

**CAMDEN COUNTY BOARD OF COMMISSIONERS MEETING
TUESDAY, JANUARY 16, 2007 - 6:00 PM
COUNTY ANNEX
KINGSLAND, GEORGIA**

A regular meeting of the Camden County Board of Commissioners was held on Tuesday, January 16, 2007 at the County Annex in Kingsland, Georgia.

Present: Chair Preston Rhodes; Vice-Chair Katherine Nisi-Zell; Commissioner Rainer; Commissioner Stephen L. Berry; Commissioner Charlene Sears; County Attorney Brent Green; and Interim County Manager Penny Woodard.

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

Commissioner Rhodes delivered the invocation.

Chairman Rhodes led the Pledge of Allegiance.

The roll call indicated that all Commissioners were present.

AGENDA AMENDMENTS:

Chairman Rhodes recommended the following agenda amendments:
Addition of the following items under New Business:

- M. Consideration of Transferring Contracts from JDA to Camden County Board of Commissioners with Moreland & Altobelli.
- N. Consideration of Moving Location of Board of Commissioners Meetings to Recreation Center.
- O. Consideration of Approval of Intergovernmental Agreement SPLOST Agreement.

Removal of the following item under New Business:

- J. Consideration of Approval of Relinquishing Commissioners Cost of Living Adjustment for 2007.

Commissioner Rainer made a motion, seconded by Vice-Chair Zell to approve the Agenda Amendments.

The vote was unanimous to approve the agenda amendments.

MOTION TO ADOPT THE AGENDA:

Commissioner Sears made a motion, seconded by Vice-Chair Zell to adopt the agenda as amended.

The motion carried unanimously.

APPROVAL OF MINUTES:

Chairman Rhodes stated that Commissioner Rainer was noted as the Chairman in a section of the minutes and asked that the minutes be changed to reflect the new Chairman.

Commissioner Sears made a motion, seconded by Vice-Chair Zell and voted on unanimously to adopt the agenda as amended.

The vote was unanimous to approve the amended minutes of January 2, 2007.

PRESENTATIONS:

Mike Fender gave the Board an overview of the Mid Year Financial Report.

WORK SESSION – REVIEW PROPOSED LAYOUT FOR ELLA PARK CHURCH ROAD WIDENING (SCOTT BRAZELL, ROAD DEPARTMENT SUPERINTENDENT)

Road Superintendent Scott Brazell addressed the Board regarding an ongoing project that the Road Department and the Department of Transportation are undergoing on Horse Stamp Church Interchange. He explained to the Board that while undergoing this project they realize that it would be an ideal time to pave and widen Ella Park Church Road. He stated that there are two (2) possible routes that can be taken to avoid conflict with the residents in this area. He stated that option A is 4.15 miles of dirt road which spans from Dover Bluff Road to the proposed interchange at Horse Stamp Church Road and has the largest impact on the wetlands of Hardy Swamp. He stated that option B is approximately 3.94 miles and spans from the proposed Horse Stamp Church Interchange ending at the Dover Bluff Fire Station and is a shorter distance. He explained that he believed option B was a better route and posed the least negative impact on the surrounding area.

Commissioner Berry asked if there was anything other than distance differed between option A and B.

Mr. Brazell stated that that there was nothing other than distance that differed between the two (2) routes.

Chairman Rhodes asked what the impact on the surrounding wetlands would be and what the timeline was on this project.

Mr. Brazell stated that there would be no significant impact on the wetlands and that the DOT was scheduled for completion in July of 2008. He stated that in order to comply with the DOT timeline the Road Department would need to complete the environmental studies by July of 2007. He stated that he was formally requesting permission from the Board to complete these studies with Moreland & Altobelli.

Commissioner Sears asked Mr. Brazell if he would be contacting the residents of this area before this study took place.

Mr. Brazell stated that it was his policy to always contact the residents before setting foot on their property.

Jerry Brinson of Moreland & Altobelli stated that he agreed with Scott Brazell that option B seemed like the best route to pursue this project.

All Commissioners agreed that in all aspects option B seemed like the best route and for Scott Brazell to proceed as requested.

WORK SESSION- AT WILL:

Commissioner Berry stated that he recommends that the appeals process be reinstated to the At Will policy and to place a timeline on the process of fourteen (14) days. He explained that the timeline for appeals would better serve the employee and the department. He stated that the employee can be reinstated to their position and resume their duties at work or the department can begin the process of hiring a new employee and the other terminated individual can begin to look for other means of employment.

