

**CAMDEN COUNTY BOARD OF COMMISSIONERS MEETING  
TUESDAY, FEBRUARY 27, 2007 - 6:00 PM  
COUNTY ANNEX  
KINGSLAND, GEORGIA**

**A regular meeting of the Camden County Board of Commissioners was held on Tuesday, February 27, 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:

- L. Consideration of Standard Form of Agreement between Camden County Board of Commissioners and James W. Buckley and Associates, Inc.
- M. Consideration of Issuing a Permit for Construction of a Dwelling on Cemetery.

Addition of the following items under Work Sessions:

- Boat Ramp at Honey Creek
- Appointing an Advisory Committee regarding Subdivision and Zoning Ordinances.

Addition of the following item under Executive Session:

- Litigation

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

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

## **MOTION TO ADOPT THE AGENDA:**

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

**The motion carried unanimously.**

## **APPROVAL OF MINUTES:**

Commissioner Sears made a motion, seconded by Vice-Chair Zell to approve the regular minutes of February 27, 2007.

**The vote was unanimous to approve the regular minutes of February 27, 2007.**

## **PRESENTATIONS:**

Chairman Rhodes read the Proclamation Honoring the Lives of Mattie Thomas, Mary B. Smart, Eunice Grant and Elnora Kelly.

### **Rails to Trail Feasibility Study**

Mushtaq Hussain from the Coastal Georgia Regional Development Center stated that he is conducting a feasibility study that covers the abandoned rail corridor in four (4) counties which include Camden, Glynn, McIntosh and Liberty. He explained that the abandoned rail corridor consists of approximately sixty-eight (68) miles running from north of Kingsland to south of Riceboro. He stated that funding for this study has been provided by the Georgia Department of Transportation and is anticipated to be completed by April 2007. He stated that the potential to the Rails to Trails is that it will provide connectivity to and between existing State Bike Routes and local parks. He explained that it would also connect communities and offer a continuous path for biking, walking and jogging. Mr. Hussain stated that the benefits would potentially consist of an increase in tourism in the area, offer a healthy lifestyle by providing alternative transportation, increase the marketability of the community and benefit local businesses.

## **WORK SESSION:**

- Boat Ramp at Honey Creek

County Attorney Brent Green stated that Joel Williams expressed a possibility that the owners of the road to the Episcopal Center would dedicate it to the Board of Commissioners or the PSA for a boat ramp and that they would provide parking as well.

The Board of Commissioners agreed that a Public Hearing should be scheduled so that the public has an opportunity to voice their opinions regarding a boat ramp in this area.

- Appointing an Advisory Committee regarding Subdivision and Zoning Ordinances

Commissioner Sears stated with the discussions regarding the updates of ordinances she would like to see an Advisory Committee formed to give the citizens and avenue to express concerns and give recommendations to the Board.

Commissioner Berry stated that a series of public hearings could be held allowing anyone to speak regarding the ordinance changes.

Commissioner Rainer stated that he had no problems with an Advisory Committee being formed and suggested a work session be held in March.

Attorney Brent Green stated that the County has contracted with Bill Ross to write the ordinances.

Planning & Building Director Loretta Hylton stated that she had spoken with Bill Ross and he did have some concerns regarding the ordinances.

Commissioner Sears stated that each Board member could appoint anyone they desired to the advisory board.

Commissioner Berry explained that the last Advisory Committee felt their recommendations should be adopted without question and again suggested a series of public hearings be held where anyone can give input and express concerns.

Ms. Hylton stated that the problem is the ordinances are changing monthly.

Commissioner Sears suggested discussing this further during a work session at the March 13, 2007 Board of Commissioners meeting and at that time consider appointing an Advisory Committee.

## **REPORTS:**

### **A. Calendar**

The February/March calendar was read.

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

The commissioners wished to remind the public that SPLOST voting will be on March 20, 2007 and that early voting will be conducted one week prior. Attorney Brent Green suggested that a list of SPLOST projects be made available to the public.

