

Camden County Board of Commissioners

Regular Meeting

October 3, 2005

7:00 P.M.

Camden County Courthouse

Camden, North Carolina

MINUTES

The regular meeting of the Camden County Board of Commissioners was held Monday, October 3, 2005 at 7:00 p.m. in the Camden County Courthouse, Courthouse Complex, Camden, NC. 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, Attorney Herbert Mullen, Clerk to the Board Ava Murgia and various staff members.

Chairman Jeralds called the meeting to order and Commissioner Carolyn Riggs gave the invocation and led the Pledge of Allegiance.

Public Comments

Chairman Jeralds called for any comments from the public.

Buddy Tucker, 617 Trotman Road, passed out a newspaper article regarding capping growth in Maryland.

Nancy Ferebee, 337 North Hwy 343, stated she was appearing before the Board on behalf of the Courthouse Restoration Committee to respectfully request that the correction and completion of the Historic Courthouse restoration project be let to the Progressive Contract Company, located in Edenton, N.C.

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

Consideration of Minutes - August 4, 2005 - Joint Meeting with South Mills Fire Association, August 16, 2005 - Joint Meeting with Currituck Board, and September 6, 2005 - Regular Meeting

Commissioner Clayton Riggs made a motion to approve the minutes of the August 4, 2005 Joint Meeting with South Mills Fire Association, August 16, 2005 Joint Meeting with Currituck Board, and September 6, 2005 Regular Meeting, subject to correction of typographical and technical errors. The motion passed with Commissioners Jennings, Carolyn Riggs, Clayton Riggs, Andrews, and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Consideration of Agenda

County Manager Randell Woodruff asked that *Item VIII. Old Business, 4. Courthouse Renovation Project* and *Item IX. New Business, 13. Request From Robinson Family Regarding NCDOT US17 Widening* be added to the agenda.

Commissioner Carolyn Riggs made a motion to approve the agenda as amended. The motion passed with Commissioners Jennings, Carolyn Riggs, Clayton Riggs, Andrews, and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Impact Fees

Attorney Mullen updated the Board regarding the reply brief to Amicus Curiae Brief of Camden County from Durham County, and stated he did not know when this case would be heard by the North Carolina Court of Appeals.

License for Solid Waste Companies

Per the Commissioners' request to enforce licensing of solid waste companies, staff has reviewed the ordinance, and following comments from Planning Director Dan Porter, Chairman Jeralds so ordered Mr. Porter to draft a plan addressing several issues for the Board's review to be implemented in sixty (60) or ninety (90) days.

Isabel Stream Clean Up Contract – Phase 2

Planning Director Dan Porter stated Wayne Howell with the RC&D council has informed him that Camden County will be receiving an additional \$36,246 to conduct Isabel Stream Clean up activities. Although formal written notice of the award has not yet been received, staff has prepared a contract with J & J Construction to clear and snag 17,000 linear feet of Goose Creek and its tributaries. J & J Construction is the same contractor that successfully completed the initial stream clean up work. He has agreed to complete this work for the same per unit price as last years contract (\$1.88/linear foot).

Since some of Goose Creek may not have a channel and thus not able to be cleared, the contractor has been asked to observe the area and report on a more accurate estimate.

Due to the North Carolina Wildlife Resources Commission regulations, work within the streams and creeks can only be carried out from October through February 15.

Commissioner Clayton Riggs made a motion to authorize the County Manager to execute a contract for up to \$36,000 with J & J Construction, Inc. to clear and snag up to 17,000 linear feet of Goose Creek and its tributaries, and to notify all property owners that contractors will be crossing their land in order to clear and snag. The motion passed with Commissioners Jennings, Carolyn Riggs, Clayton Riggs, Andrews, and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Historic Courthouse Renovation Project

Attorney Herbert Mullen stated that Progressive Contracting Company offered to complete the Historic Courthouse renovation project at a cost of approximately \$90,000.00.

Following discussion, Commissioner Clayton Riggs withdrew his motion and Commissioner Jennings made a motion to contract with Progressive Contracting Company with approval by USDA Rural Development to perform work on the :Historic Courthouse. The motion passed with Commissioners Jennings, Carolyn Riggs, Clayton Riggs, Andrews, and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Penny Leary Smith – Dismal Swamp Visitors Center

Dismal Swamp Visitors Center Director Penny Leary Smith presented a department update power point presentation to the Board regarding the Dismal Swamp Visitors Center and bike path.

Community Wireless Internet – American Wi-Fi

Mr. Danny Teachy and Frank Paris of American Wi-Fi addressed the Board regarding free public wireless internet access in certain areas of the county, supported by and revenue provided by merchants, with no cost to the county.

Sylvia Holley – Department of Social Services

Mrs. Holley gave an oral department update to the Board regarding the services and activities of the Camden County Department of Social Services.

Tax Office - Karen Ferebee – Mobile Home Valuation

Karen Ferebee did not attend the meeting.

