

Camden County Board of Commissioners

**Regular Meeting
January 16, 2007
7:00 P.M.
Historic Courtroom
Camden, North Carolina**

MINUTES

The regular meeting of the Camden County Board of Commissioners was held on Tuesday, January 16, 2007 at 7:00 p.m. in the Historic Courthouse, Camden, North Carolina. The following members were present:

**Chairman Jeffrey B. Jennings
Vice Chairman Philip Faison
Commissioners Melvin J. Jeralds, Carolyn O. Riggs, and Mike Andrews**

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

Chairman Jeffrey Jennings called the meeting to order. Commissioner Mike Andrews gave the invocation and led the Pledge of Allegiance.

Public Comments

Chairman Jeffrey Jennings stated public comments are an opportunity for citizens or property owners to speak and comments will be limited to two (2) to three (3) minutes.

Gary Overton, 1291 South 343, asked to speak regarding his property taxes. Mr. Overton stated that he had meet with the revaluation person who set his property taxes and he was informed that his next appeal was to the Board of Commissioners.

Chairman Jeffrey Jennings stated the Board of Equalization and Review who will hear tax appeals in April. Chairman Jeffrey Jennings informed Mr. Overton that the members of the Board of Commissioners are also the members of the Board of Equalization and Review.

Attorney John Morrison advised that an appeal would be a quasi judicial hearing with sworn testimony and a decision is based on the evidence provided at that hearing. Mr. Morrison further stated it is not in the proper form and not appropriate at this time for the Board of Commissioners to consider Mr. Overton's property taxes since the Board of Commissioners also sit as the Board of Equalization and Review.

Chairman Jeffrey Jennings advised Mr. Overton that the Board would hold Equalization and Review hearings in April and Mr. Overton would be notified by the Tax Administrator by mail of a hearing date.

Pat Cuthrell, 104 Craven River Court, urged the Board to make a decision regarding the landfill themselves and spoke in favor of the Black Bear Sanitary Landfill.

Roger Lambertson, 162 Sand Hills Road, stated that he objected to the comments regarding the landfill due to the fact that the Black Bear Sanitary Landfill was on the agenda and felt Mrs. Cuthrell's comments were out of order.

Kenny Simmons, 538 Trotman Road, stated that the citizens trusted the Board to make a decision that will support the people and spoke in favor of the Black Bear Sanitary Landfill.

Bill Bland, 112 Deer Trail, spoke in opposition to the first Monday of each month Commissioners meeting being held in the morning.

Bill Norton, 339 Lambs Road, spoke in favor of the Commissioners meeting in the morning..

Amy Cowen, Health Promotions Coordinator with Camden County Health Department and Albemarle Regional Health Services, stated that the 2006 Community Health Assessment has been completed, which contains vital statistical information including secondary data based on health, social economic, environmental and demographic information about Camden County as well as community surveys and opinions about things going on in Camden County that may aide the Board in decision making for 2007. The Health Departments puts together this document every four (4) years which is funded by several local agencies. This document is available on CD or hard copy upon request of the Board.

Marvin Myers 109 Deer Trail, spoke in opposition of the Black Bear Sanitary Landfill.

Consideration of Minutes December 4, 2006 – Regular and Organizational Meeting and January 2, 2007 – Regular Meeting

Commissioner Melvin Jeralds made a motion to approve the minutes of the December 4, 2006 – Regular and Organizational Meeting and January 2, 2007 – Regular Meeting subject to correction of technical and typographical errors. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Consideration of Agenda

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

Public Hearing - Ordinance No. 2007-01-01 - An Ordinance of the Camden County Board of Commissioners Regarding Adequate Public Facilities

Commissioner Philip Faison made a motion to go into public hearing to receive comments on Ordinance No. 2007-01-01. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Following the Commissioners' November 13, 2006 work session on growth management tools, Attorney Courtney Hull prepared a draft Adequate Public Facilities Ordinance. The ordinance provides a method and criteria by which residential subdivision proposals can be evaluated to determine their potential impact on school facilities, and applicants are provided alternatives to remedy inadequacies. The objective is to establish concurrency between residential development and facilities needed to provide related public services.

