

## Camden County Board of Commissioners

Regular Meeting

October 16, 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, October 16, 2006 at 7:00 p.m. in the Historic Courtroom in Camden, North Carolina. The following members were present:

Chairman Melvin J. Jerals  
Vice Chairman Clayton D. Riggs  
Commissioners Jeffrey B. Jennings, and Mike Andrews

Commissioner Carolyn Riggs was absent due to attending the League of Municipalities Conference in Greensboro, North Carolina.

Also attending the meeting was County Manager Randell Woodruff, Deputy Clerk to the Board Lori Tuss and County Attorney John S. Morrison.

Chairman Melvin Jerals called the meeting to order. Commissioner Clayton Riggs gave the invocation and led the Pledge of Allegiance.

#### **Presentation – Sharon Tanner – Administrator – Albemarle Hospital**

Ms. Sharon Tanner, President & CEO of Albemarle Hospital gave the following update:

- Albemarle Hospital serves a seven (7) county region of more than 130,000 year-round residents
- 2005: 7,764 patients were admitted  
766 babies were delivered  
7,041 outpatient surgeries were performed  
2,874 inpatient surgeries were performed  
33,087 patients were treated in the Emergency Department
- Employs more than 1,000 people regionally with more than \$50 million in annual payroll
- Spends over \$3.2 million annually on local vendor purchases
- Albemarle Hospital offers: Brain surgery using Stealth Brain Mapping  
Vascular surgery  
Small incision surgery  
Cardiac care  
Complete diagnostic radiology services  
Cancer treatment including radiation therapy  
Renal Dialysis  
Green laser technology to treat prostate conditions  
Fast Track Emergency Room service
- Plan for design phase of a \$44 million project for new surgery department and double capacity Emergency Department, which is forecasted for completion by the end of 2008, with occupancy in early 2009
- The Albemarle Hospital Foundation has provided more than \$5 million in free healthcare services

#### **Introduction of New Employee – Kenny Stuart**

County Manager Randell Woodruff introduced Kenny Stuart as the new Parks and Recreation Director.

### Public Comments

Chairman Melvin Jeralds stated public comments is an opportunity for citizens or property owners of Camden County wishing to present unscheduled items of concern or interest to the Commissioners. It is requested that comments be limited to (2-3) minutes.

Julian R. Bray, East 158, spoke in favor of the Black Bear landfill.

Pat Cuthrell, 104 Raven River Court, spoke in favor of the Black Bear landfill.

Gene Lynstrom, 107 Deer Trail, spoke in opposition of the Black Bear landfill.

Bill Bland, 112 Deer Trail, spoke in opposition of the Black Bear landfill. Mr. Bland stated he is the President of CCAL, Camden Citizens Action League.

Cheryl Morrow, 150 Keeter Barn Road, spoke in opposition of the Black Bear landfill.

Martha Meiggs, 138 Scotland Road, spoke in favor of the Black Bear landfill and asked all those in favor to stand and raise their right hand. (Approximately 85% of citizens attending raised their right hand in favor of the Black Bear landfill.)

Perry Morrow, 150 Keeter Barn Road, spoke in opposition of the Black Bear landfill.

Michael Needham, 255 Texas Road, spoke regarding the Board's consideration of lowering the hook up fees for the water service.

### Consideration of Minutes - September 18, 2006 - Mediacom Public Meeting, September 18, 2006 - Regular Meeting, September 25, 2006 - Special Meeting with NCDOT, September 25, 2006 - Work Session On UDO Amendments, October 2, 2006 - Regular Meeting

Commissioner Clayton Riggs made a motion to approve the minutes of the September 18, 2006 Mediacom Public Meeting, September 18, 2006 Regular Meeting, September 25, 2006 Special Meeting with NCDOT, September 25, 2006 Work Session on UDO Amendments, and October 2, 2006 Regular Meeting subject to correction of technical and typographical errors. The motion passed with Commissioner Jeffrey Jennings, Clayton Riggs, Mike Andrews and Chairman Melvin Jeralds voting aye; no Commissioner voting no; Commissioner Carolyn Riggs absent; and no Commissioner not voting.

