Camden County Board of Commissioners

Regular Meeting
November 19, 2007
7:00 P.M.
Historic Courtroom, Courthouse Complex
Camden, North Carolina

MINUTES

The regular meeting of the Camden County Board of Commissioners was held on Monday, November 19, 2007 at 7:00 p.m. in the Historic Courtroom, Courthouse Complex, Camden, North Carolina. The following members were present:

Chairman Jeffrey B. Jennings
Vice Chairman Philip Faison
Commissioners Melvin J. Jeralds, Sandy Duckwall and Mike Andrews

Also present was County Manager Randell Woodruff, Clerk to the Board Ava Gurganus and County Attorney John Morrison.

Chairman Jeffrey Jennings called the meeting to order, and upon request, Commissioner Sandy Duckwall gave the invocation and led those assembled in the Pledge of Allegiance.

Public Comments

Chairman Jeffrey Jennings called for any comments from the public.

Hearing no comments, Chairman Jeffrey Jennings proceeded with the meeting.

Consideration of Agenda

Chairman Jeffrey Jennings removed *Item 12. Closed Session, 1. Consultation with Attorney* from the agenda.

Commissioner Mike Andrews made a motion to approve the agenda as amended. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Consent Agenda

Commissioner Philip Faison made a motion to approve the Consent Agenda items as presented. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

- **(Consent Agenda)**

November 5, 2007 Regular Meeting Minutes subject to correction of typographical and technical errors.

Tax Releases, Pick Ups & Refunds

Name	Amount	Type	Explanation	No.
Camden Square	$2,044.05	Release	Sold in '03	9501
Ebenezer Church	$ 504.12	Release	Exempt	9510
Susan Whitman	$ 141.30	Release	Military Exempt	9516
Allen Brown, Jr.	$ 181.38	Release	Wrong County	9544
Donna Thomas	$ 146.46	Pick Up	Wrong County	9507
Harvey Ashcraft	$2,044.05	Pick Up	Purchased in '03	9502

Elton Sawyer	$ 533.59	Release	Double Listed	9536
	$ 407.81	Pick Up		
	-$ 125.78	Adjustment		
Clarine Small	$ 58.83	Release	Exemption Revoked	9521
	$ 178.83	Pick Up		
	$ 120.00	Adjustment		
Dorothy Mitchell	$ 359.89	Release	Exemption Revoked	9520
	$ 719.78	Pick Up		
	+$ 359.89	Adjustment		
Ernest Burnham	$ 157.74	Release	Exemption Revoked	9519
	$ 309.20	Pick Up		
	+$ 151.46	Adjustment		
Eva Harris	$ 150.35	Release	Exemption Revoked	9518
	$ 297.68	Pick Up		
	+$ 147.33	Adjustment		
Marshall Powell	$1,857.21	Release	Farm Use	9500
	$ 630.76	Pick Up		
	-$1,226.45	Adjustment		

Tax Collection Report – October 2007 in the amount of $531,927.84.

Refunds to be Issued by Finance Office in the amount of $1,982.10.

Resolution No. 2007-11-03 – A Resolution of the Camden County Board of Commissioners Opposing Non-Recurring Juvenile Crime Prevention Council Funding and Annual Continuation Review

Resolution No. 2007-11-03

A RESOLUTION OF THE CAMDEN COUNTY BOARD OF COMMISSIONERS OPPOSING NON-RECURRING JUVENILE CRIME PREVENTION COUNCIL FUNDING AND ANNUAL CONTINUATION REVIEW

WHEREAS, Juvenile Crime Prevention Council (JCPC) funding has been removed from the continuation budget and is now subject to continuation review; and

WHEREAS, the non-recurring status of JCPC funding and subsequent continuation review will delay the annual appropriation and may jeopardize the CROWN Kids Interpersonal Skills, Treasure Point Youth Camp, Victim Restitution/Community Service and Teen Court Diversion programs in Camden County; and

WHEREAS, any delay in the annual appropriation of JCPC funding will cause a gap in services to delinquent and at-risk juveniles and may result in the loss of qualified professionals to provide diversion and dispositional alternatives at the local level;

NOW, THEREFORE, BE IT RESOLVED, that the Camden County Board of Commissioners strongly opposes the removal of Juvenile Crime Prevention Council funding from the continuation budget as it fails to support legislatively mandated council activities and will have a severe detrimental impact on the juvenile justice continuum at the local level.

This the 19th day of November, 2007.

