

Camden County Board of Commissioners

Regular Meeting

November 2, 2020 7:00 PM

Historic Courtroom, Courthouse Complex

Camden, North Carolina

MINUTES

The regular meeting of the Camden County Board of Commissioners was held on November 2, 2020 in the Historic Courtroom, Camden, North Carolina. The following members were present:

CALL TO ORDER & WELCOME

Chairman Tom White called the meeting to order at 7:00 PM.

Commissioner Garry Meiggs gave the invocation & led those present in the Pledge of Allegiance.

Commissioners Present:

Attendee Name	Title / Organization / Representing	Status	Arrived
Tom White	Chairman of the Board of Commissioners	Present	6:50 PM
Clayton Riggs	Vice Chairman of the Board of Commissioners	Present	6:50 PM
Ross Munro	Commissioner	Present	6:50 PM
Garry Meiggs	Commissioner	Present	6:50 PM
Randy Krainiak	Commissioner	Present	6:50 PM

Staff Members Present:

Attendee Name	Title / Organization / Representing	Status	Arrived
Ken Bowman	County Manager	Present	6:50 PM
Dan Porter	Planning Department Director	Present	6:50 PM
Amber Curling	Zoning Officer	Present	6:50 PM
Amy Barnett	Assistant Clerk to the Board of Commissioners	Present	6:30 PM
John Morrison	County Attorney	Present	6:50 PM

Others Present (in order of appearance):

Attendee Name	Organization / Address	Meeting Section
Penny Royal	Public Commenter, Sanders Crossing Subdivision	Public Comments
Marshall Powell Jr.	Sawyers Creek Road, Camden, NC	Public Hearing #1
Brenda Prime	McBride Street, South Mills, NC	Public Hearing #1
Jeannie LeFrancois	South Elm Street, South Mills, NC	Public Hearing #1
Donald Parker	Juniper Drive, Camden, NC	Public Hearing #1
Marshall Powell III	Spence Lane, South Mills, NC	Public Hearing #1
Christopher Martin	Carolina Road, South Mills, NC	Public Hearing #1
Ronald Inge	Spencer Lane, South Mills, NC	Public Hearing #1
Tammy Inge	Christopher's Way, South Mills, NC	Public Hearing #1
Taylor Inge	Canal Drive, South Mills, NC	Public Hearing #1
Mary Cherry Tirak	Chamberlain Road, South Mills, NC	Public Hearing #1
Kevin Norris	No Address Given, South Mills, NC	Public Hearing #1
Nancy Farmer	Horseshoe Road, South Mills, NC	Public Hearing #1
Raymond Farmer	Horseshoe Road, South Mills, NC	Public Hearing #1
Rebecca Farmer	Horseshoe Road, South Mills, NC	Public Hearing #1
David Miller	Battalion Chief, South Mills Vol. Fire Department	Public Hearing #1
Cheryl Forehand	Not Present, Emailed comments read by clerk	Public Hearing #1
Melissa Linton	Not Present, Emailed comments read by clerk	Public Hearing #1
Mark Bissell	Bissell Professional Group, Kitty Hawk NC Agent for Applicant, South Mills Landing	Public Hearing #1
Herbert Mullen	Attorney for Developer	Public Hearing #1
Reese Smith Jr.	Developer's Son, Virginia Beach, VA	Public Hearing #1
Richard Krainiak	Camellia Drive, Camden, NC; Applicant for Rezoning	Public Hearing #2
Gary Overton	Thomas Point Road, Shiloh, NC; Appellant	Old Business #1

PRESENTATIONS - None.

ITEM 1 PUBLIC COMMENTS:

Penny Royal, Otters Place, South Mills, NC

- Lives in Sanders Crossing Subdivision
- Came before board a month ago (in October)
 - Spoke on same subject as in October
 - Has not heard from anyone on it yet
- Roads in Sanders Crossing have sink holes and all that has been done is to look at them, no actions to fix them have been taken
- Blames Board of Commissioners for not monitoring developer to make sure they did what they needed to do in regards to roads
- Referenced a meeting that was held for political candidates, and at that meeting Sanders Crossing was mentioned
 - Mentioned the political candidate meeting was not advertised, and HOA members of Sanders Crossing were unable to attend, only found out about meeting through others who told Ms. Royal of some of the comments that were made there:
 - Sanders Crossing has an HOA and it's not the county's problem
 - People in the front of the neighborhood don't want to help pay for the ones in the back
 - It's not the county's problem, they need to figure it out on their own
 - Community doesn't pay their HOA dues
- Ms. Royal stated she wanted to set the record straight, saying that the HOA dues are not the county's concern, and that the HOA will take care of that as needed. She stated that 98% of the homeowners in that community pay their dues
- Ms. Royal is asking for the Board of Commissioners to look into the road problems:
 - Roads were supposed to be turned over to the state and never were
 - County never followed up, and roads fell through, and are now orphaned
 - Roads are in need of repair and the community cannot afford it
 - HOA dues are not structured to be part of road maintenance, nowhere in the covenants or bylaws is there any mention of road maintenance being part of the community, they were always supposed to be state roads. County knew that from the beginning.
 - Every county has some sort of emergency fund, asked why that is not being used to help
 - Asked Board to try to find some sort of grant money somewhere to help with road conditions
 - Commented regarding taxpayer status of homeowners and of the common area land
 - Feels shunned when coming to county for help. Asked why.

ITEM 2 CONFLICT OF INTEREST DISCLOSURE STATEMENT

Assistant Clerk to the Board of Commissioners, Amy Barnett, read the Conflict of Interest Disclosure Statement.

ITEM 3 CONSIDERATION OF AGENDA

Motion to Approve Agenda As Presented

RESULT:	PASSED [UNANIMOUS]
MOVER:	Clayton Riggs
AYES:	White, Riggs, Munro, Meiggs, Krainiak
ABSENT:	None

SOUTH CAMDEN WATER & SEWER BOARD OF DIRECTORS

At 7:09 PM, Chairman Tom White recessed the Board of Commissioners meeting and called the South Camden Water & Sewer Board of Directors meeting to order.

Consideration of Agenda:

Motion to Approve Agenda as Presented

RESULT:	PASSED [UNANIMOUS]
MOVER:	Garry Meiggs
AYES:	White, Riggs, Munro, Meiggs, Krainiak
ABSENT:	None

New Business: Monthly Report

Public Works Director David Credle was unable to attend the meeting, in his stead County Manager Ken Bowman read the monthly report as shown below:

*South Camden Water & Sewer Board
Monthly Work Order Statistics Report
Period: September 2020*

	Submitted Work Orders	Completed Work Orders	Percentage Completed	Status of Uncompleted Work Orders
Water/Distribution	84	84	100%	0
Sewer/Collection	2	2	100%	0

Locates:

- Water Line: 90
- Sewer Line: 15
- Water & Sewer, same ticket: 0
- Hydrant flow test: 5(painted)

Public Works Director Notes/Comments: Ten work orders have been reviewed for accuracy.

Water treated at the water treatment plant in September: 15,450,620 gallons

Daily average water usage for September: 515,021 gallons

Current treatment capacity at the water treatment plant: 720,000 gallons per day.

SOUTH CAMDEN WATER & SEWER BOARD									
MONTHLY WATER STATISTICS REPORT									
Date	Work Orders Submitted	Percentage Complete	Uncompleted	Water/Distribution	Sewer/Collection	Water Locates	Sewer Locates	Water/Sewer Locate	Hydrant Flow Test
2019									
Sept	82	100%	0%	80	2	131	20	4	0
Oct	99	100%	0%	97	2	257	10	5	0
Nov	144	100%	0%	143	1	275	6	2	0
Dec	80	100%	0%	80	0	106	7	1	0
2020									
Jan	111	100%	0%	110	1	47	8	9	0
Feb	48	100%	0%	47	1	92	5	0	0
March	41	100%	0%	39	2	51	18	4	0
April	51	100%	0%	49	2	89	8	17	0
May	48	100%	0%	46	2	88	15	2	0 flow/15 (painted)
June	71	100%	0%	69	2	55	7	1	0 flow/21 (painted)
July	85	100%	0%	82	4	69	5	2	0
August	72	100%	0%	71	1	64	8	1	0 flow/4 (painted)
Sept	85	100%	0%	84	2	90	15	0	0 flow/5 (painted)

SMWA Daily Consumption

Day	July 2020	August 2020	September 2020	October 2020
1	177,600	167,100	177,800	
2	150,000	155,100	184,700	
3	231,000	153,700	192,500	
4	167,300	145,300	188,600	
5	203,000	139,600	216,700	
6	186,900	150,000	213,200	
7	149,200	104,100	211,000	
8	167,700	162,400	172,300	
9	141,400	163,400	164,400	
10	183,500	156,600	163,500	
11	205,400	161,300	153,500	
12	205,500	159,400	181,500	
13	162,500	139,400	194,300	
14	163,500	136,700	155,900	
15	170,600	150,000	159,600	
16	176,400	152,000	168,400	
17	202,300	144,500	187,200	
18	192,500	146,000	119,700	
19	224,500	139,500	173,400	
20	194,100	152,300	181,500	
21	181,800	141,600	156,300	
22	202,800	152,700	163,700	
23	175,600	170,900	172,500	
24	172,400	153,300	135,500	
25	173,500	133,900	173,000	
26	186,200	179,300	165,600	
27	187,200	174,000	185,600	
28	163,000	185,400	172,600	
29	165,100	238,600	156,400	
30	188,200	146,000	166,200	
31	138,700	177,500		

Motion to Approve Monthly Report as Presented

RESULT:	PASSED [UNANIMOUS]
MOVER:	Ross Munro
AYES:	White, Riggs, Munro, Meiggs, Krainiak
ABSENT:	None

Motion to Adjourn South Camden Water & Sewer Board of Directors Meeting

RESULT:	PASSED [UNANIMOUS]
MOVER:	Ross Munro
AYES:	White, Riggs, Munro, Meiggs, Krainiak
ABSENT:	None

At 7:12 PM, the South Camden Water & Sewer Board of Directors Meeting was adjourned, and Chairman Tom White reconvened the Camden County Board of Commissioners meeting.

ITEM 4 PUBLIC HEARINGS

A. Public Hearing for South Mills Landing

Chairman Tom White laid out the following ground rules:

- Everyone will have the opportunity to speak
- Request that if speaking on the same concerns, that a representative of a group speak so same concerns are not repeated multiple times
- Keep it civil, uncivil actions / outbursts from a person(s) will be grounds for being asked to leave, with refusal of such being grounds for removal by Sheriff.
- Board of Commissioners wants to hear what everyone has to say, but at the same time wants everyone to be calm and civil.

At this time, Dan Porter, Planning Director, described this agenda item: This is a public hearing on the Development Agreement and Master Plan/Preliminary Plat for South Mills Landing Planned Development Major Subdivision.

The Staff Report and Development Agreement for this agenda item are attached hereto as “Attachment A” and “Attachment B” respectively.

Mr. Porter read the summary from the agenda item summary sheet for this agenda item:

Camden County Board of Commissioners AGENDA ITEM SUMMARY SHEET	
Meeting Date:	November 2, 2020
Attachments:	Master Plan/Preliminary Plan/ Staff Findings/TRC inputs/Draft Development Agreement/Development Impact Statement
Submitted By:	Planning Department
Item Title:	Public Hearing Development Agreement and Master Plan/Preliminary Plat for South Mills Landing Planned Development Major Subdivision
Summary:	<p>South Mills Landing LLC is requesting Master Plan/Preliminary Plan approval for South Mills Landing Planned Development. The documents listed above have been submitted with application.</p> <p>A properly-advertised public hearing was held on September 8, 2020 at which time the Board postponed consideration until October 5th. At the October meeting the Board decided to hold a second public hearing on November 2nd. The public hearing has been re-advertised and posted properly.</p> <p>The development consists of 580 single-family and multi-family dwellings, commercial and recreational areas with club house, pool, and walking paths. The subdivision is located within the South Mills Core Village area on the north and south sides of Main Street. The phasing schedule anticipation is for buildout within 6 to 10 years.</p> <p>South Mills Water Association and South Camden Water & Sewer District have approved water and sewer capacity, respectively for Phase 1 of 129 units. Water and sewer for additional Phases are in the Development Agreement. The Technical Review Committee inputs are varied and are included in package.</p> <p>The existing Storm Water Model is complete and the post Storm Water Drainage Plan will require approval of the County storm water engineer.</p> <p>Upon approval of the preliminary plat, construction plans will be completed and require approval of staff and state and local technical agencies prior to beginning construction.</p>
RECOMMENDATION:	<ol style="list-style-type: none"> 1. Motion to <u>hold Public Hearing</u> for South Mills Landing Development Agreement and Master Plan/ Preliminary Plat 2. Approve/deny/ or approve with modification the <u>South Mills Landing Development Agreement – Ordinance No. 2020-09-01.</u> 3. Approve/deny/ or approve with modifications UDO 2020-01-36 - <u>South Mills Landing Master Plan and Preliminary Plat.</u>

County Attorney John Morrison asked Mr. Porter a series of questions for the purpose of educating the public regarding this project. The questions and answers are structured as follows:

- County Attorney's Question
 - Mr. Porter's Response
- If the Board of Commissioners votes for approval, does this mean the developer gets to start building?
 - Not right away, the next step is for construction plans to be prepared and reviewed.
- Who gets to review the construction plans?
 - Review and approval is done by Staff, NCDOT, Stormwater Permit from state for their erosion and sediment plan.
- Stormwater is looked at by the State and not the County, is that correct? And do they have to get approval from both the State and the County?
 - Both
- What kinds of things are looked at by the State and the County before signing off?
 - The State's review of the stormwater plans is primarily to look at if there are enough stormwater improvements to hold back water so that the sediment will drop off and will not pollute streams. This is a water quality issue. The review by the local (County) engineer is one of quantity. The regulations as far as allowing stormwater runoff are more strict than the State's. The regulations require the developer to measure the pre-development runoff rate, cubic feet per second, for a 10-year storm in the pre-development stage. They have to model and show that the improvements they are making to the property will accommodate and hold back the runoff of a 10-year storm to be equal to or less than the runoff prior to the development. The post development runoff rate cannot exceed the pre-development rate.
- Am I correct in understanding that the decision regarding whether there would be an inordinate amount of stormwater runoff is not made by the commissioners, but rather by an independent County Engineer?
 - Correct. All the approvals passed by the Commissioners are all done by professional engineers, or people who are experts in their fields.
- And the Commissioners have to follow what the engineers say?
 - The developers would have to follow what the engineers say.
- So, this issue of stormwater runoff, which is crucial, just to be clear, is reviewed by an independent engineer who is licensed by the State of North Carolina and must be convinced that the stormwater runoff plan is adequate.
 - And that it will meet the County's regulations.
- And the regulations were designed to address stormwater runoff, were they not?
 - Camden has probably one of the toughest set of regulations for stormwater runoff in the State.
- What other kinds of subsequent approvals would have to be obtained beyond what the commissioners do?
 - They have submitted street plans but still have to submit the engineered design of those street plans in terms of curbs, etc.
- There was some concern regarding inordinate traffic that this many units would create. Does NCDOT have to sign off that the plans would be safe?
 - NCDOT has already signed off on their conceptual plans, all they have to sign off on is the actual construction engineering plans.
- This has been reviewed by traffic engineers, is that correct?
 - Yes, in fact the developer produced a traffic impact analysis that was submitted to the NC DOT who has reviewed that analysis and made recommendations on certain improvements that needed to be made to Horseshoe Road and the entrance intersection.
- Another concern has to do with adequate public facilities which is local government talk for schools, law enforcement, social services, and that kind of thing. What is the status of this and what do they have to show regarding these facilities?
 - They have to show that they have access to enough potable water. Sewage treatment would be handled through septic systems or sewer system, and in this case it would be the sewer system.

