

Camden County Board of Commissioners

**Regular Meeting
February 20, 2006
7:00 P.M.
Downstairs Courtroom
Courthouse Complex
Camden, North Carolina**

MINUTES

The regular meeting of the Camden County Board of Commissioners was held Monday February 20, 2006 at 7:00 P.M. in the Camden County Downstairs Courtroom, Courthouse Complex, Camden, North Carolina. Due to weather conditions, the meeting was held in the downstairs courtroom. 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 was County Manager Randell Woodruff, County Attorney John S. Morrison, Deputy Clerk to the Board Lori Tuss, and various staff members.

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

Public Comments

Chairman Melvin Jeralds called for any comments from the public.

Bill Norton, 339 Lambs Road, requested that the Board give attention to the emergency plan regarding the elevator in the upstairs Historic Courtroom in case of a fire, and that a better location should be secured so that meetings are more accessible to the public.

Mr. Norton cautioned the Board of Commissioners that discussing possible property acquisitions or property owners that have not been discussed first in public sessions is prohibited for discussion in closed sessions of the Board of Commissioners.

David S. Burgess, 126 Run Swamp Road, addressed concerns regarding proposed Agricultural Zoning and Conditional Zoning, and requested clarification of these terms from the Board and Staff.

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

Consideration of Minutes

Commissioner Carolyn Riggs made a motion to approve the minutes of the February 6, 2006 Regular meeting and the February 10, 2006 Retreat, 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; no Commissioner not voting.

Consideration of Agenda

Chairman Jeralds requested that the agenda be amended as follows; *Item IX. 6. New Business, Appointment of Deputy Clerk Lori Tuss, be placed before New Business; Move Item VII. 5. New Business- Ordinance No. 2006-01-02- Proposed Amendments to Article 151 of the Camden County Code of Ordinances to the March 20, 2006 regular meeting; Cancel Closed Session proposed agenda items property acquisition and industrial recruitment and add Personnel to Closed Session.*

Commissioner Clayton Riggs 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; no Commissioner not voting.

Appointment of Deputy Clerk

Commissioner Clayton Riggs made a motion to appoint Lori Tuss as Deputy Clerk. 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; no Commissioner not voting.

Public Hearing – Ordinance No. 2006-02-01 Rezoning Application – (UDO 2005-11-42) - Ricky Edwards & Garry Meiggs.

Commissioner Clayton Riggs made a motion to go into Public Hearing to receive comments from the public regarding Ordinance No. 2006-02-01 Rezoning Application – UDO 2005-11-42 Ricky Edwards & Garry Meiggs. 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; no Commissioner not voting.

The Planning Board met on January 18, 2006 and denied the request for rezoning from General Use District (GUD) to Basic Residential (R3-1) on a 7-0 vote. The Board reasoned that it was inconsistent with the Land Use Plan, and preferred to see a more efficient use of this waterfront property.

Staff recommended approval with the applicant's agreement to rezone as a Planned Unit Development (PUD) as it could provide for more of an upscale type of development, preserve open space, and provide the permitted uses fitting for the area (waterfront property).

Eddie Hyman, Hyman & Robey, stated that the applicant will consider following the staffs recommendations.

Following statements given by staff, Attorney Morrison clarified the definition of a PUD.

Chairman Jeralds called for any comments from the public.

Hearing no further comments, Commissioner Mike Andrews made a motion to go out of 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; no Commissioner not voting.

Public Hearing - Special Use Permit Application (UDO 2005-12-14) Horse Boarding Facility – Jeffrey and Martha Chedister

Commissioner Jeffrey Jennings made a motion to go into public hearings to received comments from the public regarding UDO 2005-12-14. 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; no Commissioner not voting.

Staff Zoning Officer, Dave Parks, was sworn in under oath by the Deputy Clerk to the Board.

The Planning Board met on January 18, 2006 and voted 7-0 to recommend approval with conditions as recommended from staff.

Chairman Jeralds accepted Planning Board recommendations, staff recommendations, and findings of facts as evidentiary.

Chairman Jeralds called for any comments from the public.

Ed Hyman, Hyman & Robey, representative for Jeffrey and Martha Chedister was present to answer any questions.

Hearing no public comments, Commissioner Clayton Riggs made a motion to close public hearing regarding Special Use Permit UDO # 2005-12-14. 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; no Commissioner not voting.