### Consideration of Agenda

County Manager Randell Woodruff asked that *Item X. New Business, I. Set Public Hearing for QZAB Funds* and *Item X. New Business, J. Awarding of Bids for Grandy Intermediate School Project* be added to the agenda. Commissioner Mike Andrews made a motion to approve the agenda as amended. The motion passed with Commissioner Jeffrey Jennings, Clayton Riggs, Mike Andrews and Chairman Melvin Jeralds voting aye; no Commissioner voting no; Commissioner Carolyn Riggs absent; and no Commissioner not voting.

### Kenny Swinson - South Mills Volunteer Fire Department (SMVFD)

Fire Chief Kenny Swinson thanked Commissioners Jeffrey Jennings and Clayton Riggs for meeting with the SMVFD and stated a great deal was accomplished in a professional manner, such as reducing the cost and size, changed roof lines and square footage of a new fire station, and received real tax figures to work with. Chief Swinson stated that in considering the real tax figures, the SMVFD estimates a small shortfall in their budget for 2007-2008, but with the help of a local bank, they may not need any help due to the increase in funds from the revaluation. Chief Swinson asked the Board for a vote of good faith that the SMVFD has the Board's support at budget time next year, and further stated if he could get that support tonight, he would read a statement retracting the previous

letter submitted to the Board that would cancel the fire protection contract as of December 31, 2006.

Commissioner Clayton Riggs made a motion to express the Board's deep felt thanks to the SMVFD firemen for their service to the community and the help they have done so far, and to Chief Swinson and his Assistant Chief Tommy Banks for their cooperation in the negotiation meetings, and express the fact that the Board has a commitment to support the plan that we have developed and wish to work with the SMVFD and continue to work with them, appreciating all the fire departments efforts. The motion passed with Commissioner Jeffrey Jennings, Clayton Riggs, Mike Andrews and Chairman Melvin Jeralds voting aye; no Commissioner voting no; Commissioner Carolyn Riggs absent; and no Commissioner not voting.

Fire Chief Kenny Swinson thanked the Board and read a letter officially retracting his previous statement that the fire department would no longer service the county, and that the SMVFD would continue to work the current fire contract until the county and the SMVFD work out the issues to bring the fire contract up to date.

#### **Painting Estimates for Administrative Building**

Commissioner Jeffrey Jennings made a motion to approve Staples and Associates' bid for painting the administrative buildings for \$12,000.00, with the work guaranteed for twenty four (24) months against any defects. The motion passed with Commissioner Jeffrey Jennings, Clayton Riggs, Mike Andrews and Chairman Melvin Jeralds voting aye; no Commissioner voting no; Commissioner Carolyn Riggs absent; and no Commissioner not voting.

#### **Consideration of Ordinance No. 2006-09-02 – A Proposed Ordinance Amending the Camden County Code of Ordinances**

The public hearing was held on September 18, 2006 and no comments were heard from the public.

A work session was held on September 25, 2006 and changes were recommended. An additional work session is scheduled for November 13, 2006.

Hearing no objection, Chairman Melvin Jeralds so ordered consideration of Ordinance No. 2006-09-02 be laid over until the November 20, 2006 Commissioner's regular meeting.

#### **Bill Cram – MB Kahn – Camden Intermediate School - Bid Openings Update**

Bill Cram, MB Kahn, and Mike Ross, HBA Architects, presented the bid results from the Camden Intermediate School bid openings on October 11, 2006. Mr. Ross recommended awarding the construction contract to McKenzie Construction, Inc. for \$8,474,468.00.

Commissioner Mike Andrews made a motion to accept the bid from McKenzie Construction, Inc. for \$8,474,468.00 for the construction of the Camden Intermediate School. The motion passed with Commissioner Jeffrey Jennings, Clayton Riggs, Mike Andrews and Chairman Melvin Jeralds voting aye; no Commissioner voting no; Commissioner Carolyn Riggs absent; and no Commissioner not voting.