The draft includes several items that are highlighted as optional or discretionary as to specifics. The Commissioners will need to address these items in order to finalize the ordinance.

This matter was set for public hearing at the January 2, 2007 Commissioners meeting and advertised in the Daily Advance.

Planning Director Dan Porter presented a PowerPoint presentation regarding Ordinance No. 2007-01-01.

Commissioner Philip Faison referred to exemptions in the ordinance and cited one example is parent to child.

Planning Director Dan Porter stated that exemption is not included and there are only three (3) exemptions included in the adequate public facilities ordinance.

Commissioner Faison asked if more exemptions can be included.

Planning Director Dan Porter stated that it is the Board's ordinance and it is written to be fair across the board and the test for adequate capacity would be taken at the building permit stage, which is one by one as they come in the office. Dan Porter further stated this gives the ability to not call this ordinance a subdivision related ordinance therefore getting away from the state statutes that require that certain types of development are exempted from consideration of the subdivision ordinance.

Commissioner Philip Faison asked if the Certificates are issued at time of development or at developmental stage.

Planning Director Dan Porter stated the ordinance is written to be at the building permit stage but it could be written at the subdivision approval stage.

Commissioner Philip Faison inquired regarding why would an automatic approval occur after five (5) years instead of three (3) years from the original application date.

Planning Director Dan Porter stated this is a discretionary item for consideration by the Board and Capital Improvements Plans are generally five-ten-fifteen year plans.

Commissioner Mike Andrews questioned if there will be a waiting list for developers if there is not adequate facilities.

Planning Director Dan Porter stated the developer can phase the project so that the project will not exceed the capacity.

Commissioner Carolyn Riggs asked for clarification of Dan Porter's statement regarding money flowing back to the school.

Planning Director Dan Porter stated the option is included in the ordinance for contribution other than the dollars that is mentioned or the dedicated land for schools and if the Board chooses to accept something else that is important to the county services, the way this ordinance reads it would appear that this could be done. However, the value would have to benefit the schools stated needs.

Commissioner Carolyn Riggs question the feasibility of the five (5) year time frame instead of ten (10) years for the developer to reapply due to adequate capacity.

Commissioner Carolyn Riggs questioned if this ordinance was giving the developer vested interest.

Planning Director Dan Porter stated the developer is typically vested at preliminary plat approval. However, we are assuming vested rights do not occur with regards to the adequate public facilities ordinance.

Commissioner Philip Faison questioned if a permit would be issued if the capacity is down at all schools.

Dan Porter stated the way the ordinance is written is if the applicant fails the capacity tests at one of the schools, then the advancement capacity prevails for the entire system.

Chairman called for any comments from the public.

Following discussion and questions from the Board, Planning Director Dan Porter suggested that this matter be recessed until February 19, 2006 for further study and consideration of Ordinance No. 2007-01-01 by the Board.

Hearing no comments, Chairman recessed the public hearing until Monday, February 19, 2006 at 7:00 p.m. or as soon thereafter as the agenda allows.

Request for Referendum – Sanitary Landfill Extension Agreement

Commissioner Carolyn Riggs made a motion to request that a referendum vote regarding the Black Bear Sanitary Landfill Extension Agreement be approved by the House and Senate. The motion failed with Commissioners Melvin Jeralds, Philip Faison and Chairman Jeffrey Jennings voting no; Commissioners Carolyn Riggs and Mike Andrews voting yes; no Commissioner absent; and no Commissioner not voting.

Consideration of Ordinance No. 2007-01-01 An Ordinance of the Camden County Board of Commissioners Regarding Adequate Public Facilities

Chairman Jeffrey Jennings stuck this matter from the agenda due to the fact that the public hearing was recessed until Monday, February 19, 2007 at 7:00 p.m. or as soon thereafter as the agenda allows.

Set Public Hearing – Courthouse – Shiloh Fire Commission – Purchase of Sutphen Rescue-Pumper Fire Truck

Commissioner Philip Faison made a motion to set public hearing regarding Courthouse Fire Commission purchase of Sutphen Rescue Pumper Fire Truck on Monday, February 19, 2007 at 7:05 p.m. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Community Planning Process

Planning Director Dan Porter reported that following the site visit by the Smart Growth Leadership Institute, the Planning Board has held several discussions regarding how to position the county for the development proposal surge expected when the moratorium is lifted, as well as the long range development of the county. These discussions are also relevant to the ongoing review and revision of the county's Unified Development Code.

