

Camden County Board of Commissioners

Special Meeting with M.B. Kahn

June 8, 2006

6:30 p.m.

**Upstairs Courtroom, Courthouse Complex
Camden, North Carolina**

MINUTES

A special meeting of the Camden County Board of Commissioners was held on Thursday, June 8, 2006 at 6:30 p.m. in the upstairs courtroom, Courthouse Complex, Camden, North Carolina. The following members were present:

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

Also attending was County Manager Randell Woodruff, Deputy Clerk to the Board Lori Tuss, Attorney John Morrison, and Susan Christensen, Area Specialist for USDA-RD.

The special meeting was held with M.B. Kahn of Construction Management, for the purpose of presenting an update regarding construction of the Intermediate School.

Chairman Melvin Jeralds called upon William Cram of M. B. Kahn.

Mr. Cram submitted a draft construction schedule for the Camden Intermediate School. Mr. Cram stated the schedule is a timeline showing major steps in designing the project, allowing USDA-RD adequate time to review the project and submit comments to the architects, who will incorporate USDA-RD's comments and then advertise the project for bids, receive the bids, submit the bids to the Commissioners for approval, prepare the contracts, hold a preconstruction conference with USDA-RD, and then move into construction. Mr. Cram stated they are hoping to have USDA-RD's comments back by July 5, 2006. Mr. Cram further stated that the overall timeframe for construction is thirteen (13) months for construction, finishing December 2007, allowing the school system to transition into the new school over the school break.

Commissioner Mike Andrews questioned cost overruns and material shortages.

David Kight, estimator for M. B. Kahn, stated that allowance has been made for the estimates to cover to budget.

Mr. Cram stated the building industry is still feeling the effects of Hurricane Katrina, but projects are not being delayed, and does not anticipate any materials will be unobtainable.

County Manager Randell Woodruff questioned is bidding for the remodeling and new construction is bid as one project.

Mr. Cram replied yes, for cost efficiency purposes the project is bid as one project.

Commissioner Mike Andrews questioned the lay down area.

Mr. Cram stated there is adequate room on site for the staging area, and there will be a full time superintendent on the job site to work with the coordinating of the park project.

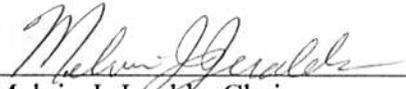
Commissioner Mike Andrews questioned fast tracking the project.

Mr. Cram stated he anticipates approvals within two (2) weeks, which will be forwarded to USDA-RD to comment and sign off.

Adjournment

Commissioner Mike Andrews 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 6:47 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 – Unified Government****June 8, 2006****7:00 p.m.****Upstairs Courtroom, Courthouse Complex
Camden, North Carolina****MINUTES**

A special meeting of the Camden County Board of Commissioners was held on Thursday, June 8, 2006 at 7:00 p.m. in the upstairs courtroom, Courthouse Complex, Camden, North Carolina. The following members were present:

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

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

The special meeting was held with staff members for the purpose of discussing a unified form of government in Camden County.

Chairman Melvin Jeralds called upon Attorney John S. Morrison for his presentation to the staff regarding a unified form of government.

Attorney John S. Morrison stated effective July 1, 2006, Camden County will be functioning as a unified government. There should not be any noticeable changes except for more money. The county is eligible for additional revenue services; one of which is the utility franchise tax. Attorney Morrison stated the Board should consider a new logo incorporating "Unified Government" in the Camden County official seal.

Attorney Morrison reviewed G.S. 153A-471(c) and (d):

Article 24.**Unified Government.****§ 153A-471. Unified government.**

(a) Except as provided in this section, the powers, duties, functions, rights, privileges, and immunities of a city are vested with any county that has either:

- (1) No portion of an incorporated municipality located within its boundaries; or
- (2) One incorporated municipality located within the county, but the land area of that municipality is located primarily in another county and consists of less than 100 acres within the county exercising powers under this Article.