Jeffrey B. Jennings, Chairman
Camden County Board of Commissioners

(SEAL)

Ava J. Gurganus
Clerk to the Board

Resolution No. 2007-11-04 – A Resolution of the Camden County Board of Commissioners Regarding Approval of NCDOT 2007-2008 Secondary Roads Improvement Program

Resolution No. 2007-11-04

A RESOLUTION OF THE CAMDEN COUNTY BOARD OF COMMISSIONERS REGARDING APPROVAL OF NCDOT 2007-2008 SECONDARY ROADS IMPROVEMENT PROGRAM

WHEREAS, the Camden County Board of Commissioners met on November 5, 2007 to review the 2007-2008 Secondary Roads Improvement Program; and

WHEREAS, the North Carolina Department of Transportation presented the proposed 2007-2008 Secondary Roads Improvement Program; and

NOW, THEREFORE, BE IT RESOLVED, the Camden County Board of Commissioners hereby approves the 2007-2008 Secondary Roads Improvement Program for Camden County as presented by the North Carolina Department of Transportation.

Approved by the Camden County Board of Commissioners this the 19th day of November, 2007.

Jeffrey B. Jennings, Chairman
Camden County Board of Commissioners

(SEAL)

ATTEST:

Ava Gurganus
Clerk to the Board

- **(End of Consent Agenda)**

Old Business - Ordinance No. 2007-10-01 – An Ordinance Amending the Camden County Zoning Map – Tracy Swain – UDO 2007-07-30

At the November 5, 2007 Commissioners meeting, Ordinance No. 2007-10-01 passed unanimously but a full board was not present, and according to § 153A-45. *Adoption of ordinances: To be adopted at the meeting at which it is first introduced, an ordinance or any action having the effect of an ordinance (except the budget ordinance, any bond order, or any other ordinance on which a public hearing must be held before the ordinance may be adopted) must receive the approval of all the members of the board of commissioners. If the ordinance is approved by a majority of those voting but not by all the members of the board, or if the ordinance is not voted on at that meeting, it shall be considered at the next regular meeting of the board. If it then or at any time thereafter within 100 days of its introduction receives a majority of the votes cast, a quorum being present, the ordinance is adopted.*

Commissioner Melvin Jeralds made a motion to approve Ordinance No. 2007-10-01. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Public Hearing - Special Use Permit Application (UDO 2007-09-05) Commercial Business "Inner Banks Coating" – Christopher Robertson

Commissioner Mike Andrews made a motion to go into public hearing to receive comments regarding UDO 2007-09-05. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Chairman Jeffrey Jennings: Anyone wishing to speak, has to be sworn in.

The Clerk administered the oath to Permit Technician Dave Parks and Christopher Robertson.

Permit Technician Dave Parks: *Mr. Chairman, Christopher Robertson has come in and applied for a special use permit for a commercial business on property located at 104 Belcross Road. The business itself is Inner Banks Coating. I will have Mr. Robertson explain what type of business it is and what it does. The application went to the Planning Board on October 17, 2007 and the Planning Board recommended approval with the following conditions that I would like to read. Condition 1. The applicant must strictly abide by all requirements of the Unified Development Ordinance of Camden County, North Carolina, and must also strictly comply with all other local, state, and federal ordinances, laws, rules and regulations as one or more ordinances, laws, rules and regulations may apply to this development;. 2. The applicant shall complete the development strictly in accordance with the plans submitted to the Planning Office of Camden County, North Carolina, and contained in the file titled UDO 2007-09-0; 3. Modify site plan to reflect (12) parking stalls to include (1) handicap; 4. Applicant shall submit to the Planning Office a drainage plan certified by a NC Engineer for the proposed site; 5. Drainage plan shall be certified by the same engineer after installation; 6. Amend site plan to reflect type C landscaping along left side property line; 7. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this special use permit shall be voided and have no effect. The supporting documentation are contained and found in the Findings of Facts which at this time staff would like to submit them to the Commission as evidence. Mr. Robertson is here to explain the business and if you have any questions for him.*

Christopher Robertson: *Inner Banks Coating is a partnership between my father and I and powder coating is a process where you electrically statically apply powder to metal objects and then you bake them in an oven. This is considered to be environmentally safe process as opposed to some of the harmful ways of spraying currently used. Do you have any questions?*

Chairman Jeffrey Jennings: *Anyone have any questions? No questions, do I hear a motion to go out of public hearing on this issue.*

Commissioner Sandy Duckwall made a motion to go out of public hearing. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Public Hearing – Special Use Permit (UDO 2007-09-27) E & J Holdings (Blackwater); Wind Turbine

Commissioner Mike Andrews made a motion to go into public hearing to receive comments regarding UDO 2007-09-27. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Chairman Jeffrey Jennings: Anyone speaking on this issue has to be sworn in.

The Clerk administered the oath to Planning Director Dan Porter and Ted Vogal.

Planning Director Dan Porter: *Mr. Chairman this is a special use permit that has been applied for by E & J Holdings, Blackwater, to construct a wind turbine; a 50 KW wind turbine on their property. They have submitted it to the Planning Board and we have actually, some time ago if you recall, we have passed an amendment to include language in our UDO that dealt with wind turbines. They have met all the conditions and have submitted that to the Planning Board. The Planning Board heard it on October 17 and is recommending approval. I believe Mr. Ted Vogal is here to explain the project a little bit to you.*

Ted Vogal: *Thank you very much. My name is Ted Vogal. As I told you one time before I am the Alternative Energy Officer for Blackwater worldwide. The project is pretty specific in scope. It is a 50 KW wind turbine. It is designed to off set electrical use to our manufacturing building. We have worked with the county and that has been accepted*

and we have moved forward. We have an agreement from Albemarle Electric Management Corporation regarding the interconnection. We have talked to various agencies in the State and the North Carolina Solar Center and things like that and we have a lot of good public support behind the project and other than that we would like to proceed forward with the project.

