

Camden County Board of Commissioners

Regular Meeting

September 18, 2006

7:00 P.M.

Historic Courtroom, Courthouse Complex

Camden, North Carolina

MINUTES

The regular meeting of the Camden County Board of Commissioners was held Monday, September 18, 2006 at 7:00 p.m. in the Historic Courtroom in Camden, North Carolina. The following members were present:

Chairman Melvin J. Jeralds

Vice Chairman Clayton D. Riggs

Commissioners Jeffrey B. Jennings, Carolyn Riggs, and Mike Andrews

Also attending the meeting was County Manager Randell Woodruff, Clerk to the Board Ava Murgia and County Attorney John S. Morrison.

Chairman Melvin Jeralds called the meeting to order. Commissioner Jeffrey B. Jennings gave the invocation and led the Pledge of Allegiance.

Public Comments

Chairman Melvin Jeralds called for any comments from citizens or property owners of Camden County wishing to present unscheduled items of concern or interest to the Commissioners.

Perry Morrow, 150 Keeter Barn Road, requested an update on the South Mills Fire Department meetings.

Hearing no further comments, Chairman Jeralds proceeded with the meeting.

Consideration of Minutes - July 17, 2006 Regular Meeting Minutes and August 16, 2006 Work Session Minutes

Commissioner Clayton Riggs made a motion to approve the minutes of the July 17, 2006 regular meeting and August 16, 2006 work session minutes, subject to correction of typographical and technical errors. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Consideration of Agenda

County Manager Randell Woodruff requested *Item VII. Presentation, B. Dan Porter, Director of Planning, Updates* be moved to *Item IX. Old Business* and delete *Item XIII. South Camden Water and Sewer District Board of Directors Meeting* from the agenda.

Commissioner Jeffrey Jennings made a motion to approve the agenda as amended. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

David Knight - MB Kahn Construction Company - Camden Intermediate School - Construction Update

Mr. Knight stated that according to law, three (3) separate bids must be received before bids can be opened and a contract can be awarded. On September 13, 2006 two (2) bids

were received but not opened. Bids have been re-advertised and re-bidding is set for October 11, 2006 for more competitive bidding.

Public Hearing – Ordinance No. 2006-09-02- Amendments to Article 151 of the Code of Ordinances

Commissioner Jeffrey Jennings made a motion to go into public hearing to received comments from the public regarding Ordinance No. 2006-09-02. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Dan Porter reviewed the following changes regarding Ordinance No. 2006-09-02:

Line Numbers	Summary of Changes
37 – 39	Bona fide farms & parent to child subdivision not subject to requirement to abut a state standard road
59 – 60	Same as above as related to issuance of permits
64 – 71	Establishes a new zoning category for conservation districts, restricting uses to bona fide farms, natural preserves, and parks & open space. Actual districts to be determined at later time.
81	Adds Old Swamp & Sandy Hook Roads to category requiring additional 25 ft setbacks
92	Reduces setback for accessory buildings from 10 to 5 feet
104 – 106	For modular homes in R-3 districts – eliminates specific dimensional requirements for porches, while maintaining existing square footage requirements
109 – 113	
121,123,125	Increases size of trees required to be planted when landscaping is required
137 – 154	Per new authority granted by General Statutes – provides ability to deny or delay approvals if trees are clear cut “in anticipation of development.
162 178	Establishes requirement for major subdivisions to permanently set aside a vegetative buffer of 50 ft, with 1) specific planting requirements between development and farm land, and 2) a 25 ft cleared strip to allow maintenance of farm ditch.
184	Requires certification blocks on preliminary plats as well as final plats
193	Adds ditches and utility easements to maintenance responsibilities of developer and homeowners associations
208	Clarification of surveyor’s certification
131 & 222-1060	Additions, deletions, and existing unchanged language The current UDO includes substantial redundancy in the processes for approving “major subdivisions”, “common open space subdivisions”, “private access subdivisions”, and “planned unit developments.” The processes are basically the same with limited grammar differences with the exception that Common Open Space Subdivisions and Planned Unit Developments include: 1) language outlining the purpose of each review stage, 2) preparation of a density yield plan, and 3) inclusion of soil suitability tests in calculation of yield. The recommendations consolidate these processes into one, in order to simplify understanding the approval process, apply the same process to all subdivision approvals, eliminate redundancy, and reduce pages of UDO.
275 – 278	Requires developer to hold a neighborhood meeting as part of the sketch plan review process.
1138 – 1140	Modifies standards for firing ranges so that size of facility and hours of operation are established as required conditions of the special use permit.

