

Camden County Board of Commissioners

Regular Meeting

July 17, 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 on Monday, July 17, 2006 at 7:00 p.m. in the historic courtroom, Courthouse Complex, Camden, North Carolina. The following members were present:

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

Also attending 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 Mike Andrews gave the invocation and led the Pledge of Allegiance.

Presentation - County Librarian Jackie King - Pasquotank- Camden Public Library

Chairman Melvin Jerals recognized, Jackie King, Pasquotank – Camden Public Library librarian.

Ms. King reported on the following:

- the new library will be twice the size of the current library
- brick work has been started on the new library
- the library serves approximately 440 patrons per day with 232 check outs
- non book circulation increased 55%
- library program increased 15%
- quarterly circulation was 32,396
- library is doing more out reach services
- additional staff of one (1) full time and one (1) part time employee

Chairman Melvin Jerals thanked Ms. King for her presentation.

Presentation - Glen Carey –Camden County ABC Board

Chairman Melvin Jerals called upon Mr. Glen Carey.

Mr. Durwood Medlin spoke for ABC Board member Mr. Glen Carey. Mr. Medlin presented the goals and objectives for the Camden and South Mills ABC stores. Mr. Medlin stated the ABC Board's ambition is to provide new sales and warehouse complex to replace the store on the Camden causeway. Mr. Medlin requested information and help from the Commissioners and staff regarding the following:

- Metal structure for new building – aesthetics of building, user friendly, rain roof and ample parking
- Location – dealing with property owners, guidance from building inspector and Army Corp of Engineers
- Status of US 158
- Option for mixed beverage
- Water and sewer service

Mr. Medlin stated that no financial assistance from the county is being requested, but would like suggestions on financing or other options. Mr. Medlin further stated that the

negative aspect is that the county's short term contributions would be much smaller or non-existent until the financing was obtained or sustained growth continued.

Chairman Melvin Jeralds inquired if the ABC Board had an idea of a building site.

Mr. Medlin stated the ABC Board would like to remain on the Camden causeway; there is property available on the causeway, but it is a concern as to what can be done on the available property.

Chairman Melvin Jeralds stated the Commissioners would take his request under advisement and staff could provide answers to Mr. Medlin's questions.

Public Comments

Chairman Melvin Jeralds called for any comments from the public and 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 two (2) or three (3) minutes.

Melanie Boswell, 201 Spencer Ave., asked if the Board has heard anything from the State regarding the removal of a tree and paving of Bloodfield Ave.

Planning Director Dan Porter reported on his correspondence with NCDOT Gretchen Bryum.

Mrs. Boswell stated the property owners will sign a right of way for the paving.

Chairman Melvin Jeralds asked Mrs. Boswell to contact the Planning Office at her convenience.

Consideration of Agenda

County Manager Randell Woodruff asked that *Item X. New Business, E.1. Tax Office – Authorization to Collect; Item X. New Business, G. Pasquotank – Camden Emergency Medical Service* be added to the agenda and *Item XIX. Deletion of Closed Session* be deleted from the agenda.

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

Tax Office - Refund Request – Yvonne C. Lawson

Chairman Melvin Jeralds stated at the June 19, 2006 Commissioners meeting, the Board questioned what period of time did this refund represent.

Tax Administrator Mary Rhodes stated the 2006 records were corrected and the information was picked up during the 2001 revaluation. The refund request is from 2001 through 2005.

Commissioner Carolyn Riggs asked if the existing garage was taxed on the correct property.

Ms. Rhodes stated it has been corrected to the correct property owners taxes and was a mistake because there was an empty lot between the two properties and the garage is on the property line.

Commissioner Mike Andrews made a motion to approve a refund request of \$368.52 for Yvonne Lawson. 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.

County Seal – Unified Government - July 1, 2006

County Manager Randell Woodruff stated the new county seal with the addition of *Unified Government July 1, 2006* has been received from the printers for the Boards consideration to adopt as the official seal.

Commissioner Carolyn Riggs made a motion to approve the seal as presented as the official county seal with the addition of *Unified Government July 1, 2006*. 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.



Public Hearing – Special Use Permit UDO 2000-08-28 – Preliminary Plat - Phase II - Deerfield Manor (2nd Hearing)

Commissioner Mike Andrews made a motion to go into public hearing to receive comments from the public regarding UDO 2000-08-28. 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.

Deputy Clerk Lori Tuss administered the oath to swear in Planning Director Dan Porter for testimony.

Dan Porter provided a history of the Deerfield Manor from inception:

Mr. Porter: *"The Deerfield Manor is a sixty lot subdivision located off of Horseshoe Road in South Mills. The project was initially presented in September 2000 with an application for a zoning change from General Use District to R-3 District, and a Sketch Plan."*

"At the time of initial request the technical review comments included 1) letter from South Mills Water that they did not have raw water capacity to serve the subdivision; 2) a memo from South Mills Fire Department disapproving due to lack of personnel, equipment, and money to support more growth in the district; 3) a memo from Dr. Dunn approving project as submitted; 4) a memo from NCDOT approving project with minor comments; 5) a letter from Division of Land Resources approving project with comments requiring an S&E Plan; 6) a memo from Albemarle Regional Health disapproving the project until a preliminary soil evaluation was completed; 7) a memo from U.S. Army Corps of Engineers approving the project; and 8) a letter from Albemarle Soil and Water Conservation District identifying drainage concerns that needed to be addressed."

"The project was approved at sketch plan and the plat for Phase I went through the process and was approved. I know the facilities that we are most lacking in is school facilities, so I have provided you with some information from the school system with regard to their capacity and enrollment. I'd like to make one correction on that; I learned tonight that there as a typo in here. If you look at Grandy it says that the capacity is 723 without modular units and 783 with modular units. That should be 903 with modular units. As proposed this subdivision is anticipated, based on the Tischler study, to create 7.48 students, 8 students projected to be distributed 4 for the elementary school, 2 each for the middle and high school. I have also included some additional information in there that may help you answer any questions, but regard to adequate facilities, I think that is the information I can present to you at this time. If you have any questions, I'd be glad to answer."

County Attorney John S. Morrison: *"Mr. Porter, all your statements were true and are you submitting the items covered in the Commissioners agenda packets as evidence?"*

Mr. Porter: "Yes, the statements are all true and yes, I am submitting the items covered in the agenda packets as evidence."

Chairman Melvin Jerals accepted the documents provided in the agenda packets.

County Attorney John S. Morrison: "Mr. Chairman, it was also appropriate for the applicant to possess a copy of the agenda packet item to examine and to have the opportunity to cross examine Mr. Porter's testimony. Is the applicant present?"

Mr. Old's attorney, Mr. Brumsey, was present.

Mr. Porter: "In October 2000 the Planning Board recommended denial of the Sketch Plan based on inadequate public facilities (Water, Fire, Sheriff). The Board of Commissioners heard the project request in January 2001, and approved the zoning request/sketch plan in February 2001. Pursuant with this approval a Preliminary Plat for Phase I of Deerfield Manor was submitted in May 2001. The Planning Board recommended approval in July 2001 and the Board of Commissioners approved the Phase I preliminary Plat in August 2001. The Planning Board subsequently approved the Phase I final Plat November 20, 2002."

"In November 2003 the Board of Commissioners established a moratorium on all major subdivisions, excepting those subdivisions that had received Sketch Plan approval prior November 17, 2003. The moratorium has been extended multiple times and the current ordinance still exempts these projects."

"In June 2006 the Planning Board considered and approved the Deerfield Manor Phase II Preliminary Plat for seventeen lots, conditioned on phasing final plats at six lots per year."

"A Public Hearing was conducted on June 19, 2006 and application was tabled as resident of Deerfield Manor presented a punch list of items the developer/builder had not take care of after they had closed on his house. Staff was directed to investigate the complaint and report back to the board."

"Findings: The items listed on the punch list were all cosmetic or quality of workmanship corrections, and not building code/development ordinance related."