Tax Office – Authorization to Collect June 2005 Renewals

Commissioner Clayton Riggs made a motion to approve Authorization to Collect June 2005 Renewals as submitted by the Tax Administrator. The motion passed with Commissioners Jennings, Carolyn Riggs, Clayton Riggs, Andrews, and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

STATE OF NORTH CAROLINA

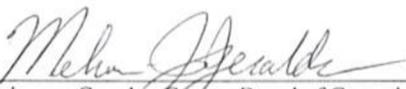
COUNTY OF CAMDEN

TO: The Tax Administrator of Camden County (June Renewals) Due 10/1/05

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

SOUTH MILLS	COURTHOUSE	SHILOH	TOTAL
20,055.39	20,877.80	10,932.63	51,865.82

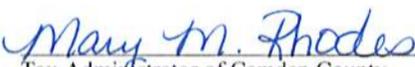
Witness my hand and official seal this 3rd day of October, 2005.


Chairman, Camden County Board of Commissioners

Attest:


Clerk to the Board of Commissioners of Camden County

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


Tax Administrator of Camden County

Tax Office – Real Estate Refund Request – Wells Fargo

Tax Administrator Mary Rhodes stated Wells Fargo is requesting a refund in the amount of \$1,477.56 due to property line changes.

Commissioner Clayton Riggs made a motion to approve the real estate refund request for Wells Fargo in the amount of \$1,477.56. The motion passed with Commissioners Jennings, Carolyn Riggs, Clayton Riggs, Andrews, and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Tax Office – Real Estate Refund Request – Aliene Pierce

Tax Administrator Mary Rhodes stated Mr. John Pierce is requesting a real estate refund in the amount of \$470.10 for the Aliene Pierce Estate.

Commissioner Clayton Riggs made a motion to approve the real estate refund request for the Aliene Pierce Estate in the amount of \$470.10. The motion passed with Commissioners Jennings, Carolyn Riggs, Clayton Riggs, Andrews, and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Set Public Hearing – Special Use Permit - UDO 2005-03-34 – Sketch Plan - Tark Commercial Park

Camden County Planning Board met on September 21, 2005 and recommended approval with conditions as recommended by staff on a 7-0 vote. Concerns addressed during the meeting were the design standards (i.e. appearance/landscaping), use of septic systems, and traffic concerns with no turn/deceleration lanes indicated on Sketch Plan. These concerns will be addressed at Preliminary Plat (if approved).

Commissioner Jennings made a motion to set Special Use Permit - UDO 2005-03-34 – Sketch Plan - Tark Commercial Park for public hearing for October 17, 2005 at 7:00 p.m. or as soon thereafter as the agenda allows. The motion passed with Commissioners Jennings, Carolyn Riggs, Clayton Riggs, Andrews, and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Set Public Hearing – Ordinance No. 2005-10-01 – Zoning Change - UDO 2005-08-33 - E & J Holdings

The Planning Board met on September 21, 2005 and voted 7-0 to recommend approval for this application to rezone from General Use District (GUD) to Light Industrial (I-1), with conditions as recommended by staff.

Commissioner Andrews made a motion to introduce and set public hearing on Ordinance #2005-10-01, Rezoning Application for E & J Holdings, LLC for October 17, 2005 at 7:00 p.m. or as soon thereafter as the agenda allows. The motion passed with Commissioners Jennings, Carolyn Riggs, Clayton Riggs, Andrews, and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Planning Dept. – Request for Extension – UDO 2003-10-26 - Sketch Plan – Spencer Farm Estates

Janet H. Spencer received Sketch Plan approval for a (7) lot major subdivision on November 17, 2003 under Special Use Permit (2003-10-26).

Per Camden County Code Article 151.512 (D), applicant has requested a one (1) year extension of the approved Sketch Plan, and in accordance with Camden County Code of Ordinances, no further extensions are permitted.

Commissioner Andrews made a motion to approve a one (1) year extension on Sketch Plan for Spencer Farm Estates to expire November 17, 2006. The motion passed with Commissioners Jennings, Carolyn Riggs, Clayton Riggs, Andrews, and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Resolution No. 2005-10-01 Request for Addition to State Maintained Secondary Road System – Taylor Leigh Drive – McPherson Estates

Commissioner Jennings made a motion to approve Resolution No. 2005-10-01. The motion passed with Commissioners Jennings, Carolyn Riggs, Clayton Riggs, Andrews, and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Approved Resolution No. 2005-10-01 reads as follows:

Resolution No. 2005-10-01

**NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION REQUEST FOR ADDITIONS
TO STATE MAINTAINED SECONDARY ROAD SYSTEM**

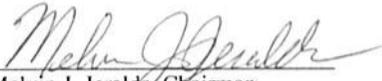
North Carolina
County of Camden
Road Descriptions:

Taylor Leigh Drive, McPherson Estates, South Mills Township

WHEREAS, the attached petition has been filed with the Board of County Commissioners of the County of Camden requesting that the above described roads, the location of which has been indicated in red on the attached map, be added to the Secondary Road system; and

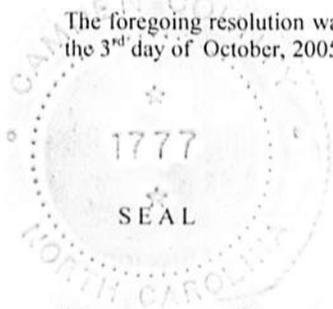
WHEREAS, the Board of County Commissioners is of the opinion that the above described roads should be added to the Secondary Road System, if the roads meet minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads to the System.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of the County of Camden that the Division of Highways is hereby requested to review the above described roads, and to take over the roads for maintenance if they meet established standards and criteria.