Willie Gallop, 460 Neck Road, inquired as to how he could get a copy of the Ordinance and proposed changes.

Dan Porter stated the Ordinances are on the website and a copy can be obtained from the Planning office and further stated a work session will be held with the Commissioners on Monday, September 25, 2006 to discuss their concerns in detail.

Hearing no further comments from the public, Commissioner Jeffrey Jennings made a motion to close public hearing regarding Ordinance No. 2006-09-02. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Public Hearing -Ordinance No. 2006-09-01 – Ordinance Granting an Extension to the Landfill Franchise Agreement

Commissioner Clayton Riggs made a motion to go into public hearing to receive comments from the public regarding Ordinance No. 2006-09-01. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Chairman Melvin Jeralds called upon County Attorney John Morrison.

Attorney John Morrison explained what a public hearing is and what was being heard regarding the extension to the landfill franchise agreement.

Chairman Melvin Jeralds called for comments from the public.

Kenny Swinson, Fire Chief for SMVFD, 118 Swinson Road, spoke in opposition of extending the landfill franchise agreement.

O.C. Abbott, US 158, spoke in support of extending the landfill franchise agreement.

Roger Lambertson, 162 Sand Hills Road, spoke in opposition of extending the landfill franchise agreement.

George Taylor, 124 Chantilly Road, spoke in support of extending the landfill franchise agreement.

Dennis Morse, 711B Main Street, spoke in opposition of extending the landfill franchise agreement.

Don Chick, 110 Pine Street, spoke in support of extending the landfill franchise agreement.

Hillary Leary, 253 Neck Road, spoke in opposition of extending the landfill franchise agreement.

George Tarkington, 317 North 343, spoke in support of extending the landfill franchise agreement.

Brian Forehand, 104 Beechtree Drive, spoke in support of extending the landfill franchise agreement.

Robert McWilliams, 942 Sandy Hook Road, spoke in opposition of extending the landfill franchise agreement.

Clarence Jennings, 14 Trotman Road, spoke in support of extending the landfill franchise agreement.

Penny Morrow, 150 Keeter Barn, spoke in opposition of extending the landfill franchise agreement.

Stephanie Schaad, 106 Wisteria, spoke in support of extending the landfill franchise agreement.

Gene Lynstrom, 107 Deer Trail, spoke in opposition of extending the landfill franchise agreement.

Gary Meiggs, 1081 North 343, spoke in support of extending the landfill franchise agreement.

Tommy Reese, 301 Japonica Drive, spoke in support of extending the landfill franchise agreement.

Joyce Hartman, 305 Ponderosa Drive, asked for a show of hands of those in opposition of the landfill franchise agreement.

Marvin Myers, 109 Deer Trail, spoke in opposition of extending the landfill franchise agreement.

Chairman Melvin Jeralds asked for a show of hands of those in support of extending the landfill franchise agreement.

Hearing no further comments from the public, Commissioner Clayton Riggs made a motion to close public hearing. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Presentation- Update on Subdivision Moratorium

County Attorney John Morrison gave an update on the status of the current subdivision moratorium.

Exterior Painting of County Complex Buildings

This matter was laid over from the August 21, 2006 Commissioners meeting pending the results of the opening of the school bids on September 13, 2006. Because the school construction has to go out for re-bid, this matter was laid over until the October 16, 2006 Commissioners meeting.

Community Park Update

The Commissioners approved \$300,000.00 matching funds and submittal of applications to both PARTF & LWCG for the Community Park project on January 3, 2005 and March 21, 2005. Both applications were successful with PARTF approving \$300,000.00 and LWCF approving \$95,366.00, subject to an environmental assessment of the property. Prior to issuing a project agreement an additional archeological study was required to determine if special treatment needed to be included to accommodate potential historic artifacts. The study was completed at a non-reimbursable cost of \$6,449.75 and submitted to the State. The State determined that the site had no significant historical requirements, and the project was released for approval.

Project agreements were received on December 1, 2005, which is the official start date. The project must be completed within three (3) years: December 1, 2008.