"On July 3 the Board of Commissioners inquired as to the applicability of the county's Adequate Public Facilities provisions and the County Attorney advised that the Public hearing would need to be reopened to consider evidence related to the county's Adequate Public Facilities Section of the Unified Development Ordinance, since no such evidence was received at the June 19 meeting."

Adequate School Facilities

The Camden County school system capacity and enrollment are shown below:

	Capacity *	Enrollment
Grandy	723/903	844
Middle	504/564	434
High	510/585	528

* without/with modular units

Mr. Porter: "There is one additional piece of information that came to me this afternoon that was not in the agenda packet. I mentioned on the technical review at the sketch plan approval that the school system did approve the entire sixty lot subdivision in total. There was a technical review comment period before the preliminary plat on Phase II and we did receive a letter from Dr. John Dunn in February with regard to Phase II in which he said he would disapprove Phase II based on enrollment and capacity in Grandy Elementary School."

Commissioner Jeffrey Jennings: *"How many houses were built in the first phase?"*

Mr. Porter: *"I think there was the same number in both phases. Phase II is seventeen."*

Commissioner Mike Andrews: *"Mr. Porter how many home lots are approved throughout the county now; if someone wanted to come down there, if an existing subdivision that have already been approved and then other people who have bought land from individuals."*

Mr. Porter: *"At the time the subdivision moratorium was established there were eight hundred thirty two (832) proposed lots in the pipeline. I won't say they were all through the approval process. They were simply grandfathered in because they had sketch plan approval at that point and time. Right now that number is four hundred ninety four (494) and those lots were not necessarily on the ground, some where like this; those lots were still in the process of going through preliminary plat, final plat, etc."*

Commissioner Mike Andrews: *"How many could be built tomorrow?"*

Mr. Porter: *"I really can't answer that because I don't know how many are going to be brought in and how soon. There are four hundred ninety four that were grandfathered; those have not been through the approval process."*

Commissioner Mike Andrews: *"The ones that can be built right now, what is that going to do to the school system."*

Mr. Porter: *"I believe that the ratio that Tischler used was .4 students per household so, less than half that, so two hundred fifty."*

Commissioner Mike Andrews: *"Are we looking at two hundred students now?"*

Mr. Porter: *"I think you have to keep in mind as well that those are subdivisions that have been approved. There are other ways of building houses in Camden; you can build on a ten acre exempt lot; you can subdivide out, except for the moratorium right now, you can subdivide out a one lot minor. Previous to April 3 this year you can do the one lot minor and you can do the single lot subdivision. In fact, Dave Parks has recently done a little bit of work, I think today, I don't know whether he is finished or not, to get an idea of how many of the total houses that were built over the last year came out subdivisions versus just one lot minors. And he can speak to that. I do not have that information."*

Commissioner Mike Andrews: *"Do you have a rough idea of how many building permits are issued a month, regardless of where it is."*

Mr. Porter: *"Last year we issued one hundred forty one permits for single family dwelling units and about thirty for double wides."*

Commissioner Mike Andrews: *"So we are looking at one hundred eighty."*

Mr. Porter: *"Turns up to one hundred seventy four and that is with the moratorium on."*

Attorney Morrison: *"Mr. Porter, if you are finished with your presentation; does anyone else have questions of Mr. Porter?"*

Commissioner Clayton Riggs: *"Yes."*

Attorney Morrison: *"Well, let's let Mr. Porter finish first and then take other testimony".*

Commissioner Clayton Riggs: *"The question I have of Mr. Porter is that, in the previous, in October 2000 you have that the fire, sheriff and water department all said that they couldn't support this development."*

Mr. Porter: *"That is correct, the Planning Board made that recommendation to deny the subdivision and the Board of Commissioners approved it."*

Commissioner Clayton Riggs: *"Right. And now you have said that Dr. Dunn came back after finding out what his school population was and said no. So four out of the seven questions being no as of today."*

Mr. Porter: *"I don't think these other, and I have not looked at any others from the February technical review, but I would suspect that some of them may be in the same position but may not have the same answers. I do think there is a difference between 2000 and 2006 and I'm sure that is the reason for the school systems reversal. I think Mr. Melchiorre is here tonight and you can ask him those questions."*

Commissioner Mike Andrews: *"My concern is do we actually have adequate facilities."*

Mr. Porter: *"That is a question for Mr. Melchiorre who is more able to answer than I am. You have the numbers in front of you: Grandy Elementary School capacity is 723 without any modular units; it is 903 with modular units. The enrollment at the end of the year was 884; Middle School was 504 without modular; 564 with modulars and 434 enrollments; the high school is 510 without modular; 585 with modulars and 528 enrollments."*

Commissioner Mike Andrew: *"That is why I asked the question why this is only 7.48 students but how many are already basically approved to walk in the door of the school."*

Mr. Porter: *"It is not my job here to give you advice, not necessarily legal, but this is a subdivision in front of the Board, not the other 494 that is out there and we need to judge the subdivision on its merits."*

Commissioner Jeffrey Jennings: *"Because the sixty lots are grandfathered in, are those lots counted in the 494."*

Mr. Porter: *"Yes. The first phase has already been built."*

County Attorney John Morrison: *"Before Mr. Porter retires, Commissioner Clayton Riggs raised a very good point and that is the date of many of the comments of the adequate facilities reports is 2000 and there are no supplement to that, except for the school system."*

Mr. Porter: *"I learned tonight that there was another memo on this particular plat."*

County Attorney John Morrison: *"A court would say that this information is relevant and it proper for you to consider it, but you should subject it to careful scrutiny because of its age, whether it is applicable or not. I also caution you that you are sitting as a court, this is not a political decision, it is a legal decision, so whether this is popular or unpopular is totally irrelevant and you may only base your decision on the evidence that is presented to you tonight."*

Commissioner Clayton Riggs: *"The reason that I asked the question is, because we know right this minute from last meeting, and that is what I wanted to know if we can count the fire because the Fire Department has already...."*

County Attorney John Morrison: *"That did not take place under oath in this meeting".*

Commissioner Clayton Riggs: *"..right, so we can't count that. But we can still count the letter from 2000."*

County Attorney John Morrison: *"There maybe someday you can illicit that into evidence tonight, but just because it is something that occurred at a different meeting, under a different topic, you can not bring that in. I know this is confusing because most of the time the Board sits as a legislature and you make political decisions, but this is one of the times where you sit as a court. As a matter of fact, what you do could be appealed directly to the Superior Court and then to the Court of Appeals and our courts have held that your decision must be based upon evidence under oath that was presented to you"*

tonight. Which is why there was a concern regarding adequate facilities before and a new hearing was required to address it so that the evidence was subject to examination by the applicant and those giving testimony should be subject to cross examination and due process notice has been complied with. There is a sort of formula within the law which is you take the facts under oath and you apply them to the law, this case your UDO, and that will yield a result of approval or not, just like an algebra computation."

