

**CAMDEN COUNTY BOARD OF COMMISSIONERS MEETING
TUESDAY, JUNE 19, 2007 - 6:00 PM
COUNTY ANNEX
KINGSLAND, GEORGIA**

A regular meeting of the Camden County Board of Commissioners was held on Tuesday, June 19, 2007 at the County Annex in Kingsland, Georgia.

Present: Chair Preston Rhodes; Vice-Chair Katherine Nisi-Zell; Commissioner David Rainer; Commissioner Stephen L. Berry; Commissioner Charlene Sears; County Attorney Brent Green.

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

Chairman Rhodes delivered the invocation and then 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 under Work Session:

Discussion of Enforcement of County Codes in Residential Areas.

Addition of the following under New Business Item:

- Consideration to Approve Extension of Janitorial Contract for 30 Days for Bid or Additional 1 year.
- Consideration of Adopting Continuing Budget.

Addition of Executive Session – Litigation, Personnel and Real Estate.

Removal of New Business Item:

- A. Consideration of Appointment of one (1) vacancy to the Coastal Workforce Investment Board.

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:

Commissioner Sears made a motion, seconded by Vice-Chair Zell to approve the regular meeting minutes of June 5, 2007.

The motion carried unanimously.

PRESENTATIONS:

Dennis McIntyre

Mr. McIntyre stated he is the General Manager for Newman Utilities located in Coweta County, Georgia. He explained that Newman Utilities works in partnership with Innovative Wastewater Solutions. He stated that their company is calling on as many counties in the State of Georgia that are in need for water and wastewater systems. He explained that Newman Utilities works with the developer under a written agreement that their company will install and maintain the water and/or wastewater system and according Georgia Law, Newman Utilities must serve as the trustee. Mr. McIntyre stated that tonight their purpose was to introduce their company to Camden County and have the ability to do business in this county.

County Attorney Brent Green asked Mr. McIntyre if their company provides its own water or do they require to hook up to city water.

Mr. McIntyre stated that where city water is available they would utilize that source, but they do provide community water that is maintained within a subdivision and designed solely for that development.

Mr. Green asked Mr. McIntyre if he foresees having to run along any county right-of-ways.

Mr. McIntyre stated that the systems are designed to stay within a subdivision.

Mr. Green asked if Newman Utilities had entered into any Franchise Agreements with any other counties.

Mr. McIntyre stated they have entered into a Franchise Agreement with Coweta County.

Chairman Rhodes asked Mr. McIntyre if Newman Utilities serviced any individual homes.

Mr. McIntyre stated that they have not done any individual homes as the systems are primarily mainly designed to serve subdivisions.

Mr. Rainer asked what the smallest system they make is designed for at this time.

Mr. McIntyre stated that if there was enough business in Camden County that Newman Utilities would service individual homeowners.

Chairman Rhodes stated that large portions of Camden County are in need of water and sewer systems on an individual basis.

Mr. McIntyre stated that their company was willing to serve any size development. He explained that the smallest system they serve is a church that runs on a ten thousand (10,000) gallon system. He stated that the smallest development they are currently serving is one hundred and forty (140) lots.

REPORTS:

A. Calendar

The June/July calendar was read.

B. County Manager's Report:

County Clerk Diana Smith stated that there were no reports to be given at this time.

PUBLIC COMMENTS:

Steve Burling

Mr. Burling stated that he was concerned with a used car lot being operated from a lot on the corner of Highway 17 and Vacunna Road under New Business Item I. He presented the Board of Commissioners with a petition of signatures from concerned citizens against this used car lot. He explained to the Board that he was not anti-business and he believes that a person should have the right to make a living, but he has concerns pertaining to possible traffic accidents and back up of traffic from the lack of a traffic light at that intersection.

John Playford

Mr. Playford stated that while he was out of town the County Road Department cut approximately twenty-eight (28) trees down from his yard. He explained that there is a seven and a half (7 ½) foot easement on his property and the trees were mainly cut along the ditch. He asked the Board of Commissioners what could be done to rectify this situation. He stated that he had spoken with the Road Department and Commissioner Zell regarding this matter.

Road Superintendent Scott Brazell stated that he had spoke with Mr. Playford and explained to him that the pine trees were removed from the ditch to avoid the possibility of impeding water flow.

Mr. Green stated that more research needed to done and he would notify the Board members and the property owner at a later time.

Commissioner Berry asked Mr. Playford how tall the trees were that were cut down.

Mr. Playford stated that the trees were approximately 6 – 12 feet tall.

Commissioner Berry asked Mr. Playford if he would like the trees replaced.