#### **QZAB Funding**

School Superintendent Ron Melchiorre thanked the Board for all their hard work with the Board of Education regarding the construction of the Camden Intermediate School.

Bill Cram stated that QZAB funds quality for three (3) categories: multi-purpose room expansion, restroom expansion and site development. Mr. Cram stated he will meet with McKenzie Construction to discuss the project cost.

Commissioner Clayton Riggs made a motion to use the \$2,000,000.00 QZAB funds to lower the USDA loan for the Camden Intermediate School. The motion passed with Commissioner Jeffrey Jennings, Clayton Riggs, Mike Andrews and Chairman Melvin Jeralds voting aye; no Commissioner voting no; Commissioner Carolyn Riggs absent; and no Commissioner not voting.

**Public Hearing - Ordinance No. 2006-10-02 – An Ordinance of the Camden County Board of Commissioners to Establish Uniform Personal Property Disposal Policies for Camden County**

Commissioner Clayton Riggs made a motion to go into public hearing to receive comments from the public regarding Ordinance No. 2006-10-02. The motion passed with Commissioner Jeffrey Jennings, Clayton Riggs, Mike Andrews and Chairman Melvin Jeralds voting aye; no Commissioner voting no; Commissioner Carolyn Riggs absent; and no Commissioner not voting.

County Attorney John Morrison explained and reviewed Ordinance No. 2006-10-02.

Chairman Melvin Jeralds called for any comments from the public.

Bill Norton, 339 Lamb's Road, spoke in opposition of Ordinance No. 2006-10-02.

Hearing no further comments, Commissioner Jeffrey Jennings made a motion to close public hearing regarding Ordinance No. 2006-10-02. The motion passed with Commissioner Jeffrey Jennings, Clayton Riggs, Mike Andrews and Chairman Melvin Jeralds voting aye; no Commissioner voting no; Commissioner Carolyn Riggs absent; and no Commissioner not voting.

**Budget Amendment – 2006-07-BA010**

Commissioner Clayton Riggs made a motion to approve budget amendment 2006-07-BA010. The motion passed with Commissioner Jeffrey Jennings, Clayton Riggs, and Chairman Melvin Jeralds voting aye; Commissioner Mike Andrews voting no; Commissioner Carolyn Riggs absent; and no Commissioner not voting.

**2006-07-BA010  
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
109990-500000	Contingency		\$12,500.00
105100-574910	GHSP-K4-07-05-30	\$46,500.00	
105100-550300	GHSP-K4-07-05-30 Grant	\$ 3,500.00	
105100-502000	Salaries	\$23,750.00	
105100-505000	FICA	\$ 1,817.00	
105100-506000	Health Insurance	\$ 3,659.00	
105100-507000	Retirement	\$ 1,136.00	
105100-507100	401K	\$ 1,188.00	
105100-554000	Insurance	\$ 600.00	

This will result in a decrease of \$12,500.00 in the Contingency of the General Fund. Balance in Contingency \$51,736.00

This will result in a net increase of \$69,650 in the expenditures of the General Fund and the revenue below will offset the expenditure.

The Revenue increases by the Governor's Highway Safety Program Grant. This grant runs October 2006 – September 2007.

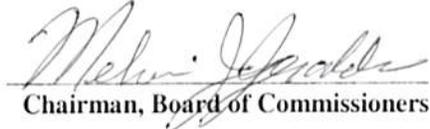
10360510-434882

GHSP-K4-07-05-30 Grant

\$69,650.00

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 16<sup>th</sup> day of October, 2006.

  
Clerk to Board of Commissioners

  
Chairman, Board of Commissioners

**County Expenses for Thomas Bonney**

County Manager Randell Woodruff stated Thomas Bonney was convicted of murder, granted a new trial but has not been re-sentenced by the courts due to being found mentally incompetent.