Penny Woodard stated that the maximum timeline would span twelve (12) to fourteen (14) days.

Commissioner Rainer stated that the problem before was with the extent of time allowed to process the appeal and he agreed with the idea to limit the time during the appeals process.

Mrs. Woodard stated that she would prepare a notice to submit to all the employees to get feedback on the change to the personnel policy.

Chairman Rhodes stated that it could be brought back before the Board after this process is complete.

REPORTS:

A. Calendar

The January/February calendar was read.

B. County Manager's Report:

PUBLIC COMMENTS:

Vernon Copeland

Mr. Copeland stated that he was concerned with the Ella Park Church Road widening project and he appreciated the Board taking a look at alternative routes. He presented the Board with a petition signed by the residents of the surrounding area. He asked the Board if it would be possible to sit down with the residents and inform them properly.

Commissioner Rhodes stated that he made sure that Scott Brazell was in contact with them and kept them informed regarding the right-of-way issues.

Mr. Copeland stated that the project began with one hundred and fifty (150) feet of right-of-way. He stated that later he was told eighty (80) feet and then last he was told forty (40) feet would be all that was needed.

Janet Heath

Ms. Heath stated that she wanted to inform the Board of the Rails to Trails project that spans from Savannah to St. Marys and is going to be very positive impact on Camden County. She stated that she was aware that the county owned approximately ninety-six (96) acres on the railway and there was dumping on a segment of this property spanning from Chaney Road to Oscar Road. She explained that it was approximately two tenths (2/10) of a mile of asphalt and cement debris that was dumped on this property. She stated that she hopes the county will support rails to trails and remove the debris that is obscuring the project.

Marla Howyl

Ms. Howyl stated that she wrote the Board about erosion problems in the past and that there was a major pine tree falling and the county removed the tree. She stated that there is now major erosion problems and the bank is not stabilized. She explained that the concrete barricade at the end of the road is going underwater and that something needs to be done or major damage will occur. She stated that either they would like to acquire this property in order to make the necessary improvements to the erosion problems or the county needs to fix the problems immediately to avoid major damage.

Chairman Rhodes stated that the Road Department would be out to take a look at the damage and rectify the situation.

Sandy Feller

Mr. Feller stated that when making the changes to the personnel policy he suggests changing the last sentence to the At-Will policy to no longer read that an employee can be can be fired for no reason at all.

OLD BUSINESS

- 12A. Consideration of Request by Planning and Building to Continue to Table the Request of Timberland Estates, Phase III, IV, VI for Final Plat Approval located off of Hwy 110 between Kings Bay Road and Notta Road until further notice.**

Commissioner Berry made a motion, seconded by Vice-Chair Zell to deny the request for approval with the understanding that the Planning Commission will resubmit the request of Timberland Estates when they are ready in order to abide by the timeline for the request.

The motion carried unanimously.

- 12B. Consideration of W & D Right of Way Agreement for Water and Sewer.**

Commissioner Berry made a motion, seconded by Commissioner Rainer to approve the W & D Right of Way agreement for water and sewer.

The motion carried unanimously.

NEW BUSINESS

- A. Second Reading and Adoption of Ordinance to Amend Appendix A, Article Three, Subdivision Regulations, Design Standards, Section 302, Streets of the Official Code for Camden County, Georgia.**
- B. Second Reading and Adoption of Ordinance to Amend Appendix B, Zoning Ordinance, Article Five, Intent of Land Use District Regulations of the Official Code for Camden County, Georgia.**
- C. Second Reading and Adoption of Ordinance to Amend Appendix B, Zoning Ordinance, Article Six, Section 601. Accessory Uses and Structures of the Official Code for Camden County, Georgia.**
- D. Second Reading and Adoption of Ordinance to Amend Appendix A, Subdivision Regulations, Article Two Definition of Terms, Section 202 Item (9) of the Official Code for Camden County, Georgia.**

Penny Woodard stated to the Board that staff recommends tabling items A through D until the February 27, 2007 Board of Commissioner's meeting so that Item I can be addressed which is the rewriting of the zoning ordinances.

Commissioner Rainer made a motion, seconded by Chairman Rhodes to table items A through D until the February 27, 2007 Board of Commissioner's meeting.

Commissioner Berry stated that he was concerned that tabling these items leaves the county open to the same conflicts they have endured in the past few months with water and sewer issues.

Chairman Rhodes asked Attorney Green to give the Board some insight on the outcome of the decision to table these items.

Mr. Green stated that without these ordinances in place, only the Moratorium is in place which is not the law and there is conflict.