Mr. Playford stated that he would like the trees replaced.

Commissioner Rainer stated that a clear determination needed to be made.

County Attorney Brent Green stated he would research the issue and give a recommendation to the Board.

Vernon Copeland

Mr. Copeland stated that he would like to remind the Board of Commissioners that taxes would be increased if nothing was done at all to the millage. He stated that when houses are built and improvements are made this causes an increase in taxes. He explained that the reassessment of property in Camden County brings in additional tax money and SPLOST was promoted on the basis that taxes would not be raised. Mr. Copeland stated that Mr. Berry voted against the millage increase but at the same time Mr. Berry stated it was the right thing to do. He explained that he interprets that as a five to zero (5-0) vote. He stated that the two (2) Special Elections that the County held recently cost the tax payers money and the County should cut back on funding various projects when the money is not available. He explained that the Joint Development Authority is the County's enemy and that Camden County can do without this department. He stated that the one (1) department the County can't do without is the Sheriff's Department. He asked the Board of Commissioners to be conservative and only spend money on what the County has to have to function.

Grayson Day

Mr. Day stated he wished to speak concerning the special use permit for Dean Scott.

Chairman Rhodes stated that Mr. Day could express his concerns when Mr. Scott's request is considered by the Board of Commissioners.

OLD BUSINESS

- A. Consideration of John Thomas Alexander (#SU-002-07) for a Special Use Permit to allow a mobile home located at Lot 4 Gillette Road Subdivision, 143 Gillette Road in Kingsland. This property is identified on Tax Map #111-079 (formerly 125-010).**

Judge Martin Gillette

Judge Gillette stated that he is speaking on behalf of Mr. John Alexander. He explained that according to the County Attorney and Mr. Ben Brandon, a licensed surveyor at

Privett and Associates, lots three (3) and four (4) are not a part of any subdivision on Gillette Road.

Chairman Rhodes asked if this information had been given to the Planning and Zoning Board.

Planning Director Loretta Hylton stated that the information was made available to the Planning and Zoning Board.

She stated that there is a buffer around the property and that in one area there may be a four hundred thousand (\$400,000.00) dollar home and in another area there are older mobile homes.

Mr. Green stated that he had studied the law and in his opinion it is an issue of property rights.

Commissioner Rainer asked Mr. Green what was the reason for the Planning and Zoning Board to deny the Special Use Permit.

Mr. Green stated there were several neighboring land owners present at the Planning and Zoning meeting speaking against the issuing of a Special Use Permit to Mr. Alexander.

Commissioner Berry stated that the map provided to the Board is very instructive and clearly shows that the area is zoned to allow mobile homes.

Commissioner Rainer stated that he agrees with Commissioner Berry.

Lisa Bachelor

Ms. Bachelor stated she resides at 101 Gillette Road and the area that Commissioner Berry is referring to on the map cannot be built on because it is marsh land.

Commissioner Berry stated that the surrounding zoning allows for mobile homes.

Commissioner Rainer stated that wetlands can only be delineated by a survey and the potential for a mobile home to be placed in this zoning is greater.

Lisa Bachelor stated that Judge Gillette made a deal with Mr. Alexander to swap properties and is now having a hard time keeping his part of the deal.

Commissioner Berry asked Ms. Bachelor how the Board of Commissioners is to tell the land owner why this permit was denied when the zoning allows for mobile homes.

Ms. Bachelor stated there are only four (4) mobile homes in the area.

Commissioner Berry stated there is a mobile home within five hundred (500) feet of the property. He explained that the property owner has rights too.

Ron Bachelor

Mr. Bachelor stated that he understands the situation on Gillette Road but mobile homes are not visible from the road. He explained that there are three (3) homes on this road and just because the property is zoned Agricultural-Forestry (A-F) does not mean mobile homes have to be there.

Commissioner Berry reiterated his statement that the problem lies in the zoning of the property in question.

Commissioner Rainer made a motion, seconded by Commissioner Berry to Approve a Special Use Permit for John Thomas Alexander (#SU-002-07) to allow a mobile home located at Lot 4 Gillette Road, 143 Gillette Road in Kingsland. This property is identified on Tax Map #111-079 (formerly 125-010).

The motion carried unanimously.

NEW BUSINESS

- A. Consideration of Appointment of one (1) vacancy to the Coastal Workforce Investment Board.**

This item was tabled during Agenda Amendments.

- B. Consideration of Appointment to the Gateway Community Service Board.**

Vice-Chair Zell made a motion, seconded by Commissioner Sears to Appoint Janet and Clark Heath to the Gateway Community Service Board.