Both grants are 50% reimbursable. The county must pay invoices and submit to the agencies for reimbursement with a turn around time of approximately sixty (60) days. With the three (3) year completion date, it was determined that the county should stretch the project over the three (3) year period in order to minimize the financial impact of the local match on one or another fiscal year budget. The FY2006 budget included \$50,000.00 and the FY 2007 budge includes \$100,000.00 for a total of \$150,000.00 of the \$300,000.00 matching requirement.

It is important to note that at the time a construction contract is awarded, sufficient funds must be available to complete the project. The project has moved slowly in the initial stage in order for the local matching funds to accumulate.

Much of the design and engineering of the park project is being provided by a local firm as a contribution to the project. A recent estimate from another firm indicated a cost for engineering and project management services to be in excess of \$160,000.00. The "Fit Together" grant from the Blue Cross/Blue Shield Foundation of NC has been awarded and includes \$20,000.00 for engineering services related to the park project.

The initial storm water management plans for the project were submitted to DENR and denied because the school project showed a detention pond already planned on the park property. After meeting with school project officials and discussions with DENR staff, it was agreed that the school's pond could be expanded and moved slightly to accommodate a portion of the park's storm water, as long as it would not delay the school project. Engineering for the pond is complete and has been submitted for an official permit modification.

Due to the topography and layout of the park, a second detention pond will be needed at the far end of the park. A contract has been executed at the cost of \$1,850.00 (reimbursable) to delineate wetlands on the park site, and field work has been completed. The storm water plans will be submitted as soon as the school's permit modification is approved. Upon approval of the park's permit, a small clearing and grubbing contract will be executed to begin the park.

The current goal is to have construction plans for the park completed by January 1, 2007; begin construction of fields and tract as early in the year as weather permits; and complete the project by summer 2007. If portions of the project can be contracted separately within local matching funds availability, the project may proceed a little quicker.

Planning Director Dan Porter reported on the following time line:

Time Line
Community Park Project

- January 31, 2005 PARTF application submitted
- March 23, 2005 LWCF application submitted
- May 19, 2005 Project approved (subject to environmental assessment)
- August 9, 2005 LWCF approval (subject to environmental assessment)
- April 12, 2005 - Archeological study required
 Archeological study advertised
- September 15, 2005 Archeological study awarded
- October 7, 2005 Archeological study completed
- November 30, 2005 State archives letter of no impact
- December 1, 2005 PARTF & LWCF contact agreement executed
 S & E, and Drainage plan submitted for permitting
- June 7, 2006 Submitted storm water management permit
- June 15, 2006 PARTF & LWCF Approval for siting detention pond
 Storm water permit requires re-submittal as modification to school
 project detention pond
- Meeting with school architect & engineers
- Modification to school detention pond
 - September 13, 2005 Design complete
 - September 18, 2005 Permit submittal
 - Permit approval within 90 days
- August 17, 2006 Wetland delineation contract awarded
- September 13, 2005 Wetland delineation field work
- Submit permit for park detention pond
- Detention pond permit approval

- Clearing & Grubbing Contract
- January 1, 2007 Construction plans complete
- Advertise for construction contract
- Award construction contract
- Early Spring 2007 Begin construction

Fit Together Program – Blue Cross/ Blue Shield

Planning Director Dan Porter stated this is a program to promote wellness and fitness in rural North Carolina and presented the project timeline from August, 2006 – May, 2007.

Smart Growth Update

Planning Director Dan Porter stated the Smart Growth meetings with area business owners were successful and well received. The Smart Growth coordinator will send a report of their findings.

Adoption of Schedule of Values and State Land Use Value Manual

Commissioner Jeffrey Jennings made a motion to accept the Schedule of Values prepared by Pearson Appraisals and the 2007 Land Use Value Manual as prepared by the State. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Tax Releases, Pick Ups & Refunds

Commissioner Clayton Riggs made a motion to approve the tax releases, pick ups and refunds as submitted by the Tax Administrator. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Cosby & Mary Baker	176.81	Pick Up	Late Listing
David Bush	151.69	Pick Up	Late Listing
Adam D & Tracy J.W. Jones	313.58	Pick Up	Late Listing
Robert B Lee	145.07	Pick Up	Late Listing
Joseph B Jackson Jr.	309.79	Pick Up	Late Listing
Waverly Sawyer	116.29	Pick Up	Late Listing
Robert & Stacy McDaniels	143.42	Pick Up	Late Listing
Harris UnderGround Utilities	316.65	Pick Up	Late Listing
Amber Belangia	174.15	Pick Up	Late Listing
Charlie W Baum & Nancy Baum	251.54	Pick Up	Late Listing

Tax Report Update - Blackwater Vehicle Taxes

Tax Administrator presented a report regarding taxes paid to Currituck County for the past five (5) billing years for vehicles owned by Blackwater and is currently in the process of working with Currituck County to correct the listings.