One of the focuses of discussion at the Smart Growth meetings is the need to have a community discussion about the patterns and standards of development. As a very rural sparsely populated county, Camden has not had the need to develop mechanisms for community involvement for this type of decision making, whether through government or other social institutions. Instead, community involvement has been reactive to individual issues of the moment.

The Planning Board is therefore recommending that the County Commissioners support a community planning process to lay the ground work for future decisions regarding the overall development of the County. To that end the Board is beginning to prepare a scope of work for the community discussion by establishing the following goals and objectives of a citizen participation "process", and "outcomes" of the process:

Citizen Participation Process

To conduct an effective community outreach process that is supported by the county Commissioners, is open and encourages positive discussion among all citizens, and utilizes expertise from a variety of sources with knowledge and experience of the County's environmental and development conditions. The result should be support for ongoing discussions, and raising understanding/ability to objectively plan for and evaluate development decisions facing Camden County.

Citizen Participation Outcomes

To increase the community's knowledge of the variety, inter-relationship, and long term consequences of development decisions. The result should be recommendations for: 1) a unified vision of the future; 2) patterns and standards of development; 3) protection of

environmental resources; 4) policies related to level of services needed and desired; and 5) an attractive sustainable built environment.

County Manager Randell Woodruff stated this matter could be considered at the scheduled retreat on February 16, 2007.

Hearing no objections, Chairman Jeffrey Jennings tabled this matter until the February 19, 2007 Commissioners meeting to allow further consideration at the Board retreat.

NC Housing Finance Agency (NCHFA)– Single Family Rehabilitation Program 2007 (SFR2007)

Planning Director Dan Porter stated Camden County has been awarded a grant of \$200,000.00 from the North Carolina Housing Finance Agency for the 2007 Single Family Rehabilitation Program. This program is very similar to the CDBG Scattered Site Program that we are currently finishing up, utilizing Holland Consulting Planners as the program administrator.

Holland Consulting Planners assisted in the preparation of this NCHFA application, and anticipates being able to rehabilitate three (3) to four (4) houses with this grant.

Commissioner Philip Faison made a motion to accept the NCHFA SFR2007 grant of \$200,000.00 and authorize the Chairman and necessary staff to execute all appropriate documents. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Mike Andrews made a motion to approve Holland Consulting Planners to act as program administrator for the NCHFA SFR2007 grant and prepare a contract for presentation to the Board. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Set Public Hearing – Special Use Permit Application – UDO 2006-11-24 – Athletic Field – Camden County

Commissioner Mike Andrews made a motion to set Special Use Permit Application – UDO 2006-11-24 – Athletic Field for public hearing on Monday, February 19, 2007 at 7:00 p.m. or as soon thereafter as the agenda allows. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Set Public Hearing – Ordinance No. 2007-01-02 – An Ordinance Amending the Camden County Zoning Map – John Green – UDO 2006-11-28

Commissioner Melvin Jeralds made a motion to introduce and set Ordinance No. 2007-01-02 for public hearing on Monday, February 19, 2007 at 7:00 p.m. or as soon thereafter as the agenda allows. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Tax Collection Reports – November & December 2006

Commissioner Melvin Jeralds made a motion to approve the tax collection reports for November and December, 2006 as submitted by the Tax Administrator. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Authorization to Collect – September Renewals

Commissioner Philip Faison made a motion to approve authorization to collect September 2006 renewals. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

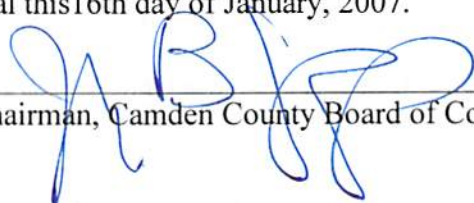
STATE OF NORTH CAROLINA**COUNTY OF CAMDEN**

TO: The Tax Administrator of Camden County (Sept.. Ren.) Due 1/1/07

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the office of the Tax Administrator and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon personal property of the respective taxpayers in the County of Camden, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell personal property of such taxpayers for and on account thereof, in accordance with the law.

