involved to endorse this Resolution. He stated that this is a major piece of legislation that he has trouble adopting right this minute because he has not had a chance to read the document. Commissioner Berry stated that he understands they are under a deadline and he would be willing to hold a special meeting in the next couple of weeks to see if the cities would weigh in with their opinions. He stated that he is concerned with a Board having as much power as this Board would have providing services to the unincorporated areas being controlled by the corporated representatives. He stated that he does not believe the checks and balances are incorporated in the document. He stated that the services will mainly go to the unincorporated areas of Camden County and the Authority needs to have a skew in that favor. He stated that he would have to vote no tonight, not because he is against the concept but because he is unprepared to make such a big decision on such short notice.

Commissioner Rhodes stated that if changes need to be made they can be made. He stated that there are certain windows of opportunity and we have an opportunity to create the legislation and do the fine tuning later. He stated that the Board working with the cities can make changes as appropriate, but that it is owed to the persons of Camden County to get the process started and fine tune it as needed.

Chairman Rainer stated that this document was prepared by those with experience. He stated that he would support it with the urging that the JDA work closely with the cities to accomplish this.

Commissioner Feller stated that in local legislation, normally the State Representative introduces the legislation. He stated that in the past the State Representative usually wants everyone to sign on, what happens if the cities refuse to sign on to this local law. He asked what would happen at that time?

**So Voted:**

**Chairman Rainer – yea**

**Vice-Chairman Herrin – yea**

**Commissioner Rhodes – yea**

**Commissioner Berry – nay**

**Commissioner Feller – nay**

**The motion carried.**

**APPROVAL OF MINUTES:**

Commissioner Rhodes made a motion, seconded by Vice-Chairman Herrin to approve the minutes of the Regular Meeting of January 3, 2006.

**So Voted:**

**Chairman Rainer – yea**

**Vice-Chairman Herrin – yea**

**Commissioner Rhodes – yea**

**Commissioner Berry – yea**

**Commissioner Feller – abstained**

**WORK SESSION:**

Shall Camden County establish a special tax district to finance current and future costs of water, wastewater needs? (S. Feller)

Commissioner Feller addressed the Board and stated that since all of the developments going in are in the unincorporated area that the cost should flow to the unincorporated area. He stated that he has heard remarks that there is no cost. He stated that if there is no cost then there will be no tax bill. However, he questioned if that is possible because he hasn't seen the figures. For example, Camden Preserve would have to hand over a check for \$45,000,000.00 up front in order to pay their share of the impact fees. Considering the fact that they have a 20-30 year build out, he questioned whether they would come up with the \$45,000,000.00. He also stated that since many of the projects, at the very least are 3-4 years out, who is going to pay the hook up fees, where is the generation of the consumer going to come from, i.e., he is consuming x number of gallons and sending in a check, where is the money for maintenance and staff salaries?

He stated that if in fact the money can be raised by the developers, then the unincorporated area would not have a tax bill, but if not they would get the taxes. He stated that he sees no justification in taxing the cities when the cities are paying for their own systems and have signed on to the Service Delivery Strategy which has to be signed on before it moves forward, you cannot make a single change otherwise the appropriate agency will not permit any new projects to be undertaken. He stated that this seems to be a more logical way of addressing the needs of the unincorporated areas of the county to meet their water needs and meet their cost needs without impacting the cities and subjecting the cities to double taxation. He stated that each city maintains its own water/wastewater plant and have their own Enterprise Funds. He stated that he finds it hard to believe that this project will be cost free to the cities.

### **PRESENTATIONS:**

#### ➤ Bill Shanahan, St. Marys City Manager – Airport Update

Mr. Shanahan addressed the Board and stated that he wanted to update the Board on the airport project. He stated that the reason for relocating the airport was due to the events that took place on September 11, 2001 and the proximity to Kings Bay Naval Base. He stated that the temporary non-fly-over is now permanent it is necessary to relocate the airport. The feasibility study determined a location by looking at facility requirements for a new airport and based on that we evaluated nine potential sites. The screening criteria included how close the airport would be to the population centers, how close it would be to access roads and how close it was to Kings Bay Naval Station. He stated that they then took that information and formed two committees, one was a technical committee and one was a public committee. The site at Billyville Road was selected and an environmental assessment will need to be completed, hopefully in the spring of 2006. This airport will need to handle typical business category aircraft label 2, which equals to approximately 6,000 feet of runway. There has already been approval for 5,000 and talks are underway about the 6,000 feet. Power lines will need to be moved as well. Sea Island has a mitigation bank that we may be able to hook up with and help us. Once the complete environmental assessment is complete, an airport master plan will be done and an ALP. They will then request Federal assistance for design and construction. Once this has been done the plans and specification will be completed and then construction of the airport will begin. Most, if not all, of the money will be raised through grants.