(b) All of the following shall apply to any county exercising the powers, duties, functions, rights, privileges, and immunities of a city under this Article:

- (1) It may not exercise any such powers, duties, functions, rights, privileges, and immunities outside the boundaries of the county.
- (2) Article 4A of Chapter 160A of the General Statutes (Extension of Corporate Limits) does not apply.
- (3) Article 5 of Chapter 160A of the General Statutes (Form of Government) does not apply.
- (4) Article 7 of Chapter 160A of the General Statutes (Administrative Offices) does not apply.
- (5) Article 13 of Chapter 160A of the General Statutes (Law Enforcement) does not apply.
- (6) G.S. 153A-340(b) (Zoning of Bona Fide Farms) shall apply to all areas within the county boundaries.
- (7) The provisions of Chapter 163 of the General Statutes relating to municipal elections do not apply except to the extent they applied to the county absent this Article.
- (8) If the county is subject to this Article under subdivision (a)(2) of this section, it may not exercise any such powers, duties, functions, rights, privileges, and immunities within the corporate limits of the municipality located partly within the county.

(c) The board of commissioners may by ordinance provide that this Article does not confer the power, duty, function, right, privilege, or immunity of a city upon the county as to a specific power, duty, function, right, privilege, or immunity, and as to

such specified power, duty, function, right, privilege, or immunity it shall not be considered as a city.

(d) If the board of commissioners exercises any power, duty, function, right, privilege, or immunity authorized under both Chapter 153A and Chapter 160A of the General Statutes, and those statutes conflict, the board of commissioners shall state in their minutes under which Chapter the power, duty, function, right, privilege, or immunity is being exercised. (2005-35, s. 1; 2005-433, s. 10(a).)

Attorney Morrison stated Camden will remain a County. Camden is not a city. Camden will have all the powers of a city, with the following exceptions:

§ 153A-471. Unified government.

(a) Except as provided in this section, the powers, duties, functions, rights, privileges, and immunities of a city are vested in any county that has either:

- (1) No portion of an incorporated municipality located within its boundaries; or
- (2) One incorporated municipality located within the county, but the land area of that municipality is located primarily in another county and consists of less than 100 acres within the county exercising powers under this Article.

(b) All of the following shall apply to any county exercising the powers, duties, functions, rights, privileges, and immunities of a city under this Article:

- (1) **It may not exercise any such powers, duties, functions, rights, privileges, and immunities outside the boundaries of the county.**
- (2) **Article 4A of Chapter 160A of the General Statutes (Extension of Corporate Limits) does not apply.**
- (3) **Article 5 of Chapter 160A of the General Statutes (Form of Government) does not apply.**
- (4) **Article 7 of Chapter 160A of the General Statutes (Administrative Offices) does not apply.**
- (5) **Article 13 of Chapter 160A of the General Statutes (Law Enforcement) does not apply.**
- (6) **G.S. 153A-340(b) (Zoning of Bona Fide Farms) shall apply to all areas within the county boundaries.**
- (7) **The provisions of Chapter 163 of the General Statutes relating to municipal elections do not apply except to the extent they applied to the county absent this Article.**
- (8) If the county is subject to this Article under subdivision (a)(2) of this section, it may not exercise any such powers, duties, functions, rights, privileges, and immunities within the corporate limits of the municipality located partly within the county.

Attorney Morrison explained the use of service districts and G.S.153A-301:

§ 153A-301. Purposes for which districts may be established.

(a) The board of commissioners of any county may define any number of service districts in order to finance, provide, or maintain for the districts one or more of the following services, facilities and functions in addition to or to a greater extent than those financed, provided or maintained for the entire county:

- (1) Beach erosion control and flood and hurricane protection works.
- (2) Fire protection.
- (3) Recreation.
- (4) Sewage collection and disposal systems of all types, including septic tank systems or other on-site collection or disposal facilities or systems.
- (5) Solid waste collection and disposal systems.
- (6) Water supply and distribution systems.
- (7) Ambulance and rescue.
- (8) Watershed improvement projects, including but not limited to watershed improvement projects as defined in Chapter 139 of the General Statutes; drainage projects, including but not limited to the drainage projects provided for by Chapter 156 of the General Statutes; and water resources development projects, including but not limited to the federal water resources development projects provided for by Article 21 of Chapter 143 of the General Statutes.
- (9) Cemeteries.
- (10) Law enforcement if all of the following apply:
 - a. The population of the county is over 500,000 according to the most recent federal decennial census.
 - b. The county has an interlocal agreement with a city in the county under which the city provides law enforcement services in the entire unincorporated area of the county.