SOUTH MILLS	COURTHOUSE	SHILOH	TOTAL
20,357.36	26,086.28	13,068.85	59,512.49

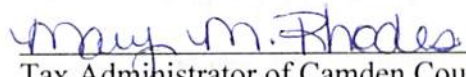
Witness my hand and official seal this 16th day of January, 2007.


Chairman, Camden County Board of Commissioners

Attest:


Clerk to the Board of Commissioners of Camden County

This is to certify that I have received the tax receipts and duplicates for collection in the amounts as listed herein.


Tax Administrator of Camden County

Tax Releases, Pick Ups and Refunds

Commissioner Mike Andrews made a motion to approve the following tax releases, pick ups and refunds. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Robert Swinski	381.40	Release	Military Exempt
Robert Swinski	240.37	Release	Military Exempt
Donna Swinski	104.73	Release	Military Exempt
Terrance Kammerer	133.40	Release	Military Exempt
Terrance Kammerer	133.13	Release	Military Exempt
Jason Tuger	119.05	Release	Military Exempt
Eric Baker	163.50	Release	Military Exempt
Mary Elliott	174.81	Release	Wrong County
Joseph Salyer	163.59	Release	Moved to VA
Jeffrey Lawrence	113.93	Release	Turned in Plates
Carl Harrington	279.90	Pick Up	Roll Back Tax
Lican Hockley	105.23	Refund	Turned in Plates
Airgate PCS, Inc.	575.88	Release	Overcharged
	304.39	Pick Up	
	271.49	Adjustment	
Steven Edwards	355.68	Release	Incorrect Value
	608.10	Pick Up	
	252.42	Adjustment	

K & G Farming	347.99	Release	Incorrect Valve
	223.35	Pick Up	
	124.64	Adjustment	

Commissioner Melvin Jeralds motion to recuse Chairman Jeffrey Jennings from voting on tax release number 8709 due to conflict of interest. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Philip Faison made a motion to approve the following tax release. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, and Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; Chairman Jeffrey Jennings recused due to conflict of interest; and no Commissioner not voting.

Martha Meiggs and Jeffrey & Susan Jennings	106.73	Release	Transferred Interest
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Budget Amendment - 2006-07-BA016

Commissioner Melvin Jeralds made a motion to approve budget amendment 2006-07-BA016 as submitted by the Finance Office. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

2006-07-BA016

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 Social Services, the expenditures are to be changed as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
528000-520000	Crisis Intervention	\$15,278.00	
Increase in Camden County allocation			
Revenue:			
52330610-434819	Crisis Intervention	\$15,278.00	

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 16th day of January, 2007.


Clerk to Board of Commissioners


Chairman, Board of Commissioners

Budget Work Session Schedule and Budget Procedure Calendar

County Manager presented the Budget Work Session Schedule and Budget Procedure Calendar.

Commissioner Philip Faison made a motion to approve the budget work session schedule and budget procedure calendar contingent upon changing date to February 2, 2007 and correction of May 8, 2007. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Albemarle Commission – FY2006 – 2007 Home & Community Care Block Grant (HCCBG)

Chairman Jeffrey Jennings confirmed that the FY2006 -2007 HCCBG required a \$883.00 match.

Commissioner Philip Faison made a motion to approve the FY2006-2007 HCCBG grant funds of \$7,948.00 with a county match of \$883.00. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Request for Donation – Elizabeth City Tourism Development Authority Annual Fireworks Display

Chairman Jeffery Jennings asked Mr. Haddad, Director of the Elizabeth City Area Convention and Visitors Bureau if he had received any response from Pasquotank County regarding a donation to the fireworks display.

Mr. Haddad stated Pasquotank County will be taking the money from their tourism fund and they are currently preparing a budget request.

Chairman Jeffrey Jennings stated this issue will be initiated in the 2007-2008 budget work sessions.

SOUTH CAMDEN WATER and SEWER DISTRICT BOARD OF DIRECTORS

At 8:26 p.m. Chairman Jeffrey Jennings recessed the Board of Commissioners meeting in order to convene the South Camden Water and Sewer District Board of Directors regular meeting

Chairman Jeffrey Jennings reconvened the Board of Commissioners meeting at 8:34 p.m.