#### ➤ Mike Fender – SPLOST Expenditures and Financial Report

Mr. Fender addressed the Board and stated that we got a late start this year on property taxes, but he does not foresee any problems because we have just begun collecting on them. Sales taxes may be a little higher than anticipated due to high fuel prices. He stated that most of the departments are doing well. He stated that there are a few budgets that are just over 50% at this time but that is mainly due to equipment that has been purchased up front and should average out by the end of the year. He stated that the county would have to revisit the jail and corrections departments. They are running over

due to the prisoners being housed outside of Camden County. He also stated that the Planning & Building Department would need to be readdressed once a decision was made regarding a manager. Mr. Fender stated that the Curbside Department was doing well and revenues are coming in on time. He also stated that Solid Waste is doing very well. The money to finance the two new cells is being financed in-house; we are not borrowing any money for these projects. Mr. Fender stated that he projects most departments to be in good shape in June, 2006. Regarding SPLOST, Mr. Fender stated that he has provided the Board with the figures to date.

The Board stated their concerns that the cities are not spending their SPLOST funds.

Mr. Fender stated that he believes that the main reason is due to the fact that the cities put a lot of their funds into drainage. He stated that he is getting regular billings from St. Marys and Kingsland for their road projects, but not on drainage.

## **REPORTS:**

### **A. Calendar**

The January/February 2006 calendar was read.

### **B. County Manager's Report:**

Chairman Rainer stated that Camden County and the three cities (St. Marys, Kingsland and Woodbine) have been designated as a Signature Community and this brings recognition to Camden County. Commissioner Mike Beatty of the Department of Community Affairs will be here tomorrow for a press conference at 4:00 p.m. at St. Marys City Hall. He stated that the Board is very proud of this accomplishment and it was the County along with the three cities working together that made this happen. Chairman Rainer also stated that with this designation come additional LARP monies that are above and beyond the regular funds.

## **PUBLIC COMMENTS:**

Bob Becker:

Mr. Becker addressed the Board regarding the Spec Building and land that was sold for a considerable sum. He stated that the taxpayers have been footing the bill for this building and he wants to know where the money is going to go now that it has been sold and what the intention of the Board was for its use.

John Myers

Mr. Myers addressed the Board regarding Item K under New Business. He stated that he is an attorney representing PBRD Camden, LLC which is the ½ owner of JV Entity, LLC. He stated that there is a dispute between the membership of JV Entity, LLC and PBRD Camden, LLC opposes the rezoning. He stated that this matter is currently in litigation and with the death of Terry Floyd a good bit of this has been left unresolved.

Mr. Myers requested that the Board remove this item from the agenda until such time as the litigation is concluded.

Jerrell Jones

Mr. Jones addressed the Board regarding Item K under New Business. Mr. Jones stated that he is the attorney for JV Entity. He stated that the issues raised by Mr. Myers were raised in court and Judge Floyd ruled from the bench that there was no immediate need and refused to grant a restraining order that Mr. Myers had requested preventing this issue from going forward. He stated that this is a dispute between partners. He stated that his client, Little Satilla River is the managing partner of JV Entity. They have voted on behalf of JV Entity to bring forth the rezoning. He stated that Judge Floyd ruled from the bench that Mr. Myer's client was not entitled to an injunction to keep this issue from going forward before the Board. Attorney Jones asked the Board to respect Judge Floyd's decision that the Board is free to hear this issue at hand. He stated that JV Entity is the rightful owner and they have the right to bring this forward.

## **OLD BUSINESS**

None

## **NEW BUSINESS**

### **A. Consideration of Rescheduling the February 7, 2006 Board of Commissioners Meeting to Thursday, February 9, 2006.**

Commissioner Feller made a motion, seconded by Chairman Rainer to cancel the meeting scheduled for February 7, 2006 and hold only one meeting during the month of February for the 21<sup>st</sup>.

**The vote was unanimous to cancel the February 7, 2006 meeting of the Board of Commissioners and to hold one meeting during the month of February on the 21<sup>st</sup>.**

### **B. Consideration of Renewal of Real Estate Lease between Gwendolyn Edenfield and the Camden County Board of Commissioners**

Vice-Chairman Herrin made a motion, seconded by Commissioner Rhodes to renew the real estate lease between Gwendolyn Edenfield and the Camden County Board of Commissioners.

**The vote was unanimous to renew the contract between Gwendolyn Edenfield and the Camden County Board of Commissioners**

**C. Consideration of Membership into the Military-Community Council (MCC) by the Board of Commissioners.**

No motion was made on this issue as it was deemed illegal for the Board to pay for membership into this council.