Public Hearing – Special Use Permit Application (UDO 2005-12-26) Home Occupation –Anita L. Billingsley

Commissioner Clayton Riggs made a motion to go into public hearing to receive comments from the public regarding Special Use Permit (UDO 2005-12-26) Home Occupation- Anita Billingsley. 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; no Commissioner not voting.

The Planning Board met on January 18, 2006 and voted 7-0 to recommend approval with conditions as recommended in the Findings of Facts for Special Use Permit (UDO 2005-12-26).

Staff presented a Memorandum as an amendment stating that additional conditions have been recommended for UDO 2005-12-26 Special Use Permit. Chairman Jeralds accepted the Memorandum as evidentiary. The memorandum of additional conditions placed on UDO 2005-12-26 are as follows: 6. *Applicant shall remove from the property all unregistered vehicles within ninety (90) days of approval.* 7. *Applicant shall maintain property free of debris as determined by the County Administrator.* 8. *Applicant shall provide the Camden County tax Office a list of all company vehicles and personal property being utilized for business;* and, 9. *County Administrator/staff shall conduct quarterly inspections of property for compliance of all approved conditions.*

Chairman Jeralds called for any comments from the public.

Wayne Williams, 113 Garrington Island Road, was sworn in and placed under oath by the Deputy Clerk.

Mr. Williams stated that he wanted the property to remain residential, and presented the Board with a copy of the covenants for Riddle Acres, Shiloh Township. Pictures were also submitted.

Chairman Jeralds accepted the copy of the covenants and the pictures as evidentiary.

Matthew Soldal, 103 Riddle Court, stated opposition to the permits approval based on inadequate conditions recommended by staff. Mr. Soldal stated that the fencing height requirements were not satisfactory and that, according the conditions of the permit, too much time (six (6) months) will be allowed for the fence to be installed.

Bobby Sivills, 115 Garrington Island Court, was sworn in under oath by the Deputy Clerk.

Mr. Sivills stated that he was opposed to the applicants request for a special use permit. Mr. Sivills stated that he witnessed the applicant burning debris on the applicant's property and that trash is often visible.

Nathan Hassell, 120 Garrington Island Road, was sworn in under oath by the Deputy Clerk to the Board.

Mr. Hassell stated that he felt that the opposition to the permit was a personal conflict between the neighbors.

Bill Nuckols, 114 Garrington Island Road, was sworn in by the Deputy Clerk to the Board.

Mr. Nuckols stated he is not opposed to the applicant making a living, but that it would be difficult to enforce the conditions as presented by the staff. Mr. Nuckols further stated that he prefers to keep the current intended zone (residential) rather than a business commercial/ light industrial zone.

Mark Overman, 116 Garrington Island Road, was sworn in under oath by the Deputy Clerk to the Board.

Mr. Overman stated that he purchased his land in a residential zone and wishes it to remain residential. He is opposed to the applicants request based on past experience with loud truck activity being heard in the neighborhood due to the applicant's business activity. Mr. Overman stated that no ability to control the noise and traffic volume has been enforced.

Kenneth Billingsley, applicant, residing at 121 Garrington Island Road, was sworn in under oath by the Deputy Clerk to the Board.

At this time, Mr. Billingsley rescinded his application.

Hearing no further comments from the public, Commissioner Jeffrey Jennings made a motion to close public hearing on Special Use Permit UDO 2005-12-26 Home Occupation- Anita Billingsley at 121 Garrington Island Road. 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; no Commissioner not voting.

Public Hearing – Special Use Permit Application (UDO 2005-12-29) Home Occupation – L&L Interior House Painting – Janet Leary

Commissioner Clayton Riggs made a motion to go into public hearing to receive comments from the public regarding Special Use Permit Application UDO 2005-12-29 – Home Occupation- L&L Interior House Painting- Janet Leary. 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; no Commissioner not voting.

The Planning Board meet on January 18, 2006 and voted 7-0 to recommend approval with conditions as recommended from staff for this Special Use permit application as a Home Occupation for L&L Interior House Painting.

Chairman Jeralds called for any comments from the public.

Janet Leary was present to answer any questions.

Hearing no comments, Commissioner Jennings made a motion to close the public hearing regarding Special Use Permit UDO 2005-12-29. 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; no Commissioner not voting.

Modular Classrooms

Following discussion, Commissioner Jennings made a motion to authorize \$448,995.00 for the purchase of three (3) modular units, utilizing \$369,057.00 from the QZAB account and up to \$79,938.00 from the funds that will be reimbursed for the architectural costs from USDA. 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; no Commissioner not voting.