## **PUBLIC COMMENTS:**

Chief Dennis Gailey

Chief Gailey stated that on behalf of sixty-seven Fire & Rescue employees he would like to express their appreciation for the board considering reinstating the appeals process into the Personnel Policy. He explained that on March 11, 2007 clocks are to be set forward in accordance with Daylight Savings time and smoke alarms should be checked. Chief Gailey stated that if you do not have a fire alarm or possess one that works properly you may contact the Fire Rescue Department in Kingsland and one will be provided for you.

Reverend Mary Jane Stevens

Reverend Stevens stated that she needed help investigating problems she encountered with the Superior Court. She stated that she has a case of her own and on the same date was summoned to appear on her case and for jury duty. She stated that the judges should be able to work together to know if someone is already scheduled to appear in court so they are not asked to appear in two places at one time. Reverend Stevens also asked the Board to review documents that she provided regarding what she feels as a miscarriage of justice and to let her know if they can do anything to help her.

Janet Heath

Ms. Heath stated that the county provided information regarding how the SPLOST has been spent but the cities have not given a detailed report regarding the same. She stated that the current SPLOST has very few projects listed and this gives the citizens no input on how the money will be spent. Ms. Heath stated that she would like the county to listen to citizen input regarding all ordinances. She stated that she currently lives in a subdivision zoned A/R and there are two issues occurring at this time that are not addressed in the current ordinances. Ms. Heath stated that at this time there is no ordinance which prohibits the firing of weapons in subdivision in the county. She also stated that she believes there should be an ordinance that dictates how many large animals, such as horses, are allowed per acre of land.

Matt Jordan

Mr. Jordan, of Cumberland Surveyors, stated that he needs to know answers regarding ordinances and hoped that the Board of Commissioners will be able to clarify certain ordinance issues that he, along with several other people, currently do not completely understand.

Juanita Johnson

Ms. Johnson explained her concerns regarding horses running loose on her property. She stated that hoof marks had been found on her property and holes in the County Right-of-Way. She stated that an Animal Control Officer had been to her property to investigate her complaint.

County Attorney Brent Green stated that there are no ordinances in place prohibiting horses from walking on County Right-of-Ways.

## **OLD BUSINESS**

**None.**

## **NEW BUSINESS**

- A. Consideration of Request by Meredith Hannah (#SU-001-07) for a Special Use Permit to locate a mobile home off of Vacuna Road and Edgewood Drive. This property is identified on tax/zoning map # 070A, parcel # 21.**

Commissioner Rainer made a motion, seconded by Commissioner Sears Approve the Request by Meredith Hannah for a Special Use Permit to locate a mobile home off of Vacuna Road and Edgewood Drive identified on tax map # 070A, parcel # 21.

**The motion carried unanimously.**

- B. Consideration of Request by Mickey Roman (#R-001-07) for Rezoning from Agricultural-Forestry (A-F) to Single-Family Residential located off of Burnt Fort Road (State Road 252). This property is identified on tax/zoning map # 063, parcel # 42.**

Chairman Rhodes made a motion, seconded by Commissioner Rainer to Approve the Request by Mickey Roman for Rezoning from A-F to R-1 located off Burnt Fort Road (State Road 252) identified on tax map #063, parcel # 42.

**The motion carried unanimously.**

- C. Consideration of Request by Stephen Loar (#R-002-07) for Rezoning of approximately six (6) acres from Agricultural-Forestry (A-F) to Agricultural-Residential (A-R) to subdivide into three (3) parcels located on the corner of Incachee Road and Aberdeen Drive. This property is identified on tax/zoning map # 02224, parcel 002A.**

Chairman Rhodes made a motion, seconded by Vice-Chair Zell to Approve the Request by Stephen Loar for Rezoning of approximately six (6) acres from A-F to A-R to subdivide into three (3) parcels located on the corner of Incachee Road and Aberdeen Drive identified on tax map # 02224, parcel # 002A.