Commissioner Clayton Riggs: *"So now if I asked the question just like this, has there been any improvement in the South Mills Fire Department's ability to protect this district."*

Mr. Porter: *"I can not answer that question."*

Commissioner Clayton Riggs: *"They have not given you a letter saying that says they can."*

Mr. Porter: *"I have not seen the letter."*

Commissioner Clayton Riggs: *"That's all we need to know. They haven't come and given you a letter saying that their situation has improved. Neither has any of the other three that are listed."*

Mr. Porter: *"I would have to review the file to answer that."*

Attorney John S. Morrison: *"Contrary to that, nor have they given you a letter that the situation is the same. Now, you are entitled to use your common sense; incredibly that is why you were supposedly elected, you are to use your judgment, and on the one hand you can look at this as well that was so long ago it shouldn't count for very much or you can apply it as your judgment so leads you that this is a substantial body of evidence...it is up to you to decide. There may also be individuals within your ability to bring up to the podium now and ask questions further about that. Obviously Mr. Melchiorre has taken his time to come forward but Mr. Brumsey is representing the applicant and he certainly is entitled to cross examining Mr. Porter and that would be the appropriate thing to do."*

Chairman Melvin Jearlds: *"Mr Brumsey do you have any questions for Mr. Porter."*

Mr. Porter: *"If I could answer your question. I've looked at the file here from the preliminary plat Phase II, we did get a letter from Dr. John Dunn that disapproved it for the following reasons and that had to do with Grandy and we also received a letter from Tim Peoples of Albemarle Regional Health that approved it with the following comments attached in the letter."*

Attorney John S. Morrison: *"What are the dates of the letters."*

Planning Director Mr. Porter: *"Dr. Dunn is February 3, 2006, the Tim Peoples letter is February 3, 2006 and the South Mills Volunteer Fire Department letter stating disapproved for the following reasons dated February 3, 2006, lack of equipment, we are in dire need of a tanker to support residential fires, truck, the lack of water supply greatly affects our mission as VFD; letter from Sheriff Tony Perry dated February 3, 2006 - Sheriff's office can no longer provide adequate law enforcement protection to the new developments unless the county provides funding for additional person; Postmaster, February 3, 2006 approved."*

County Attorney John S. Morrison: *"Mr. Porter all these letters and evidence, in order for you to consider, those Mr. Chairman, they need to be offered as evidence, you need to accept them as evidence and Mr. Brumsey certainly would have the right to review those."*

Planning Director Mr. Porter: *"Letter of February 27, 2006 from Dwayne Hinson of Soil and Water Conservation District said he had reviewed Deerfield Manor, and all significant drainage situations had been addressed; March 24, 2006 letter from Tony*

Chen, public water supply section approving the soil and erosion - Engineering and water report has been received and engineering and specification plans have been approved. Letter of October 20, 2005 western regional office approved storm water management operations for Phase II October 12, 2005 from Mr. Al Hodge. I believe that's it and I will make those available."

Commissioner Clayton Riggs: *"The question I was going to ask you, can he submit that whole folder as evidence, we accept that as evidence and then you and Mr. Brumsey have availability of it to make copies at your convenience."*

County Attorney John S. Morrison: *"Sure, I do not need a copy of it because I am non-partisan. Certainly Mr. Brumsey should be entitled to the folder."*

Chairman Melvin Jerals: *"Mr. Brumsey, you have some questions you would like to ask Mr. Porter."*

Mr. Brumsey: *"Bill Brumsey here on behalf of the applicant. When was the sketch plan approved for the subdivision, including this phase?"*

Planning Director Mr. Porter: *"Sketch Plan for the entire project was submitted in September 2000, in October 2000 the Planning Board recommended non-approval, the Board of Commissioners heard the project request in January 2001, and approved the zoning request/sketch plan in February 2001."*

Mr. Brumsey: *"And that included this particular Phase."*

Mr. Porter: *"That is correct."*

Mr. Brumsey: *"Was it required to go through technical review again in 2006?"*

Mr. Porter: *"It did go through technical review. I did not think we needed to do that. It is the process to send back through technical review process at the preliminary plat stage."*

Mr. Brumsey: *"That's all that I had."*

County Attorney John S. Morrison: *"Mr. Brumsey would you like to see any of the documents that they represent."*

Mr. Brumsey: *"Yes."*

County Attorney John S. Morrison: *"Mr. Chairman, I think it would be appropriate for you to consider a brief recess to allow Mr. Brumsey to see the documents since they were not available to him immediately in the past."*

Commissioner Carolyn Riggs: *"Mr. Morrison with all these recommendations, the different organizations that can't support it, if this were to be approved and something feel through and service was not provided adequately to these people, would they have a very good legal standing to come back and sue the county."*

County Attorney John S. Morrison: *"The county would have sovereign immunity but it would be politically embarrassing, I would assume, to provide that a subdivision could go forward when the adequate facilities may not be there but whether the adequate facilities may not be there or not is a question for you to apply your judgment to. I note in the adequate facilities ordinance you are supposed to be looking down two years down the road, so there is a certain amount of guess work going on. Currituck is doing the same thing with their water crisis: they can go forward but they have to sign off saying that there may not be adequate facilities and you assume that risk. But what you are doing is right now, you are sitting as a court, and have they met the terms of the ordinance. If they have not it is over right then. If you determine they have in fact met the terms of the ordinance, but based on the evidence before you tonight and the*

previous hearing, will this development exceed the county's ability to provide adequate public facilities. I talked about a mathematical formula a minute ago: obviously this part of it, how much weight you give evidence, what you believe the future will hold which is a projection you make based upon the evidence before you, reasonable people could disagree and you are elected to exercise your judgment on that. What is most important right now is my concern as your counsel is to make sure all relevant facts are before you and this like a court proceeding unfolds in a regularly orderly way with the due process rights of the applicant protected – the right to offer evidence, the right to cross examine, the right to have a reasonable opportunity to study what is being put forward into opposition."

Chairman Melvin Jerals: *"We will take a five minute recess to allow Mr. Brumsey to go over those documents."*

Following recess, Chairman Melvin Jerals: *"Mr Brumsey, do you have any additional questions or anything to offer at that time."*

Mr. Brumsey: *"No additional questions but we would like to be heard."*

Deputy Clerk Lori Tuss administered the oath and swore in Eddie Hyman of Hyman and Robey for testimony.

Eddie Hyman: *"My name is Eddie Hyman and I am the surveyor for the project. Sean Robey was not able to be here tonight and I am stepping in for him. I would like to point out a few things that have brought us here tonight to the adequate facilities situation again. In the review process this project has gone through, it went to sketch plan under a UDO that was adopted and adequate at the time it was submitted in 2000 and approved early 2001. At that time and under that UDO this project was vested because the sketch plan was vesting a concept of what they wanted to do with the developer and development to come through and say here is what we have in mind, do we have permission to proceed and when it went through and got approved, it said yes, that is our vesting or actually our contract with you to move ahead with this project. And at that time the adequate facilities went to the technical review committees to comply with all the schools and everybody involved and some gave favorable responses and some gave not so favorable responses, but it moved ahead and by doing that it was a contract on your part and our part to that you would step up to the plate and make these facilities available when this project came through and meet the needs that were going to come out of these projects as approved. I believe the lot count that you have heard included these lot numbers as part of what is on the table that we need to fulfill the needs to. At preliminary plat it goes through a second technical review process; not really for adequate facilities, but that is what a lot of these letters came back for as reviewed at sketch plan adequate facilities, that was what was required in order to move ahead. The preliminary plat technical review submittals are for completeness of the plans. It goes to the water department for water line design, erosion control, storm water and the technical completeness of these plans because the answer has to do with if you have facilities to meet these needs have already been answered at sketch plan and that is what they are here tonight for is to try to get that done; trying to decide if that and move ahead with a project that is already been approved from another sitting Board six years ago and they entered into a vested contract with the developer to move ahead with this project and that is why they are here tonight and I believe we are talking about six lots a year at final plat if this goes through to let this developer move ahead with this project. That is the way the ordinance reads and that is where we are...at 2001 we were under one set of rules and that is what we started moving ahead with and that's what vested mean that you have permission to proceed with this set of rules that you are approving and that is where we are tonight. I would like to make that clear to everybody of the decisions we are making, yes, Camden County is over the limit and I am a resident of Camden County and I am part of that help or part of the problem, however you look at it, and I am proud of our county, like being a resident here, my business is here but this is a project that was granted and permission to move ahead by vesting or by contract in an agreement in a meeting several years ago, and that is where we are and that is what I wanted to try to pull to the forefront of all this, I know the schools are crowded, no one likes to look at the trailers on the road, but that is where we are now and that is why I*

want to bring ahead. I will be available for any technical questions you might have or any comments or questions. Thank you.