Consideration of Ordinance No. 2006-02-01-Rezoning Application (UDO-2005-11-42) Ricky Edwards & Garry Meiggs

Following lengthy discussion, Commissioner Clayton Riggs made a motion to table this application until applicant submits a site plan for staff review. 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; no Commissioner not voting.

Consideration of Special Use Permit Application (UDO 2005-12-14) Horse Boarding Facility – Jeffrey and Martha Chedister

Commissioner Jeffrey Jennings made a motion to accept the Findings of Facts as presented and to approve UDO 2005-12-14 with conditions as recommended by staff. 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; no Commissioner not voting.

Consideration of Special Use Permit Application (UDO 2005-12-29) Home Occupation – L&L Interior House Painting - Janet Leary

Commissioner Andrews made a motion to approve Special Use Permit UDO 2005-12-29 with the Staffs Finding of Facts and to approve with the conditions as set forth therein. 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; no Commissioner not voting.

Public Beach and Coastal Waterfront Access Grant Funds (FY 2006-2007) - Pre-Application

The Division of Coastal Management has funding available for public Beach and Coastal Waterfront Access Grant Funds (FY 2006-2007). Staff is currently in the process of locating property for lease at the end of Garrington Island Road (Crooked Creek). The proposed project is to create a parking area near the boat launch, and install a short pier beside the boat ramp for public access.

Commissioner Carolyn Riggs made a motion to approve the submittal of a Pre-Application to the Division of Coastal Management for the Public Beach and Coastal Waterfront access Grant and authorize the County Manager and necessary staff to sign the application. 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; no Commissioner not voting.

Set Public Hearing- Ordinance No. 2006-02-02 Subdivision Moratorium

Commissioner Andrews introduced and made a motion to set a public hearing for Ordinance No. 2006-02-02 for March 20, 2006 at 7:00 p.m. or as soon thereafter as the agenda allows. 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; no Commissioner not voting.

Set Date for Advertising of Tax Liens on Real Property

Commissioner Jennings made a motion to accept the tax lien report presented by the Tax Administrator, and set an advertising date of March 20, 2006 in the Daily Advance. 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; no Commissioner not voting.

County Managers Miscellaneous Report

Capital Improvement Plan: County Manager Randell Woodruff suggested a work session for the Capital Improvement Plan that was presented to the Board at the February 10, 2006 Retreat.

Commissioner Mike Andrews made a motion for a work session to be held on Monday February 27, 2006 at 7:00 p.m. in the upstairs Courtroom for the purpose of reviewing the Capital Improvement Plan. 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; no Commissioner not voting.

County Manager Randall Woodruff updated the board about the current status of the NCDOT permits.

Unified Government : County Manager Randell Woodruff reminded the Board about the April 12, 2006 Unified Government Public meeting and it was recommended that the County Manager find a facility for the meeting in anticipation of a large scale public participation.

South Camden Water and Sewer District Board of Directors

Chairman Melvin Jeralds recessed the Board of Commissioners meeting at 9:15 p.m. and called the South Camden Water and Sewer District Board of Directors to order.

Upon adjournment of the South Camden Water and Sewer District Board of Directors meeting by Member Clayton Riggs at 9:33 p.m., Chairman Melvin Jearlds reconvened the regular Board of Commissioners meeting.

Other Matters

County Manager Randell Woodruff requested funds to finish exterior Courthouse improvements. Commissioner Jeffrey Jennings made a motion for the staff to obtain several estimates regarding the drainage issues for the Courthouse improvements. 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; no Commissioner not voting.

Closed Session

Commissioner Clayton Riggs made a motion to go into Closed Session pursuant to G.S. 143-318.11(a)(5) for the purpose of discussing personnel. 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; no Commissioner not voting.

The Commissioners entered closed session at 9:45 p.m.

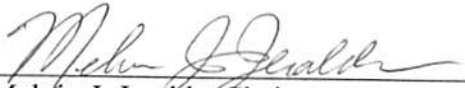
Commissioner Clayton Riggs made a motion to go out of Closed Session and back into regular session. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; no Commissioner not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

The Commissioner re-entered regular session at 9:57 p.m.

Adjournment

There being no further business to come before the Board, 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; no Commissioner not voting.

The meeting adjourned at 10:01 p.m.


Melvin J. Jeralds, Chairman
Camden County Board of Commissioners

ATTEST:


Ava Murgia
Clerk to the Board