- c. The county will pay to the city the following percentages of the city-county police department budget if there are no significant changes to the city's statutory annexation authority:
1. 9.60% for fiscal years 1995-96 and 1996-97.
 2. 7.60% for fiscal years 1997-98 and 1998-99.
 3. 5.60% for fiscal years 1999-2000 and 2000-2001.
 4. 3.60% for fiscal years 2001-02 and 2002-03.
 5. 1.60% for fiscal years 2003-04 and 2004-05.

Provided, if the difference between the ratio of the population in the unincorporated area to the total population served by the city-county police department and the rate for the current year as stated above is greater than fifteen percent (15%), the county's agreement to pay such percentages can be amended to reflect that difference.

- (11) Services permitted under Article 24 of this Chapter if the district is subject to G.S. 153A-472.1.

(b) The General Assembly finds that coastal-area counties have a special problem with lack of maintenance of platted rights-of-way, resulting in ungraded sand travelways deviating from the original rights-of-way and encroaching on private property, and such cartways exhibit poor drainage and are blocked by junk automobiles.

(c) To address the problem described in subsection (b), the board of commissioners of any coastal-area county as defined by G.S. 113A-103(2) may define any number of service districts in order to finance, provide, or maintain for the districts one or more of the following services, facilities and functions in addition to or to a greater extent than those financed, provided or maintained for the entire county:

- (1) Removal of junk automobiles; and
- (2) Street maintenance.

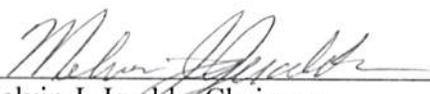
(d) The board of commissioners of a county that contains a protected mountain ridge, as defined by G.S. 113A-206(6), may define any number of service districts, composed of subdivision lots within one or more contiguous subdivisions that are served by common public roads, to finance for the district the maintenance of such public roads that are either located in the district or provide access to some or all lots in the district from a State road, where some portion of those roads is not subject to compliance with the minimum standards of the Board of Transportation set forth in G.S. 136-102.6. The service district or districts created shall include only subdivision lots within the subdivision, and one or more additional contiguous subdivisions, where the property owners' association, whose purpose is to represent these subdivision lots, agrees to be included in the service district. For subdivision lots in an additional contiguous subdivision or for other adjacent or contiguous property to be annexed according to G.S. 153A-303, the property owners' association representing the subdivision or property to be annexed must approve the annexation. For the purposes of this subsection: (i) "subdivision lots" are defined as either separate tracts appearing of record upon a recorded plat, or other lots, building sites, or divisions of land for sale or building development for residential purposes; and (ii) "public roads" are defined as roads that are in actual open use as public vehicular areas, or dedicated or offered for dedication to the public use as a road, highway, street, or avenue, by a deed, grant, map, or plat, and that have been constructed and are in use by the public, but that are not currently being maintained by any public authority.

(e) The board of commissioners of a county that adjoins or contains a lake, river, or tributary of a river or lake that has an identified noxious aquatic weed problem may define any number of noxious aquatic weed control service districts composed of property that is contiguous to the water or that provides direct access to the water through a shared, certified access site to the water. As used in this subsection, the term "noxious aquatic weed" is any plant organism identified by the Secretary of Environment and Natural Resources under G.S. 113A-222 or regulated as a plant pest by the Commissioner of Agriculture under Article 36 of Chapter 106 of the General Statutes. (1973, c. 489, s. 1; c. 822, s. 2; c. 1375; 1979, c. 595, s. 1; c. 619, s. 6; 1983 (Reg. Sess., 1984), c. 1078, s. 1; 1989, c. 620; 1993, c. 378, s. 1; 1995, c. 354, s. 1; c. 434, s. 1; 1997-456, s. 24; 2005-433, s. 10(b); 2005-440, s. 1.)

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 Melvin Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The meeting adjourned at 7:47 p.m.


 Melvin J. Jeralds, Chairman
 Camden County Board of Commissioners

ATTEST:


 Ava Murgia
 Clerk to the Board