Commissioner Jeffrey Jennings questioned the listing of Blackwater's machinery, excavators, and bulldozers.

Ms. Rhodes stated Blackwater lists the machinery as personal property.

Budget Amendments - 2006-07-BA008 and 2006-07BA009

Commissioner Clayton Riggs made a motion to approve budget amendment 2006-07BA008 and put \$15,000.00 into the South Mills Volunteer Fire Department Building Fund for site preparation work. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

**2006-07-BA008
CAMDEN COUNTY BUDGET AMENDMENT**

BE IT ORDAINED by the Governing Board of the County of Camden, North Carolina that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2007.

Section 1. To amend the South Mills Fire Commission, the expenditures are to be changed as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
415300-574302	Site Development	\$15,000.00	

(Camden Plantation Donation)

This will result in a net increase of \$15,000.00 in the expenditures of the South Mills Fire Commission and the revenue below will offset the expenditure.

The Revenue increased.

41390530-439701	Local Contribution	\$15,000.00
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Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for their direction. Adopted this 18th day of September, 2006.


Clerk to Board of Commissioners


Chairman, Board of Commissioners

Commissioner Jeffrey Jennings made a motion to approve budget amendment 2006-07-BA009. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs,

Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

2006-07-BA009

CAMDEN COUNTY BUDGET AMENDMENT

BE IT ORDAINED by the Governing Board of the County of Camden, North Carolina that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2007.

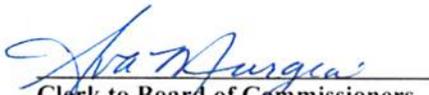
Section 1. To amend the General Fund, the expenditures are to be changed as follows:

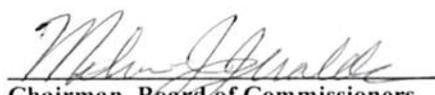
ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
106050-537500	Shiip Grant Expense	\$3,100.00	

This will result in a net increase of \$3,100.00 in the Expenditure of the General Fund. To provide the additional revenue for the above, the following revenues will be increased. The Department of Insurance awarded the NC Cooperative Extension, Camden Center this grant.

10360400-434837	Shiip Grant	\$3,100.00	
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Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for their direction. Adopted this 18th day of September, 2006.


Clerk to Board of Commissioners


Chairman, Board of Commissioners

Agreement For The Protection, Development and Improvement of Forest Land - Forestry Service

The county's annual cost is \$40,416.00 and the county will pay the Forestry Department 30% of the total cost of the Forester or Forest Ranger salaries and expenses. The agreement is effective July 1, 2006.

Commissioner Jeffrey Jennings made a motion to approve the 2006-2007 forestry service agreement. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Consideration of Public Hearing Ordinance No. 2006-09-02 - Amendments to Article 151 of the Code of Ordinances

This matter was laid over until a later Commissioners meeting.

County Manager's Report

County Manager Randell Woodruff reported on the following:

- Camden Intermediate School Project
- Wellfield property acquisition
- Wickham Road repairs – completed
- Joint Water Committee is functioning, next meeting on September 21 at 9:00 am
- NCCBI Reception on November 1, 2006 at Museum of the Albemarle
- DOT Secondary Roads Program Presentation on September 25 at 6:00 pm
- Conditional Zoning Forum, October 25 at 2 pm in City Council Chambers with David Owens of the UNC School of Government
- Change in Camden and Shiloh voting precincts location
- Work has begun on Sprayfield site

Other Matters

Commissioner Clayton Riggs gave an update on the South Mills Volunteer Fire Department negotiation meetings.