- To whom do they have to show that & get approval?
 - To staff.
- What about adequate schools and adequate law enforcement?
 - Law enforcement is reviewed at the Technical Review Committee; Sheriff and Fire Department are asked to submit comments, which they have. They are both concerned about their resources and ability to serve this development.
- What about the schools?
 - School system did not disapprove this but did indicate their resources would be stretched. They have asked for certain kinds of improvements, bus stops and so on. In the State of North Carolina, fees for schools cannot be charged. Impact fees for sewer development, water development, and such are allowed, but not for schools. We've tried. There was a moratorium in Camden for 3-1/2 years, then when that was over, we started charging an impact fee.
- And the Supreme Court of North Carolina said we could not do that.
 - That is correct.
- In summary, there are divided opinions; there are a number of individuals other than the Board of Commissioners who have to approve this development if the Commissioners were to approve it, is that correct?
 - That is correct.

At this time, County Attorney John Morrison stated that nothing he has said or asked should be taken to indicate he is pro or con regarding this agenda item. He further stated that he asked questions, to which he already knew the answers, for the benefit and education of the public so that they will know how this procedure works. Additionally, Attorney Morrison reiterated that the law requires the Board of Commissioners to seek the opinion of the public, however the Board of Commissioners is not required to listen to redundant / repetitive information and it is in the discretion of the Chairman with regard to that. Also, the Board of Commissioners is not required to listen to anyone who is uncivil and it is fully within the Board of Commissioners rights to have any such uncivil / unruly person(s) removed.

Chairman Tom White asked Mr. Porter about a few emails, that were in the board packet, from David Deel of Deel Engineering PLLC of Kill Devil Hills, NC, concerning tests run regarding the stormwater runoff, using different time frames of rain and so on. He asked if the tests ever produced satisfactory results. Mr. Porter responded that the tests did pass, and that he has an email from the Camden County Engineer approving the model for this, as to the pre-development benchmarks that have to be met. Camden County Engineer Greg Johnson reviews their engineer's models, and he has signed off on it to this point, and there will have to be a post development model signed off on later down the line should this be approved.

Chairman White then asked if an agreement has been drawn up by and between Camden and South Mills Water Association regarding provision of water as mentioned in the Development Agreement. County Manager Kin Bowman stated there was not yet an agreement at this point. Mr. Porter stated that there was a letter in the board packet from South Mills Water Association to the developer saying that if Camden provides them with water, then they will provide water for the first 129 units. The development is to be in phases, and fees will be due at each phase. Those fees will be used to expand the capacity.

Commissioner Clayton Riggs asked Mr. Porter regarding the current capacity of the South Camden Water Plant, according to the report given earlier in the meeting, Camden is within 250,000 gallons per day of being at capacity of the current plant right now, and 150,000 plus or minus per day is being pumped north to South Mills. Mr. Riggs asked what the impact is regarding this and other proposed developments. Mr. Porter stated that only one is being considered in this meeting and that the impact is that Camden will have to provide additional capacity. Mr. Porter added that two well sites have been identified, test borings have been done, they will produce, and the process of getting ready to do the engineering to sink a well on one of them is underway.

Commissioner Riggs then asked if Public Works Director David Credle has indicated a time frame for the new well to come online? Mr. Riggs stated his understanding was about 24 months for the engineering, building, and so on. Manager Bowman confirmed this was correct, and also added it is a part of the Capital Improvements Project which was budgeted in 2019-2020, and is also budgeted for 2020-2021.

Commissioner Riggs then observed, for the record, that if the Board of Commissioners approved this, then Phase 1, 129 houses, is not going to put a significant impact on what is available at present time for water. Sheriff Department is going to want additional resources as is the Fire Department. Somewhere around the 24-month mark, renegotiation of the water contracts will be taking place with regard to pumping water North. Mr. Riggs added that this is not going to happen overnight. Mr. Porter added that the developer is required to pay fees up front before provision of water.

Chairman White asked if the fees would go to South Mills Water Association or to Camden County. Mr. Porter stated that Camden is anticipating getting ½ of the connection fees, which is what has been received in the past.

Commissioner Randy Krainiak expressed concern regarding the fact that the whole development is in flood zone AE. He added that people need to know that they will have to have flood insurance, and it will be costly.

Mr. Porter replied saying that 63% of the county is in a flood zone of one kind or another. He added that the AE zone is regulated by FEMA who says that houses built have to be built at base flood. Camden County adds what is called "freeboard" to that, which means that the top of the floorboard of the first floor has to be 2 feet above the base flood, which is the 100-year flood mark. This means all the houses will be elevated. Building takes place in the flood zone all the time, people elevate their houses. Mr. Porter added that there is another flood zone which is called the Flood Way (AEFW) in which building is prohibited unless a notarized study is performed.

Commissioner Riggs asked if the roads in the development will be signed over to NC DOT. He indicated a desire that the roads not end up being "orphaned" similar to the situation in Sanders Crossing as spoken about earlier by Ms. Penny Royal during the Public Comments section of the meeting.

Mr. Porter replied that the process with the roads is NCDOT approves what has been approved at this point, which is the layout of the roads. Next is the actual engineering, the curb data, all the pavement thickness, etc., that has to meet NCDOT standards. Once built, the roads are not accepted automatically, there have to be a certain number of houses per quarter mile before a petition to NCDOT for road acceptance can be made. Once a development reaches the required density, the development petitions the County who in turn petitions NCDOT. NCDOT will then inspect the roads to make sure they are to NCDOT standards, they also inspect the roadside ditches. If corrections are needed, NCDOT sends a letter to the developer outlining the needed improvements. Once that is done and approved, they send to the state, and the state accepts the roads. Mr. Porter added that there is also a requirement for a performance bond with regard to the roads.

Commissioner Riggs asked who is responsible for the roads, from the time NCDOT tells how to build them to the day they are accepted by the state, the Developer, or the Home Owners Association? Mr. Porter replied that the Developer is responsible.

Chairman White asked if there were any more questions or comments from Board or Staff. Hearing none, he asked Mr. Bissell of Bissell Professional Group (agent for applicant) if he wished to speak. Mr. Bissell opted to hold his remarks / presentation until after the public comment portion.

At this time, Chairman White opened the floor to public comment, first those in opposition, then those in favor of the development.

Assistant Clerk to the Board, Amy Barnett, was asked to call upon those who had signed up to speak.

Marshall Powell Jr., Sawyer's Creek Road, Camden NC

- Concerned about building in the flood zone, flood insurance is expensive
 - Mr. Porter replied to his concern saying that building in the flood way is prohibited, but there are houses already there which are allowed to stay
- Concerned that the plans for the development have not met the criteria for fire, law enforcement, EMS, concerned about the additional resources that will be needed
- Afraid that with the water table only about 1 foot below the ground, it will flood
- Stated that water doesn't run up hill, it pools and floods

Brenda Prime, McBride Street, South Mills NC

- Proposed development backs up to her property
- Concerned that additional houses means more flooding in the area, regardless of the elevation of new houses
- Concerned that no shrubbery to absorb water is being proposed
- Ponds have no fences, pose a danger to children
- One of the roads out is at the end of McBride Street
 - McBride Street is very narrow, hard for cars to pass one another now
 - Road is not good enough, only has about ¼ inch of asphalt
- Flood problem
- Resource problem - too many impacts
- Feels this is not well thought out
- Will have heavy traffic which the roads cannot handle, feels will make the road dangerous
- Asked Board to table this item pending better plan and availability of resources and infrastructure such as water, law enforcement, fire, schools, and so on
- Referenced the bond referendum for the school system, said its taxes she won't live to see end of, said taxes going to keep going up and up and up
- Afraid flood water going to be worse on her property because of this
- Horseshoe Road is low, will flood, impassible after rain

Jeanie LeFrancois, S. Elm Street, South Mills NC

- Retiree, lived in Camden for 8 years
- Maintains a NWS rain gauge that is within 2 to 3 blocks of development, is a certified storm spotter, sends reports to Wakefield
- Gave data disks (cds) to Commissioners, County Manager, and Developer regarding major storm events that have happened in the last 6 years
- Not against the development, but not for it in its present form
- There have been 7 major storm events in the last 6 years: two 10 year, two 25 year, one 50 year, one 100 year, one 200 year event
- There have also been numerous 5 year events
- Storm event is not 24 hour period, possible to have 2" of rain in a period of 15 minutes
- Flooding issue is compound issue, is not just a one rain event issue, it's one right after the other
- Major concern is flash flooding
- Read an excerpt from Wikipedia relating to the term Cascading Effect: "In disaster risk reduction and emergency planning: Cascading effects are the dynamics present in disasters, in which the impact of a physical event or the development of an initial technological or human failure generates a sequence of events in human subsystems that result in physical, social or economic disruption. Thus, an initial impact can trigger other phenomena that lead to consequences with significant magnitudes. Cascading effects are complex and multi-dimensional and evolve constantly over time. They are associated more with the magnitude of vulnerability than with that of hazards. Low-level hazards can generate broad chain effects if vulnerabilities are widespread in the system or not addressed properly in sub-systems. For these reasons, it is possible to isolate the elements of the chain and see them as individual (subsystem) disasters in their own right. In particular, cascading effects can interact with the secondary or intangible effects of disasters."

- Addition of rain events that take place after major hurricanes cause additional major flooding, which demonstrates the effects of the cascading effect where storm water is concerned
- Concerned about septic system failures due to flooding if storm water / flooding is higher than the systems
- Concerned about impervious surfaces and the potential for flooding

Donald Parker, Juniper Drive, Camden, NC

- Major concern is public safety
- Moved to Camden because of low crime, no overcrowding, low traffic, etc.
- Concerned that public safety resources will be unable to provide adequate services for the influx of people this development will result in
- Believes resources should be put in place before the need is there

Marshall Powell, III, Spence Lane, South Mills, NC

- Regarding flooding, on the north tract, the multi-family housing which is proposed right near the curve in Horseshoe Road and has been discussed before the board before, is a major area of flooding during any kind of rain event
- Also concerned about inadequate county public safety services (sheriff, fire, ems)
- Concerned about utilities, doesn't think good idea to approve only phase 1 for water when not sure if provision of water for the other 3 phases will be approved
- Concerned about future growth, feasibility study for I-87 will place itself right in the middle of this project, concerned that there could be displacement of people in the future when I-87 comes to fruition
- Concerned about possibility of disruption to current citizens, light & noise pollution, increases in crime. Doesn't believe that's fair to citizens of South Mills as it currently is.

Christopher Martin, Carolina Road, South Mills, NC

- Generally against development
- Concerned about police, fire, and school resources
- People move to Camden for the "country charm"
- Concerned about general county wide issues such as hunters hunting on land that is too near to residential properties

Ronald Inge, Spencer Ave, South Mills, NC

- Background is in Fire, EMS, and Rescue Services
- Concerned that there is a lack of public safety resources adequate to handle this type of development
- Concerned that if there is a house fire, it could impact more than just that one house given close proximity as proposed by the development
- Concerned that cost of providing a paid fire department would be as much or more than the sheriff's office to handle it correctly
- If a volunteer fire department fails to respond to a structure fire twice in a years time, by having at least 4 people (volunteer fire fighters) respond, then they lose their fire rating. When they lose their fire rating or are on probation, the impact is on every homeowner who owns property and pays home owners insurance, their rate goes up.
- More housing means an increase in the other types of calls upon the fire department, such as fire alarms, co2 alarms, medical calls, etc., and it impacts the fire department more than it ever has in the past
- EMS comes from Elizabeth City after 5pm. Elizabeth City to South Mills takes longer than 4 minutes, which is the amount of time before brain damage sets in if a person "codes".
- Impacts such as these impact all residents of South Mills

Tammy Inge, Christopher's Way, South Mills, NC

- Sells houses for a living
- Right now, the company she works for has 38 listings in Camden County, 52% of those are new construction with an average sales price of \$330,550
- Houses on slabs in South Mills are not a good idea, it floods badly in the village
- Concerned about flooding and flood insurance
- Concerned about the path that stormwater will take if impervious surfaces prevents the waters absorption into the ground
- Concerned about the roads and who will take care of them, cited an example of narrow roads where school busses cannot turn around making children have to walk 1/2 a mile in all kinds of weather to get on a bus

Taylor Inge, Canal Drive, South Mills, NC

- Generally against development
- Concerned about flooding

Mary Cherry Tirak, Chamberlain Road, South Mills, NC

- Concerned about flooding
- Concerned about fire, police, ems resources
- Doesn't want her taxes to have to go up in order to provide funding for public safety resources
- Concerned about the amount of time it takes ems to get from Elizabeth City to South Mills

Kevin Norris, South Mills, NC

- Concerned about the amount of effluent that will be pumped through the South Mills sewer system
- Concerned about the potential need for upgrading the South Mills sewer system, and who is going to be paying for such an upgrade
- Concerned taxes will go up county wide in order to pay for upgrades
- Concerned about all the proposed ponds and potential for mosquitoes, and other pests, and funding to care for such issues

Nancy Farmer, Horseshoe Road, South Mills, NC

- Doesn't believe that an approval in 2002 should mean automatic approval now, because a lot has changed since 2002.
- Concerned about flooding
- Thought project had been abandoned, hadn't heard anything out of project other than a few dilapidated signs
- Found out about January 2020 community meeting after it had already taken place
- 2 members of the Planning Board disapproved this, wondered why
- Camden has not had a high density development like this before, how this will affect the community won't be known until after the fact
- Doesn't want it to end up like Sanders Crossing
- Has the potential to increase the population of the county by up to 50% or more
- Concerned about public safety services and associated costs
- Concerned about overcrowding at schools
- Concerned about low lying adjacent property flooding when Horseshoe Road gets raised
- Concerned about developers plan to improve the downstream drainage subject to getting access from property owners, what if property owners say no?
- What kind of drainage improvements would be made? water is standing all the time.
- Concerned about what would happen if the HOA fails to maintain the retention ponds
- Concerned about the sewer system and who maintains it
- Concerned about the Future I-87 exit ramp, will the county have to tell the state they can't put it there because of the presence of this development, or will eminent domain come into play
- Mentioned Facebook page "Camden Citizens Against Overdevelopment" which as of the date of this meeting has over 700 members
- Camden is a rural farming community, doesn't want it to become like Southeastern Virginia with so many developments. People moved here for the peace and quiet.

Raymond Farmer, Horseshoe Road, South Mills, NC


- Reiterated what had already been stated by others before him
- Used to be low amount of water in the swamp, now water is high
- Flood vents (gates) have been installed in the federal part of the park to hold water in the swamp (Dismal Swamp State Park), and the water floods to South Mills
- There's only one ditch for drainage at Horseshoe Rd site of proposed development, if it gets stopped up, it will flood
- Concerned about the pathways stormwater must take in order to drain into the swamp
- Concerned about flooding on the adjacent properties when development lands and road is raised

Rebecca Farmer, Horseshoe Road, South Mills, NC

- Concerned about increase in flooding on neighboring properties
- Concerned about increased traffic and traffic patterns around the development
- Concerned about increases in light and noise
- Concerned about strain on county resources
- Concerned about "pricing residents out of the county"
- Concerned about losing the rural county feel
- Not against progress or change, but doesn't see why everyone's idea of progress is building huge developments and bringing in huge commercial businesses
- Doesn't want South Mills to become like Norfolk, Chesapeake, etc.
- Concerned about potential for tax increases
- Concerned about property rights, current citizens vs developers
- Fact this was approved in 2002 should have no bearing on boards decision now
- Concerned about county's ability to take care of the developments already in place / under way, concerned that if the county is having difficulties with those, how is the county going to take care of larger developments like this one
- Concerned about proper notice to adjacent property owners for community meetings
- Believes everyone in the county should be notified of larger developments like this one
- Asking board not to approve development
- Believes county residents are ones who will have to absorb costs for improvements to county resources via increased taxes

David Miller, Battalion Chief with South Mills NC Vol. Fire Dept., Representing Fire Chief Tommy Banks

- Read letter from Fire Chief Tommy Banks

	<p>South Mills Volunteer Fire Department 127 Keeter Barn Road PO Box 24 South Mills, NC 27976 (252) 771-2772</p>
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Dear Commissioners,

Thank you for the opportunity to speak with you again concerning the proposed South Mills Landing project as you continue to consider its feasibility. In previous written and verbal communications with you, both individually and collectively, I expressed some of the concerns which I have on behalf of my department and the citizens of our township. I continue to reiterate the challenges which would present themselves with regarding to flooding in that immediate area. These concerns are based on previous episodes of flooding as well as the potential difficulty engineers have expressed in attempting to develop a realistic rainwater distribution plan. These challenges, along with the currently proposed plan to utilize ground-level slab foundations, seems to be a recipe for additional problems in the future.