Commissioner Rainer stated that he agrees with Commissioner Berry from the stand point that if the law cannot be upheld through the Moratorium, then the ordinances do need to be in place. He stated that he will withdraw his motion to table items A through D.

Chairman Rhodes stated that he withdraws his second to table items A through D.

Commissioner Berry made a motion, seconded by Vice-Chair Zell to approve the second reading and adoption of New Business items A through D.

Commissioner Sears stated that she does not like the band aid fix and she was concerned about the standard being above state standards for lot size for septic and well.

Loretta Hylton stated that ten (10) lots or less are a one (1) acre minimum and more than ten (10) lots is a 2 acre minimum for septic and well systems.

So Voted:

Chair Rhodes- nay

Vice-Chair Zell- aye

Commissioner Rainer- nay

Commissioner Berry- aye

Commissioner Sears- nay

The motion was denied.

Commissioner Berry stated that there are no rules in place and tomorrow every developer will be lined up at Planning and Building to submit applications.

Commissioner Rainer explained that he believes the present ordinances should be left in place.

Commissioner Rainer made a motion, seconded by Vice-Chair Zell to leave the existing ordinances in effect until they are revised.

This motion is not necessary. The denial of the new ordinances automatically keeps the existing ordinances in force.

Commissioner Berry stated that there is nothing in the existing ordinances that state they are required to have a water system and there are no rules to keep these developers from being able to do what they want.

Commissioner Rainer stated that he does not think that leaving the existing ordinance in place would be that harmful.

Chairman Rhodes asked what the timeline was for the rewriting of the ordinances.

Loretta Hylton stated that it could be an upwards of 6 months to a year for the rewrite.

Commissioner Berry stated that it would cost a substantial amount of money to rewrite these ordinances and asked who would be absorbing the costs.

Commissioner Sears stated that she would be more accepting of these ordinances if they were the same as the State recommendations.

Chairman Rainer asked Loretta Hylton for insight on the decision.

Loretta Hylton stated that there are many aspects that can be addressed during the rewrite but there are problems that need to be addressed at this time. She asked if Bruce Dickenson of Blue Green Development could give the Board some insight from the developers stand point.

Bruce Dickenson, the Project Manager that oversaw construction of Sanctuary Cove, stated that each Commissioner has good points, but looking at this from a civil engineer standpoint there are many engineering issues that need to be addressed. He explained that there are large and small water systems. He stated that the smaller (mini) systems are considerably more difficult to operate and the mini system economics do not work. He stated that the documentation needs to be thorough and their discharge systems must meet state standards.

Commissioner Berry stated that the reality is there will be huge subdivisions with septic and well systems on one (1) acre lots.

Mr. Dickenson stated that the engineering state standards are sufficient, but need to be enforced. He stated that he recommends adhering to the Environmental Protection Division and County standards.

Commissioner Berry stated that the developers have to have density and they will put septic tank after septic tank in these developments while they flip these properties. He explained that the new ordinances proposed discourage the horizontal developer.

Commissioner Berry made a motion, seconded by Vice-Chair Zell to reconsider the second reading and to adopt new business items A through D.

So Voted:

Chair Rhodes- aye

Vice-Chair Zell- aye

Commissioner Rainer- nay

Commissioner Berry- aye

Commissioner Sears- nay

The motion carried 3-2.

ADJORNMENT:

Chairman Rhodes stated that the Board will adjourn to take a five minute break at 7:22pm.

RECONVENE:

Chairman Rhodes reconvened the meeting to order at 7:27pm.

- E. Consideration of Request by Old Post Plantation, Phase I for Final Plat Approval for 68 single family lots on approximately 401 acres located off of Old Post Road. This property is identified on Tax Map #015, Parcel # 11 and 11A.**

Chairman Rhodes made a motion, seconded by Commissioner Sears approve the Request by Old Post Plantation, Phase I for Final Plat Approval for 68 single family lots on approximately 401 acres located off of Old Post Road identified on Tax Map #015, Parcel # 11 and 11A.

The motion carried unanimously.

- F. Consideration of Request by James Loper for rezoning of approximately 3.19 acres from Commercial General (C-G) to Industrial Restricted (I-R) located off of Harriett's Bluff Road. This property is identified on Tax Map #093, Parcel #17A.**

Vice-Chair Zell made a motion, seconded by Commissioner Sears to approve the Request by James Loper for rezoning of approximately 3.19 acres from Commercial General (C-G) to Industrial Restricted (I-R) located off of Harriett's Bluff Road identified on Tax Map #093, Parcel #17A.