Commissioner Melvin Jeralds: *"Thank you."*

County Attorney John S. Morrison: *"Mr. Chairman you have available Mr. Melchiorre you might want evidence..."*

Commissioner Melvin Jeralds: *"I think Mr. Brumsey..."*

Deputy Clerk Lori Tuss administered the oath and swore in School Superintendent Ron Melchiorre for testimony.

County Attorney John S. Morrison: *"Would you give us your name please."*

Mr. Melchiorre: *"Ronald Melchiorre."*

County Attorney John S. Morrison: *"How are you employed Mr. Melchiorre."*

Mr. Melchiorre: *"Superintendent of Schools in Camden County."*

County Attorney John S. Morrison: *"How long have you been employed."*

Mr. Melchiorre: *"Since July 1, 2006."*

County Attorney John S. Morrison: *"How long have you been with the Camden County School system."*

Mr. Melchiorre: *"Twenty (20) years."*

County Attorney John S. Morrison: *"What have your previous positions been."*

Mr. Melchiorre: *"Assistant Superintendent."*

County Attorney John S. Morrison: *"In your present capacity and based upon your previous experience with the school system, do you deal with enrollment and the ability of the school to provide a sound basic education consistent with the Leandro holding."*

Mr. Melchiorre: *"I do."*

Chairman Melvin Jeralds: *"Is there anything you would like to share with us."*

Mr. Melchiorre: *Basically, Mr. Chairman you have the figures in your packet but the mobile units have given student capacity in all three (3) schools. However, we really don't consider mobile units adequate facilities in addition to our building capacity. If you look at the figures, even though it does give some student capacity, our projected enrollment for next year at Grandy Primary will be over that capacity. However, we will have the high school, middle school probably will not reach that capacity with the trailers they have. Dr. Dunn originally signed the original plat and then again in the technical review he rejected it due to the enrollment at that time and based on the fact that we did not have the adequate facilities for students. At this time I would say that with our projected enrollment the adequate facilities are going to be very tight again next year."*

Commissioner Mike Andrews: *"Mr. Melchiorre, these numbers, these are students, right. The portable classrooms that you have set up in the middle of the road down here not hooked up yet, do these have toilets in them or are they just a room with desk."*

Mr. Melchiorre: *"Basically they are just a modular unit with a desk or table and chairs. There are no bathroom facilities for those modular units."*

Commissioner Mike Andrew: *"So they have to use the existing facilities."*

Mr. Melchiorre: *"That is correct, they have to come out of the modular units and go into the main part of the building."*

Commissioner Mike Andrews: *"Would you say the existing toilets are over taxed."*

Mr. Melchiorre: *"That is one of the things that with the addition of the Intermediate School and the wastewater treatment plant that would go a long way toward helping our building capacity."*

Commissioner Mike Andrews: *"Cafeteria, is there a cafeteria or snack bar built into these mobile classrooms."*

Mr. Melchiorre: *No sir, there is not. The cafeteria is maintained in the main building so students have to come out of those mobile units and go into the main building."*

Commissioner Mike Andrews: *"Can you tell me at Grandy Primary what time you start serving lunch."*

Mr. Melchiorre: *"Approximately 10:30 a.m."*

Commissioner Mike Andrews: *"What would you say is your last serving time."*

Mr. Melchiorre: *"Right now 12:45 p.m. or 1:00 p.m."*

Commissioner Mike Andrews: *"You are feeding these young kids anywhere from 10:30 a.m. to 12:45 p.m."*

Mr. Melchiorre: *"Yes sir."*

Commissioner Mike Andrews: *"That does not give very much adequate facilities there, now does it."*

Commissioner Mike Andrews: *"Would you say that those facilities, the restrooms and cafeteria as they stand right now could handle additional capacity."*

Mr. Melchiorre: *"Yes, they would have a very difficult time handling additional capacity."*

Commissioner Mike Andrews: *"So we can...portable classrooms... provide a desk but we can not provide necessary functions. Thank you sir."*

Chairman Melvin Jeralds: *"Any other questions of Mr. Melchiorre."*

County Attorney John Morrison: *"In order to comply with our own ordinance, do you have an opinion based on the information before you, based on your training experience and position whether or not the facilities of Camden County with regard to providing education consistent with Leandro to the children of this county will be adequate within the next two years. Can you look two years down the road and tell us if anything is going to change or not."*

Mr. Melchoirre: *"Basically that depends of the construction of the intermediate school that would have an impact on in terms of facilities and building capacity but given the delays, I would probably say no."*

County Attorney John Morrison: *"No, it will not have adequate facilities in the next two years. Now, with regard to the mobile classrooms, as was the conversation between you and Commissioner Andrews, do those classrooms meet applicable state standards and guidelines."*

Mr. Melchiorre: *"Yes they do."*

County Attorney John Morrison: *"So when you take those classrooms into account that meet state guidelines for mobile classrooms, do we have adequate public facilities that would accommodate this growth in the county for the next two years."*

Mr. Melchiorre: *"Basically what we have is student capacity."*

County Attorney John Morrison: *"Which is only part of...would you explain that please."*

Mr. Melchiorre: *"Basically what the mobile unit, what it does, it allows us to increase our student capacity, however, it does not help us increase our building capacity and basically what we would like for is to have adequate facilities and when you have adequate facilities you have adequate building capacity."*

County Attorney John Morrison: *"Based on all of the above and for the purpose of clarity, is it your testimony before this Board that the school system does not have adequate public facilities now and will not within the foreseeable future, at your best estimate, up to two years."*

Mr. Melchiorre: *"That is correct."*

County Attorney John Morrison: *"Thank you."*

Chairman Melvin Jeralds: *"Mr. Brumsey, do you have any questions of Mr. Melchiorre."*

Mr. Brumsey: *"As far as the mobile classrooms are concerned do other counties in the state utilize those mobile classrooms for the same purpose Camden County is using those for."* (Mr. Brumsey was not speaking into the microphone and was very hard to translate.)

Mr. Melchiorre: *"Yes."*

Mr. Brumsey: *...in auditable due to not approaching microphone and speaking from their seat.*

Mr. Melchiorre: (Who remained at the microphone) *"Basically the Board of Education has a ten year facility plan. We submit a facility updates every five years and in that facility plan we have sent that capital outlay plan to the county commissioners and to the county manager and we have had that facilities plan incorporated into their capital outlay plan. The intermediate school, we are looking at right now bids beginning in August and a completion date of August 2008. The Intermediate School will either 3-5 school or 4-6 school primarily to help alleviate the problem of overcrowding at Grandy Primary. Once the Intermediate School is built, it will cut Grandy Primary practically in half in terms of their enrollment and that will bring Grandy Primary within the building capacity and will also generate a new building capacity for the Intermediate School. In addition, the Board of Education has looked into the next priority, a new high school on the new campus. Again that would be another part of that capital plan. If that high school can not be done, the capital plan we are looking at building a fourteen (14) room addition along with renovations to the media center. These are some of the capital projects slated for the school system as we go along."*

Chairman Melvin Jeralds: *"Any other questions? Thank you sir."*

Attorney Morrison: *"Mr. Chairman, at this time it would be appropriate should any member of the Board desire to hear from any other witness that you have available or if they are not immediately available, you do have the right to recess this hearing until they can be brought before you at another meeting. If there is no desire for any other witnesses then Mr. Brumsey should be entitled to present such witnesses as he would like you to hear from, if any."*