The motion carried unanimously.

- C. Consideration of Approval of a Resolution to Provide a Continuing Budget for the Camden County Board of Commissioners for the Fiscal year 2006-2007 for the Joint Development Authority.**

Vice-Chair Zell made a motion, seconded by Commissioner Rainer to Table this item until the July 17, 2007 Board of Commissioners meeting upon recommendation of Finance Director Mike Fender.

The motion carried unanimously.

D. Consideration of Approval of Resolution for Community Assessment and Participation Program as Part of the Joint Comprehensive Plan.

Commissioner Sears made a motion, seconded by Vice-Chair Zell to Approve the Resolution for Community Assessment and Participation Program as Part of the Joint Comprehensive Plan.

The motion carried unanimously.

E. Consideration of Approval of Agreement between the Department of Juvenile Justice and the Camden County for office space.

Commissioner Rainer made a motion, seconded by Vice-Chair Zell to Approve the Agreement between Department of Juvenile Justice and the Camden County Board of Commissioners for office space.

The motion carried unanimously.

F. Consideration of Approval of Tax Release Applications.

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

- Camden Massage Clinic; Digest Year 2006; Bill No. 3290; \$84.24
- Alfredo's Imports, Inc.; Digest Year 2006; Bill No. 240; \$110.71;
- Donnie's Fast Cash, Inc.; Digest Year 2005 & 2006; Bill No. 5882 & 6084; \$152.87 & \$152.15;
- Dwayne & Virginia Purvis; Digest Year 2007; Bill No. 1933; \$10.00;
- Juanita Graham; Digest Year 2007; Bill No. 939; \$55.20;
- Robert E. Pierce; Digest Year 2007; Bill No. 1860; \$10.00
- Robert Sullivan; Digest Year 2007; Bill No. 2586; \$158.98;
- Jewell Leffy Landeros; Digest Year 2007, 2006, 2005, 2004 & 2003; Bill No. 1364, 1347, 1340, 1367 & 1399; \$24.68, \$25.77, \$26.06, \$29.62 & \$32.47;
- Barbara W. Smith c/o K.C. Clark; Digest Year 2007; Bill No. 2436, \$35.72;
- Barbara W. Smith c/o K.C. Clark; Digest Year 2006; Bill No. 2400, \$37.82;
- Barbara W. Smith; Digest Year 2005; Bill No. 2381, \$40.21;
- Barbara W. Smith; Digest Year 2004; Bill No. 2414, \$46.16;
- Barbara W. & Roy Smith; Digest Year 2003; Bill No. 2436, \$52.94;
- Barbara W. & Roy Smith; Digest Year 2002; Bill No. 2564, \$104.15;
- Barbara W. Smith; Digest Year 2001; Bill No. 2802, \$96.24;
- Barbara W. Smith; Digest Year 2000; Bill No. 2703, \$101.66;
- Barbara W. Smith; Digest Year 1999; Bill No. 1964; \$91.15;
- Barbara W. Smith c/o Thomas Mabel, Digest Year 2007; Bill No. 2457; \$31.97;
- Barbara W. Smith c/o Thomas Mabel, Digest Year 2006; Bill No. 2421; \$32.99;
- Roy Smith c/o Thomas Mabel, Digest Year 2005; Bill No. 2401; \$35.16;

- Barbara & Roy Smith; Digest Year 2004; Bill No. 2435; \$40.45;
- Barbara & Roy Smith; Digest Year 2003; Bill No. 2438; \$46.52;
- Barbara & Roy Smith; Digest Year 2002; Bill No. 2567; \$ 79.52;
- Barbara & Roy Smith; Digest Year 2001; Bill No.2806; \$74.26;
- Roy Smith c/o K.C. Clark; Digest Year 2000; Bill No. 2707; \$85.38;
- Barbara & Roy Smith; Digest Year 1999; Bill No. 1968; \$38.33;
- Roy & Barbara Smith; Digest Year 1998; Bill No. 1916; \$141.32;
- William Luscomb; Digest Year 2007, 2006 & 2005; Bill No. 1479, 1443 & 1432; \$263.90, \$271.04 & \$279.99.

The motion carried unanimously.

- G. Consideration of Approval of Re-Plat of Phase I – Final Plat for Maiden Creek Landing, LLC (#S-006-07 (R) to change street names only. This property is located at Dover Bluff, as identified on Tax Map #125, Portion of Parcel #5.**

Chairman Rhodes made a motion, seconded by Vice-Chair Zell to Approve the Re-Plat of Phase I – Final Plat for Maiden Creek Landing, LLC (#S-006-07 (R) to change street names only. This property is located at Dover Bluff, as identified on Tax Map #125, Portion of Parcel #5.