Tonight, however, I would like to take the opportunity to reiterate additional public safety concerns which have not received as much attention in previous meetings or discussions, that of needed water flow for structure firefighting operations and the potential for timely emergency medical responses for those suffering medical or traumatic emergencies. Control of fire during structural incidents in densely developed housing complexes such as the one planned poses many challenges for all fire departments. One of those challenges includes the availability of water to sustain the required fire flow for extinguishment. Options for all departments include use of a municipal water system provided by hydrant or a static water source of ponds, lakes, or rivers from which water is drafted and transported to the scene of the fire. Even at our current housing load in the South Mills Township, it is difficult to rely on our currently designed water system to provide the needed pressure, and thus fire flow, to effectively contain and extinguish a structure fire. The density of homes proposed in South Mills Landing will only compound that issue. I do not believe that the infrastructure has been designed, or adequately funded, to address this concern sufficiently.

Next, I have tremendous concern regarding the lack of emergency medical services coverage available to provide adequate and timely responses to the public's requests for assistance. In Camden and Pasquotank Counties, the volume of calls for assistance seen by our EMS system have seen dramatic annual increases for many years. In many areas around the country, average EMS response times are approximately seven minutes for metropolitan communities and double that for those in rural settings. Although the current agreement in place between Camden and Pasquotank Counties for the provision of EMS coverage allows for partial, daily staffing of an ambulance in our station, I believe a review of our local responses times would yield many concerns. These concerns are present during the daytime hours when coverage is scheduled to be provided and becomes an even greater challenge at night when requests for assistance must await 20 minutes or more to arrive from Elizabeth City. Also concerning to me is an apparent lack of a plan to address these concerns. If South Mills Landing is approved, the sharp increase in population will certainly yield additional calls for assistance and put all our residents at further risk.

I would support future reconsideration of the county's development ordinance such that concerns such as these will be required to be mitigated in the development approval process. This move would seem to be fair to the developer as well as both current and future residents of our county.

Our department supports growth within the county, but I think it is imperative we continually strive to plan and work toward smart growth, especially with the consideration of public safety. I am asking each of you as our commissioners to consider taking additional time to sit down with my department and the developer to address these concerns in hopes of creating mutually agreeable solutions to these challenges.

Thank you for allowing me to speak to you tonight on behalf of my department and our Citizens.

Respectfully,
Tommy Banks, Chief
SMVFD
252-202-1027

- Mr. Miller has 40 years experience in emergency services, is now retired from that, and now teaches fire technology
- Development as proposed, the required fire flow on the high density would be recommended by the insurance services office who provides statistics and analyzation for insurance underwriters recommends a fire flow of 1500 gallons per minute on 1 and 2 family residences whose exposure is within zero to ten feet. The lots for the high density are only 20 feet wide, which means you would have to build houses zero feet wide to meet that fire flow.
- Stated that at present time, can almost guarantee that there is not a single hydrant in South Mills that can provide 1500 gallons per minute fire flow.

- Recommended size of a water main that could provide 1500 gallons per minute is eight inches. This is probably the largest size of a main with the exception to the main running up to the commerce park at this time.
- South Mills Fire Department's largest fire truck at this time, the one they just purchased, only flows 1500 gallons per minute, which means they cannot hook it up to any of the hydrants in South Mills to provide that fire flow.
- Asked commissioners to take this information into consideration.

At this time, Chairman White asked if there were any further comments from the general public. Hearing none, he asked Assistant Clerk to the Board, Amy Barnett, to read the comments which were emailed in. Those comments are below:

Karen Davis

From: Cheryl Forehand <skeeterbumps@gmail.com>
Sent: Tuesday, September 29, 2020 3:00 PM
To: info@camdencountync.gov
Subject: [External] OVERDEVELOPMENT IN CAMDEN COUNTY

Hello Commissioners,

Are any of you paying attention to the very people from whom you asked for votes when you ran for office? It seems not. PLEASE don't prove yourselves to be just another run of the mill bunch of politicians: make promises you'll never keep, pretend you care about the wishes of your constituents, then dismiss and disrespect anyone who disagrees with your decisions once you take office. Please rise above the word "politician" and show us you are listening. By going ahead with the planned developments in the South Mills area that will ultimately be paid for by the very ones who DO NOT WANT IT, you are guaranteeing yourselves a loss in the next election. What have these developers promised that has caused you to totally disregard the negative impact to our residents, schools and students. The superintendent has made it clear that the schools cannot add to the already over crowded classrooms. The sheriff has made it clear that additional staff and equipment will be required to insure the safety of our county. The Fire Department has raised concerns as well. The flooding in the area you propose to allow building on is not going away and will only become worse. WHO EXACTLY ARE YOU SERVING? READ FACEBOOK. WILL EACH OF YOU JUST GO ON FACEBOOK AND FIND OUT HOW WE FEEL ABOUT THE PLANS YOU S ARE MAKING? LETS ADD 580 HOMES TO S. 343, IN OLD TRAP OR RIDDLE, in some of YOUR back yards. Do you EVER put yourselves in the shoes of the residents your decisions affect? With your approval of the new development you are destroying the very thing that makes Camden so desirable to live in. Let's just become another Chesapeake or Currituck. Double the population. Increase traffic and take away whatever 'out in the country' environment we cherish by allowing hundreds of houses to be built one on top of another. Bigger is not always better. We trusted you. I pray we weren't wrong. I pray you'll listen. Someone asked one of you about the problems this could bring and one of you...you know who you are...responded with, "Are you against progress?" How absolutely insulting and disrespectful to throw blame on someone with a legitimate concern rather than addressing it. I'd rather hear you say, "I don't know, let me look into that." Your response is just another way of saying YOU DON'T CARE. You should be ashamed.

I have resisted taking part in this conversation because I have enough worries in my life but ultimately feel obliged to show my support for my fellow South Mills neighbors and Camden County of which I am a life long resident. Please know that years from now when our schools are overcrowded to the detriment of our students education, taxes are at an all time high and possibly members of your own families are moving out of Camden due to the high cost of living we will have you to thank. Some lasting legacy that will be.

Yours respectfully,
 Cheryl Forehand

Karen Davis

From: Melissa Linton <mlinton916@gmail.com>
Sent: Tuesday, September 29, 2020 8:49 PM
To: info@camdencountync.gov
Subject: [External] South Mills Landing

Good evening,

I am writing to you to express my concerns about the proposed South Mills Landing development along with Camden Plantation. Both of these developments would bring too much growth in a short time for our small community. The overdevelopment will put a serious strain on law enforcement, fire and EMS, the water system, and the school system.

Many South Mills residents already face minor flooding during a typical thunderstorm and major flood problems in a large weather event. South Mills Landing will be right in the middle of an area that floods and from my reading of county documents it appears that an engineer has stated the flooding from the development will not be able to be stopped. This will be catastrophic to the many long time residents around this area. After Hurricane Matthew in 2016, I had major flooding on my property. In one part of my yard the water was waist deep and it was only mere inches from coming into my home. If the rain water from South Mills Landing is directed across Hwy 17, this means more water pouring into my yard. This fact may not mean anything to you, but it means everything to me and many others that live in the surrounding area as we could face losing our homes. Would you still support a development if it were a threat to your home and everything you had worked for?

Lifelong residents chose to stay in Camden County. We didn't move away for a more glamorous life. We stayed here and supported the county with our tax dollars. We paid the salaries of the county employees, we supported the schools, the sheriff's department, the fire departments and community organizations and businesses. We didn't abandon Camden County and now it's time that Camden County did not abandon us. As a county commissioner you were voted in by the citizens to act on our behalf and do the right thing for the citizens. The citizens do not want this project. Do the right thing--VOTE NO.

Sincerely,
 Melissa Linton
 131 Cool Breeze Place
 South Mills, NC

At this time, Chairman White called upon the developer for his comments which are also considered to be public comment. Mark Bissell, the engineer for the developer, spoke regarding this development. Before Mr. Bissell made his presentation, Chairman White called for a 15 minute recess. The Board of Commissioners meeting recessed at 8:39 PM, and reconvened at 8:54 PM.

Mark Bissell, Bissell Professional Group, Kitty Hawk, NC, Engineer for the developer

- South Mills Landing is a planned development on 185 acres
- Has a high level of amenities
- Went over the overview / Key Elements of Plan and Objective

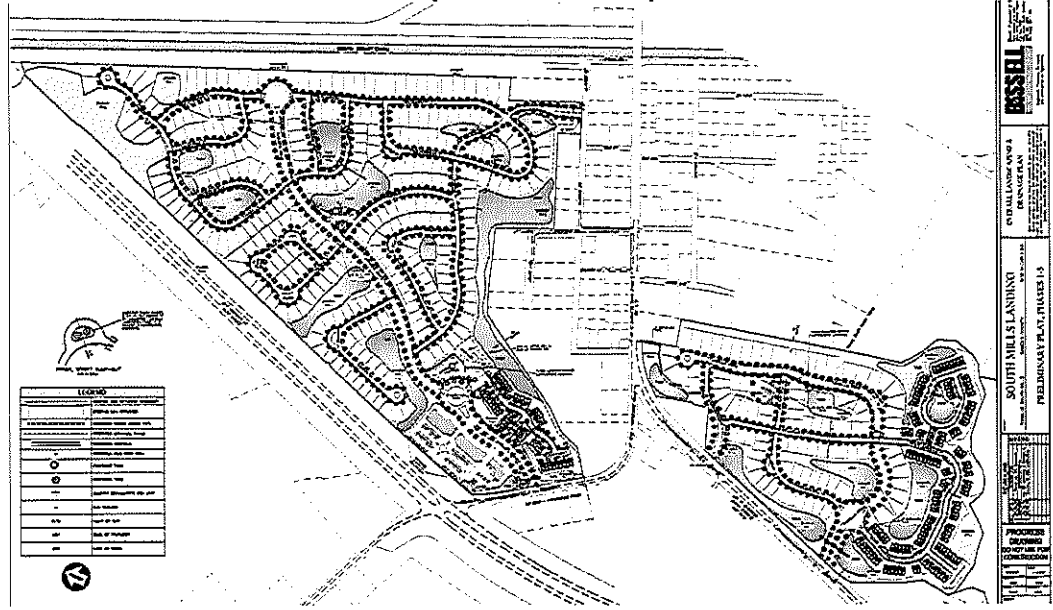
KEY ELEMENTS OF PLAN

- Objective and Master Plan of Development
- Phasing Plan
- Utilities & Drainage
- Summary of Zoning Commitments
- Compatibility & Consistency
- Economic Impact
- Summary

OBJECTIVE

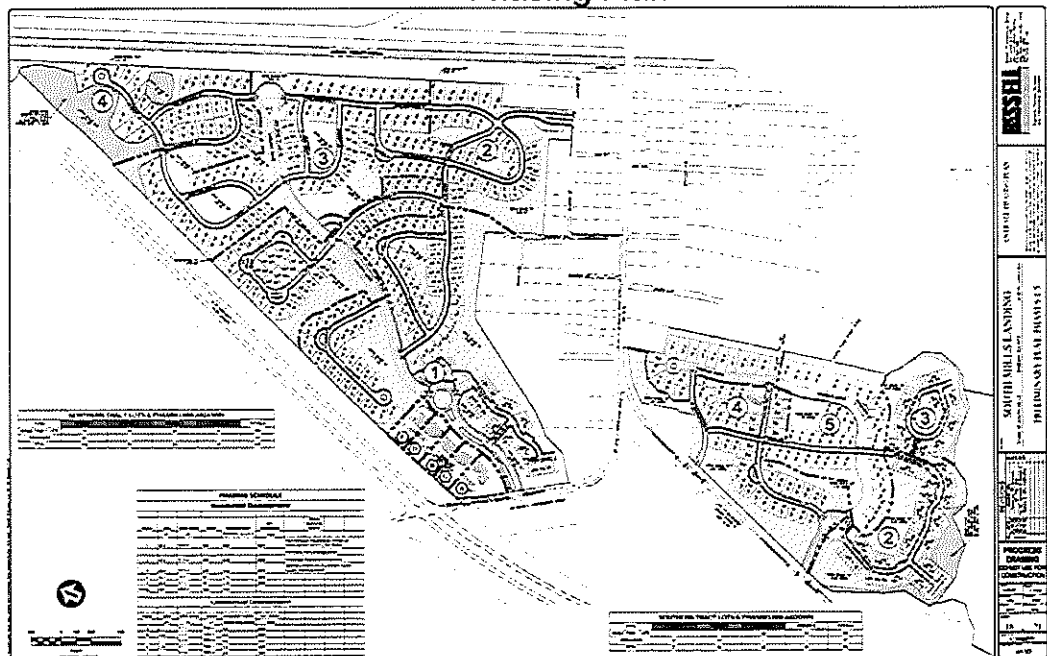
To build a community that has a creative design, providing a mix of different residential uses in close proximity to one another, while at the same time providing an efficient use of open space that promotes an active lifestyle and a strong sense of community. Commercial development is also proposed to serve the needs of both the residents of the development and the adjacent South Mills community.

Overall plan of development



- Several of the features include an attractive landscaped divided boulevard entrance, a round-a-bout, several smaller developments in the development have manageable sizes of 25-40 lots, attractive clubhouse and recreation area, extensive network of pedestrian paths, 5 acres of commercial development, and approximately 27-28 acres of lakes and ponds.

Phasing Plan



- This is the construction phasing. Each color represents a development phase, and each phase is also numbered as to which phase it is. Pink is the first phase.
- First phase includes the entrance way, the round-a-bout, the clubhouse, also includes making the commercial area ready for development by providing water and sewer services and access.

Phasing Plan in Tabular Form

Residential Development

Phase	Area	Open Space	Units	DU/AC	Est. Recording Year	Other Improvements
1	42.5	13.9	129	3.04	2021	Main Entrance, Roundabout, Portion of MUP, Mail Kiosk; Drainage
2	45.1	17.2	178	4.18	2022	Clubhouse & Pool; Pedestrian Connectivity
3	40.5	13.7	134	3.42	2023	Additional Mail Area, Continue M.U.P
4	42.5	15.7	99	2.33	2024	
5	<u>14.3</u>	<u>4.1</u>	<u>40</u>	<u>2.78</u>	2025	
TOTAL	185	54.6 (30%)	580	3.14		

Commercial Development

Phase	Area	Comm. S.F.	Max FAR	Est. Year
A	1	7000+/-	0.4	2024
B	1.25	7000+/-	0.4	2025
C	1	7000+/-	0.4	2027
D	1.25	7000+/-	0.4	2029
E	1	7000+/-	0.4	2031

- 55 acres, approximately 30%, is open space
- First phase will also include much of the multi-use path, Mail Kiosk, and major drainage improvements, as well as improvements to Horseshoe Road.