County Attorney John Morrison stated the District Attorney can not seek re-sentencing due to Mr. Bonney's incompetency.

Commissioner Clayton Riggs made a motion to send District Attorney Frank Parrish a letter to help resolve the sentencing of Thomas Bonney. The motion passed with Commissioners Jeffrey Jennings, Clayton Riggs, Mike Andrews and Chairman Melvin Jeralds voting aye; no Commissioner voting no; Commissioner Carolyn Riggs absent; and no Commissioner not voting.

**Tax Releases, Pick Ups & Refunds & Refunds to be Issued by the Finance Office**

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

James Deyo	162.71	Pick Up	Late Listing
Keith Creel	114.34	Pick Up	Late Listing
William Caudle	431.24	Pick Up	Late Listing
Benjamin Albert	161.85	Pick Up	Late Listing
Kevin Anderson	132.90	Pick Up	Late Listing
Dwayne Harris	139.87	Pick Up	Late Listing
Track I of Camden	289.71	Pick Up	Late Listing
Omnipoint Comm	2,901.22	Pick Up	Late Listing
Thomas Rose	243.66	Pick Up	Late Listing
Quyem Nguyen	241.17	Pick Up	Late Listing
James Jones	134.49	Pick Up	Late Listing
Kevin Forbes	247.89	Pick Up	Late Listing
Edgar Lilly	202.26	Pick Up	Late Listing
Richard Ammon	185.16	Pick Up	Late Listing
Leslie Etheridge	171.17	Pick Up	Late Listing
Thien Van Neuyen	211.09	Pick Up	Late Listing
Samuel Jones	326.10	Pick Up	Late Listing
Patrick Wilkerson	230.42	Pick Up	Late Listing
Yvonneda Cowell	117.48	Pick Up	Late Listing
Ray Meiggs Jr.	137.47	Pick Up	Late Listing
Shane Maize	123.19	Release	Turned in Plates
Randy Meador	302.10	Release	Military Exempt
Kelly Baronas	231.74	Release	Military Exempt
Richard Dibella	111.63	Release	Military Exempt
Michael Oviatt	102.41	Release	Military Exempt
Edward Copeland	142.50	Release	Military Exempt
Robert Moore	100.79	Refund	Turned in Plates

**Tax Collection Report – August and September 2006**

Commissioner Jeffrey Jennings made a motion to approve the tax collection reports for August 2006 in the amount of \$881,411.22 and September 2006 in the amount of \$393,574.11 as submitted by the Tax Administrator. The motion passed with Commissioner Jeffrey Jennings, Clayton Riggs, Mike Andrews and Chairman Melvin

Jeralds voting aye; no Commissioner voting no; Commissioner Carolyn Riggs absent; and no Commissioner not voting.

**Consideration of Ordinance No. 2006-10-02 – An Ordinance of the Camden County Board of Commissioners to Establish Uniform Personal Property Disposal Policies for Camden County**

Hearing no objections, Chairman Melvin Jeralds so ordered consideration of Ordinance No. 2006-10-02 be placed on the November 20, 2006 agenda.

**Resolution No. 2006-10-02 - A Resolution of the Camden County Board of Commissioners In Support and Sponsorship of A Regional Water Quality Study**

Mark Powell, Coordinator, Albemarle Resource Conservation and Development Council, explained and reviewed a regional water quality study.

Commissioner Mike Andrews made a motion to approve Resolution No. 2006-10-02. The motion passed with Commissioner Jeffrey Jennings, Clayton Riggs, Mike Andrews and Chairman Melvin Jeralds voting aye; no Commissioner voting no; Commissioner Carolyn Riggs absent; and no Commissioner not voting.