The motion carried unanimously.

- H. Consideration of Approval of Final Plat – Phase I for Bluegreen Communities of Georgia (#S-008-07(F), Sanctuary River Club, for 135 single-family lots. This property is located at the Northwest quadrant of I-95 and Dover Bluff Road, as identified on Tax Map #111-079 (formerly 125-010).**

Chairman Rhodes made a motion, seconded by Vice-Chair Zell to Approve the Final Plat – Phase I for Bluegreen Communities of Georgia (#S-008-07(F), Sanctuary River Club, for 135 single-family lots. This property is located at the Northwest quadrant of I-95 and Dover Bluff Road, as identified on Tax Map #111-079 (formerly 125-010).

The motion carried unanimously.

- I. Consideration of Approval of a Special Use Permit (#SU-004-07) for Dean Scott to operate a used automobile sales lot at 2823 Highway 17, South of Kingsland. This property is identified on Tax Map #095, Parcel #38A.**

Grayson Day

Mr. Day stated Dean Scott purchased this property along Highway 17 from him because the property’s zoning is commercial. He stated that Mr. Scott bought this property to start a business and he does not see any danger in a car lot being operated at this location.

Dean Scott

Mr. Scott presented the Board of Commissioners with a petition of over 200 signatures in support of his business operating from this property. He explained that he was trying to start a business to support his family. Mr. Scott stated that the danger of accidents from people looking at cars as they pass by should not be an issue because there are sixty (60) foot easements running along this property.

Commissioner Sears asked Mr. Scott if this was the property that previously had a produce stand operating there.

Mr. Scott stated there was a produce stand operating from this property in the past.

Mr. Scott explained he asked several car dealerships in the area how many people on a daily basis frequent there dealerships. He stated that from the information he gathered anywhere from two (2) to ten (10) customers are the daily average for a car dealership.

Commissioner Berry asked Planning Director Loretta Hylton why the Planning and Zoning Board denied Mr. Scott's request for a special use permit.

Ms. Hylton stated there were several people at the Planning and Zoning meeting speaking against the issuing of a special use permit to Mr. Scott because of traffic concerns.

Commissioner Berry asked Ms. Hylton if there was any data collected to support the claim of high traffic caused by a car dealership on this property.

Ms. Hylton stated that there was no data to support this claim. She explained that this area is zoned commercial and there are many other types of businesses that could be operated from this property, such as a restaurant, that would cause more traffic.

William Crews

Mr. Crews stated that he believes the area where Lowes is located causes more congestion than there would be at the proposed location of this car dealership.

John Locklear

Mr. Locklear stated that he does not agree that this intersection would be congested if the car dealership is at this location.

Ms. Hylton explained that the special use permit allows limitations that can be placed on the permit. She stated that the Board of Commissioners could place these limitations on the permit now and the Department of Transportation has strict standards that would have to be met by Mr. Scott when he applies for a license to operate a car dealership.

Don Violet

Mr. Violet stated that Dean Scott has the right to operate a business in the proper zoning area. He stated that the main objection at the Planning and Zoning meeting was safety but there is not substantial data to support this claim. Mr. Violet stated that Mr. Scott assured him this property would not be an eye sore to the community and no repair work would be performed on this property

Judy Sauder

Ms. Sauder stated that she agreed that this was not the greatest intersection, but there are worse intersections in Camden County. She explained that the intersection at 5- Points in Kingsland is more of a safety risk. She stated that Mr. Scott is entitled to run a business on this property.

Steve Burling

Mr. Burling stated that the petition he distributed during public comments to the Board of Commissioners does not read that the safety issue is caused from being unable to see at the intersection. Mr. Burling stated that his petition reads this type of business could cause congestion at this intersection.

Commissioner Rainer stated that he believes that setbacks would be required and Mr. Scott has the right to operate a car dealership on his property as long as the business does not encroach on the County's Right-of-Way.

Commissioner Rainer made a motion, seconded by Vice-Chair Zell to Approve the Special Use Permit (#SU-004-07) for Dean Scott to operate a used automobile sales lot at 2823 Highway 17, South of Kingsland. This property is identified on Tax Map #095, Parcel #38A.

The motion carried unanimously.

J. Consideration of Approval Extension of Janitorial Contract for 30 Days for Bid or Additional 1 year.

Commissioner Rainer made a motion, seconded by Vice-Chair Zell to Approve the Extension of Janitorial Contract for an Additional year.