Chairman Melvin Jeralds: *"Mr. Brumsey."*

Mr. Brumsey: "Mr. Chairman I do not have any additional witnesses at this time but I would like to speak. What we have heard so far is that this was a subdivision that was up for approval and was approved in 2001 and sketch plan was given and this is a phased development and certain phases have already been built out. This is going to be the final phase for the developer. At the time it was approved in 2001, it went through the technical review process and again was approved at that time based on the facts before the Board of Commissioners at that time. You have heard Mr. Hyman speak on this already. The sixty (60) lots that were approved with the subdivision were approved in his numbers for the approved lots on the table but not yet on the ground. It is our position that the developer in this case, Mr. Old, has a vested right to proceed with the development based on sketch plan approval that was granted in February 2001. The technical review, I don't know if it was actually a technical review, these comments that were received from the various parties that submitted the letters, it is not a redoing of the technical review, rather comments from them that this is our current state of affairs. Now, sketch plan approval again gives the vested right and the county has a certain responsibility after sketch plan approval has been given and here the county's responsibility is to and has been to consider these lots as being approved with a vested right and the developer to go forward with the plans. It should not be.. you have to look at this subdivision on its own merits and not the fact that there are a certain number of other lots out there that may or may not come to the same state we are with this particular subdivision. We certainly appreciate some of the issues that you are facing and what you are going to need to do is look at this project on a whole and say where are we, what does the developer have at this point, and again it is our position that he has a vested right to proceed that can not be taken away from him. The county has promised the developer that he would be able to proceed with the development and the county again has plans to get these adequate facilities in place and we want to proceed with the development and certainly the conditions placed on the development as recommended by the Planning Board, Mr. Old, the developer, is certainly willing to adhere those strictly and has done that and certainly agrees that the lots will only be phased in over a three year period at six lots per year as to allow Camden to continue to address some of the concerns they have with the growth of the county. In summary what we, let me add one thing..under the adequate facilities ordinance the conditions that you are allowed to put in place under the adequate facilities ordinance, as stated in the ordinance, I am going to read to you straight from Section 151.509(b) The permit issuing Board may not attach additional conditions that modify or alter the specific requirements set forth in this chapter unless the development in question presents extraordinary circumstances that justify the variation from the specified requirements. Even if you were to reapply that to a public facilities ordinance here, taken a new look at it, extraordinary circumstances do not exist with this development. We are talking about projected numbers of 7-1/2 rounded up to 8 students, 4 of which are slated to go to Grandy Primary, which again is going to have some students taken from them that is going to put them under capacity in the near future and 2 each of the junior high and high school, that again according to the schools are not at capacity at this point and with the use of mobile classrooms, would not cause a burden. I would be happy to answer any questions that you all have."

Chairman Melvin Jeralds: "Does anyone have any questions of Mr. Brumsey. I don't believe that are any. Thank you."

Mr. Brumsey: "Thank you."

Chairman Melvin Jeralds: "Is there anyone else from the public who wishes to speak on this item. If not, do I hear a motion that the public hearing be closed on UDO 2000-08-28."

Commissioner Clayton Riggs: "I make a motion to close public hearing on UDO 2000-08-28."

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.

Public Hearing - Special Use Permit UDO 2006-01-27 Wireless Communications Facility (WTF) - Melran, LLC

Commissioner Mike Andrews made a motion to go into public hearing to receive comments from the public regarding UDO 2006-01-27. 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.

Chairman Melvin Jeralds: "Mr. Parks."

Deputy Clerk Lori Tuss swore in Planning Technician Dave Parks for testimony.

Dave Parks: "In front of you you have a special use permit application from Melran LLC who is represented by Ray Albertson tonight requesting to apply for a permit for a wireless telephone communication facility on property located east of Gallberry Road, the parcel actually highlighted. I'm sure we put a map in your packets also. The wireless telecommunications will be utilized by WSKY TV, who is also here tonight if you have any questions for them. Staff has submitted the Findings of Facts and documents attached as evidence and staff would like to go over the conditions of the Findings of Facts. The Planning Board recommended approval on a 6-0 vote with the following conditions:

1. The applicant must strictly abide by all requirements of the Unified Development Ordinance of Camden County, North Carolina, and must also strictly comply with all other local, state, and federal ordinances, laws, rules and regulations as one or more ordinances, laws, rules and regulations may apply to this development.
2. The applicant shall complete the development strictly in accordance with the plans submitted to the Planning Office of Camden County, North Carolina, and contained in the file titled UDO 2006-01-27.
3. In accordance with Article 151.065 WSKY-TV shall provide Camden County with a surety bond for 120% of cost of removal of proposed Wireless Telecommunication Facility. Provide copy of language for bond for review by Camden County attorney.
4. On question 3 of Preliminary Information, provide statement of intended equipment use of tower facility vice "See attachment A"
5. Amend site plan to include: Property located in FEMA Flood zone A in accordance with Map Panel 37217091K dated December 16, 2005.
6. Applicant shall provide Camden County a signed Lease Agreement with 30 days of approval.
7. Applicant shall provide Camden County approval letter from National Environmental Policy Act (NEPA) prior to any land disturbing activity.
8. Applicant shall provide Camden County the results of all reviews/inspections by the FCC concerning RF exposure guidelines.
9. Applicant shall fence area around all anchors locations and reflect on site plan.
10. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this special use permit shall be voided and have no effect.

At the last meeting to off set the public hearing there was an issue brought up by one of the residents about the drainage going into the Joyce Creek area. We have reviewed that. The total impervious area for the tower and the anchor is less than one (1) acre which does not require a drainage plan, would not have that drastic impact on thatt. Staff would like to submit the Findings of Facts, attachments and all the documents contained in the file UDO 2006-01-27 as evidence."

Chairman Melvin Jeralds: "Documents are accepted."

Commissioner Mike Andrews: "Concerning Joyce Creek, is this within the Joyce Creek taxing district."

Dave Parks: "The drainage does go into Joyce Creek."

Commissioner Mike Andrews: "Will this facility be paying into the Joyce Creek?"

Dave Parks: *"The taxes on the property, the tower would bring, I don't know if that would contribute to the change..."*

Commissioner Mike Andrews: *"Would this be subject to the two (2) cent Joyce Creek?"*

Dave Parks: *"The property is subject to it."*

Commissioner Mike Andrews: *"The property is?"*

Dave Parks: *"Yes."*

Commissioner Mike Andrews: *"The footprint of the tower, stuff like that, just a straight up tower guidelines. Would this be taxed the same or as any other business or facility."*

Dave Parks: *"Mary Rhodes of the tax office would have to answer that. I could not tell you that."*

Commissioner Mike Andrews: *"This land within this footprint is all general use."*

Dave Parks: *"Correct. It was recently rezoned three-four months ago to general use district which permitted the use of the tower."*

Commissioner Mike Andrews: *"I guess my biggest concern was drainage into Joyce Creek and this was brought up at the last meeting if this was in."*

Dave Parks: *"As I said in the total impervious surfaces from the tower and everything is less than one (1) acre."*

Commissioner Mike Andrews: *"Which keeps it from absorption into the ground. My concern is was this part of Joyce Creek which would be taxed. The service area of this tower...I was looking at one chart here. Lima bean shape. I don't know what you would call that shape. Is the broadcast service area a circle or is it focused toward certain areas."*

Dave Parks: *"I would like to bring Mr. Glen Holterhouse from WSKY TV 4 to answer any questions concerning the tower."*

Commissioner Clayton Riggs: *"I have one question before Mr. Parks steps aside. Who did the drainage study that you just quoted."*

Dave Parks: *"A drainage study was not required because the total impervious surface was less than an acre."*

Commissioner Clayton Riggs: *"I understand that. What I was getting at is did you calculate that or did one of the engineers or someone else."*

Dave Parks: *"One of the engineers, as it is in the report. It is addressed in the NEPA report."*

County Manager Randell Woodruff: *"Which is a federal agency and which they are required to comply with their..."*

Commissioner Clayton Riggs: *"So to get the answer I am looking for, an outside agency and an engineer reviewed that and told you that it was under that required permitting process."*

Dave Parks: *"Yes sir."*

Commissioner Clayton Riggs: *"Just want to make sure that is part of the record."*

Attorney John Morrison: *"Mr. Chairman, if the Commissioners have no questions, if there is anyone who opposes this or the applicant himself wants to cross examine, now would be the time for questions for him."*

Chairman Melvin Jeralds: *"Any other questions of Mr. Parks?"*

Deputy Clerk Lori Tuss administered the oath to swear in Glen Holsterhouse for testimony.