Examples of Housing Types

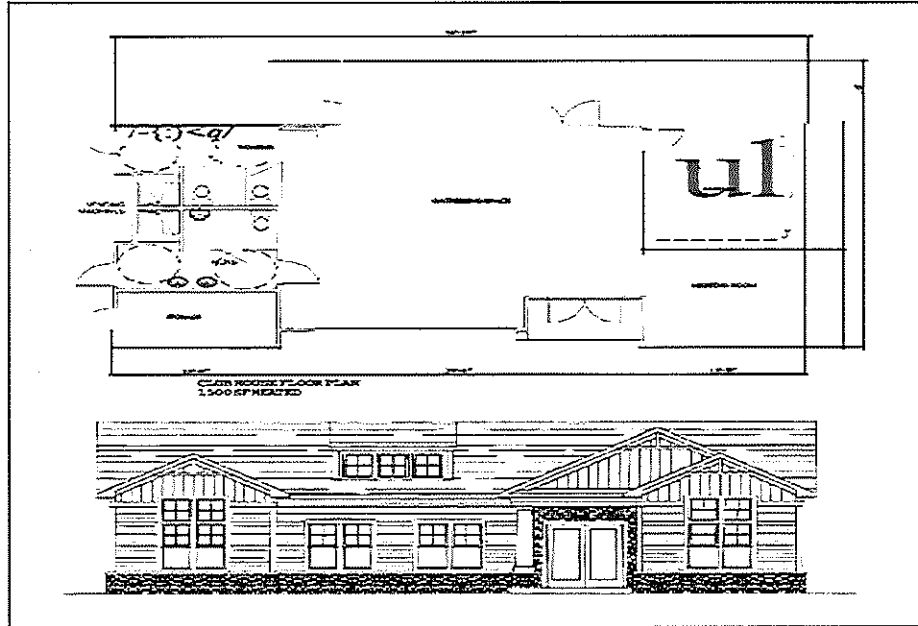
There will be two multi-family sections

Will be a mix of 1 and 2 story dwellings.



Majority of community will be single family detached dwellings.

■ **Proposed Clubhouse**



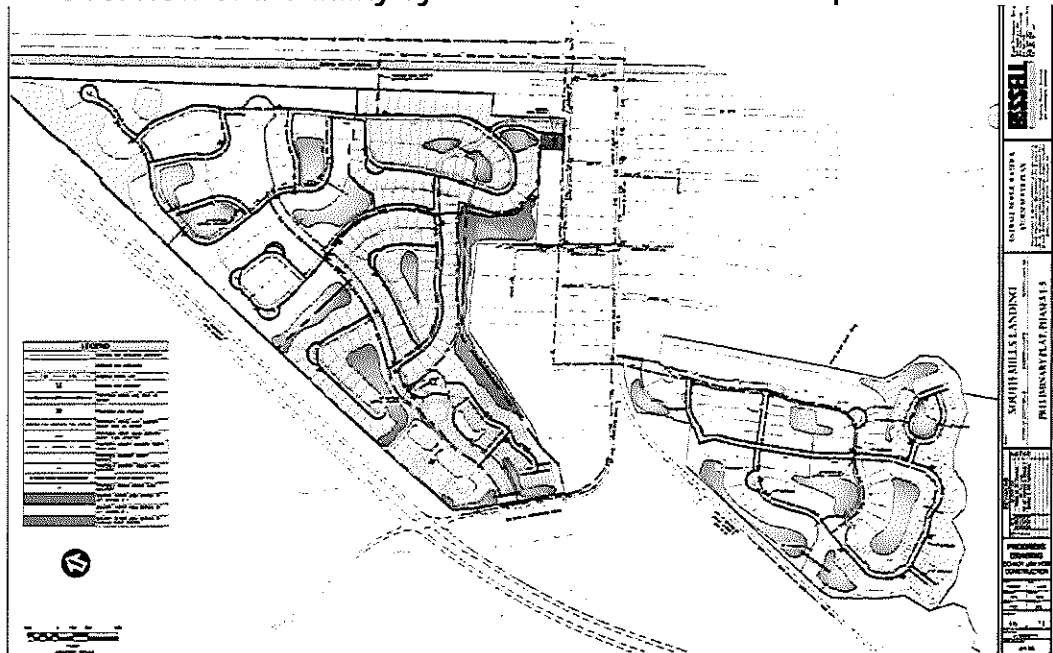
- 1500 square feet of heated area
- Large outdoor swimming pool with other amenities such as playground, fire pit, and other outdoor recreational opportunities

■ **Typical Street Scape**

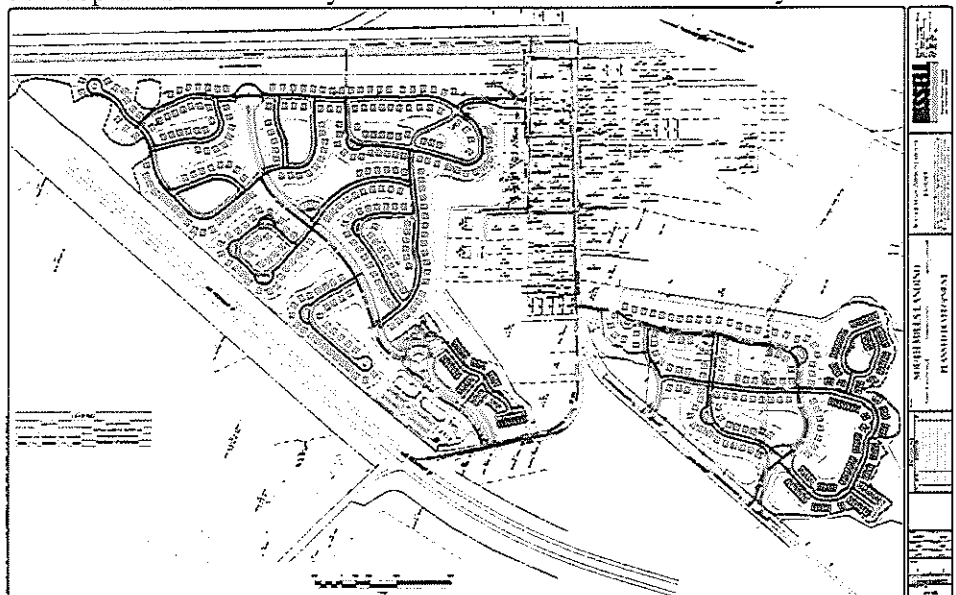


- Streets will have curbs and gutters, sidewalks, street trees, and manicured lawns
- There will be a properly funded Home Owners Association to ensure community remains in such condition as described above.

○ Overview of the utility systems to serve the development



- Colors show the different wastewater service areas
- Will be 3 new wastewater lift stations in addition to the existing station
- Area in red, just to the upper right of pink area, is the existing station which was placed on land which was made available to the county by this developer which currently serves the South Mills community.



- - Development will require extending new water lines
 - Line shown in red is a new 12" water main that will run along Mullen Street, under the canal, and through the development from one end to the other
 - Preliminary modeling shows that developer can provide an adequate flow and pressure to serve this community

Chairman White asked about the water line shown in red, which is the one that will go under the canal. He asked if it is the only line coming into the development or is there another one? Mr. Bissell replied that there is another line, but it is valved off. Chairman White then asked if the water is that which is fed by South Mills Water Association from water they purchase from South Camden Water & Sewer District. Mr. Bissell stated that was correct. Chairman White further asked if there was another source of water, would any water be brought in from the other way. Mr. Bissell replied that there is an interconnection but to his knowledge that valve is closed, but it could be opened, but they would not be interconnecting the two lines. The valved off water line is chlorine treated, and the water line shown in red in the image is reverse osmosis. The two types cannot be mixed. Mr. Bissell stated they would not be connecting to the valved off line. He further stated that the entire development will be served by the new line.

- Public Utilities section of the Development Agreement
 - Calls for this developer to pay South Mills Water Association \$5,000 per lot to reserve water taps, an amount of about \$3,000,000.00
 - South Mills Water Association has agreed to supply water for the first phase, and for the subsequent phases as long as water is available, and then will pay Camden County 1/2 of the tap fee revenue for the provision of the water supply, so about \$1,500,000.00 will go to the county

Commissioner Krainiak asked about the agreement with South Mills Water Association to provide water for the first phase. Specifically, Mr. Krainiak wanted to know what would happen if there was no water available for the subsequent phases. Mr. Bissell stated that development would halt at that point.

Commissioner Krainiak pointed out that the county is in short supply of several resources, among them being dry land (land not prone to flooding), water, drainage, school capacity, and so on. Mr. Bissell mentioned a spreadsheet that shows how the water and sewer taps will be used, with the first water taps going on system in 2022, when the first CO's (Certificates of Occupancy) will be ready.

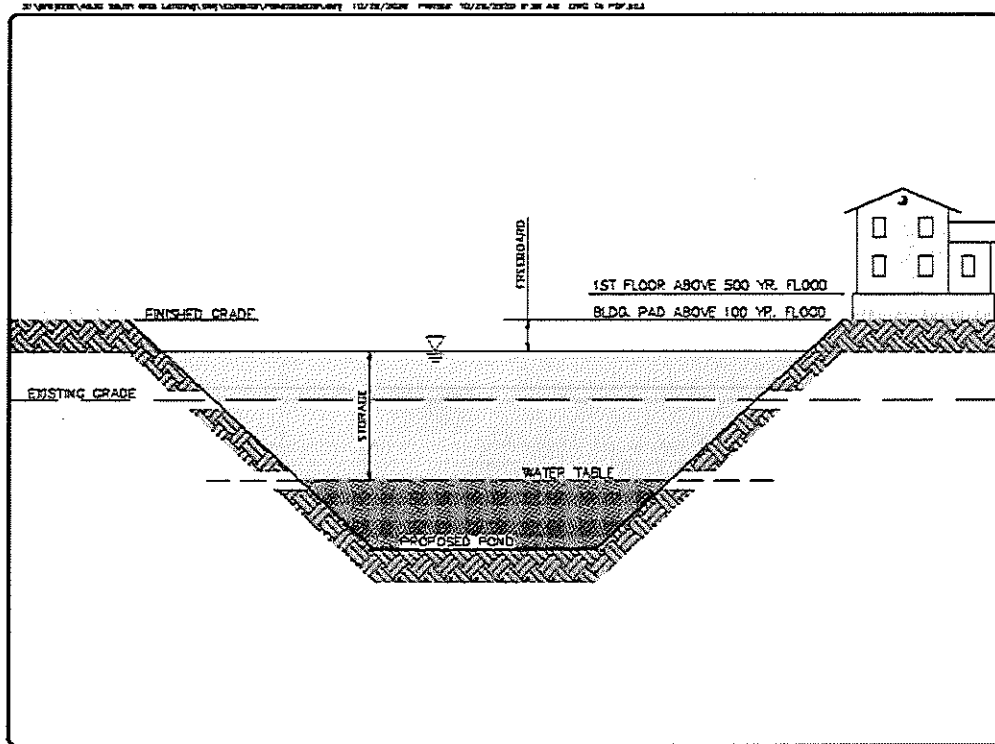
Mr. Bissell added that they are willing to add automatic sprinkler systems for the multi family sections in order to boost the flow and reduce the need for fire protection / fire flow. Also willing to put dry hydrants in to provide additional fire flow for the fire department.

Commissioner Krainiak asked what it would do for insurance by having sprinklers in the dwellings. Mr. Bissell indicated that it would definitely help.

Commissioner Riggs asked if automatic sprinklers were put in, and there's a certain amount of flow required to run them, then if a fire truck responding to a fire event at that location and needs the flow that is currently being used to supply the sprinkler, is the pipe going to pull both required flows through? Mr. Bissell replied saying that there are two answers to this... (1) There will be a dry hydrant available, and (2) the required flow needed for the fire truck would be less because the sprinkler system is also providing water for putting out the fire.

Commissioner Krainiak asked what the required flow in the fire suppression system is. Mr. Bissell replied that it depends on the number of sprinkler heads that are engaged. David Miller, Battalion Chief with South Mills NC Vol. Fire Dept., stated that the requirement per sprinkler head is 25 gallons per minute.

Mr. Bissell showed a slide relating to how stormwater will be managed in the development

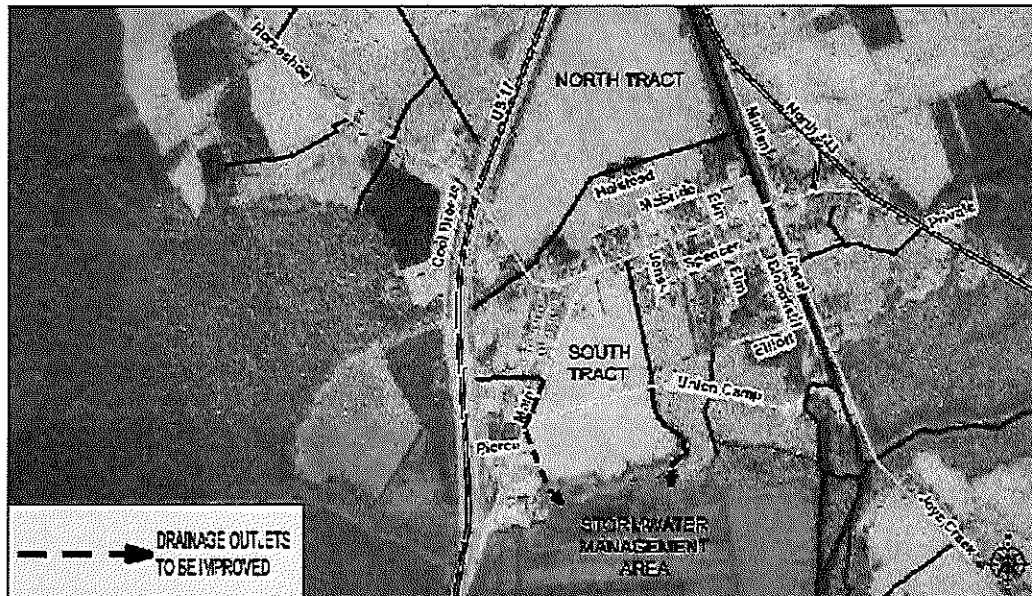


Ponds and lakes will be constructed. The line that indicates existing grade is where the land is now, excavated material from digging down below the water table will be used to build up the site for the building pads. The building pads will be above the 100 year flood elevation level. There is a misconception that the houses will have slabs at grade, which they won't. They will have a raised slab so the actual first floor will be about 6 inches above the 500 year flood elevation level when the freeboard is taken into consideration. Commissioner Krainiak observed that the pictures did not show the elevations as described by Mr. Bissell above.

Mr. Bissell continued saying that stormwater will be held onsite to protect adjacent and downstream properties. There will be about 27 acres of lakes which will hold about 2.35 million cubic feet, or about 17.5 million gallons of water. Pond slopes will be gentle at the top, generally using a 6 to 1 slope so there's no danger of someone tumbling down the hill into the pond.

Existing drainage outlets will be improved. Lines on the map below show the existing major drainage ways, black arrows show where improvements will be made by widening, gapping, and making sure they are on grade. Other drainage improvements can be made if property owners will allow, about half a mile of drainage ditches/outlets. Mr. Bissell stated that they are reducing runoff from what it is now.