Melvin J. Jeralds, Chairman
Camden County Board of Commissioners

CERTIFICATE

The foregoing resolution was duly adopted by the Board of Commissioners of the County of Camden at a meeting on the 3rd day of October, 2005.




Ava Murgia, Clerk to the Board of Commissioners, County of Camden

Temporary Classrooms for Camden County Schools

County Manager Randell Woodruff stated for the Commissioners future consideration, the Board of Education is requesting a Capital Outlay budget amendment to purchase three (3) classroom modular units to accommodate increased enrollment expected in August 2006 at each of the three (3) schools.

No action was taken.

Request From Robinson Family – Widening US158 - Camden County

Charlie Robinson, 120 Bayshore Drive, Elizabeth City, and Harry Robinson, 203 Dogwood Trail, Elizabeth City requested a Resolution be sent to NCDOT with copy to Stan White supporting the vertical clearance of the bridge located on US 158 to a minimum of 6-1/2' mean water level to the bottom of the bridge support.

Following discussion, Commissioner Clayton Riggs made a motion for Attorney Mullen to draft a resolution and send the resolution to NCDOT requesting that NCDOT evaluate the process of allowing 10' of clearance at the bottom of the bridge, with a minimum of 6-1/2' to allow economic growth and tourism in the area through the waterway. The motion passed with Commissioners Jennings, Carolyn Riggs, Clayton Riggs, Andrews, and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The following resolution was sent to NCDOT.

Resolution No. 2005-10-02

A RESOLUTION OF THE CAMDEN COUNTY BOARD OF COMMISSIONERS REQUESTING DURING NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION'S WIDENING OF THE US 158 BRIDGE LOCATED IN CAMDEN COUNTY TO INCLUDE CONSTRUCTION PLANS TO 10 FEET

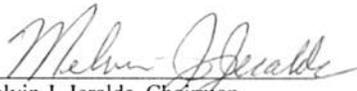
WHEREAS, the Camden County Board of Commissioners respectfully request that the NCDOT in its plans for the widening of US158 include a bridge over Pinch Gut, a manmade waterway adjacent to Havenwood Road, be constructed so that the bottom of the bridge is ten (10) feet above the average water level, but in no event less than six and one half (6-1/2) feet; and

WHEREAS, this request is made by the Camden County Board of Commissioners to implement and supplement the lands adjacent to the manmade waterway so that it can be utilized for commercial boat traffic or economic development; and

WHEREAS, this development, in the opinion of the Camden County Board of Commissioners, would compliment the City of Elizabeth City's waterfront as it would provide a sheltered harbor area and would also provide a resting or stopping place for boaters using the Dismal Swamp Visitor Center.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of the County of Camden that the NCDOT is hereby requested to review the above request.

This the 3rd day of October, 2005.


Melvin J. Jeralds, Chairman
Camden County Board of Commissioners

CERTIFICATE

The foregoing resolution was duly adopted by the Board of Commissioners of the County of Camden at a meeting on the 3rd day of October, 2005.

S E A L


Ava Murgia, Clerk to the Board of Commissioners, County
of Camden

South Camden Water and Sewer District Board of Directors

Chairman Jeralds recessed the Board of Commissioners meeting and called the South Camden Water and Sewer District Board of Directors meeting to order at 8:58 p.m.

Upon adjournment of the South Camden Water and Sewer District Board of Directors by member Andrews at 9:37 p.m., Chairman Jeralds reconvened the regular Board of Commissioners meeting.

Closed Session

Chairman Jeralds stated a closed session for consultation with attorney was not necessary and no closed session was held.

County Manager's Report

County Manager Randell Woodruff reviewed the upcoming meeting schedule.

Commissioner Clayton Riggs asked the County Manager to check into and verify whether Black Bear and DENR have reached an agreement.

Other Matters

Attorney Herbert Mullen provided the Board with his letter of opinion, per Commissioner Carolyn Riggs request, regarding the Black Bear Landfill Agreement.

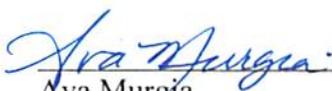
Adjournment

There being no further business to come before the Board, Commissioner Jennings made a motion to adjourn the meeting. The motion passed with Commissioners Jennings, Carolyn Riggs, Clayton Riggs, Andrews, and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The meeting adjourned at 9:42 p.m.


Melvin J. Jeralds, Chairman
Camden County Board of Commissioners

ATTEST:


Ava Murgia
Clerk to the Board