

**CAMDEN COUNTY, GEORGIA
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
SEPTEMBER 7, 2010, 6:00 PM**

A regular meeting of the Camden County Board of County Commissioners was held at 6:00 p.m. on Tuesday, September 7, 2010, in the Board of County Commissioners' Meeting Chambers of the Government Services Building, Woodbine, Georgia.

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

Planning & Development Director John Peterson delivered the invocation.

Chair Rainer led the Pledge of Allegiance.

Present: Chair David L. Rainer; Vice-Chair Katherine Zell; Commissioner Willis R. Keene, Jr.; Commissioner Charlene Sears; Commissioner Jimmy Starline; County Administrator Steve Howard; County Attorney Brent Green, and County Clerk Kathryn Bishop.

Agenda Amendments:

Added item under presentations:

Recognition of former medical director, Dr. Charles Harden for his service to Camden County.

Added items under Regular Agenda:

Item 13. Discussion regarding School Board Millage Rate and possible action to follow.

Item 14: Resolution for the Procurement of Engineering Service Pursuant to the Brooks Act for the City of Kingsland By-Pass Highway Development Project, Phase II.

Vice-Chair Zell made a motion, seconded by Commissioner Sears to approve the agenda amendments as presented.

The motion carried unanimously.

Motion to Adopt the Agenda:

Commissioner Keene made a motion, seconded by Vice-Chair Zell to approve the Agenda as amended.

The motion carried unanimously.

Approval of Minutes

- August 17, 2010 Regular Meeting minutes.

Commissioner Sears made a motion, seconded by Commissioner Keene to approve the August 17, 2010 Regular Meeting minutes.

The motion carried unanimously.

Presentations

- Joint Proclamation recognizing the efforts of The Miracle League of Camden County to ensure that "Every Child Deserves A Chance to Play Baseball"

County Clerk Katie Bishop read the Joint Proclamation recognizing the efforts of The Miracle League of Camden County to ensure that "Every Child Deserves A Chance to Play Baseball" & Chair Rainer presented the proclamation to Jeff Norris

Jeff Norris gave an update on the progress of the Miracle Field and played a short video showing the benefits of this project.

- Georgia Work Ready Certification Signs

Christine Daniel presented the County with the Georgia Work Ready Certification Signs to be erected along County right-of-way.

- Recognition of former medical director, Dr. Charles Harden for his service to Camden County.

Chief Dennis Gailey presented former Medical Director Dr. Charles Harden a plaque in recognition of his many years of service to Camden County Fire Rescue.

Dr. Harden stated that it has been a pleasure to serve Camden County Fire rescue and commended the staff of Fire Rescue for the excellent service they provide the citizens of Camden County.

Public Comments

No comments were offered at this time.

Regular Agenda

1. Appointment of two (2) vacancies on the Aging Services Advisory Council.

Commissioner Keene made a motion, seconded by Commissioner Sears to appoint Ceola Foreman and Katherine Zell to the Aging Services Advisory Council.

The motion carried unanimously.

2. Acceptance of Resignation of Vice-Chair Zell from the Camden County Public Library Board.

Commissioner Sears made a motion, seconded by Commissioner Keene to accept the Resignation of Vice-Chair Zell from the Camden County Public Library Board.

The motion carried unanimously.

3. Appointment of one (1) vacancy to the Camden County Public Library Board.

Vice-Chair Zell made a motion, seconded by Commissioner Sears to appoint Commissioner Jimmy Starline to serve on the Camden County Public Library Board.

The motion carried unanimously.

4. Consideration of Relief regarding Ad Valorem Taxes.

Commissioner Starline made a motion, seconded by Chair Rainer to grant relief regarding Ad Valorem Taxes to James Galligan and instructed Adam Kabasakalian to gather clarification of the exact amount in relief to be brought before the Board of County Commissioners for further approval at a later date.

The motion carried unanimously.