Glen Holsterhouse: *"I'm Glen Holsterhouse from WSKY and I would be more than happy to answer any questions you have on the tower and facilities."*

Commissioner Carolyn Riggs: *"On the last page regarding biological effects.....is that the industry standard or below the emissions."*

Glen Holsterhouse: *"The biological effects?"*

Commissioner Carolyn Riggs: *"Yes, the biological effects of the audio transmission."*

Glen Holsterhouse: *"There are set levels that are in place by the FCC that determines the...if I'm understanding what you are saying...the radiation effects as far as the transmission effects themselves....we have to be under so many parts per million and we fall way below that. Where it becomes an issue is if we bring in tower engineers or climbers to work on the building and they work right next to the antenna..that's a bad thing, but once it goes out it dissipates."*

Commissioner Carolyn Riggs: *"This goes back to what Commissioner Andrews was asking about...you've got this elliptical shape for transmission...what is that about. Why is it not circular?"*

Glen Holsterhouse: *"There are a lot of technical mechanical reasons for it. One, depending on whether we are protecting another television station like Channel 4 in Chapel Hill for example, or Channel 4 in Washington, DC. We have to agree with the other facilities in order to meet the best coverage area for the population. So it changes, it's a different issue with every station channel. Not only that, but even the channels adjacent to us, we have to make sure their needs are subject to attention as well."*

Commissioner Carolyn Riggs: *"I just wanted to make sure it wasn't because of something sensitive in that area."*

Glen Holsterhouse: *"No, there's not."*

Commissioner Mike Andrews: *"My question is, if the people of South Mills get this tower, which it does not look like it is very intrusive or anything, looking at this, I call it a butterbean, she calls it an elliptical shape. The butterbean shape, if the people in South Mills are going to get this tower will they get tv reception or are they going to say we have a tower now, why can't we get tv reception."*

Glen Holsterhouse: *The design you see there is the predicted radiated power. It is not the actual pattern of the station. It is just where we send power out around the power site. The people will be able to pick us up to probably Edgecomb County to the west. It is more of a concentration of power and the antenna that we have for Channel 4 currently will change after the whole digital transmission is finished. The restrictions we have in place now go away finally after everybody switches over to digital television, so we also have a plan in place for that as well, which won't be nearly as weird a television signal.*

Chairman Melvin Jeralds: *"Any other questions."*

Mr. Parks: *"How many co-location sites do you have on the tower."*

Glen Holsterhouse: *"We currently don't have any current contracts for co-location for towers being designed for co-location. If I understand the ordinance, the co-location has to be like facilities. It is not going to be a whole lot of Channel 4 additional facilities but we are providing a substantial co-location facility for cell phones and two ways which are the majority of the towers you see out now. Very few television towers floating around."*

Mr. Parks: inaudible due to not approaching the microphone and speaking from his seat.

Glen Holsterhouse: *"A lot of it depends on the antenna structure, what the weight and the wind load of the structure...probably up to six or seven altogether depending on the type of service."*

Commissioner Mike Andrews: *"Could you possibly use this for emergency services for repeaters."*

Glen Holsterhouse: *"Sure. It is designed for that type...our original... going forward will have two television antennas on there which are probably the big chunk of the weight and then we will probably make from about the four hundred foot mark down will have facilities for two ways and emergency management as needed. Primarily, the majority of the towers that are built now are for the two ways and cell phones, PDA type products."*

Chairman Melvin Jeralds: *"Any other questions."*

Deputy Clerk Lori Tuss administered the oath to swear in Buddy Tucker for testimony.

Buddy Tucker: *"Buddy Tucker, 617 Trotman Road. I understand by FCC regulations that we have to do so much public service work to maintain the license, well, I am one of the local ham operators recommend inaudible, due to not speaking into the microphone...the equipment inaudible, not into the microphone...South Mills, south east landing inaudible, not talking into the microphone... we would cover the whole... inaudible, not talking into the microphone..."*

Glen Holsterhouse: *"We would be more than happy to take a look at it."*

Buddy Tucker: *"We don't have any money."*

Glen Holsterhouse: *"Public Service issues relate to entire....inaudible due to Mr. Tucker talking over Mr. Holsterhouse and not into the microphone.....if you type of antenna system does not cause.... inaudible due to Mr. Tucker talking over Mr. Holsterhouse and not into the microphone ...but the antennas themselves are not that heavy....why put anything else in the permitting process when we have to make sure it meets the requirements of the tower."*

Buddy Tucker: not talking into the microphone...

Glen Holsterhouse: *"You are talking about a five inch line"*

Buddy Tucker: *"Five inch or smaller...."*

Mr. Tucker and Mr. Holsterhouse held their own conversation without addressing the Board which was inaudible due to Mr. Tucker either talking over Mr. Holsterhouse, speaking with his back turned to the microphone and Mr. Holsterhouse not speaking in the microphone....

No evidence was submitted by Mr. Tucker that would relate to an evidentiary quasi judicial hearing and effect the decision of the Board of Commissioners.

Chairman Melvin Jearlds: *"Would anybody else like to question this."*

Deputy Clerk Lori Tuss administered the oath to swear in Tax Administrator Mary Rhodes for testimony.

Commissioner Clayton Riggs: *"I want to get back to the original question that Mr. Andrews asked when Mr. Parks referred to you as the tax lady. The tax on this particular tower is based upon the value of the land in the general use area and the structure based upon the guidelines set forth in the property tax. Is that true?"*

Mary Rhodes: *"That is correct. We set the value for the land. The towers are taxed as commercial property. The structure itself, we get those values from the Department of Revenue with the utilities reports each year, so they set those values. The land, we do."*

Commissioner Clayton Riggs: *"And I think the answer to the question was the land is taxed and the tower is taxed based upon the utilities commission standard guidelines."*

Mary Rhodes: *"And I believe the property is in Joyce Creek."*

Commissioner Carolyn Riggs: *"I just want to address the County Manager and County Attorney combined, because of their unification vote, this tax money that they have paid will come back to us in a portion."*

Attorney John S. Morrison: *"We are discussing that with the powers that be in Raleighwood but it would be my opinion that it should, yes ma'am."*

Chairman Melvin Jeralds: *"Any other questions. If not do I hear a motion to close public hearing on SUP UDO 2006-01-27."*

Hearing none, Commissioner Andrews made a motion to close public hearing on UDO 2006-01-27. 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.

Consideration of Special Use Permit UDO 2008-08-28- Preliminary Plat Phase II – Deerfield Manor

Commissioner Carolyn Riggs made a motion to deny Special Use Permit Application - UDO 2008-08-28 Preliminary Plat Phase II – Deerfield Manor due to evidence presented at the two (2) public hearings. 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.

Consideration of Special Use Permit UDO 2006-01-27 Wireless Telecommunications Facility – Melran LLC

Commissioner Mike Andrews made a motion to approve Special Use Permit UDO 2006-01-27 – Wireless Telecommunications Facility – Melran LLC with the conditions listed in the Findings of Facts. 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.

Finance Department- Budget Amendments – 2006-07-BA001 – 2006-07-BA005

Commissioner Jeffrey Jennings made a motion to approve budget amendment 2006-07-BA001. 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.

2006-07-BA001

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
104400-502000	Salaries – Finance		\$29,774.00
104400-505000	FICA - Finance		\$ 2,238.00
104400-506000	Health Insurance – Finance		\$ 4,877.00
104400-507000	Retirement – Finance		\$ 1,448.00
104400-507100	401K – Finance		\$ 1,463.00
104400-510000	Training – Finance		\$ 500.00
104400-511000	Telephone & Postage – Finance		\$ 600.00
104400-512000	Printing – Finance		\$ 100.00
104400-514000	Travel – Finance		\$ 500.00
104400-532000	Office Supplies – Finance		\$ 500.00
104400-553000	Dues – Finance		\$ 20.00
104410-502000	Salaries – Personnel	\$29,696.00	
104410-505000	FICA – Personnel	\$ 2,272.00	
104410-506000	Health Insurance – Personnel	\$ 4,877.00	
104410-507000	Retirement – Personnel	\$ 1,470.00	
104410-507100	401K – Personnel	\$ 1,485.00	
104410-511000	Telephone & Postage – Personnel	\$ 600.00	
104410-512000	Printing – Personnel	\$ 100.00	
104410-514000	Travel – Personnel	\$ 500.00	
104410-510000	Training – Personnel	\$ 500.00	
104410-532000	Office Supplies – Personnel	\$ 250.00	
104410-553000	Dues – Personnel	\$ 20.00	
104410-566000	Capital Outlay Inventory	\$ 250.00	

This will result in a net increase of \$0.00 in the Expenditure of the General Fund. No additional revenue is needed for the above.