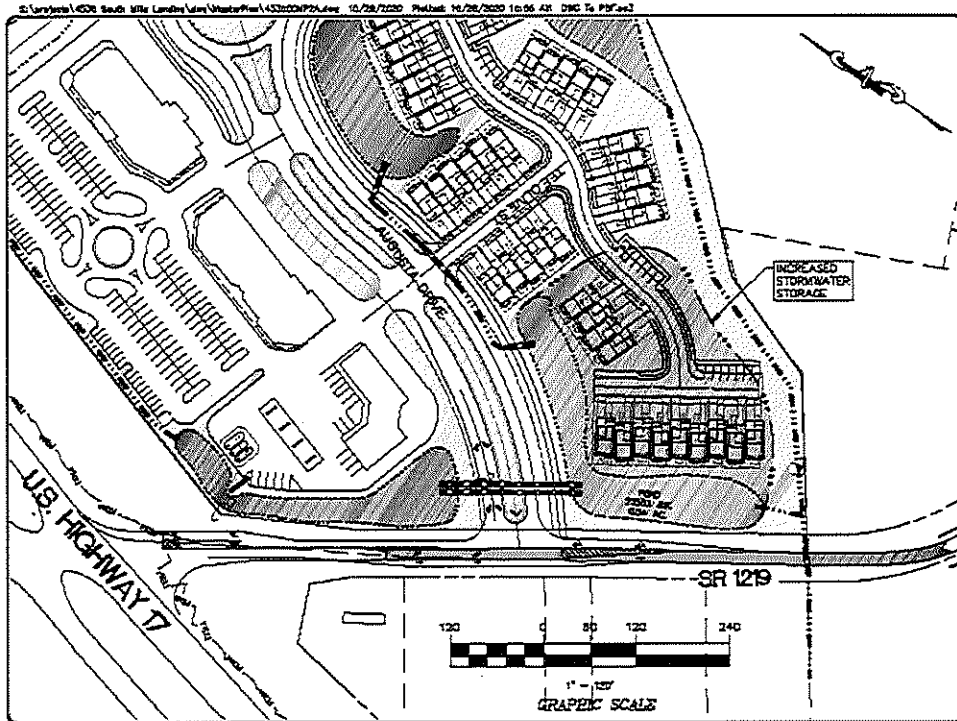
Drainage Outlets



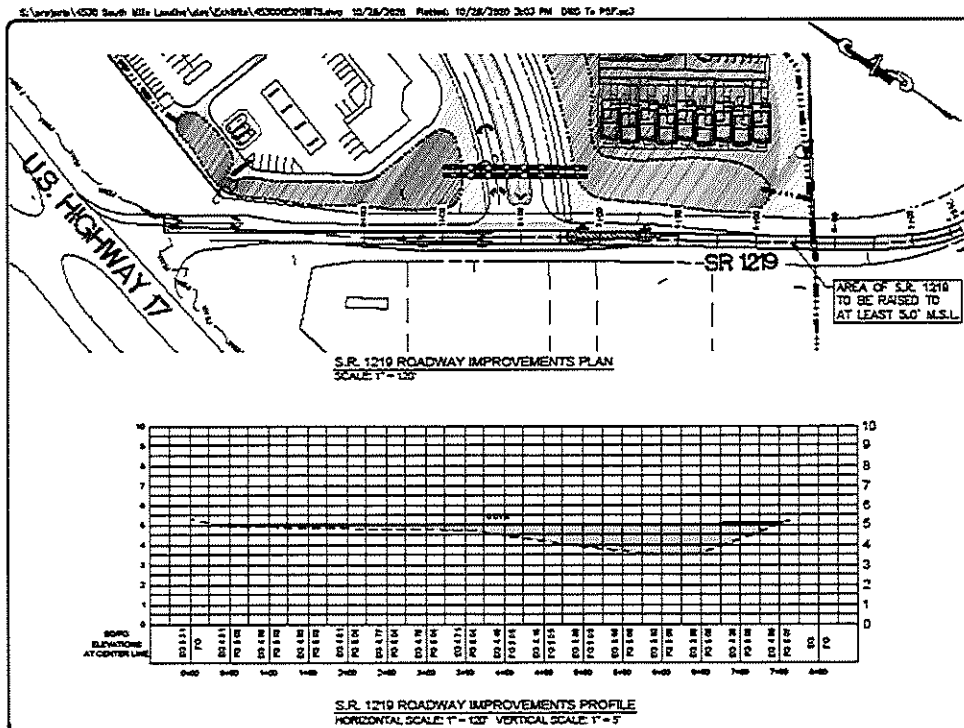
September 30, 2020
 Streets — Drainage Ways
 Streets — Drainage Projects
 Main Roads

1-5335
 0 0.25 0.5
 0 0.2 0.4 0.6
 August 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100

Mr. Bissell stated that after hearing so many comments about drainage on Horseshoe Road, they decided to make a change to the development plan by adding a large pond at the entrance off Horseshoe Road, to provide even more stormwater storage and better protection for the downstream properties as shown below:



Mr. Bissell stated that they are giving up part of the development to accomplish this new lake, which will be about a 2-1/4 acre lake. This lake will have a fountain and will be a nice entrance feature. In addition they have taken a look at the elevations on Horseshoe Road, and it's pretty obvious why it floods so often. The image below is the elevation profile, there is a section where the elevation drops to 3-1/2 feet above sea level. The 10-year storm elevation around this area is around 5 feet.

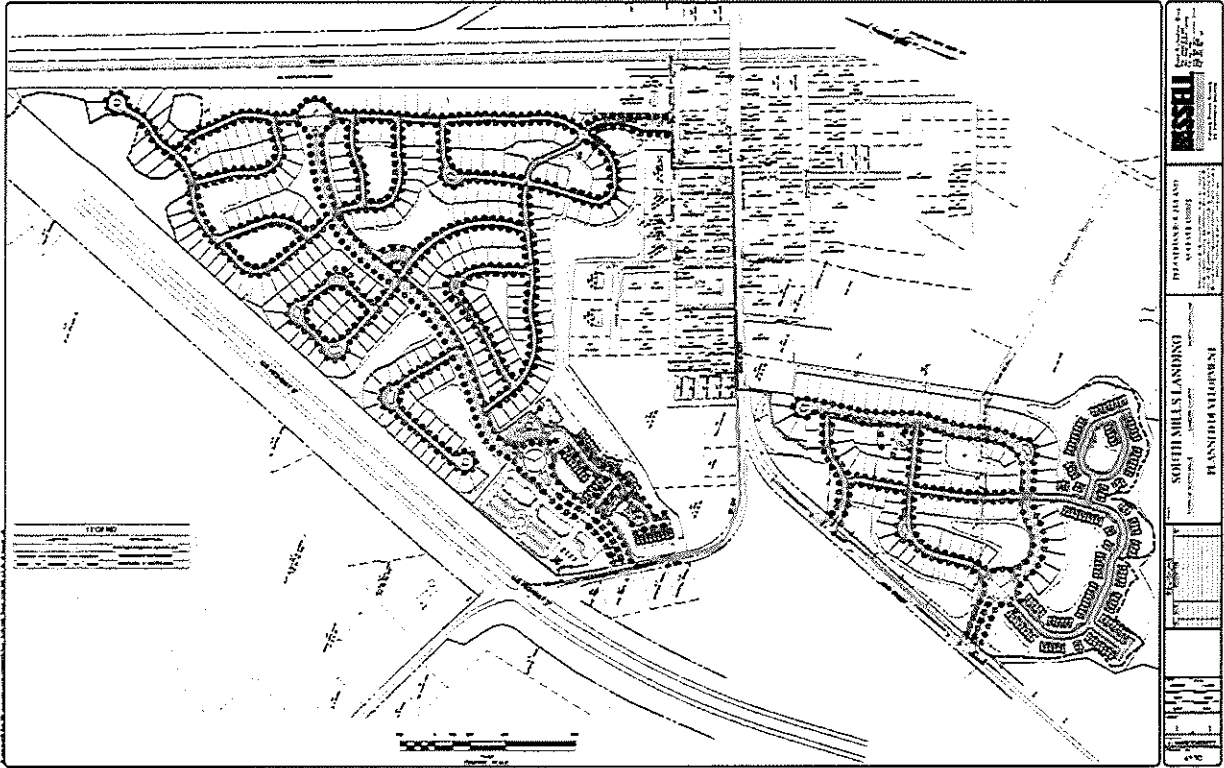


Based on storm data received from one of the residents, there were 17 times over the last 6 years that Horseshoe Road flooded. The solution to this is to raise the portion of the road shown in grey to 5 feet.

Mr. Bissell added that, as the Planning Director has explained, they will engineer a system that will certainly not make anyone's situation worse downstream, in fact will likely improve their drainage based on the amount of stormwater to be held back in the ponds / lakes, and based on improvements to the outlets.

Mr. Bissell stated that the fact that some of the properties in the drainage shed have been constructed in low grade/low elevation areas is not a reasonable argument against allowing proper development in the area.

One of the most sought after amenities in a new community is a system of trails, sidewalks, multi-use paths, paved trails, etc. The image below shows the extensive network of improved pedestrian pathways proposed for this community. These will connect the different neighborhoods, the amenities within the development, the different sections of the development, and connect to the central business area of South Mills for great pedestrian connectivity.



Typical Multi-Use Paths for Connectivity:



The photos above show the typical multi-use paths similar to what the developer envisions. There is a multi-use path proposed along the divided boulevard and the collector roads where they believe they can achieve this look and functionality.

FISCAL IMPACT STATEMENT

(Estimated Total Property Valuation at Build-out: \$149,900,000)

- Tax Revenue (Annual):.....\$ 1,124,000
- Annual Fees (Solid Waste & Stormwater):.....\$ 49,300
- TOTAL ANNUAL REVENUE.....\$ 1,173,300**
- Water and Sewer Fees
 - Water Fees.....\$ 2,900,000*
 - * 50% will go to Camden Co. for capacity development
 - Sewer Fees.....\$ 6,322,000
- Other Revenue Sources (Transfer Tax and Stamps).....\$ 1,737,000
 - Development Review Fees:.....\$ 232,000
 - Building Permit Fees:.....\$ 754,000
- Total, Estimated Other Revenue:.....\$ 2,723,000

Above is the Fiscal Impact data. At buildout, this development is estimated to be valued at about 150 million dollars, and estimated to produce an annual tax and fee revenue for the county of around 1.2 million dollars. The Development agreement calls for the developer to pay 2.9 million dollars in water fees, of which half will go to Camden County, and 6.3 million for sewer fees to the County. The county will also receive an estimated 2.7 million dollars in estimated other fees as shown above.

TRC REVIEW COMMENTS

<u>Comment/Concern</u>	<u>How Addressed</u>
• Add Bus Stop Signs and Shelters	Added to Plan
• School Capacity	Phasing/Spreading out development
• Sewer Capacity and Design	Systems will be flood proofed; fees will more than pay for expansion
• Flooding at Horseshoe Road	Road to be elevated/reworked; Drainage to be improved
• Fire Protection	Running New 12" Water Main
• Sheriff's Office Funding	Development Revenue will make additional Funds available
• Street Names	Updated and approved

The above data comes from the Technical Review process. These items have been addressed as indicated above. Additionally, the first students are not expected to impact the schools until the fall of 2022.

NEIGHBORHOOD MEETING

Comment/Concern

How Addressed

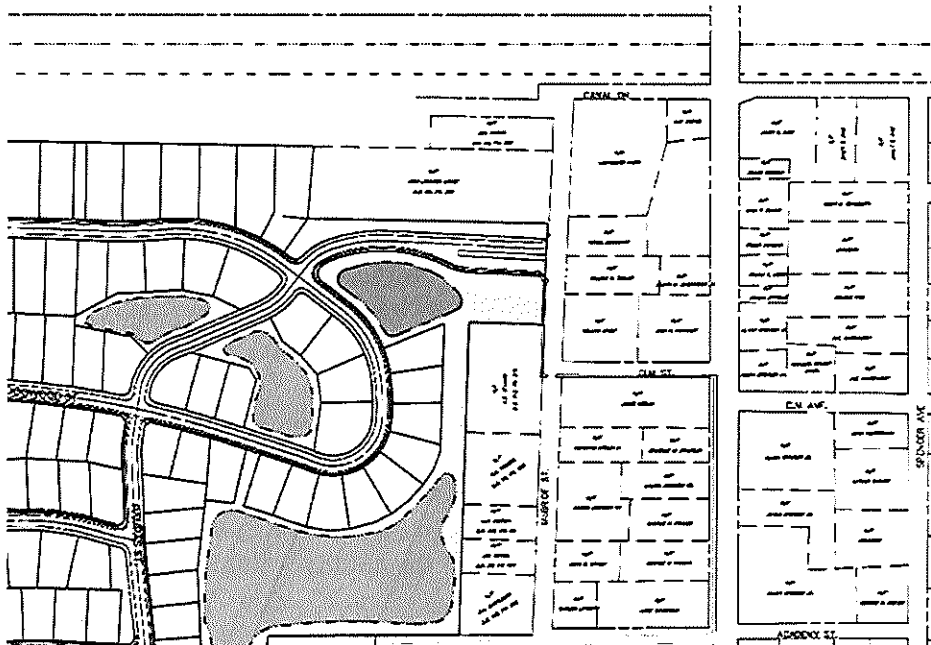
- | | |
|---|---|
| <ul style="list-style-type: none"> • Stormwater • Wastewater • Water • Schools • Commercial Development Timing • Price Range • Traffic | <p>Modeling; Storage and controlled release; Downstream Impts</p> <p>Connecting to County System; Providing \$ for Expansion</p> <p>New 12" Main under canal for flow & pressure; impact fees</p> <p>Creating Positive impact on County Budget; Phasing Proposed</p> <p>As soon as sufficient population in place</p> <p>Expect Low \$200's for TH up to \$300,000+ for SF</p> <p>TIA (Traffic Impact Analysis) completed; Road improvements will be made per NCDOT</p> |
|---|---|

The above concerns were identified at the Neighborhood Meeting. The data above shows how those concerns were addressed. Additionally, regarding Traffic, a full impact analysis has been performed which recommended that roadway improvements be made which was reviewed and approved by NCDOT. Those improvements will be made with the first phase. Mr. Bissell added that several of the comments received at the Neighborhood Meeting were positive and several attendees thought this would be a big benefit to the area. There is a vocal group who are opposed, but there is also a group who are not opposed who are not so vocal.

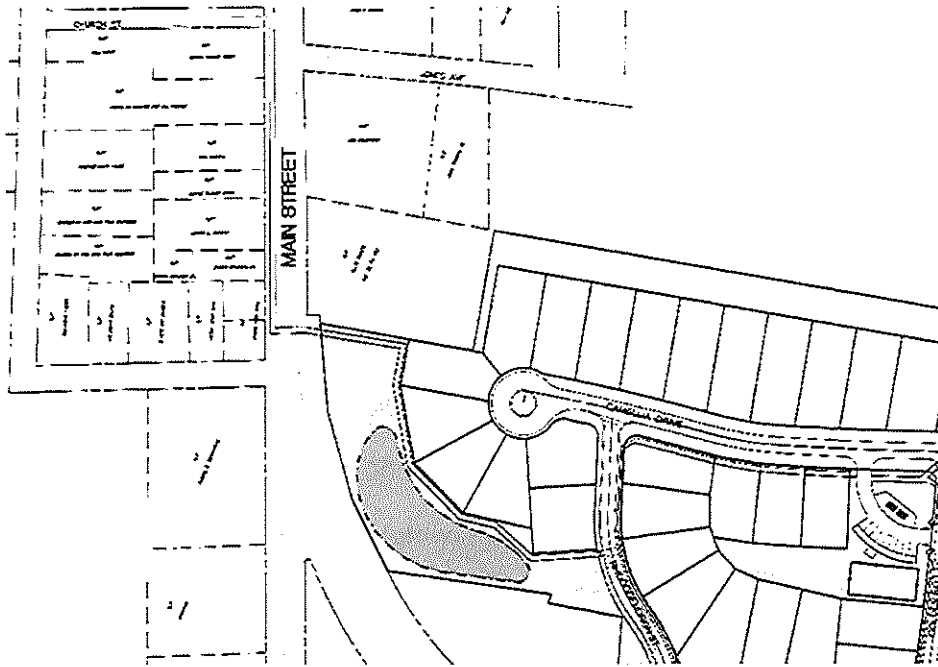
COMPATIBILITY WITH SURROUNDING AREA

- Compatible Residential Development/Lot sizes similar to Village
- Stormwater & Utility Improvements will be a benefit
- 50' buffers to existing residential zoning
- Zoned for PUD since 2004

The data above provides compatibility information with the surrounding area.



This is the northern section which is adjacent to the existing community. As you can see the lot sizes and density are similar, although in the existing community there is no open space. The development will have 30% open space.



This is a similar comparison on the southern portion showing it's compatible, and the lot sizes are actually larger than many of the existing lot sizes in the surrounding community. Again, 30% open spaces and green ways that are part of the development.

CONSISTENCY WITH ADOPTED POLICIES

- **Density - consistent with Community Vision Statement**
- **South Mills Small Area Growth - Consistency**
- **Direct Development Where Public Sewer is Available**
- **Transportation - Improvements & Connectivity**
- **Stormwater - Improve existing conditions**
- **Provide New Housing Choices**
- **Consistent with Targeted Development Pattern**

The proposal is consistent with the County's adopted policies, particularly including the 2035 Comprehensive Plan. Above is a summary in terms of the density, growth plan, etc.