**RESOLUTION NO. 2006-10-02**

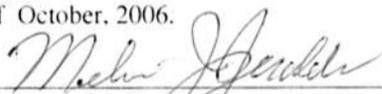
**A RESOLUTION OF THE CAMDEN COUNTY BOARD OF COMMISSIONERS  
IN SUPPORT AND SPONSORSHIP OF A  
REGIONAL WATER QUALITY STUDY**

WHEREAS, the Camden County Board of Commissioners desires to sponsor a study that will identify 1) water quality, water management and recreational concerns resulting from land-use changes associated with rapid development, and 2) projects that will help create a region-wide infrastructure for maintaining the integrity of water resources and improving drainage:

**NOW, THEREFORE, BE IT RESOLVED THAT:**

- 1) The Board requests the State of North Carolina to provide financial assistance to Camden County for the Albemarle-Pamlico Regional Water Quality Study, in the amount of \$9,500 or 95 percent of the study costs;
- 2) The Board assumes full obligation for payment of the balance of the study costs;
- 3) The Board will comply with all applicable laws governing the award of contracts and the expenditure of public funds by local governments.

Adopted by the Board of Commissioners this 16<sup>th</sup> day of October, 2006.

  
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Melvin J. Jeralds, Chairman  
Camden County Board of Commissioners

(SEAL)

ATTEST:

  
\_\_\_\_\_  
Ava Murgia  
Clerk to the Board

**Resolution No. 2006-10-03 – A Resolution Approving Administrative Guidelines and Policies for Camden County's FY 2006 CDBG Urgent Needs Program**

Commissioner Jeffrey Jennings made a motion to approve Resolution No. 2006-10-03. The motion passed with Commissioner Jeffrey Jennings, Clayton Riggs, Mike Andrews and Chairman Melvin Jeralds voting aye; no Commissioner voting no; Commissioner Carolyn Riggs absent; and no Commissioner not voting.

**Resolution No. 2006-10-03**

**CAMDEN COUNTY  
RESOLUTION APPROVING ADMINISTRATIVE GUIDELINES AND POLICIES  
FOR CAMDEN COUNTY'S FY 2006 CDBG URGENT NEEDS PROGRAM**

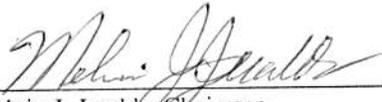
WHEREAS, Camden County on August 1, 2005 adopted guidelines and policies to carry out its FY 2005 CDBG program in accordance with established state and federal administrative guidelines, and

WHEREAS, Camden County wishes to use these same guidelines and policies that are appropriate for its FY 2006 CDBG Urgent Needs Program.

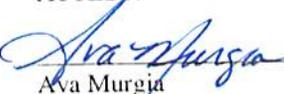
NOW, THEREFORE, the Camden County Board of Commissioners resolves that the following guidelines and policies adopted for its FY 2005 CDBG program be utilized during the administration of its CDBG Urgent Needs Program:

1. Citizen Participation Plan.
2. Residential Antidisplacement and Relocation Assistance Plan.
3. Equal Employment and Procurement Plan.
4. Policy Concerning Code of Conduct.
5. Fair Housing Policy.
6. Section 519 Policy (Prohibiting Use of Excess Force).
7. Resolution Approving Project Advisory Committee.
8. Temporary Relocation Policy.

Adopted this 16<sup>th</sup> day of October, 2006.

  
Melvin J. Jeralds, Chairman  
Camden County Board of Commissioners

(SEAL)

ATTEST:  
  
Ava Murgia  
Clerk to the Board

**Resolution No. 2006-10-04 – A Resolution of the Camden County Board of Commissioners For The Designation of a Labor Standards Officer**

Commissioner Clayton Riggs made a motion to approve Resolution No. 2006-10-04. The motion passed with Commissioner Jeffrey Jennings, Clayton Riggs, Mike Andrews and Chairman Melvin Jeralds voting aye; no Commissioner voting no; Commissioner Carolyn Riggs absent; and no Commissioner not voting.

