

**Camden County Board of Commissioners**

**Regular Meeting  
November 6, 2006  
7:00 P.M.  
Historic Courtroom  
Camden, North Carolina**

**MINUTES**

The regular meeting of the Camden County Board of Commissioners was held on Monday, November 6, 2006 at 7:00 p.m. in the Historic Courtroom in Camden, North Carolina. The following members were present:

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

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

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

**Public Comments**

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

Chairman Melvin Jeralds also stated that no comments would be taken regarding the Black Bear Landfill.

Hearing no comments, Chairman Melvin Jeralds continued with the meeting.

**Consideration of Minutes - October 16, 2006 – Regular Meeting**

Commissioner Clayton Riggs made a motion to approve the minutes of the October 16, 2006 regular meeting subject to correction of technical and typographical errors. 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 Agenda**

County Manager Randell Woodruff asked that *X. New Business, Item L. Jail – Resolutions and Inter-County Agreement* be added to the agenda and delete *Items VI. Old Business, B. QZAB Funding – Resolution No. 2006-11-02, VII. A. Resolution No. 2006-11-01, and X. New Business, A. Consideration of Resolution No. 2006-11-01* and *table Items X. New Business, E. Planning Board of Adjustment and F. Subdivision Drainage Requirement.*

Commissioner Carolyn Riggs requested that *VI. Old Business, Item A. Consideration of Ordinance No. 2006-09-01* be removed from the agenda due to not enough Board support for a referendum and would not like to take a vote on the landfill agreement extension Ordinance No. 2006-09-01.

Attorney John Morrison asked Commissioner Carolyn Riggs if she would like to set a time certain or indefinitely.

Commissioner Jeffery Jennings made a motion to approve the Board of Education budget amendments 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.

**Juvenile Crime Prevention Council (JCPC) Board Member Approval**

Commissioner Clayton Riggs made a motion to approve the following JCPC members as recommended by program coordinator Holly Lassiter: Ron Melchiorre, Brittany Baker, Kenny Stuart, Valerie Jaycocks, Jim Oliver, and Sharon Wisinger. 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.

**Jail – Proceedings for Resolution and Inter-County Agreement**

Commissioner Clayton Riggs made a motion to approve the resolution and inter-county agreement. 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.

A regular meeting of the Board of Commissioners for the County of Camden, North Carolina, was held in the Historic Courthouse in Camden County at 7:00 P.M. on November 6, 2006.

Present: Chairman Melvin J. Jeralds, presiding, and Commissioners Clayton Riggs, Jeff Jennings, Mike Andrews, Carolyn Riggs.

Absent: None.

\* \* \* \* \*

Commissioner Clayton Riggs introduced the following resolution, a copy of which had been provided to each Commissioner and which was read by its title:

**RESOLUTION APPROVING AN INTERCOUNTY AGREEMENT CONCERNING A NEW REGIONAL CONFINEMENT FACILITY AND CERTAIN OTHER DOCUMENTS AND APPROVING AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION THEREWITH.**

WHEREAS, the County of Camden, North Carolina (the "County"), is a validly existing political subdivision of the State of North Carolina (the "State"), under and by virtue of the Constitution and laws of the State; and

WHEREAS, the County, Pasquotank County, North Carolina and Perquimans County, North Carolina (collectively, the "Participating Counties") have determined to participate in an undertaking, pursuant to Section 153A-219 and Chapter 160A, Article 20, Part 1 of the North Carolina General Statutes, as amended, to finance a portion of the cost of a project to provide improved regional or district jail or confinement facilities for housing prisoners from the Participating Counties; and

WHEREAS, such project consists of the construction of a jail and related site improvements on approximately 15 acres of land owned by the County in Pasquotank Commerce Park and the acquisition of furnishings and equipment therefor (the "Project"); and

WHEREAS, the Participating Counties are authorized to enter into agreements in order to execute such undertaking and desire to enter into such an agreement substantially in the form of the Intercounty Agreement hereinafter defined; and

WHEREAS, it is now necessary for the Board of Commissioners for the County (the "Board") to approve the Intercounty Agreement and certain other documents related thereto and to approve and authorize certain actions in connection therewith; and

WHEREAS, there have been presented for consideration by the Board copies of the following documents relating to such matter:

(a) a draft of an Intercounty Agreement Concerning a New Regional Confinement Facility, dated November 17, 2006 and among the Participating Counties (the "Intercounty Agreement"), which affirms the creation of the Albemarle District Jail Commission (the "Jail Commission") and provides for the ownership of the Project, the financing and construction of the Project by Pasquotank County, the lease of the Project to the Jail Commission for operation by the Jail Commission and the participation of the Participating Counties in the cost of constructing and operating the Project; and

(b) a draft of an Installment Financing Contract, dated November 17, 2006 and between Pasquotank County and RBC Centura Bank (the "Installment Financing Contract"), under which RBC Centura Bank (the "Bank") would advance funds to finance a portion of the cost of the Project and Pasquotank County would be obligated to make Installment Payments (as defined therein) to repay the

funds advanced to it and to make certain other payments, among other requirements, such obligations being subject to termination by Pasquotank County under certain circumstances as provided therein;