**The motion carried unanimously.**

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

Commissioner Rainer made a motion, seconded by Commissioner Sears to Approve the Tax Release Applications.

- Judy D. Quinn, Digest Year 2006, Bill No. 18401, \$1048.52;
- Subway (St. Marys) c/o Ann Todd, Digest Year 2002, Bill No. 019020, \$811.95;
- Joseph Hardenbrook, Digest Year 2006, Bill No. 9413, \$125.93;
- Dan Johnson, Digest Year 2001, Bill No. 009835, \$120.76;
- Lloyd Lewis, Digest Year 2002, Bill No. 011444, \$43.03;
- Russell Christmas, Digest Year 2005, Bill No. 004000, \$106.72;
- Brant & Gillette Auto Body Inc. c/o Tony Gillette, Digest Year 2005, Bill No. 2375, \$401.12;
- Joe W. Lanier, Digest Year 2000, 2001 & 2002, Bill No. 10843, \$63.84, \$65.93 & \$70.84;
- Steven Kimball, Digest Year 2006, Bill No. 012339, \$486.00.

**The motion carried unanimously.**

**E. Consideration of Acceptance of Drainage Easement from Clyde N. & Ann M. Miller of 4546 Colesburg Tomkins Rd.**

Vice-Chair Zell made a motion, seconded by Commissioner Sears to Accept the Drainage Easement from Clyde N. & Ann M. Miller of 4546 Colesburg Tomkins Rd.

**The motion carried unanimously.**

**F. Consideration of Acceptance of Drainage Easement from James A. Keyser of 363 David Drive.**

Vice-Chair Zell made a motion, seconded by Commissioner Sears to Accept the Drainage Easement from James A. Keyser of 363 David Drive.

**The motion carried unanimously.**

**G. Consideration of Request by Sherrie Lynn Rabon for Retail Sale of Malt Beverages for the Tarboro Country Store located at 4230 Burnt Fort Rd. in White Oak.**

Chairman Rhodes made a motion, seconded by Vice-Chair Zell to Approve the Request by Sherrie Lynn Rabon for Retail Sale of Malt Beverages for the Tarboro Country Store located at 4230 Burnt Fort Rd. in White Oak.

**The motion carried unanimously.**

- H. Commissioner Rainer made a motion, seconded by Vice-Chair Zell to Approve the Purchase of an Emergency Operation Center in the amount of three hundred and twenty-five thousand dollars (\$325,000.00)**

**So Voted:**

**Chairman Rhodes – Aye**

**Vice-Chair Zell – Aye**

**Commissioner Rainer – Aye**

**Commissioner Berry – Abstain**

**Commissioner Sears – Aye**

**The motion carried.**

- I. Consideration of Approval of Ralph Bunche Construction Contract.**

Commissioner Rainer made a motion, seconded by Commissioner Sears to Approve the Ralph Bunche Construction Contract pending Department of Community Affairs Approval of Contractor.

**The motion carried unanimously.**

- J. Consideration of Bids for Uniform Rental & Laundering Service.**

Commissioner Sears made a motion, seconded by Vice-Chair Zell to Accept the Bid from Cintas for Uniform Rental & Laundering Service.

**The motion carried unanimously.**

- K. Consideration of Appointment of Charlene Sears to the St. Marys River Management Committee.**

Commissioner Rainer made a motion, seconded by Vice-Chair Zell to Appoint Commissioner Sears to the St. Marys River Management Committee.

- L. Consideration of Standard Form of Agreement between Camden County Board of Commissioners and James W. Buckley and Associates, Inc.**

Commissioner Sears made a motion, seconded by Commissioner Rainer to Approve the Standard Form of Agreement between Camden County Board of Commissioners and James W. Buckley and Associates, Inc.

**The motion carried unanimously.**

**M. Consideration of Issuing a Permit for Construction of a Dwelling on Cemetery.**

County Attorney Brent Green stated that the property in question is located at Settlers Bluff.