County Manager's Report

The County Manager spoke on the following topics:

Fencing:

Seegar Fence Company donated fence behind the Historic Jail.

Cable Channel 14:

Citizen asked for a letter of support from the Commissioners to Sinclair Broadcast Group regarding discontinuing of broadcasting Channel 14. Attorney John Morrison advised that the county has a contractual interest with MediaCom and not with Sinclair and pressure should be put upon MediaCom and advised the Board to stay out of corporation disputes.

March 3 – 7, 2007 NACCo Conference in Washington, DC

County Manager wanted to know if anyone was interested so arrangements can be made.

No interest was shown by the Board.

Legislative Goals Conference

Commissioner Philip Faison reported on attending the Legislative Goals Conference in Southern Pines.

MOU – Cooperative Extension:

Travis Burke will present the new cooperative extension MOU to the Board in March created by the State between the county and cooperative extension regarding funding.

Mediacom audit

There are no major problems at this time with the MediaCom audit.

Training session:

Will be held at IOG on March 21 for manager evaluation and Board self assessment.

Martin Luther King Unity Walk

MLK activities were successful with approximately 175 attending. Commissioners Philip Faison and Mike Andrews spoke.

General Assembly

On Wednesday, January 24 the General Assembly will convene and a trip to Raleigh is planned.

Retreat

Moving forward with plans for retreat at Blackwater on Friday, February 16.

Education Forum

Will be held on Thursday, January 18 in Edenton.

US 17 Association

The Association advocates on the state level for improvements on US 17. The County Manager will be attending the meeting in New Bern on Monday, January 22, 2007.

Utility Franchise Fees

Still waiting for official notification of how much utility franchise fees the county will receive since becoming a unified government.

South Mills Fire Contract:

Attorney John Morrison is working on a contract in an effort to move forward and will provide an attorney client privileged contract for the Board to review.

Mike Andrews questioned if that was for both fire department's contracts.

County Manager stated this is for the South Mills Fire Department but both contracts need to be consistent.

Hearing no objections, Chairman Jennings so order Attorney John Morrison to research the rationale of a Fire Commission.

Cable Administration

Effective January 1, 2007 a law enacts a number of changes that will impact cable television companies and this is done locally but taken over by state. Local government will handle customer complaints.

Reports From Commissioners Serving on Other Boards

Commissioner Philip Faison reported on the 911 Board meeting and Commissioner Mike Andrews reported on the Pasquotank Camden EMS Board meeting.

Other Matters

Commissioner Carolyn Riggs stated opposition to Congressman Butterfield getting Washington to tell us how to handle Medicaid cost.

Commissioner Carolyn Riggs asked the County Manager for update on CAMTECH regarding recording taping the Commissioners meetings.

The County Manager has spoken with Superintendent Ron Melchiorre and other school staff and stated that the county has the equipment for taping the meetings, cameras would have to be purchased in order for the CAMTECH students to show the meetings the next day.

Commissioner Carolyn Riggs stated there is grant monies for the cameras according to CAMTECH Principal Ina Lane.

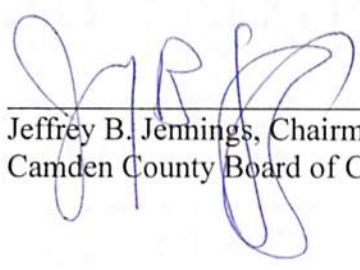
Commissioner Mike Andrews asked what the status of the US17 bike path guard rail.

The County Manager stated that according to Anthony Roper this project has been set back into the fall and will be put in place out of discretionary funds.

Adjournment

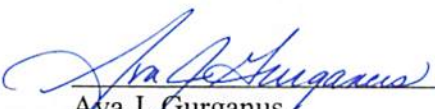
Commissioner Melvin Jeralds made a motion to adjourn the meeting. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The meeting adjourned at 9:25 p.m.



Jeffrey B. Jennings, Chairman
Camden County Board of Commissioners

ATTEST:



Ava J. Gurganus
Clerk to the Board