Mr. Bissell then read a few statements from the 2035 Comprehensive Plan.

From the Community Vision Statement: New development will be focused within targeted core areas to breathe new life into established county villages and to efficiently use existing and planned infrastructure and public resources. New housing choices will be made available to serve families, young professionals, and retirees.

Excerpts from 2035 Comprehensive Plan: Objectives and Action Strategies

1. From section titled "Planning Our Future Land Use"
 - a. Objective #1: Promote a Targeted Development Pattern: Camden County will work with developers to encourage new residential and non-residential development in a manner that is consistent with the county's Future Land Use Plan.
 - i. Action Strategy #1: Promote target development through rezoning
 - ii. Action Strategy #6: Provide public water and sewer in targeted development areas
 - b. Objective #4: Ensure that new development has a positive impact on the County budget
 - i. Action Strategy #1: Promote development where public infrastructure exists or is planned
 - c. Objective #5: Provide new housing choices, provide new housing for moderate and higher density housing

2. From section titled “Expanding Tourism and Recreation”
 - a. Objective #5: New Residential Development to Assist in Development of Recreational Facilities
 - i. Action Strategy #1: New Developments in Targeted Development Areas to Include Open Space and Recreational Facilities
 1. Mr. Bissell observed that the subject area is a targeted development area.
 - ii. Action Strategy #2: Update County Development Standards to Require Bicycle and Pedestrian Paths as Part of New Residential Development
 1. Mr. Bissell observed that this is being proposed.
 2. Project will provide for greenways, sidewalks, and will have walking trails to encourage mobility by pedestrians and bicyclists and will also preserve a significant amount of open space and natural features throughout the development to promote recreation and to preserve natural areas. It will also provide the requested linkage to the South Mills Village Core area.
3. From the section titled “Fostering Mobility, Accessibility, and Safety”
 - a. Objective #3: Create Better Connectivity and Accessibility within New Developments

Also the South Mills Small Area Plan is consistent. Excerpt from Chapter 4, Plan for South Mills Core, Overall Vision: “The plan’s main goal is to transform South Mills Village into its own economically sustainable community”.

Mr. Bissell added that a Planned Unit Development with mixed residential and commercial uses should further the implementation of this goal. In summary, it appears the development proposed is consistent with many of the provisions of both the Camden County 2035 Comprehensive Land Use Plan, and the South Mills Small Area Plan.

Mr. Bissell stated that as part of this proposal, they have offered a number of terms and conditions:

- First phase will not be recorded until some time in 2021
- Provide at least 1 year in between subsequent phases
- Water and Sewer fees will be paid well in advance of the need for those services
- Install new water main under the canal to make improvements to roadway on Horseshoe Road
- Utility fees to provide a windfall of excess revenue for Camden County with improvements to public facilities, particularly Horseshoe Road will benefit not just this development, but the entire community
- Commercial area to be ready for development with regards to infrastructure (water and sewer)
- Offered to donate the open space tract to Camden County. Open space will also serve as a significant stormwater retention area.
- Offered to provide funds for beautification of the Main Street area of South Mills
- Offered to make downstream drainage improvements
- Will provide a funding mechanism to provide professional management of ongoing stormwater maintenance. This will be provided in perpetuity, HOA will be funded from very beginning.

SUMMARY

Master Plan is attractive and meets existing needs

Development is Phased to spread out impacts

Alternate Housing Styles are Needed (and offered)

Zoning Commitments will benefit area (in terms of:)

- **Transportation Improvements**
- **Drainage Improvements**
- **New Water Main will improve fire flow**
- **Pedestrian connectivity**
- **Contribution for Main Street Beautification**

**Development is Consistent with 2035 Comprehensive Plan
(and the South Mills Small Area Plan)**

Public Facilities needs are being addressed

**In Harmony with South Mills area - will result in a more
thriving community**

**Will Have a Significant Positive Economic Impact on South
Mills Community and Camden County**

ECONOMIC SUMMARY

PART 1 - ANNUAL REVENUE

ANNUAL TAX REVENUE:.....	\$1,124,000
SOLID WASTE & STORMWATER.....	<u>\$ 49,300</u>
ESTIMATED TOTAL ANNUAL REVENUE:	\$ 1,173,300
(Per year every year for Camden County)	

PART 2 - ONE-TIME FEES

WATER REVENUE (CAMDEN PORTION):.....	\$1,450,000
SEWER REVENUE:.....	<u>\$6,322,000</u>
	\$7,772,000
ESTIMATED COST OF WATER & SEWER	<u><2,500,000></u>
SURPLUS WATER & SEWER FEES:	\$5,272,000
	(WINDFALL)
 TRANSFER TAX & STAMPS:.....	 \$1,708,800
PERMIT FEES:.....	\$ 754,000
MAIN STREET BEAUTIFICATION:	<u>\$ 92,000</u>
	\$2,554,800

Mr. Bissell gave a summary of the project, as shown above. With regard to the estimated cost of water & sewer, the developer worked with Public Works Director David Credle on the numbers. Mr. Credle had estimated two million, the developer added half a million more to be sure. Mr. Bissell added that the Development Agreement stipulates that these fees are to be paid well in advance of the need for the services for which they pertain.

Mr. Bissell stated in closing that he acknowledges that there is a vocal group who is opposed to development. He added that they have worked hard for several years on this plan, have done everything they are supposed to do, believes they have gone above and beyond in addressing and providing solutions to the issues presented to them. They want to do this development properly, and asked the Commissioners to vote in favor of property rights and for economic development, as it will benefit the community and the county at large. Lastly he stated that he wants to be able to get to the next stage to get through the final engineering issues to get this project to fruition.

At this time, Mr. Bissell asked if there were any questions for him from the Board.

Commissioner Munro asked about the future I-87 off ramp and how it will affect the development. Mr. Bissell replied stating that he had not seen the plans for that. Chairman White commented that NCDOT presented the plan some time ago and there's a number of loops that they proposed and he believes one of them does end up crossing somewhere in the vicinity of Horseshoe Road. He added that the plan got put "on the back burner" because of funding, but still suggested that Mr. Bissell check that out. Mr. Bissell observed that the NCDOT has a preliminary plan, but its not final, they can make adjustments to their plan to accommodate developments.

Commissioner Munro then asked about how problems with mosquitoes will be handled, and if there would be fountains in the ponds planned. Mr. Bissell responded that there will be fountains, and they are all interconnected, one flows into the next and into the next etc. He added that the water will be deep enough that algae blooms will be unlikely.

At this time, Chairman White asked if there were any more speakers with Mr. Bissell who want to speak with regard to the project.

Herbert Mullen, Elizabeth Street, Elizabeth City, Attorney for Developer

- Resides outside Elizabeth City, but has been associated with Camden County all his life and considers it home
- Has never seen a developer offer the County more than South Mills Landing developer has with the money in advance for building roads, upgrading roads, and doing other things
- Understands Camden may need more law enforcement, fire protection, but with the funds this development will provide, thinks its adequate
- Everyone's concerned, and he hopes it passes, and stated he will pay taxes for it (Referring to the Camden County School Bonds Referendum), and he believes that the funds obtained from fees and taxes from this development will help to offset the costs of schools
- Believes that the fees and taxes the development generates is money that is easily collected.
- No other development has offered as much as South Mills Landing has, and they have done it within the county regulations and in compliance with the county's land use plans
- Respectfully request that the Board of Commissioners approve this subdivision, which will generate a great deal of fees and taxes which can be used for the benefit all the people of Camden County.

Reese Smith Jr., Virginia Beach VA, Speaking on behalf of his father Reese Smith Sr.

- Reese Smith Sr. is the owner of the property where upon the development is proposed
- R. Smith Jr. holds a small interest in the property, his father and partners are the principal owners of the property
- R. Smith Sr. contracted to purchase this property in 2000 and has been working over the next 20 years to make this planned development a reality
- Endured a multi-year moratorium imposed on building, and endured through a recession
- Proposed master plan is consistent with the 2035 Comprehensive Land Use Plan
- Was approved in the past by the Board of Commissioners and was adopted to serve as an outline for growth
- Project will yield benefits to the community, and in fact it already has - the parcel donated near McBride Street is now home to a sewer pump station which was instrumental in solving the issues with failing septic systems in Bloodfield and the South Mills Village by making sewer service available

- Property owners of the development offered a sizable monetary contribution to be used for beautification project on Main Street, or where ever else it needs to be used
- One recurring complaint that has been heard from numerous citizens has been over the recurring flooding and stormwater issues. If approved, first the existing drain outlets will be improved and cleaned out, then widened, and so on.
- The portion of Horseshoe Road most susceptible to flooding will be raised
- The development will provide for engineered on site stormwater retention systems
- The proposed plan incorporates some 27 acres of retention ponds which have the capacity to store about 17 million gallons of water on site
- Existing flooding conditions will be improved by these efforts
- Appears that without this development, flooding issues in surrounding community will continue to exist
- With respect to the economics, a phased plan over time will dampen the impacts on services, developer has shown based in large part by numbers provided by the various departments of the county and town of South Mills, South Mills Landing's contribution to the Camden County coffers will be a net of 7.8 million dollars collected for water, sewer, and other related fees after the costs of such has been considered. These are funds collected in advance of any services being provided.
- Will generate about 1.2 million dollars in tax revenues each and every year
- Thanked Planning Director Dan Porter for his time, effort, & help in planning this over the years, and through all the design changes and improvements
- The master plan is in keeping with county guidelines, is in accordance with the PUD zoning that was specifically approved by the Board of Commissioners for this property, is consistent with the Smart Growth principles adopted by the county, provides for various surplus revenues to the county, and is ripe for approval by this Board
- Hopes that the Board will move and vote to approve the Development Agreement and Master Plan for South Mills Landing

At this time, Chairman White asked if there were any further questions or comments on this public hearing. Hearing none, he entertained a motion to close the public hearing.

County Attorney John Morrison stated that before the public hearing is closed that the materials in the Board Packet should be accepted into evidence for this public hearing.

Motion to Accept Board Packet Materials provided by the Planning Department Relating to South Mills Landing as Evidence for this Public Hearing

RESULT:	PASSED [UNANIMOUS]
MOVER:	Randy Krainiak
AYES:	White, Riggs, Munro, Meiggs, Krainiak
ABSENT:	None

Motion to close Public Hearing on South Mills Landing

RESULT:	PASSED [UNANIMOUS]
MOVER:	Garry Meiggs
AYES:	White, Riggs, Munro, Meiggs, Krainiak
ABSENT:	None

Motion to Amend the Agenda to place this item up for an immediate vote

RESULT:	PASSED [UNANIMOUS]
MOVER:	Ross Munro
AYES:	White, Riggs, Munro, Meiggs, Krainiak
ABSENT:	None

Motion to Approve, with Modifications, the South Mills Landing Development Agreement, Ordinance 2020-09-01

RESULT:	PASSED [UNANIMOUS]
MOVER:	Ross Munro
AYES:	White, Riggs, Munro, Meiggs, Krainiak
ABSENT:	None

Motion to Approve, with Modifications, UDO 2020-01-36, South Mills Landing Master Plan and Preliminary Plat

RESULT:	PASSED [UNANIMOUS]
MOVER:	Ross Munro
AYES:	White, Riggs, Munro, Meiggs, Krainiak
ABSENT:	None

At this time, County Attorney John Morrison stated that pursuant to the UDO, Article 151.2 entitled "Procedures", the Board is required to answer seven questions which he reviewed with the Board stating also that if the Board gives him the sense of their answers he would draft the required written statement.

As required by UDO Article 151.2.3.19(C)(7)(d)(1)-(7):

In making its decision, the Board of Commissioners shall adopt a written statement including each of the following:

1. Whether the planned development application (and associated zoning map amendment) is approved, denied, or remanded; and
 - The Camden County Board of Commissioners approved with Modifications, the South Mills Landing Development Agreement, Ordinance 2020-09-01; and same Board approved with Modifications, UDO 2020-01-36, South Mills Landing Master Plan and Preliminary Plat.
2. The degree to which the planned development application (and associated zoning map amendment) is or is not consistent with the County's adopted policy guidance; and
 - The evidence provided in the Camden County Board of Commissioners Board Packet for the November 2, 2020 meeting shows that the application is consistent with the County's adopted policy guidance.
3. The ways in which the planned development application (and associated zoning map amendment) is or is not consistent with the County's adopted policy guidance; and
 - The evidence provided in the Camden County Board of Commissioners Board Packet for the November 2, 2020 meeting shows that the application is consistent with the County's adopted policy guidance.
4. Whether approval of the planned development application also amends or does not amend the County's adopted policy guidance; and
 - Approval of South Mills Landing Development Agreement and associated Master Plan/Preliminary Plat does not amend any of the County's adopted policy guidance.
5. If the adopted policy guidance is amended as part of the application approval, a description of the change in conditions to meet the development needs of the County that were taken into account as part of the approval; and
 - N/A - No policy guidance was amended.
6. An explanation of why the action taken by the Board of Commissioners is reasonable; and
 - Based upon the Board's approval of South Mills Landing Development Agreement and associated Master Plan/Preliminary Plat it is assumed that it will increase the tax base, bring additional revenues to the County which will enhance utilities such as water & sewer, and it will improve drainage in the surrounding area, it is a quality development which will enhance the community, and is consistent with the UDO.
7. An explanation of why the action taken by the Board of Commissioners is in the public interest.
 - As question number 6 above overlaps with question number 7, the answer for number 7 is to see the answers for questions 1-6 above.

During the answering of question number 6 above, Commissioner Riggs asked if the Board should make a motion to approve the answers to the questions. Mr. Morrison, after conferring with the County Manager, stated that the Board should direct him to draft a written statement with these questions and answers to be voted upon at the next Board of Commissioners meeting. Chairman Tom White directed County Attorney John Morrison so to do.

B. Richard Krainiak Rezoning Application

Before Planning Staff could begin their description of this agenda item, Commissioner Krainiak disclosed to the Board that he needed to be recused from this item as he is related to the applicant.

Motion to Recuse Commissioner Randy Krainiak from Agenda Item B. - Richard Krainiak Rezoning Application as Commissioner Krainiak is related to the applicant.

RESULT:	PASSED [UNANIMOUS]
MOVER:	Ross Munro
AYES:	White, Riggs, Munro, Meiggs, Krainiak
ABSENT:	None

Commissioner Krainiak has been recused from this agenda item as he is related to the applicant. He will neither participate or vote in this matter.

Motion to Open Public Hearing for Rezoning Application for Richard Krainiak

RESULT:	PASSED [UNANIMOUS]
MOVER:	Ross Munro
AYES:	White, Riggs, Munro, Meiggs
ABSENT:	None
RECUSED:	Krainiak

At this time, Zoning Officer Amber Curling described this agenda item and went over the Staff Report, a copy of which is attached hereto as "Attachment C".

- Richard Krainiak has submitted an application for a zoning map amendment to rezone approximately 3 acres from Village Commercial (VC) to Neighborhood Residential (NR) on Parcel with PIN # 03-8953-04-80-2636-0000 located at 913 NC Hwy 343 South in Shiloh Township.
- The application package includes the rezoning application, the deed, various maps, the neighborhood meeting results and comments, and the zoning comparison between Village Commercial and Neighborhood Residential
- Application is generally complete
- Neighborhood meeting was held August 31, 2020 and had no attendees
- Helen Nix sent in an email containing comments, which is included in the package.
- Property is located at 913 NC Hwy 343 South in Shiloh Township, at the intersection of NC Hwy 343 South and Milltown Road, in the center of the Shiloh Core Village
- Lot size is approximately 3 acres
- Current use includes a vacant house and farmland
- Surrounding uses are commercial businesses, farmland, and residential lots
- Ms. Curling read the definitions of Village Commercial and Neighborhood Residential (included in Staff Report, Attachment C)
- CAMA Land Suitability - Very High
- Not located in any wetlands
- Located in Flood Zone X
- Not in the watershed
- Drainage flows southeast along a ditch at the rear of the property, then southwest, then southeast again emptying out into the wetlands/creek which flows into the Pasquotank River

- Inconsistent with the 2035 Comprehensive Land Use Plan which shows the property as Village Center
- Inconsistent with the CAMA Future Land Use Map which shows the property as Community Core
- Water lines are adjacent to the property
- Sewer Service is not available. Sewer will have to be handled via septic systems.
- Property is in the South Camden Fire District
- Proposed zoning change will have minimal impact on schools or traffic
- Property is located right beside the Shiloh Dollar General Store and across the street from the Shiloh Shopping Center

Richard Krainiak, Camellia Drive, Camden NC, Applicant for Rezoning

- There is an existing home on the property. Looking to rezone the property so that it can be used as residential again.
- House is a historic house
- The only commercial buildings in the vicinity are the Dollar General and the Shiloh Shopping Center. All the other houses in the immediate vicinity are zoned VC but have people living in them

Chairman White asked if the house on the lot was vacant or occupied. Mr. Krainiak stated it was vacant.