Attorney Ashe, representing the owners, explained that the Herrin's have complied with every request to determine if graves exist under their home and all studies show no evidence to substantiate the cease and desist order placed on the Herrin's building permit. He stated that he is asking that the cease and desist order be lifted so that the Herrin's may continue the construction of their home.

Attorney Green asked if the owner of the subdivision would be willing to deed the actual cemetery to the heirs of the deceased.

Attorney Ashe stated that he believes that being discussed with the subdivision owners and he stated that he had spoken with one of the heirs, Pearly Mae Edwards and she agreed to withdraw her objections if no remains were found.

Attorney Green stated that he recommends the cease and desist order be lifted in light of this evidence.

Commissioner Berry asked if it was positive there are no remains of graves where the construction will take place.

Attorney Ashe stated that Mr. Herrin never intended to build his home on the remains of a cemetery and the deed shows that the property lines of the cemetery are not where the home is being built.

Commissioner Sears made a motion, seconded by Vice-Chair Zell to lift the Cease and Desist order issued to Mr. Jim Herrin so that construction of his home may commence.

**The motion carried unanimously.**

**EXECUTIVE SESSION:**

**RESOLUTION OF THE CAMDEN COUNTY  
BOARD OF COMMISSIONERS**

**BE IT RESOLVED** by the Camden County Board of Commissioners as follows: At the meeting held on the 27 day of February, 2007, with the following Commissioners being present: Chair Preston Rhodes; Vice-Chair Katherine Nisi-Zell; Commissioner Rainer; Commissioner Stephen L. Berry; Commissioner Charlene Sears;, the Board of Commissioners entered into closed session for the purpose of discussing  
Litigation.



At the close of the discussions on this subject, the Board did agree to reconvene into open session and herewith takes the following action in open session:

- (1) The actions of the Board and the discussion of the same regarding the matter set forth for closed session purposes are hereby ratified.
- (2) Each member of this body does hereby confirm to the best of their knowledge, based upon the advice of the County Attorney, who was present during said closed session portion was devoted to matters within the exceptions provided by law and the specific relevant exception is the subject matter as set forth above.
- (3) The Chairman of this Board, or the presiding officer, is hereby authorized and directed and pursuant to the Resolution shall execute an affidavit, in full support of the members of this Board, in order to comply with O.C.G.A. § 50-14-4(b).
- (4) The affidavit shall be included and filed with the official minutes of the meeting and shall be in a form as required by the statute, which shall be substantially as follows:

**AFFIDAVIT AS REQUIRED UNDER O.C.G.A. § 50-14-4(b)**

Personally appeared before the undersigned attesting officer duly authorized to administer oaths, \_\_\_\_\_, who, after being duly sworn, deposes and on oath states the following:

- (1) I was the chairperson/presiding officer of a meeting of the Camden County Board of Commissioners held on the 27 day of February, 2007.
- (2) The subject matter of the closed portion of the meeting which was closed for the purposes of discussing Litigation \_\_\_\_\_ as allowed by the O.C.G.A. § 50-14-2 and § 50-14-3 was devoted to matters within those exceptions and as provided by law.
- (3) This affidavit is being executed for the purpose of complying with the mandate of O.C.G.A. § 50-14-4-(b) that such an affidavit be executed.

This 27 day of February, 2007.

\_\_\_\_\_  
Chairperson/Presiding Officer

Sworn to and subscribed before me

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

Those voting in favor of the Resolution:

Commissioners: Chair Preston Rhodes; Vice-Chair Katherine Nisi-Zell; Commissioner Rainer; Commissioner Stephen L. Berry; Commissioner Charlene Sears

Those voting against the Resolution:

Commissioners: None

**PUBLIC COMMENTS:**

**None.**

**ADJOURNMENT:**

Motion made by Commissioner Sears, seconded by Vice-Chair Zell to adjourn the February 27, 2007 meeting. The vote was unanimous to adjourn the meeting at 7:51 p.m.

Respectfully submitted,

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Preston Rhodes, Chairman

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Diana Smith, Executive Assistant/Clerk