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 17th day of July, 2006.


 Clerk to Board of Commissioners


 Chairman, Board of Commissioners

Commissioner Clayton Riggs made a motion to approve budget amendment 2006-07-BA002. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Melvin Jerals voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

**2006-07-BA002
 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 DSS Fund, the expenditures are to be changed as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
526100-502000	Salaries	\$5,733.00	
526100-505000	FICA	\$ 440.00	
526100-507000	Retirement	\$ 284.00	
526100-507100	401K	\$ 287.00	

This will result in a net increase of \$6744.00 in the Expenditure of the General Fund. To provide the additional revenue for the above, the following revenues will be increased.

52330610-439710	General Fund Contribution	\$6,744.00
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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 17th day of July, 2006.


Clerk to Board of Commissioners


Chairman, Board of Commissioners

Commissioner Clayton Riggs made a motion to approve budget amendment 2006-07-BA003. 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.

2006-07-BA003
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
104900-595100	Animal Control	\$ 349.00	
106900-591200	Contribution of DSS	\$6,744.00	
105000-502000	Bldgs/Grounds Salaries	\$1,758.00	
104900-595000	Fire Marshall	\$ 53.00	
106900-512900	Central Communications		\$1,311.00
106900-599100	Library		\$ 995.00
109990-500000	Contingency		\$6,598.00

This will result in a net increase of \$0.00 in the Expenditure of the General Fund. No additional revenue is needed for the above.

Balance in Contingency \$67,236.

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 17th day of July, 2006.


Clerk to Board of Commissioners


Chairman, Board of Commissioners

Commissioner Carolyn Riggs made a motion to approve budget amendment 2006-07-BA004. 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.

2006-07-BA004
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:

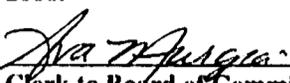
ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
105150-521000	Property Rental	\$ 2,400.00	
105150-574302	Site development	\$ 7,700.00	

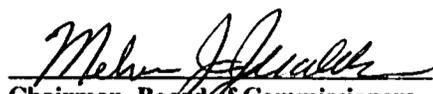
From Facilities Fees

This will result in a net increase of \$10,100.00 in the Expenditure of the General Fund. To provide the additional revenue for the above, the following revenues will be increased. Approved by Commissioners.

10399400-439900 Fund Balance Appropriated \$10,100.00

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 17th day of July, 2006.


Clerk to Board of Commissioners


Chairman, Board of Commissioners

Commissioner Mike Andrews made a motion to approve budget amendment 2006-07-BA005. 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.

2006-07-BA005
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.

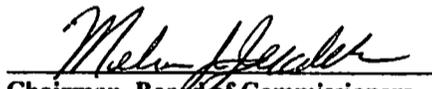
Section 1. To amend the School Capital Reserve Fund, the expenditures are to be changed as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
756820-574302	Site development	\$23,800.00	
756820-599900	Fund Reserves	\$23,800.00	

This will result in a net increase of \$0.00 in the Expenditure of the General Fund. No additional revenue is needed for the above. Approved at the 7/3/06 Commissioners meeting.

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 17th day of July, 2006.


Clerk to Board of Commissioners


Chairman, Board of Commissioners

Camden County School – Budget Amendments

Commissioner Mike Andrews made a motion to approve the budget amendments for the Local Current Expense Fund, Child Expense Fund, Capital Outlay Fund, Local Current Expense Fund, and Child Nutrition as presented. 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.

Budget Amendment

Camden County Schools Administrative Unit
Local Current Expense Fund

The Camden County Board of Education at a meeting on the 23rd day of June, 2006, passed the following resolution.

Be it resolved that the following amendments be made to the Budget Resolution for the fiscal year ending June 30, 2006.

Code Number	Description of Code	Amount	
		Increase	Decrease
5100	Regular Instructional Program	9,417.00	
5200	Special Instructional Program		8,958.00
5400	Co-Curricular Inst. Programs	3,542.31	
5900	Other Instructional Programs		2,117.31
6300	Administrative Support Services		1,037.00
6400	School Admin Support Services		3,356.00
6500	Business Services		2,109.00
6600	Central Support Services		700.00
6900	Other Support Services	5,310.00	
7100	Community Services	2,440.00	
7900	Other Community Services		2,432.00
Explanation:			
	Total Appropriation in Current Budget	\$ 2,124,301.00	
	Amount of Increase/Decrease of Above Amendment		.00
	Total Appropriation in Current Amended Budget	\$ 2,124,301.00	

Passed by majority vote of the Board of Education of Camden County on the 23rd day of June 2006.

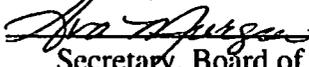
We the Board of County Commissioners of Camden County hereby approve the changes in the County School Funds Budget as indicated above, and have made entry of these changes on the minutes of said Board, this 17th day of July, 2006.

Chairman, Board of Education



Chairman, Board of County Commissioners

Secretary, Board of Education



Secretary, Board of County Commissioners

Budget Amendment

**Camden County Schools Administrative Unit
Child Nutrition Fund**

The Camden County Board of Education at a meeting on the 23th day of June 2006, passed the following resolution.

Be it resolved that the following amendments be made to the Budget Resolution for the fiscal year ending June 30, 2006.

Code Number	Description of Code	Amount	
		Increase	Decrease
6500	Business Support Services	23,382.00	
6900	Other Support Services		9,890.00
8100	Pymts to Oth Gov Units & Trfs	8,600.00	
9200	Purchase of Equipment		3,000.00
Explanation: Revenue – Supplemental Sales - \$6,240.00; USDA Commodity Food Received – \$17,852.00			
	Total Appropriation in Current Budget	\$ 668,750.00	
	Amount of Increase/(Decrease) of Above Amendment		24,092.00
	Total Appropriation in Current Amended Budget		692,842.00

Passed by majority vote of the Board of Education of Camden County Schools on the 23rd day of June, 2006	We the Board of County Commissioners of Camden County hereby approve the changes in the County School Funds Budget as indicated above, and have made entry of these changes in the minutes of said Board, this 17 th day of July 2006.
_____ Chairman, Board of Education	 _____ Chairman, Board of County Commissioners
_____ Secretary, Board of Education	 _____ Secretary, Board of County Commissioners

Budget Amendment

Camden County Schools Administrative Unit
Capital Outlay Fund

The Camden County Board of Education at a meeting on the 23rd day of June, 2006, passed the following resolution.

Be it resolved that the following amendments be made to the Budget Resolution for the fiscal year ending June 30, 2006.