5. Approval of Memorandum of Agreement for Systematic Alien Verification of Entitlements compliance.

Commissioner Keene made a motion, seconded by Commissioner Sears to approve the Memorandum of Agreement for Systematic Alien Verification of Entitlements compliance.

The motion carried unanimously.

6. Approval of Budget Amendments.

Commissioner Keene made a motion, seconded by Vice-Chair Zell to approve the Budget Amendments for Fiscal Year 2010.

The motion carried unanimously.

7. Approval of Purchasing Policy.

Commissioner Sears made a motion, seconded by Commissioner Keene to approve the Purchasing Policy.

The motion carried unanimously.

8. Authorization for Camden County to be the recipient for the Woodbine Women's Club for a grant from the Grassroots Arts Program.

Vice-Chair Zell made a motion, seconded by Commissioner Keene to authorize Camden County to be the recipient for the Woodbine Women's Club for a grant from the Grassroots Arts Program.

The motion carried unanimously.

9. Project Framework Agreement with Georgia Department of Transportation for Bullhead Bluff Road.

Chair Rainer made a motion, seconded by Vice-Chair Zell to approve the Project Framework Agreement with Georgia Department of Transportation for Bullhead Bluff Road.

The motion carried unanimously.

10. Agreement with Shands and University of Florida Health Care Network (SUFHCN).

Commissioner Keene made a motion, Commissioner Sears to approve the Agreement with Shands and University of Florida Health Care Network (SUFHCN).

The motion carried unanimously.

11. Proposal for Discount on Employee Health Plan Premiums

Commissioner Keene made a motion, Commissioner Sears to approve the Proposal for Discount of twenty percent (20 %) for employees who participate in the upcoming biometrics screening on Employee Health Plan Premiums for a period of twelve (12) months.

The motion carried unanimously.

12. Land Exchange Agreement between Camden County Board of County Commissioners and Roberts-Sharpe

Commissioner Keene made a motion, seconded by Vice-Chair Zell to approve the Land Exchange Agreement between Camden County Board of County Commissioners and Roberts-Sharpe.

The motion carried unanimously.

13. Discussion regarding School Board Millage Rate and possible action to follow.

Commissioner Keene made a motion, seconded by Vice-Chair Zell to approve the Resolution for the adoption of the School Board millage rate of 15.0 for Camden County, Georgia.

So voted:

Chair Rainer - Yes

Vice-Chair Zell - **No**

Commissioner Keene - **Yes**

Commissioner Sears - **Yes**

Commissioner Starline - **No**

The motion passed 3-2.

See following pages for copy of Resolution for the adoption of the School Board millage rate of 15.0 for Camden County, Georgia.

RESOLUTION OF THE CAMDEN COUNTY BOARD OF COMMISSIONERS TO
ADOPT A COUNTY MILLAGE RATE FOR THE
CAMDEN COUNTY BOARD OF EDUCATION

WHEREAS Camden County, Georgia is a political subdivision of the State of Georgia and is vested with the lawful authority to levy taxes on the property of Camden County for the funding of the general government of Camden County and the Camden County Board of Education as required by law.

WHEREAS Camden County as well as the State and National economy is experiencing hard economic times.

WHEREAS the Camden County Board of Commissioners has not increased the millage rate for the funding of general county government for tax year 2010-2011.

WHEREAS the Camden County Board of Education has forwarded to the Camden County Board of Commissioners a millage rate of 15 mills for the funding of the Camden County Board of Education which is ¼ mill increase over the previous year thereby causing a tax increase on the valuation of the property owned by the taxpayer of Camden County.

WHEREAS the Camden County Board of Commissioners in a lawfully scheduled meeting August 31, 2010 failed to approve the requested millage rate of 15 mills and called on the Board of Education to return to the previous year's millage rate.

WHEREAS the Constitution of the State of Georgia pursuant to Article VIII § VI, Para I, states in part as follows: "The board of education of each school system shall annually certify to its fiscal authority or authorities a school tax not greater than 20 mills per dollar for the support and maintenance of education. Said fiscal authority or authorities shall annually levy said tax upon the assessed value of all taxable property within the territory served by said school system, provided that the levy made by an area board of education, which levy shall not be greater than 20 mills per dollar, shall be in such amount and within limits as may be prescribed by local law applicable thereto."