Commissioner Munro asked if Mr. Krainiak intends to restore the home or tear it down. Mr. Krainiak indicated he wishes to restore it.

Commissioner Riggs stated he was under the impression that Mr. Krainiak was going to only rezone the one acre that the house was on and leave the other 2 acres as commercial. Mr. Krainiak stated that the Planning Board recommended to rezone all three acres. Mr. Riggs stated that the corner lot could be very profitable as commercial land. Mr. Krainiak indicated that it was rezoned 20 years ago to commercial, he added that Mr. Hyman, a surveyor, is surveying the one acre that the house sits on.

Mr. Krainiak asked if the house sits empty for so long will it have to go back to commercial use. Chairman White responded that was a question for Zoning Officer Amber Curling. Ms. Curling responded saying the reason that he is applying to rezone the entire 3 acres is that he is applying for a one lot minor subdivision and the property was not divided yet.

Commissioner Riggs stated that his opinion is the the Board should rezone the one acre with the house on it and leave the other 2 commercial. Mr. Riggs asked Mr. Krainiak if that is what his original intention was, Mr. Krainiak responded saying he's "good with that".

At this time, Ms. Curling continued going over the Staff Report.

- Rezoning of 913 NC Hwy 343 South is Inconsistent with the 2005 CAMA Future Land Use Plan as the plan has the property identified as community core
- Also Inconsistent with the 2035 Comprehensive Plan as the Future Land Use Map identifies the property as Village Center
- At the September 16, 2020 Planning Board meeting, the Planning Board unanimously recommended approval of the rezoning

At this time, Chairman White asked if there were any members of the public who were opposed to this rezoning. Hearing none, he called for a motion.

Motion to Close Public Hearing for Rezoning Application for Richard Krainiak

RESULT:	PASSED [UNANIMOUS]
MOVER:	Clayton Riggs
AYES:	White, Riggs, Munro, Meiggs
ABSENT:	None
RECUSED:	Krainiak

Motion to Add Rezoning Application for Richard Krainiak to the agenda for an immediate vote

RESULT:	PASSED [UNANIMOUS]
MOVER:	Clayton Riggs
AYES:	White, Riggs, Munro, Meiggs
ABSENT:	None
RECUSED:	Krainiak

Motion to Rezone the 1 Acre Lot that contains the house, out of parcel with PIN# 03-8953-04-80-2636-0000 located at 913 NC Hwy 343 South in Shiloh Township to Neighborhood Residential (NR), leaving the remaining 2 acres plus or minus as Village Commercial (VC)

RESULT:	PASSED [UNANIMOUS]
MOVER:	Clayton Riggs
AYES:	White, Riggs, Munro, Meiggs
ABSENT:	None
RECUSED:	Krainiak

Consistency Statement: Motion that the rezoning of the 1 acre lot that contains the house, out of parcel with PIN# 03-8953-04-80-2636-0000 located at 913 NC Hwy 343 South in Shiloh Township to Neighborhood Residential (NR) is Inconsistent with the 2005 CAMA Land Use Plan in that the CAMA Future Land Use Map has the property identified as Commercial Core, and is Inconsistent with the 2035 Comprehensive Plan in that the plan identifies the property as Village Center.

RESULT:	PASSED [UNANIMOUS]
MOVER:	Clayton Riggs
AYES:	White, Riggs, Munro, Meiggs
ABSENT:	None
RECUSED:	Krainiak

Motion to Approve Ordinance 2020-11-01, Rezoning Application, to Restore Property Containing the House, out of parcel with PIN# 03-8953-04-80-2636-0000 located at 913 NC Hwy 343 South in Shiloh Township from Village Commercial (VC) to Neighborhood Residential (NR) as modified by Board of Commissioners at 11-2-2021 meeting.

RESULT:	PASSED [UNANIMOUS]
MOVER:	Clayton Riggs
AYES:	White, Riggs, Munro, Meiggs
ABSENT:	None
RECUSED:	Krainiak

ITEM 5 OLD BUSINESS

Appeal of Demolition Orders - Gary Overton

Chairman White stated that since Commissioner Munro was not present at the meeting wherein this item was previously heard, it must be established that he did indeed watch the video of that proceeding. Let the record show that Commissioner Munro indicated that he did indeed watch the aforementioned video.

County Attorney John Morrison reminded the Board that this item is a reconvening of this item as it was recessed until this meeting. He indicated that he sent Abode of Camden and Ms. Geraldine Overton, the property owners, a letter reminding them of this meeting and of the following:

From Mr. Morrison's Letter:

"As you will recall, the recess was to allow you to come forward with the specific documented plan as to how you would either rehabilitate or sell the subject structures. The understanding was you will present a detailed specific plan including access to necessary funds and a time schedule for completion. Your absence at the hearing or failure to produce the requested information in a responsible trustworthy format may result in the Commissioners electing to proceed immediately with demolition. Thank you for your kind review of this correspondence and your cooperation."

Mr. Morrison indicated that the above letter was dated October 19, 2020.

Chairman White started with 165 and 167 Alder Branch Road properties. He asked if there was a plan for those. Mr. Overton stated that he will try to get the properties cleared up by January 1, 2021. He further stated that he is researching costs for building materials and so forth.

Chairman White asked about 1275 NC Hwy 343 South. Mr. Overton stated that he has an offer to sell the 3 structures on the property at 1330 NC Hwy 343 South and will use the profits from that to fix up 1275 NC Hwy 343 South. Should be by January that they will be sold and off the property. Chairman White asked where Mr. Overton is on 1275. Mr. Overton stated that he can do a little repair on the outside until the aforementioned structures are sold, then once sold, he will take the profit from that and do some foundation work. Mr. Overton indicated he spoke with a representative of Gateway Bank regarding some financing. Mr. Overton indicated that he would be able to start repairs next month (December). Chairman White indicated that something needs to happen. Mr. Overton indicated that he can only work on one property at a time, and that due to his day job he only gets 1 day a week off to work on this. Chairman White asked if he could have something going on within 30 days, Mr. Overton indicated he could. He added that when he gets the money from 1330 that he will be able to purchase the concrete and blocks for the foundation work on 1275.

Chairman White asked the Board members what they wanted to do regarding 165 and 167 Alder Branch Road, if they should give him more time on these. Commissioner Krainiak indicated a desire to give him more time.

Mr. Overton stated that during the first week in March he gets a bonus check from work he is doing and he has a side job he is doing. Between those two he should be able to secure 165 and 167 Alder Brach Road.

Chairman White asked if 165 and 167 could be done in 30 days. Mr. Overton indicated that he doesn't get the funds until March. Commissioner Munro stated that these two are down the road in that event.

Chairman White asked the Board members if 165 and 167 to be taken care of sometime around March is a good timing. 1275 NC 343 South, in the next 30 days to be doing some foundation work on that one.

Mr. Overton indicated that at present, the best he can do is \$50-\$100 per week in funds to buy materials for those.

Commissioner Munro asked for confirmation that he only has 1 day a week he can work on these. Mr. Overton indicated that is correct, and reiterated that he can only spend \$50-\$100 per week. He added that his finances are such that this is all he can afford.

County Attorney John Morrison suggested recessing this hearing again, and reconvening it in January 2021 to allow Mr. Overton to have a more definite plan in place. Commissioner Munro suggested making that February 2021 since the sale of the structures at 1330 will not take place until January.

Chairman White called for a motions to place this issue on the February 2021 Board of Commissioners agenda and to recess this evening's proceeding until that time.

Motion to place this issue on the February 2021 Board of Commissioners Meeting Agenda as Old Business

RESULT:	PASSED [UNANIMOUS]
MOVER:	Clayton Riggs
AYES:	White, Riggs, Munro, Meiggs, Krainiak
ABSENT:	None

Motion to Recess this hearing until the February 2021 Board of Commissioners Meeting

RESULT:	PASSED [UNANIMOUS]
MOVER:	Ross Munro
AYES:	White, Riggs, Munro, Meiggs, Krainiak
ABSENT:	None

ITEM 6 CONSENT AGENDA

Consent Agenda:

- A. BOC Meeting Minutes - Oct 5, 2020
- B. Budget Amendments

2020-21-BA006
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, 2021.

Section 1. To amend the General Fund as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
Revenues			
52330610-434802	Administration Revenue	\$5366.00	
Expenses			
528000-540100	General Administration Expense	\$5366.00	

This Budget Amendment is made to appropriate funds to increase the Social Services Administration Revenue & General Administration Expense lines for Additional Funds received in response to COVID.


This will result in no change to the Contingency of the General Fund.

Balance in Contingency \$40,000.00

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 2nd day of November, 2020.

Gregory L. Bassett
Assistant
Clerk to Board of Commissioners

Tom White
Chairman, Board of Commissioners



2020-21-BA007
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, 2021.

Section 1. To amend the General Fund as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
Revenues			
19380400-433500	COVID Miscellaneous Revenue	\$216,906.15	
Expenses			
194200-502000	Salaries		\$43000.00
194200-533000	Supplies	128,113.15	
194200-533100	Grant	9,000.00	
194200-557000	Miscellaneous	116,793.00	

This Budget Amendment is made to appropriate funds to increase the COVID Revenues & Expense lines for Additional Funds received in response to COVID.


This will result in no change to the Contingency of the General Fund.

Balance in Contingency \$40,000.00

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 2nd day of November, 2020.

Gregory L. Bassett
Assistant
Clerk to Board of Commissioners

Tom White
Chairman, Board of Commissioners



2020-21-BA008
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, 2021.

Section 1. To amend the General Fund as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
Revenues			
10-328900	Fund Balance		\$400,000
Expenses			
716600-575000	Unrestricted Capital Reserve	\$400,000	

This Budget Amendment is made to appropriate funds to the Unrestricted Capital Reserve from Fund Balance.

This will result in no change to the Contingency of the General Fund.

Balance in Contingency \$40,000.00

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 2nd day of November, 2020.

Gregory L. Bassett
Assistant
Clerk to Board of Commissioners

Tom White
Chairman, Board of Commissioners



F. Refunds Over \$100

ACS Tax System
10/06/20 13:06:15

REFUNDS OVER \$100.00
Refunds to be Issued by Finance Office

CAMDEN COUNTY

Refunds	Remit To:	Reference:	Drawer/Transaction Info:
1,157.76	A&B BUILDING INCORPORATED 141 TRAVIS BLVD KNOX NC 27958	2020 R 02-8934-02-57-3312.0000 MICRSTHAL RILEY PAID 1157.76	20200928 2 254309
633.61	AG CAROLINA FARM CREDIT P.O. BOX 100285 COLUMBIA SC 292023285	2020 R 01-7989-04-92-7981.0000 01-7989-04-92-7981-0000/OSBERN	20201006 99 254957
100.00	EVERETT JOSEPH 1265 NORTH 342 SOUTH MILLS NC 27976	2020 R 01-7998-01-17-5611.0000 OVERPAID R124166/2020	20201006 99 254959
271.32	C E SMALL, PC ATTN: WENBY 607 E MAIN ST ELIZABETH CITY NC 27909	2020 R 01-7998-01-09-8245.0000 CHRISTOPHER D. SKITH	20201006 99 254958
162.95	HALBICKI STANLEY & AMPARO 113 PINE RIDGE DRIVE SOUTH MILLS NC 27976	2020 R 01-7998-00-02-4902.0000 overpayment 2020	20200922 1 253884
184.14	RUTH N. BEGGS 379 OLD SKAMP RD SOUTH MILLS NC 27976	2020 R 01-7999-00-78-4680.0000 OVERPAID R124237/2020-GARRETT	20201006 99 254960
2,509.78	Total Refunds		


Submitted by Lisa S. Anderson Date 10-6-2020
Lisa S. Anderson, Tax Administrator Camden County

Approved by G. Tom White Date November 2, 2020
G. Tom White, Chairman Camden County Board of Commissioners

G. Pickups, Releases, and Refunds

NAME	REASON	NO.
Paul J. Cohen	Roll back taxes - pick-up \$1,556.54	Pick-up/22185 R-104349-2017 R-111632-2018 R-118981-2019 R-126384-2020
David Chaney	Correction on a manufactured home. Adjustment \$118.73	Pick-up/22171 R-128681-2020
Denise McBride Barton	Turned in plates - Refund \$203.87	Pick-up/22173 52761696
Cheyenne Sky Burley	Turned in plates - Refund \$109.65	Pick-up/22175 51285227
John & Mul Chn	Value adjustment \$1,377.35	Pick-up/22181 R-130663-2020
John D. Pierce LE	Duplicate parcel - Refund \$209.71	Pick-up-22193 R-117772-2019
John D. Pierce LE	Duplicate parcel - Refund \$209.71	Pick-up-22194 R-110437-2018
John D. Pierce LE	Duplicate parcel - Refund \$184.41	Pick-up-22195 R-103154-2017
John D. Pierce LE	Duplicate parcel - Refund \$186.41	Pick-up-22196 R-95830-2016
John D. Pierce LE	Duplicate parcel - Refund \$186.41	Pick-up-22197 R-88780-2015
Ada Virginia Sanford ETAL	Roll back taxes - Pick-up \$13,433.71	Pick-up/22205 R-103345-2017 R-110628-2018 R-117969-2019 R-125354-2020

H. Senior Center General Purpose Funding FY 20-21



September 11, 2020

DAVEN
CHOWAN
CUMBERLAND
DARE
GARRETT
HESPERIA
MARTIN
MORRIS
NEWCASTLE
PERQUIMANS
ROCKINGHAM
WAKE
WENDOCK
YAMHOUBICHA

Laura Jelley, Coordinator
Camden County Senior Center
P.O. Box 190
Camden, NC 27921

Dear Laura,

You will find enclosed the application packet for Senior Center General Purpose funding. Please complete the proposal, agreement and assurances and obtain the required signatures. Return the completed packet for our review. You will be notified of the status of your grant award, and upon approval, a signed copy will be returned to you. Please take note of the grant period and time frame for expenditure of grant funds. This time frame will allow for adjustments and corrections to your budgets if needed, which will help to ensure that you are able to utilize your entire allocation.

I ask that you return your packets by November 15, 2020 so that you may begin your reimbursement process.

If you have any questions, or if I can assist you in any way, please feel free to contact me.

Sincerely,
Ashley Lamb
Ashley Lamb
Aging Programs Specialist
Albemarle Commission Area Agency on Aging

Enc: Grant Application Packet

11-2-20

STATE APPROPRIATION FOR SENIOR CENTERS THROUGH
THE 2020 SESSION OF THE
NC GENERAL ASSEMBLY

SENIOR CENTER GENERAL PURPOSE FUNDING

FY 2020-2021 APPLICATION PACKET

Albemarle Commission Area Agency on Aging
512 S Church Street
Hertford, NC 27944

Camden County Center for Active Adults
P.O. Box 190
Camden, NC 27921

The Albemarle Commission Area Agency on Aging reserves the right to request additional information, references, to accept or reject any or all proposals to waive technicalities, to accept proposals in whole or in part, and to award a contract(s) which, in the opinion of the grantee, best serves the older adults.