Code Number	Description of Code	Amount	
		Increase	Decrease
2990.997	Fund Equity - Regular		14,873.00
9111.077.529	Roof / Gutter Repair & Replace		1,300.00
9112.077.529	Painting / Floor Coverings	1,300.00	
9124.078.526	Architect Fees - CIS	151,734.24	
9124.078.529	Misc Cont & Oth Chgs - CIS	101.08	
4910.000	Fund Balance - Appropriated	14,873.00	
Explanation:			
	Total Appropriation in Current Budget	\$	491,334.80
	Amount of Increase / (Decrease) of Above Amendment		151,734.24
	Total Appropriation in Current Amended Budget		643,069.04

Passed by majority vote of the Board of Education of Camden County Schools on the 23rd day of June, 2006.	We the Board of County Commissioners of Camden County hereby approve the changes in the County School Funds Budget as indicated above, and have made entry of these changes in the minutes of said Board, this 17 th day of July 2006.
_____ Chairman, Board of Education	 _____ Chairman, Board of County Commissioners
_____ Secretary, Board of Education	 _____ Secretary, Board of County Commissioners

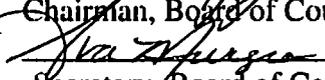
Budget Amendment

Camden County Schools Administrative Unit
Local Current Expense Fund

The Camden County Board of Education at a meeting on the 29th day of June, 2006, passed the following resolution.

Be it resolved that the following amendments be made to the Budget Resolution for the fiscal year ending June 30, 2006.

Code Number	Description of Code	Amount	
		Increase	Decrease
5100	Regular Instructional Program	39.00	
5200	Special Instructional Program		245.00
5400	Co-Curricular Inst. Programs	2,620.00	
5800	Student Services		2,620.00
5900	Other Instructional Programs	206.00	
6300	Administrative Support Services	159.00	
6400	School Admin Support Services		183.00
6900	Other Support Services	24.00	
Explanation:			
	Total Appropriation in Current Budget	\$ 2,124,301.00	
	Amount of Increase/Decrease of Above Amendment		.00
	Total Appropriation in Current Amended Budget	\$ 2,124,301.00	

Passed by majority vote of the Board of Education of Camden County on the 29 th day of June 2006.	We the Board of County Commissioners of Camden County hereby approve the changes in the County School Funds Budget as indicated above, and have made entry of these changes on the minutes of said Board, this 17 th day of July 2006.
_____	
Chairman, Board of Education	Chairman, Board of County Commissioners
_____	
Secretary, Board of Education	Secretary, Board of County Commissioners

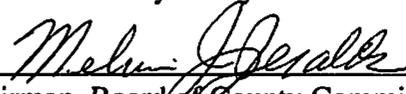
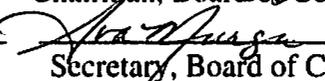
Budget Amendment

Camden County Schools Administrative Unit
Child Nutrition Fund

The Camden County Board of Education at a meeting on the 30th day of June 2006, passed the following resolution.

Be it resolved that the following amendments be made to the Budget Resolution for the fiscal year ending June 30, 2006.

Code Number	Description of Code	Amount	
		Increase	Decrease
6500	Business Support Services	4,203.00	
Explanation: Revenue – Supplemental Sales - \$4,203.00;			
	Total Appropriation in Current Budget	\$ 692,842.00	
	Amount of Increase /(Decrease) of Above Amendment		4,203.00
	Total Appropriation in Current Amended Budget		703,045.00

Passed by majority vote of the Board of Education of Camden County Schools on the 30th day of June, 2006	We the Board of County Commissioners of Camden County hereby approve the changes in the County School Funds Budget as indicated above, and have made entry of these changes in the minutes of said Board, this 17 th day of July 2006.
_____ Chairman, Board of Education	 _____ Chairman, Board of County Commissioners
_____ Secretary, Board of Education	 _____ Secretary, Board of County Commissioners

Tax Releases, Pick Ups and Refunds

Commissioner Clayton Riggs made a motion to approve the tax release as presented by the Tax Administrator. 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.

Ronald B. Inge	\$130.24	Refund	Not Probate & Released
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Authorization to Collect Taxes – April 2006 Renewals

Commissioner Clayton Riggs made a motion to approve the authorization to collect taxes for the April 2006 renewals as submitted by the Tax Administrator. 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.

STATE OF NORTH CAROLINA

COUNTY OF CAMDEN

TO: The Tax Administrator of Camden County (April Ren.) Due 8/1/06

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
22,014.93	27,212.14	13,604.00	62,831.07

Witness my hand and official seal this 17th day of July 2006.



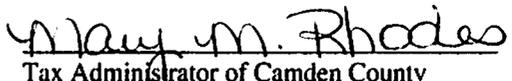
 Chairman, Camden County Board of Commissioners

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

Proclamation- 23rd Annual National Night Out – August 1, 2006

Commissioner Clayton Riggs made a motion to approve a Proclamation for the 23rd Annual National Night Out on Tuesday, August 1, 2006. 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.

Proclamation
National Night Out 2006

WHEREAS, the National Association of Town Watch (NATW) is sponsoring a unique, nationwide crime, drug and violence prevention program on August 1st, 2006 entitled "National Night Out"; and

WHEREAS, the "23rd Annual National Night Out" provides a unique opportunity for Camden County to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts; and

WHEREAS, your organization plays a vital role in assisting the Camden County Sheriff's Office through joint crime, drug and violence prevention efforts in Camden County and is supporting "National Night Out 2006" locally; and

WHEREAS, it is essential that all citizens of Camden County be aware of the importance of crime prevention programs and impact that their participation can have on reducing crime, drugs and violence in Camden County; and

WHEREAS, police-community partnerships, neighborhood safety, awareness and cooperation are important themes of the "National Night Out" program;

NOW, THEREFORE WE, COMMISSIONERS, do hereby call upon all citizens of Camden County to join Camden County Sheriff's Office and the National Association of Town Watch in supporting "23rd Annual National Night Out" on August 1st, 2006.

FURTHER, LET IT BE RESOLVED THAT, WE, COMMISSIONERS, do hereby proclaim Tuesday, August 1st, 2006 as "NATIONAL NIGHT OUT" in Camden County.


Melvin Jeralds, Chairman
Camden County Board of Commissioners

(SEAL)

ATTEST:

Ava Murgia
Clerk to the Board of Commissioners

Pasquotank – Camden Emergency Medical Service

County Manager Randell Woodruff stated that EMS Director Jerry Newell is requesting appointment of Dr. Roger Gallant as the new ALS Medical Director, effective August 1, 2006 due to the resignation of Dr. Celia Jackson.

Commissioner Mike Andrews made a motion to appoint Dr. Roger Gallant as the ALS Medical Director, effective August 1, 2006. 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.

County Manager's Report

County Manager Randell Woodruff provided a list of the following for the Board's review:

- Parking agreement has been signed by the county and forwarded to Morrisette family
- Recreation update – position advertised with numerous applicants
- AEDC Meeting in Camden – Senior Center – July 26, 2006 - 8:00 a.m.
- Jr ROTC at Camden High School moving forward
- NCACC Conference in Winston-Salem, September 7 – 10, 2006
- NCLM Conference in Greensboro, October 15 – 17, 2006
- Medicaid costs capped.

Commissioner Clayton Riggs stated that at a previous meeting the Board discussed the appointment of Gwen Wescott to the Regional Library Board, and would like to make sure that the appointment comes to fruition.

SOUTH CAMDEN WATER AND SEWER DISTRICT BOARD OF DIRECTORS

Chairman Melvin Jeralds recessed the Board of Commissioners meeting to convene the South Camden Water and Sewer District Board of Directors meeting.

Upon adjournment of the South Camden Water and Sewer District Board of Directors meeting, Chairman Melvin Jeralds reconvened the Board of Commissioners meeting.

Reports from Commissioners Serving on Other Boards

Commissioner Jeffrey Jennings reported on the state of affairs in the administrative offices of the Albemarle District Jail regarding unpaid bills.

Other Matters

Planning Director Dan Porter invited the Board to a working box lunch for a site visit from the Fit Together Group grant officer on Thursday, July 20th in the Sheriff's Conference Room

Closed Session

Closed Session was deleted from the agenda.

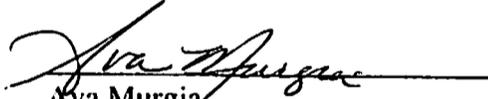
Adjournment

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 9:34 p.m.


Melvin J. Jeralds, Chairman
Camden County Board of Commissioners

ATTEST:


Ava Murgia
Clerk to the Board