WHEREAS the Georgia Supreme Court held in County Board of Education of Wilcox County v. Board of Commissioners of Roads and Revenues of Wilcox County, 201 Ga. 815, 41 S.E.2d 398 (1947), (Mandatory on county board of commissioners to follow county boards of education recommendation on levying taxes) the court further states under this provision of the Constitution, it is mandatory upon county boards of commissioners, or other fiscal authorities levying taxes for the county, to follow the recommendation of the county boards of education as to the levy to be made for the support of education where such recommendation is within the limitation defined by the Constitution.

WHEREAS the Georgia Court of Appeals held in Rosa Rosser, et al. v. Meriwether County, 125 Ga. App. 239, 186 S.E. 2d 788 (1971), (The board of commissioners has no discretion in levying taxes; its action is ministerial.) the court further states the amount of the levy is discretionary with the board of education, within limits fixed by the Constitution or statute, and when duly determined it is mandatory.

NOW THEREFORE BE IT RESOLVED the Camden County Board of Commissioners by majority vote opposes the increase in the millage rate as determined by the Camden County Board of Education and calls on the Board of Education to review and reduce their annual budget to conform to the millage rate for tax year 2009-2010.

NOW THEREFORE BE IT FURTHER RESOLVED the Camden County Board of Commissioners has reviewed the law in regards to the establishment of the millage rate by the Camden County Board of Education and have determined that the Constitution of the State of Georgia and the ruling of the Georgia Supreme Court and the Georgia Court of Appeals affirms the mandatory adoption of the millage rate recommended by the Board of Education.

NOW THEREFORE BE IT FURTHER RESOLVED under protest the Camden County Board of Commissioners hereby adopts this resolution in conjunction with the Resolution establishing the 15 mill rate for the Camden County Board of Education for tax year 2010-2011.

Adopted in a lawful assembly by majority vote of the Camden County Board of Commissioners and spread upon the Official Minutes of Camden County.

This 7th day of September 2010.

By: David L. Rainer
David L. Rainer, Chairperson
Camden County Board of Commissioners

Attest: Kathryn Bishop
Kathryn Bishop, County Clerk

County Seal

A Resolution to Adopt A County Millage Rate
For Camden County, Georgia

BE IT RESOLVED BY THE CAMDEN COUNTY BOARD OF COMMISSIONERS, CAMDEN COUNTY, GEORGIA, that the County hereby adopt the millage rates based on one dollar (\$1.00) of the taxable property of Camden County which appears on the Tax Digest for the year 2010 and on all property in said County that is subject to taxation, but is not returned for taxes and is not on the Tax Digest as provided by law, the same being levied and the same shall be collected by the Tax Commissioner for the following purposes;

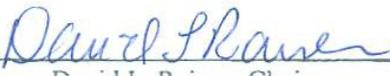
In accordance with the Camden County School Board, the following millage was adopted at their August 30, 2010, meeting.

1. 15.00 mils for the maintenance and operations budget

THEREFORE, BE IT RESOLVED, that the Camden County Board of Commissioners does hereby adopt, resolve and enact the foregoing millage rates for Camden County, Georgia.

Adopted this 7 day of September, 2010.

Camden County Board of Commissioners



David L. Rainer, Chairman

Attest:


Katie Bishop, County Clerk

14. Resolution for the Procurement of Engineering Service Pursuant to the Brooks Act for the City of Kingsland By-Pass Highway Development Project, Phase II.

Commissioner Keene made a motion, seconded by Commissioner Sears to approve the Resolution for the Procurement of Engineering Service Pursuant to the Brooks Act for the City of Kingsland By-Pass Highway Development Project, Phase II.

The motion carried unanimously.