The motion carried unanimously.

- G. Consideration of Request by John Bruce for rezoning of approximately 5.5 acres from Agricultural Forestry (A-F) to Single Family Residential (R-1) located off of Providence Church Road. This property is identified on Tax Map #036, Parcel # 013A.**

Chairman Rhodes made a motion, seconded by Vice-Chair Zell to approve the Request by John Bruce for rezoning of approximately 5.5 acres from Agricultural Forestry (A-F) to Single Family Residential (R-1) located off of Providence Church Road identified on Tax Map #036, Parcel # 013A.

The motion carried unanimously.

- H. Consideration of Approval to obtain Fire Suppression Quotes for the Camden County Public Safety Complex.**

Commissioner Berry made a motion, seconded by Vice-Chair Zell to approve the request to obtain Fire Suppression Quotes for the Camden County Public Safety Complex.

The motion carried unanimously.

- I. Consideration of Bids for Rewriting of Zoning Ordinances and Fee Schedule.**

Commissioner Sears made a motion, seconded by Vice-Chair Zell to approve the bid from Ross & Associates for the rewriting of the zoning ordinances and fee schedule.

The motion carried unanimously.

- J. Consideration of Approval of Relinquishing Commissioners Cost of Living Adjustment for 2007.**

This item was removed during agenda amendments.

K. Consideration of Approval of Letter of Agreement between P&A Engineering and Camden County Board of Commissioners.

Commissioner Rainer made a motion, seconded by Vice-Chair Zell to approve the of Letter of Agreement between P&A Engineering and Camden County Board of Commissioners.

So Voted:

Chair Rhodes- aye

Vice-Chair Zell- aye

Commissioner Rainer- aye

Commissioner Berry- aye

Commissioner Sears- abstain

The motion carried.

L. Consideration of Changing Meeting Dates in February and March, 2007.

Commissioner Berry made a motion, seconded by Commissioner Rainer to change the second (2nd) meeting date of February to February 27, 2007 and to have one (1) meeting in March to be held on March 13, 2007.

The motion carried unanimously.

M. Consideration of Transferring Contracts from JDA to Camden County Board of Commissioners with Moreland & Altobelli.

Commissioner Rainer made a motion, seconded by Commissioner Berry to approve transferring contracts from the JDA to the Camden County Board of Commissioners with Moreland & Altobelli.

The motion carried unanimously.

N. Consideration of Consideration of Moving Location of Board of Commissioners Meetings to Recreation Center

Chairman Rhodes stated that the Commissioner's would look at the alternate locations and discuss this issue further at the Retreat scheduled for February 2, 2007.

No action taken.

O. Consideration of Approval of Intergovernmental SPLOST Agreement.

Commissioner Sears made a motion, seconded by Vice-Chair Zell to approve the Intergovernmental SPLOST Agreement.

The motion carried unanimously.

PUBLIC COMMENTS:

Debbie Jones

Ms. Jones stated that last summer she acquired a piece of property that to her understanding was zoned commercial. She explained that she applied and was approved for state permits and had a fence put up to meet commercial zoning standards. She stated that after a little more than four (4) months she was served with a cease and desist order and forced to hire an attorney to deal with the issues concerning her property. She stated that after numerous calls to the Commissioners, she was offered the option of swapping another property owned by the county for the property she had already purchased. She stated that the properties she was interested in swapping for were not ones which the County was willing to negotiate. She stated that she has been unable to access her property for approximately nine (9) months. Ms. Jones stated that it is not her intent to get into a legal battle with the county but to come to a solution to rectify the problem.

Attorney Brent Green stated that he had received the Anti-Litem notice and was aware of the two (2) pieces of property that Ms. Jones was interested in swapping for her property. He stated that the first property is the tumble grinder site that is part of the Enterprise Fund through the landfill and the second property is a piece of land at Piney Island at Dover Bluff. He explained that Ms. Jones was allowed to access her property through a temporary order to remove equipment.

Ms. Jones stated that this was a huge problem and she would like to investigate more possibilities to resolve this matter.

Chairman Rhodes stated that Mr. Green would get with the Tax Assessor's office to investigate more possibilities to resolve this matter.

ADJOURNMENT:

Motion made by Commissioner Sears, seconded by Vice-Chair Zell to adjourn the January 16, 2007 meeting. The vote was unanimous to adjourn the meeting at 8:02 p.m.

Respectfully submitted,

Preston Rhodes, Chairman

Diana Smith, Executive Assistant/Clerk