Resolution No. 2006-10-04

**A RESOLUTION OF THE CAMDEN COUNTY BOARD OF COMMISSIONERS  
FOR THE DESIGNATION OF A LABOR STANDARDS OFFICER**

**Whereas,** Camden County has received a federal Small Cities Community Development Block Grant (CDBG) funds administered by the North Carolina Department of Commerce, and

**Whereas,** the use of these funds requires that Federal Davis Bacon requirements be met on construction activities financed all or in part using CDBG funds.

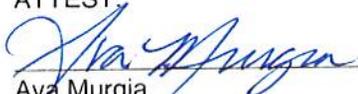
**NOW THEREFORE BE IT RESOLVED BY CAMDEN COUNTY'S BOARD OF COUNTY COMMISSIONERS THAT:**

Skip Green, Skip Green and Associates is designated as Camden County's Labor Standards Officer to review and check for Federal labor compliance as required by CDBG regulations.

**RESOLVED** this 16<sup>th</sup> day of October, 2006.

  
Melvin J. Jeralds, Chairman  
Camden County Board of Commissioners

(SEAL)

ATTEST:  
  
Ava Murgia  
Clerk to the Board

### **Set Public Hearing – QZAB Funds**

Commissioner Clayton Riggs made a motion to set hearing regarding the \$2,000,000.00 QZAB funds for Monday, November 6, 2006 at 7:00 p.m.. or as soon thereafter as the agenda allows. The motion passed with Commissioner Jeffrey Jennings, Clayton Riggs, Mike Andrews and Chairman Melvin Jeralds voting aye; no Commissioner voting no; Commissioner Carolyn Riggs absent; and no Commissioner not voting.

### **County Manager's Report**

County Manager Randell Woodruff reported on the following:

- Well field property acquisition – upcoming survey and negotiations for additional land for future well fields
- David Owens – Conditional Zoning Meeting in Elizabeth City – September 25
- Still looking for a suitable site for the communications tower – possibility of placing tower on spray field property and inquire if Pasquotank and Currituck will share the cost of the land for the tower
- New Parks and Recreation Advisory Board will hold their first meeting on November 2 at the Topside Restaurant
- Update on the Register of Deeds office expansion
- Update on the progress of the sewer project
- Medical Leave: County Manager Randell Woodruff stated he would be out on a medical leave on Wednesday, October 19, 2006 for two (2) weeks and will return November 1, 2006, if not sooner.

### **SOUTH CAMDEN WATER and SEWER DISTRICT BOARD OF DIRECTORS**

Chairman Melvin Jeralds recessed the Board of Commissioners meeting at 8:48 p.m. and convened the South Camden Water and Sewer District Board of Directors meeting.

Chairman Melvin Jeralds reconvened the Board of Commissioners meeting at 9:17 p.m.

### **Closed Session**

Commissioner Mike Andrews 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 Courthouse renovation potential litigation. The motion passed with Commissioner Jeffrey Jennings, Clayton Riggs, Mike Andrews and Chairman Melvin Jeralds voting aye; no Commissioner voting no; Commissioner Carolyn Riggs absent; and no Commissioner not voting.

The Commissioners entered closed session at 9:19 p.m.

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

The Commissioners re-entered regular session at 9:50 p.m.

Chairman Melvin Jeralds called for any motions.

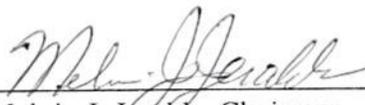
Hearing no motions, Chairman Melvin Jeralds proceeded with the meeting.

### **Adjournment**

There being no further business to come before the Commissioners at this time, Commissioner Jeffrey Jennings made a motion to adjourn the meeting. The motion passed with Commissioner Jeffrey Jennings, Clayton Riggs, Mike Andrews and

Chairman Melvin Jeralds voting aye; no Commissioner voting no; Commissioner Carolyn Riggs absent; and no Commissioner not voting.

The meeting adjourned at 9:53 p.m.

  
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Melvin J. Jeralds, Chairman  
Camden County Board of Commissioners

ATTEST:

  
\_\_\_\_\_  
Ava Murgia  
Clerk to the Board