- The Fire Chief is meeting with his membership on Tuesday, September 19 to discuss if they are capable of carrying on their service with the community in their current state and the future.
- There has been three (3) meetings.
- The 2006-2007 tax year has previously been approved; there is no way to increase taxes now.
- According to the NC Fire Marshall's office, the SMVFD has adequate fire fighting equipment to sustain a fire in South Mills.
- Additional revenue resulting from the revaluation and new homes was discussed.
- SMVFD has asked for a new tanker and fire station, which may have to be cycled into the budget in different years.
- Configuration of a new fire station was discussed.
- SMVFD is voluntarily working with a CPA who is outlining a budget to monitor their spending. The SMVFD has used between \$8,000.00 - \$10,000.00 from their Capital Reserve Fund.
- There is a shortfall between funds that the SMVFD will receive and purchasing a new tanker and building a new fire station but this does not curtail getting one or the other or if they get the anticipated grant for a new tanker, then they can start building the new fire station in the new tax year.
- In March, when the tax figures are more concise, and when the budget process is started for 2007-2008, it will take a commitment from the Board of Commissioners to monitor that upcoming budget and make sure there is sufficient funding to move forward with the building of a new fire station. There has been no promise of a new fire station and just trying to get the facts in front and get an outline.

Larry Johnson, Fire Commission, asked when the road to the Sewer Treatment Facility would be constructed.

County Manager Randell Woodruff stated any day now; culvert piping has been delivered on site.

Closed Session

Commissioner Jeffrey Jennings made a motion to go into closed session pursuant to G.S. 143-318.11(a)(3) for the purpose of Consultation with Attorney regarding Landfill Litigation and Courthouse Litigation, pursuant to G.S. 143-318.11(a)(5) for the purpose of discussing property acquisition – Franklin Williams Property for School Site, and pursuant to G.S. 143-318.11(a)(4) for the purpose of discussing industrial recruitment. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The Commissioners entered closed session at 9:42 p.m.

Commissioner Jeffrey Jennings made a motion to come out of closed session and back into regular session. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The Commissioners re-entered regular session at 10:25 p.m.

Chairman Melvin Jeralds called for any motions. Hearing no motions, Chairman Melvin Jeralds proceeded with the meeting.

Adjournment

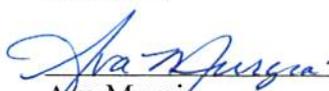
Commissioner Jeffrey Jennings made a motion to adjourn the meeting. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The meeting adjourned at 10:27 p.m.



Melvin J. Jeralds, Chairman
Camden County Board of Commissioners

ATTEST:



Ava Murgia
Clerk to the Board

Camden County Board of Commissioners

Special Meeting with NCDOT

September 25, 2006

6:00 p.m.

Historic Courtroom

Camden, North Carolina

MINUTES

A special meeting of the Camden County Board of Commissioners was held Monday, September 25, 2006 at 6:00 p.m. in the Historic Courtroom, Courthouse Complex, Camden, North Carolina. The following members were present:

Chairman Melvin J. Jeralds
Vice Chairman Clayton Riggs
Commissioners Jeffrey Jennings, Carolyn Riggs and Mike Andrews

Also attending was County Manager Randell Woodruff, Clerk to the Board Ava Murgia, Anthony Roper of NCDOT and his staff members.

Chairman Melvin Jeralds called the meeting to order and stated the purpose of the meeting was to discuss the proposed NCDOT Secondary Roads Improvement Program for FY2006-07.

NCDOT Secondary Road Program Presentation

Mr. Anthony Roper, District Engineer, reviewed the FY2006-07 secondary roads program and answered questions from Mrs. Phyllis Wilson regarding paving of Sailboat Road and addressed Kimberly Westbrook's and a resident's issues regarding the flooding and condition of Muddy Road.

Chairman Melvin Jeralds informed Mr. Roper of a pipe washing sand out near the Route 17 overpass, which is also near the James Burnham property.

Adjournment

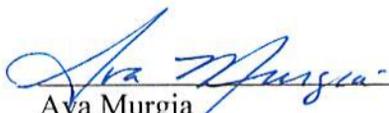
There being no further discussion, Commissioner Jeffrey Jennings made a motion to adjourn the meeting. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Melvin Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The meeting adjourned at 6:58 p.m.



Melvin J. Jeralds, Chairman
Camden County Board of Commissioners

ATTEST:



Ava Murgia
Clerk to the Board