(c) a draft of an Escrow Deposit Agreement, dated November 17, 2006 and among the County, the Bank and RBC Centura Bank as escrow agent (the "Escrow Deposit Agreement"), which provides for the expenditure of funds advanced pursuant to the Installment Financing Contract to pay Project costs; and

(d) a draft of a Deed of Trust and Security Agreement, made and entered into as of November 17, 2006 (the "Deed of Trust"), which Pasquotank County would execute and deliver to a trustee for the benefit of the Bank and which would encumber the site of the Project and the improvements on such site and certain related property, subject to certain exceptions, as security for the County's obligation to repay the funds advanced to it pursuant to the Installment Financing Contract; and

(e) a draft of a Lease, dated November 17, 2006 and between the County, as lessor, and the Jail Commission, as lessee (the "Lease"), which provides for the lease of the Project by the County to the Jail Commission;

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

Section 1. The Board hereby confirms that the Project and its use are essential for the County and that the Project will permit the County to carry out public functions that it is authorized by law to perform.

Section 2. The Board hereby finds and determines that it is in the best interest of the County to enter into the Intercounty Agreement in order to effectuate the financing of a portion of the cost of the Project as described above.

Section 3. The terms and provisions of the Intercounty Agreement, are hereby approved in all respects and, insofar as they are applicable to the County, the terms and provisions of the Installment Financing Contract, the Escrow Deposit Agreement, the Deed of Trust and the Lease are hereby approved in all respects. The Chairman of the Board, the Finance Officer of the County and the Clerk to the Board are hereby authorized and directed to execute and deliver the Intercounty Agreement in substantially the form presented to the Board, together with such additions, changes, modifications and deletions as they, with the advice of counsel, may deem necessary and appropriate, and such execution and delivery shall be conclusive evidence of the approval and authorization thereof by the Board and the County.

Section 4. The Board hereby approves, ratifies and confirms the actions of the County Manager and the County Attorney of the County in connection with this matter.

Section 5. The officers and employees of the County are authorized and directed (without limitation except as may be expressly set forth herein) to take such other actions and to execute and deliver such other documents, certificates, undertakings, agreements or other instruments as they, with the advice of counsel, may deem necessary or appropriate to effectuate the transactions contemplated by the Intercounty Agreement.

Section 6. If any section, phrase or provision of this resolution is for any reason declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this resolution.

Section 7. All motions, orders, resolutions, ordinances and parts thereof in conflict herewith are hereby repealed.

Section 8. This resolution shall take effect immediately upon its passage.

Upon motion duly made and seconded, the foregoing resolution was passed by the following vote:

Ayes: Commissioners Melvin Jerals, Clayton Riggs, Jeff Jennings, Mike Andrews, Carolyn

Riggs.

Noes: None.

\* \* \* \* \*

I, Lori Tuss, Deputy Clerk to the Board of Commissioners for the County of Camden, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board at a regular meeting held on November 6, 2006 as relates in any way to the matters described therein and that said proceedings are recorded in Minute Book No. 12 of the minutes of said Board, beginning on page 1787 and ending on page 1797..

I HEREBY FURTHER CERTIFY that a notice of said meeting was duly given in accordance with G.S. §143-318.12.

WITNESS my hand and the corporate seal of said County, this 6th day of November 2006.



Lori Tuss

Deputy Clerk to the Board of Commissioners

### County Manager's Report

County Manager Randell Woodruff reported on the following:

- School failed to meet QZAB criteria of 35% of students eligible for free or reduced lunch program
- Meeting next week with state officials to review several potential sites for the communication tower in northern Camden County
- Intermediate School project pre-construction meeting on Tuesday, November 7, 2006
- Painting of administrative offices in progress
- First wastewater system construction meeting scheduled for Thursday, November 9, 2006 at 10:00 a.m.

- Joint work session with Planning Board regarding UDO amendments and growth control measures scheduled for Monday, November 13, 2006 at 7:00 p.m.
- Clerk to the Board Ava Murgia has completed the first portion of educational courses for clerk certification and is currently attending the Municipal and County Administration Course at UNC School of Government as part of the education requirement for becoming a certified municipal clerk
- County offices closed on Friday, November 10, 2006 for Veterans Day
- First Parks and Rec Advisory Board meeting was held last week

**Reports from Commissioners Serving on Other Boards**

Commissioner Carolyn Riggs shared literature regarding auditing accounts by Mr. John C. Howell, and a vendor of county seals she received at the League of Municipalities conference in Greensboro.

**Closed Session**

Commissioner Jeffrey Jennings made a motion to go into closed session pursuant to G.S. 143-318.11(a)(3) for the purpose of consultation with attorney regarding courthouse renovation litigation. 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.

The Commissioners entered closed session at 7:36 p.m.

Commissioner Jeffrey Jennings made a motion to come out of closed session and back into regular session. 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.

The Commissioners re-entered regular session at 7:44 p.m.

Chairman Melvin Jerals called for any motions.

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

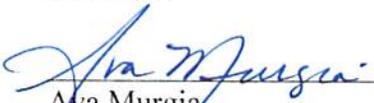
**Adjournment**

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

The meeting adjourned at 7:45 p.m.

  
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Melvin J. Jerals, Chairman  
Camden County Board of Commissioners

ATTEST:

  
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Ava Murgia  
Clerk to the Board