***See following pages for copy of Resolution for the
Procurement of Engineering Service Pursuant to the Brooks
Act for the City of Kingsland By-Pass Highway Development
Project, Phase II.***

RESOLUTION OF THE CAMDEN COUNTY BOARD OF COMMISSIONERS FOR
THE PROCUREMENT OF ENGINEERING SERVICE PURSUANT TO THE
BROOKS ACT FOR THE KINGSLAND BY-PASS HIGHWAY DEVELOPMENT
PROJECT PHASE II

WHEREAS Camden County, Georgia is a political subdivision of the State of Georgia is vested with the lawful authority to develop of the roadway system in the unincorporated areas of Camden County.

WHEREAS Camden County and the City of Kingsland have joined together to develop the Colerain Road/Martin Luther King Boulevard/Laurel Island Parkway, which is a roadway system located in the unincorporated area of Camden County and the City of Kingsland, into an evacuation roadway system, known as the Kingsland By-Pass Phase II Project, which requires extensive engineering services with the costs of the project being shared by the Camden County, City of Kingsland, State of Georgia and the United States Government.

WHEREAS Camden County and the City of Kingsland desire to be involved in the selection process of an engineering firm for the development of the roadway.

WHEREAS Congress has enacted a federal statute 23 U.S.C. 112 which defines procedures for obtaining federal-aid for roadway construction, known as the Brooks Act.

WHEREAS the Brooks Act requires that contracts be advertised and companies ranked based on published criteria for competence and qualifications and to develop a wide pool of potential service providers to select from and that the criterion cannot be based on political boundaries and should be used on a project-by-project basis.

WHEREAS the Chairperson of the Camden County Board of Commissioners and the Mayor of the City of Kingsland have met and determined that the afore-said project must go forward and that pursuant to the Brooks Act the parties have determined that a qualification-based process is to be implemented whereby each party will appoint three employees to be on the qualification panel and that in addition to the employee appointments each party will appoint non-employee to serve on the qualification panel.

NOW THEREFORE BE IT RESOLVED the Camden County Board of Commissioners having met on the 7th day of September 2010 in a lawfully scheduled meeting and have further stated their intent to develop the Colerain Road/.Martin Luther King Boulevard/Laurel Island Parkway Project known as the Kingsland By-Pass Phase II Project.

NOW THEREFORE BE IT FURTHER RESOLVED the Camden County Board of Commissioners hereby appoints three employees and an individual not in the employment of Camden County to serve on the qualification selection committee for the procurement of engineering services for the project.

NOW THEREFORE BE IT FURTHER RESOLVED the following are appointed;

Employee #1: Scott Brazell;

Employee #2: John Stokes;

Employee #3: Harvey Amerson; and:

Non-Employee: Bobby Marr, Public Works Director for City of St. Marys.

Adopted in a lawful assembly by majority vote of the Camden County Board of Commissioners and spread upon the Official Minutes of Camden County, Georgia.

This 7th day of September 2010.

By: 
David L. Rainer, Chairperson
Camden County Board of Commissioners

Attest: 
Kathryn Bishop, County Clerk

Reports

- Calendar -August & September 2010

County Clerk Kathryn Bishop read the calendars for September & October 2010.

- County Administrator's Report

County Administrator Steve Howard reported the following:

- Mr. Howard stated that the Horse Stamp Church Road Interchange project will be awarded in ninety (90) days.
- Mr. Howard stated that he, Sheriff Gregory, Jail Administrator Larry Hamilton, Management Analyst Adam Kabasakalian and Vice-Chair Zell recently returned from a very informative trip attending the U.S. Department of Justice / National Institute of Corrections training session. He stated that this trip was funded by the U.S. Department of Justice / National Institute of Corrections.

Additional Public Comments:

No additional comments were offered at this time.

Adjournment:

Commissioner Sears made a motion, seconded by Vic-Chair Zell to adjourn the September 7, 2010 meeting. The vote was unanimous to adjourn the meeting at 7:03 PM.

Respectfully submitted,


David L. Rainer, Chair


Kathryn A. Bishop, Acting County Clerk