The motion carried unanimously.

K. Consideration of Adopting Continuing Budget.

Commissioner Sears made a motion, seconded by Commissioner Rainer to Adopt the Continuing Budget.

The motion carried unanimously.

WORK SESSION:

➤ **Discussion of Enforcement of County Codes in Residential Areas.**

County Attorney Brent Green stated he needs more time to review the code and gather more data pertaining to this issue.

Commissioner Rainer stated that this item should be discussed at the July 17, 2007 Board of Commissioners meeting after Mr. Green has more time to review this issue.

EXECUTIVE SESSION: Litigation, Personnel and Real Estate

Commissioner Sears made a motion, seconded by Vice-Chair Zell, and voted unanimously that this Board enter into closed session as allowed by O.C.G.A. § 50-15-4 at 7:55p.m., and pursuant to the advice by the County Attorney, for the purpose of discussing Litigation, Personnel and Real Estate.

That upon conclusion of the discussion or deliberation in the closed session portion of the meeting that this body enter back into open session, open to the public, at which point an announcement will be made in the County Annex Meeting Room that this Board is back in session.

RECONVENE:

Vice-Chair Zell made a motion, seconded by Commissioner Sears. The vote was unanimous to reconvene the meeting at 8:27 p.m.

Chairman Rhodes signed the affidavit as required by O.C.G.A. § 50-15-4(b). The original copy of the affidavit immediately follows these minutes and a copy is on file in the Executive Assistant's office.

No Action was taken.

The motion carried unanimously.

**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 19 day of June, 2007, with the following Commissioners being present: Chair Preston Rhodes; Vice-Chair Katherine Nisi-Zell; Commissioner David L. Rainer; Commissioner Stephen L. Berry; Commissioner Charlene Sears; the Board of Commissioners entered into closed session for the purpose of discussing Litigation, Personnel and Real Estate. 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, Preston Rhodes , 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 19 day of June , 2007 .
- (2) The subject matter of the closed portion of the meeting which was closed for the purposes of discussing Litigation, Personnel and Real Estate 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 19 day of June , 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 David L. Rainer; Commissioner Stephen L. Berry; Commissioner Charlene Sears

ADDITIONAL PUBLIC COMMENTS:

Mercy Thompson

Ms. Thompson stated that the City of Kingsland would like Camden County to Quit Claim Deed the Right-of-Way for Colerain Road to them in order for the City to continue with their project of widening the intersection of Gross Road and Laurel Island Parkway.

Commissioner Berry stated the City of Kingsland and the County should work together and make this a joint project.

Commissioner Rainer stated that the idea would work if it fit into the concept of the bypass.

Commissioner Berry stated that the joint project could solve the problem.

Mercy Thompson stated that she has spoken with Christy Lovett at the Department of Transportation and she seems hopeful that this project could tie into the County's Bypass and become a joint project.

Commissioner Berry stated that the concept of a joint project is possible as long as the Department of Transportation assures the County that this will not jeopardize the bypass project that is already ongoing.

County Attorney Brent Green stated that the County and the City of Kingsland need to speak to the Department of Transportation as a unified voice.

Ms. Thompson asked if the County would consider the idea of a Quit Claim Deed of the Right-of-Way to Colerain Road to the City of Kingsland.

Commissioner Berry stated that the County could work with the City of Kingsland as a joint project but the Right-of-Way to Colerain Road would not be Quit Claimed to the City. He explained that granting a temporary easement with the condition that the Department of Transportation says that the joint project is okay could be considered.

Ms. Thompson stated that she has already spoken to Commissioner Linkenhol and he expressed his approval of this project and the City of Kingsland would like to begin the process of acquiring additional Right-of-Way from the County.

Road Superintendent Scott Brazell stated that during his conversation with Christy Lovett at the Department of Transportation there were conflicting comments made by Ms. Lovett regarding Ms. Thompson's previous comments.

County Attorney Brent Green stated that a lot of money has already been spent with the Moreland & Associates for contracting services regarding this project.

Commissioner Berry stated that the City of Kingsland and the County needed to work together to solve the problem.

Attorney Brent Green stated that a concept would need to be drafted to further discuss this project.

Chairman Rhodes stated that the City of Kingsland and the County need to be on the same page regarding this project before any other discussions are conducted.

ADJOURNMENT:

Vice-Chair Zell made a motion, seconded by Commissioner Sears to adjourn the June 19, 2007 meeting. The vote was unanimous to adjourn the meeting at 8:40p.m.

Respectfully submitted,

Preston Rhodes, Chairman

Diana Smith, Executive Assistant/Clerk