Chairman Jeffrey Jennings: *Anyone have any questions? Thank you.*

Ted Vogal: *Thank you.*

Planning Director Dan Porter: *Mr. Chairman, the Planning Board is recommending approval. There are (3) conditions in this Finding of Facts that are submitted for your acceptance in this hearing. The conditions are that 1. The applicant must strictly abide by all requirements of the Unified Development Ordinance of Camden County, North Carolina, and must also strictly comply with all other local, state, and federal ordinances, laws, rules and regulations as one or more ordinances, laws, rules and regulations may apply to this development; 2. The applicant shall complete the development strictly in accordance with the plans submitted to the Planning Office of Camden County, North Carolina, and contained in the file titled UDO 2007-09-2; 3. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this special use permit shall be voided and have no effect. I will mention that one of the requirements in the conditions that they have met was an agreement with Albemarle EMC for interconnectivity to their site...they have met that.*

Chairman Jeffrey Jennings: *Ok, thank you, any questions? If not, do I hear a motion to go out of public hearing?*

Commissioner Melvin Jeralds made a motion to go out of public hearing. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

New Business - Refund Request – Clinton Hurdle Heirs

Tax Administrator Mary Rhodes submitted a tax refund request for the Clinton Hurdle Heirs Estate due to the property was taxed at the incorrect size of the front footage.

Commissioner Philip Faison made a motion to approve the refund request of the Clinton Hurdle Heirs in the amount of $302.41 due to property was taxed at the incorrect size. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

New Business - Tax Appeal - Fred Upton

Tax Administrator Mary Rhodes explained that Fred Upton is appealing his property value due to a clerical error in the home depreciation that was found after the adjournment of the Board of Equalization and Review.

Evelyn Upton, 165 US 158 West, presented information regarding the property tax appeal and asked for tax relief.

Chairman Jeffrey Jennings stated the Board would take this matter under consideration and this would be on the December 3, 2007 Commissioners meeting agenda for review.

Amendment to Agenda

Chairman Jeffrey Jennings added *Item 6. New Business, B. Special Use Permit Application (UDO 2007-09-05) Commercial Business "Inner Banks Coating" – Christopher* Robertson, and *Item 6. New Business, C. Special Use Permit (UDO 2007-09-27) E & J Holdings (Blackwater); Wind Turbine* to the agenda.

Commissioner Melvin Jeralds made a motion to approve the agenda as amended. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Special Use Permit Application (UDO 2007-09-05) Commercial Business "Inner Banks Coating" – Christopher Robertson

Commissioner Philip Faison made a motion to approve UDO 2007-09-05. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Special Use Permit (UDO 2007-09-27) E & J Holdings (Blackwater); Wind Turbine

Commissioner Mike Andrews made a motion to approve UDO 2007-09-27. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

SOUTH CAMDEN WATER & SEWER DISTRICT BOARD OF DIRECTORS

Chairman Jeffrey Jennings recessed the Board of Commissioners regular meeting and called the South Camden Water and Sewer District Board of Directors meeting to order at 7:24 p.m.

Member Sandy Duckwall made a motion to adjourn the South Camden Water and Sewer District Board of Directors meeting at 8:00 p.m. The motion passed with Members Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Member voting no; no Member absent; and no Member not voting.

Chairman Jeffrey Jennings reconvened the Board of Commissioners meeting at 8:00 p.m.

Commissioner's Report

Chairman Jeffrey Jennings gave a progress report on the construction of the Albemarle District Jail.

County Manager's Report

County Manager Randell Woodruff reported on the following:

- 2nd Annual Tree Lightening on Tuesday, December 4 at 6:00 p.m.
- Audit from Mason Spruill is 30 days late
- Joint Meeting with Board of Education on December 3 at 11:00 a.m.
- Community Assistance Initiative funds by Golden Leaf
- Meeting on November 26 with NCDOT officials regarding encroachment of school property
- Moving forward on Green Park project.
- Pasquotank County informed that the title could not be jointly titled for the Soil and Water Conservation Truck

Other Matters

Commissioner Melvin Jeralds inquired regarding the status of the draft ordinance prohibiting alcohol on county property.

County Attorney Morrison stated he would work on drafting a document immediately.

Adjournment

Commissioner Melvin Jeralds made a motion to adjourn the meeting. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting

The meeting adjourned at 8:21 p.m.

Jeffrey B. Jennings, Chairman
Camden County Board of Commissioners

ATTEST:

Ava J. Gurganus
Clerk to the Board