**D. Consideration of Tax Release Applications.**

Vice-Chairman Herrin made a motion, seconded by Commissioner Rhodes to approve the Tax Release Applications of:

- Bluegreen Communities of GA, Digest Year 2005, Bill No. 1905, \$1,171.93;
- CMAP, Digest Year 2005, Bill No. 4247, \$82.47;
- Manda's Nails Gifts and Tanning, Digest Year 2005, Bill No. 13214, \$93.57;
- MPS, Inc. d/b/a Paige's Country Store, Digest Year 2005, Bill No. 014901, \$387.63.

**The vote was unanimous to approve the aforementioned Tax Release Applications.**

**E. Consideration of Request by Garland L. Russell for Refund regarding 602 Camden Avenue Taxes.**

Chairman Rainer made a motion, seconded by Commissioner Rhodes to approve the request by Garland L. Russell for a refund of \$97.32 regarding 602 Camden Avenue taxes.

**The vote was unanimous to approve the request by Garland L. Russell for a refund of \$97.32 for 602 Camden Avenue.**

**F. Consideration of Request by Glenn & Sandra Miller (#SU-05-05) for a Special Use Permit for placement of a RV in Beulah Mobile Home Park, Lot #3.**

Commissioner Rhodes made a motion, seconded by Vice-Chairman Herrin to issue a Special Use Permit for placement of a RV in Beulah Mobile Home Park, Lot #3.

**The vote was unanimous to issue a Special Use Permit for placement of a RV in Beulah Mobile Home Park, Lot #3.**

**G. Consideration of John Anderson (#V-006-05) of a Variance from side yard setback of 20 feet to 6 feet with the permission from adjacent property owner, Lamar Underwood.**

**This issue was not voted on as it is not an issue for the Board of Commissioners.**

- H. Consideration of Request by Furman and Shawn Oxendine (#R-034-05) of a Rezoning of approximately 3.7 acres from Agricultural-Forestry (A-F) to Agricultural-Residential (A-R). The property is located on tax/zoning map #65 and is identified as parcel #35 F&G.**

Commissioner Rhodes made a motion, seconded by Vice-Chairman Herrin to approve the rezoning request by Furman and Shawn Oxendine of approximately 3.7 acres from A-F to A-R on tax/zoning map #65, parcel #35 F&G.

**The vote was unanimous to approve the rezoning request by Furman and Shawn Oxendine.**

- I. Consideration of Request by David and Cindy Gregory (#R-035-05) for a Rezoning of approximately 4.85 acres from Multi-Family Residential (R-2) to a Commercial Neighborhood (C-N). The property is located in tax/zoning map #73 and is identified as parcels #5 D&E.**

Commissioner Rhodes made a motion, seconded by Vice-Chairman Herrin to approve the rezoning request of David and Cindy Gregory of approximately 4.85 acres from R-2 to C-N on tax/zoning map #73, parcels #5 D&E.

**The vote was unanimous to approve the rezoning request of David and Cindy Gregory.**

- J. Consideration of Final Plat Approval for Clarks Island Plantation (#S-010-05F) located on Highway 17 south of the intersection of Highway 17 and Highway 110. The property is located on tax/zoning map #62, parcel #1-A.**

Commissioner Rhodes made a motion, seconded by Vice-Chairman Herrin to approve the Final Plat for Clarks Island Plantation.

**The vote was unanimous to approve the Final Plat for Clarks Island Plantation.**

- K. Consideration of J.V. Entity, LLC (#R-029-05) for a Rezoning of 381 acres of Residential-1 (R-1) to a Planned Development (PD), consisting of 261 single-family units and 870 multi-family condominiums. The property is located in the NW Quadrant of I-95 and Dover Bluff Road. The property is identified on zoning/tax map #125 parcel #10.**

Commissioner Rhodes made a motion, seconded by Chairman Rainer to approve the rezoning request of JV Entity, LLC of 381 acres from R-1 to PD on zoning/tax map #125, parcel #10.

**The vote was unanimous to approve the rezoning request of JV Entity, LLC.**

**L. Consideration of Finalizing Jail Committee Members**

**This item was deleted under Agenda Amendments**

**M. Consideration of Acceptance of Massey Lane and Williams Place**

**This item was deleted under Agenda Amendments**

**O. Consideration of Destination Camden to approve team members for The Housing Committee of Destination Camden and to allow the PSA to handle all funding of team training and appropriate \$2,500.00 for funding.**

Commissioner Feller made a motion, seconded by Commissioner Rhodes to appropriate \$2,500.00 for the team members of the Housing Committee of Destination Camden and to allow the PSA to handle all funding of team training.

**The vote was unanimous to appropriate \$2,500.00 for the team members of the Housing Committee of Destination Camden and to allow the PSA to handle all funding of team training.**

**ADJOURNMENT:**

Motion made by Vice-Chairman Herrin, seconded by Commissioner Feller to adjourn the January 17, 2006 meeting. The vote was unanimous to adjourn the meeting 7:25 p.m.

Respectfully submitted,

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David L. Rainer, Chairman

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Diana Smith, Executive Assistant/Clerk