SENIOR CENTER GENERAL PURPOSE FUNDING

Introduction and Instructions

The Albemarle Commission Area Agency on Aging is pleased to announce the availability of funds for use by senior centers to support and develop programming and general operations or to construct, renovate, or maintain senior center facilities. \$1,265,316 in general purpose funding was allocated for senior centers for the current fiscal year. This funding is allocated to the Area Agencies on Aging for distribution to the centers within the region which provide full time programs or will utilize the funding to develop full time programs. Across the state 169 senior centers or developing senior centers will be funded.

The Division of Aging and Adult Services has worked hard to enhance and expand the statewide certification process for senior centers with standards that encourage centers across the state to strive for levels of 'merit' or 'excellence'. An intent of the certification process has been to increase base funding for those who have successfully completed the process. This ensures that funding is being well spent on readily identifiable programs and services and provides an incentive for centers that make investments to meet certification requirements. Therefore, in order to provide an incentive to work toward certification, and to reward those who achieve it, the Division has decided to fund senior centers equally, based upon their certification status. Centers of Merit will receive two shares of the funding of non-certified centers and Centers of Excellence will receive three times the funding of non-certified centers. The objectives for this year are to:

- > Allocate funding equally to every center, based upon certification status;
- > Require documentation and accountability for the use of funding, and;
- > Provide incentives for centers to improve themselves through certification.

Again, this year it has been decided to divide the annual appropriation into shares based on the total number of senior centers as determined by the Area Agencies on Aging plus extra shares for each senior center which

meets certification status. Uncertified, Identified centers will receive one share.

For FY 2020-2021, total funding available to the counties in Region R will amount to . Effective period: July 1, 2020-June 30, 2021.

Your center is eligible to receive:

FY 20-21	Senior Center General Purpose Funding	\$3,505
	Local Match (25%)	\$1,168
	TOTAL	\$4,673

It is the responsibility of the applicant to certify the availability of the local match. The funds require a 25% local match. The funds must be spent first before reimbursed and before June 30, 2021. Therefore, projected June expenditures must be reported with May services reported in June otherwise the unutilized portion of your allocation will revert to the state.

Application submissions should include:

- (1) A completed description of proposed activities (add additional pages as needed).
- (2) Certification of the availability of local match.
- (3) A budget for senior center general purpose activities.

APPLICATION FOR SENIOR CENTER GENERAL PURPOSE FUNDING

Applicant Information

Date: Sept 28, 2020

Project Name: Camden County Senior Center

Name of Project Director: Laura Jelley

Telephone Number: 704-385-2569 FAX: 252-331-5621

E-Mail: ljelley@camden-county.nc.gov

Name and Address of Applicant: Laura Jelley, Camden Senior Center
P.O. Box 190, Camden NC 27921

Type of Agency Applying: Private-Non-Profit Public

Location of Project: Camden County, NC
(county)

ASSURANCES

Camden Co. Senior Center (hereinafter referred to as "Subgrantee") HEREBY AGREES THAT it will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; and (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), which prohibits discrimination on the basis of handicaps.

Laura Jelley 11-2-20
Signature and Title of Authorized Official Date
(e.g., Director, Board Chairman)

CERTIFICATION OF THE AVAILABILITY OF REQUIRED NON-FEDERAL MATCH FOR SENIOR CENTER GENERAL PURPOSE FUNDING

It is understood that the following required 25 percent non-federal match will be used to match Senior Center General Purpose funds in FY 20-21 and will not be used to match any other federal or state funds during the contract period.

The provider shall expend the award in keeping with the attached project description indicating how funding will be utilized. Funding will not be disbursed until this application is received and approved by the Area Agency on Aging. The contractor shall make a final report indicating how funding was utilized in a format provided by the Area Agency on Aging.

FY 20-21	Budget Request	\$ 3,505.00	Example only: non-certified center: \$3,505
	Required 25% Match	\$ 1,168.00	divided by .25=\$4,673 [Total projected budget]
	Total FY 20-21 Projected Budget	\$ 4,673.00	\$4,673 minus \$3,505= \$1,168 [local match]

(up to the amount of the grant)

Authorized Signature: Laura Jelley

Title: Senior Center Coordinator

Date: Sept 28, 2020

SENIOR CENTER GENERAL PURPOSE PROJECT DESCRIPTION

1. Senior Center to receive funding: Camden County Senior Center
2. Amount of funding: \$ 4673.00
3. Area served by Senior Center: Camden County, NC

4. Describe how the funding will be spent:

Funding will be used for the Senior Center activities and Rehabilitation Supplies.

6

STATE APPROPRIATIONS FOR SENIOR CENTER BUDGET INFORMATION
STATE FISCAL YEAR 2020-21

Organization Name: Camden County Senior Center
 Senior Center Name: Camden County Senior Center
 Address: P.O. Box 190 / 117 W. Hwy 312, Camden, NC 27921
 Period Covered: July 2020 - June 30, 2021 Date Prepared: _____

OBJECTS OF EXPENDITURE	AMOUNT
Salary and Fringe Benefits	\$ _____
Supplies/Other Operating Costs	\$ <u>4673.00</u>
Equipment	\$ _____
Capital Outlay (Revit Exm, Construction, Renovation)	\$ _____
Other	\$ _____
TOTAL BUDGET (including local match) (Up to grant amount, only)	\$ <u>4,673.00</u>

Each organization that receives, uses or expends any state funds shall use or expend the funds only for the purposes for which they were appropriated by the General Assembly or collected by the State. State funds include federal funds that flow through the state. If the contractor is a governmental entity, such entity is subject to the provisions of the requirements of OMB Uniform Guidance 2 CFR Part 200 and the NC Single Audit Implementations Act. If the contractor is a non-governmental entity, such entity is subject to the provisions of GS 143C-6-23. Additionally, any non-governmental entity (except a for-profit corporation) is subject to the provisions of OMB Uniform Guidance 2 CFR Part 200.

AUTHORIZED SIGNATURE: _____
 TITLE: _____ DATE: _____

7

ASSURANCE OF COMPLIANCE WITH SECTION 504 OF
THE REHABILITATION ACT OF 1973

Camden County Senior Center (hereinafter referred to as "Subgrantee") HEREBY AGREES THAT it will comply with Section 504 of the Rehabilitation Act of 1973 (P.L. 93-112) and all requirements imposed by or pursuant to the Regulation of the Department of Health, Education, and Welfare (45 CFR 84) issued pursuant to that Section, to the end that, in accordance with Section 504 of that Act and the Regulation, no person in the United States shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Subgrantee receives Federal financial assistance from the State of North Carolina, Department of Human Resources, Division of Aging and Adult Services, a recipient of Federal financial assistance from the Department (Grantor); and Hereby Gives Assurance that it will immediately take any measures necessary to effectuate this agreement.

If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the Subgrantee by the Grantor, this assurance shall obligate the Subgrantee, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision or similar services or benefits. If any personal property is so provided, this assurance shall obligate the Subgrantee for the period during which the Federal financial assistance is extended to it by the Grantor.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Subgrantee by the Grantor, including installment payments after such date on account of applications for Federal financial assistance which were approved before such date. The Subgrantee recognizes and agrees that such Federal financial assistance will be extended in reliance on the representations and agreements made in this assurance, and that the grantor or the United States or both shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the Subgrantee, its successors, transferees, and assignees, and the person or persons whose signature(s) appear below are authorized to sign this assurance on behalf of the Subgrantee.

8

Dated Sept 28, 2020 Laura L. Jolley
 (Applicant)
 Applicant's Mailing Address: P.O. Box 190
Camden NC 27921
 By: [Signature]
 (President, Board Chairperson or Comparable Authorized Official)

9

ASSURANCE OF COMPLIANCE WITH THE DEPARTMENT
OF HEALTH AND HUMAN SERVICES REGULATION UNDER
TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

Camden County Senior Center (hereinafter referred to as "Applicant") HEREBY AGREES THAT it will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 CFR Part 89) issued pursuant to that Title, to the end that, in accordance with Title VI of that Act and the Regulation, no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discriminate under any program or activity for which the Applicant receives Federal financial assistance from the Department; and HEREBY GIVES ASSURANCE THAT it will immediately take any measures necessary to effectuate this Agreement.

If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the Applicant by the Department, this assurance shall obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision or similar services or benefits. If any personal property is so provided, this assurance shall obligate the Applicant for the period during which it retains ownership or possession of the property. In all cases, this assurance shall obligate the Applicant for the period during which the Federal Assistance is extended to it by the Department.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Applicant by the Department, including installment payments after such date on account of applications for Federal financial assistance which were approved before such date. The Applicant recognizes and agrees that such Federal financial assistance will be extended in reliance on the representations and agreements made in this assurance, and the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the Applicant, its successors, transferees, and assignees, and the person or persons whose signature(s) appear below are authorized to sign this assurance on behalf of the Applicant.

10

Dated Sept 28, 2020 Laura L. Jolley
 (Applicant)
 Applicant's Mailing Address: P.O. Box 190
Camden NC 27921
 By: [Signature]
 (President, Board Chairperson or Comparable Authorized Official)

11

AGREEMENT OF UNDERSTANDING
BETWEEN AGENCIES

Agency: Camden County Senior Center
 Telephone#: 252-355-2549
 Address: P.O. Box 190 / 1174 Hwy 243, Camden NC 27921
 Director: Lawrence L. Alley

AND

Agency: Albemarle Commission Telephone#: (252) 426-5783
 Address: 512 S Church Street
 Hertford, NC 27944

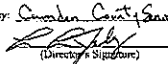
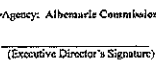
Executive Director: Michael Ervin

In an effort to enhance the overall effectiveness of services provided to older adults of Camden County, the above-named agencies agree to share, when appropriate, pertinent information which may serve to improve the quality of life for older adults.

The Memorandum of Understanding serves to incorporate the following mutual components:

1. Provide information concerning services/programs for older adults and any related eligibility requirements.
2. When appropriate, assist with identifying and referring clients who may be in need of services not provided by the referring agency.
3. When appropriate, inform proper agency representatives of any changes related to services provided.
4. Provide, upon request, personnel to explain aging programs, services, etc.
5. Share, when appropriate, concerns, questions or suggestions relative to services provided.

The persons responsible for implementing and monitoring this Agreement of Understanding are:

Agency: Camden County Senior Center Agency: Albemarle Commission
 (Director's Signature)  (Executive Director's Signature)

ALBEMARLE COMMISSION GRANT AGREEMENT
FOR SENIOR CENTER GENERAL PURPOSE FUNDS

This Agreement is made and entered into July 1, 2020 and ending June 30, 2021, between the Albemarle Commission, hereinafter referred to as "AC" and the Camden County Center for Active Adults, hereinafter referred to as the "Grantee".

Subject to the terms and conditions hereinafter set forth and attached to this document, the AC agrees to grant Senior Center General Purpose Funds to the Grantee for the purpose which is described herein and attached to this document.

A line item accounting showing how these grant funds with a 25% local match were expended shall be submitted to the AC. Documentation in the form of paid invoices shall also be submitted.

As compensation, the AC shall reimburse Grantee upon receipt of detailed invoices to include dates, vendors, costs and purchases. Total funds for this grant must not exceed \$3,500 of State funds.

Held Harmless: The Grantee shall be considered to be an independent contractor with responsibility for maintaining their own insurance to cover any job-related injuries. This Agreement is not intended nor to be construed as an employer/employee arrangement.

Conflict of Interest: The Grantee covenants that it presently has no interest and shall not acquire any interest, directly or indirectly, which would conflict in any manner or degree with the performance of services required to be performed under this Agreement. The Grantee further covenants that, in the performance of this Agreement, no person having any such interest shall be employed.

Interest of Members of AC and Others: No officer, member, or employee of AC, and no member of its governing body, and no other public official of the governing body of the locality or localities in which the project is situated or being carried out who exercises any functions or responsibilities in the review or approval of this project, shall participate in any decision relating to this Agreement which affects his or her personal interest or have any personal or pecuniary interest, direct or indirect, in this Agreement or the proceeds thereof.

By signature, each party agrees to the terms contained herein and the Grantee further certifies that such terms do not represent a conflict of interest.

Grantee:

Signature Date

Grantee: _____
Name and Title of Signatory Official

Albemarle Commission Executive Director _____ Date

Albemarle Commission AAA Director _____ Date

This instrument has been presaudited
in the manner required by the Local Government Budget
and Fiscal Control Act

Albemarle Commission Finance Officer _____ Date

Motion to Approve Consent Agenda

RESULT: PASSED [UNANIMOUS]
MOVER: Garry Meiggs
AYES: White, Riggs, Munro, Meiggs, Krainiak
ABSENT: None

ITEM 7 COUNTY MANAGERS REPORT

County Manager Ken Bowman provided the following report:

- Camden Parks and Recreation will be hosting a Flag Ceremony on November 10, 2020 in honor of Veteran's Day, will be limited to 25 people inside the Courthouse where it will be held.
- County Offices will be closed November 11, 2020 for Veteran's Day
- Thanksgiving Holiday is November 26 & 27, 2020, and County Offices will be closed those days as well
- Next Board of Commissioners meeting is December 7th at 8:30 AM, with a School Board Joint Session same day at 11:00 AM.
- Updates to Commissioners' photos will be on December 7th as well, so be sure to wear coat and tie

ITEM 8 COMMISSIONERS' REPORTS

Commissioner Krainiak indicated a desire to revisit the Comprehensive Plan and UDO every so often for updates.

Commissioner Meiggs reminded the Board members that he is not running for re-election, and will soon be going off of the Board. He stated that he has enjoyed his time on the Board and wished them the best.

ITEM 9 INFORMATION, REPORTS, & MINUTES FROM OTHER AGENCIES

- Register of Deeds Monthly Report & Daily Deposit Report for September 2020
- Camden County Public Library September 2020 Statistics Report
- North Carolina Forest Service Annual Report for FY 2019-2020

ITEM 10 OTHER MATTERS

No other matters.

CLOSED SESSION - PERSONNEL / ECONOMIC DEVELOPMENT

County Manager Ken Bowman indicated the Assistant Clerk to the Board did not need to stay for the Closed Session. Times in and out of closed session, as well as actions taken were provided after the fact for preparation of minutes.

Motion to Go Into Closed Session

RESULT:	PASSED [UNANIMOUS]
MOVER:	Ross Munro
AYES:	White, Riggs, Munro, Meiggs, Krainiak
ABSENT:	None

Motion to Come Out of Closed Session

RESULT:	PASSED [UNANIMOUS]
MOVER:	Ross Munro
AYES:	White, Riggs, Munro, Meiggs, Krainiak
ABSENT:	None

Actions taken by the Board of Commissioners while in Closed Session:

1. Approved additional 7 days (56 hours) Leave for County Manager
2. Directed County Manager to move forward with negotiations on former medical building in Camden Medical Park

ITEM 11 ADJOURN CAMDEN COUNTY BOARD OF COMMISSIONERS

Motion to Adjourn November 2, 2020 Camden County Board of Commissioners

RESULT:	PASSED [UNANIMOUS]
MOVER:	Clayton Riggs
AYES:	White, Riggs, Munro, Meiggs, Krainiak
ABSENT:	None

The Camden County Board of Commissioners meeting for November 2, 2020 adjourned at 10:45 PM.

*Chairman Tom White
Camden County Board of Commissioners*

ATTEST:

Amy Barnett, Assistant Clerk to the Board

Attachment

"A"

UDO 2020-01-36
FINDINGS
South Mills Landing
Planned Development

PROJECT INFORMATION

File Reference: UDO 2020-01-36
Project Name; South Mills Landing
PIN: 01-7989-00-43-1290,
01-7988-01-49-2837

Applicant: South Mills Landing
LLC

Address: Reese Smith, Sr.
P.O. Box 9636
Chesapeake, VA
Phone: (757) 499-4772
Email: reesesr@reesesmithassociates.com

Agent for Applicant: Bissell Professional Group
Mark Bissell

Address: 3512 N. Croatan Hwy
Kitty Hawk, NC 27949

Phone: (252) 261-3266
Email: mark@bissellprofessionalgroup.com
Current Owner of Record: Same as applicant

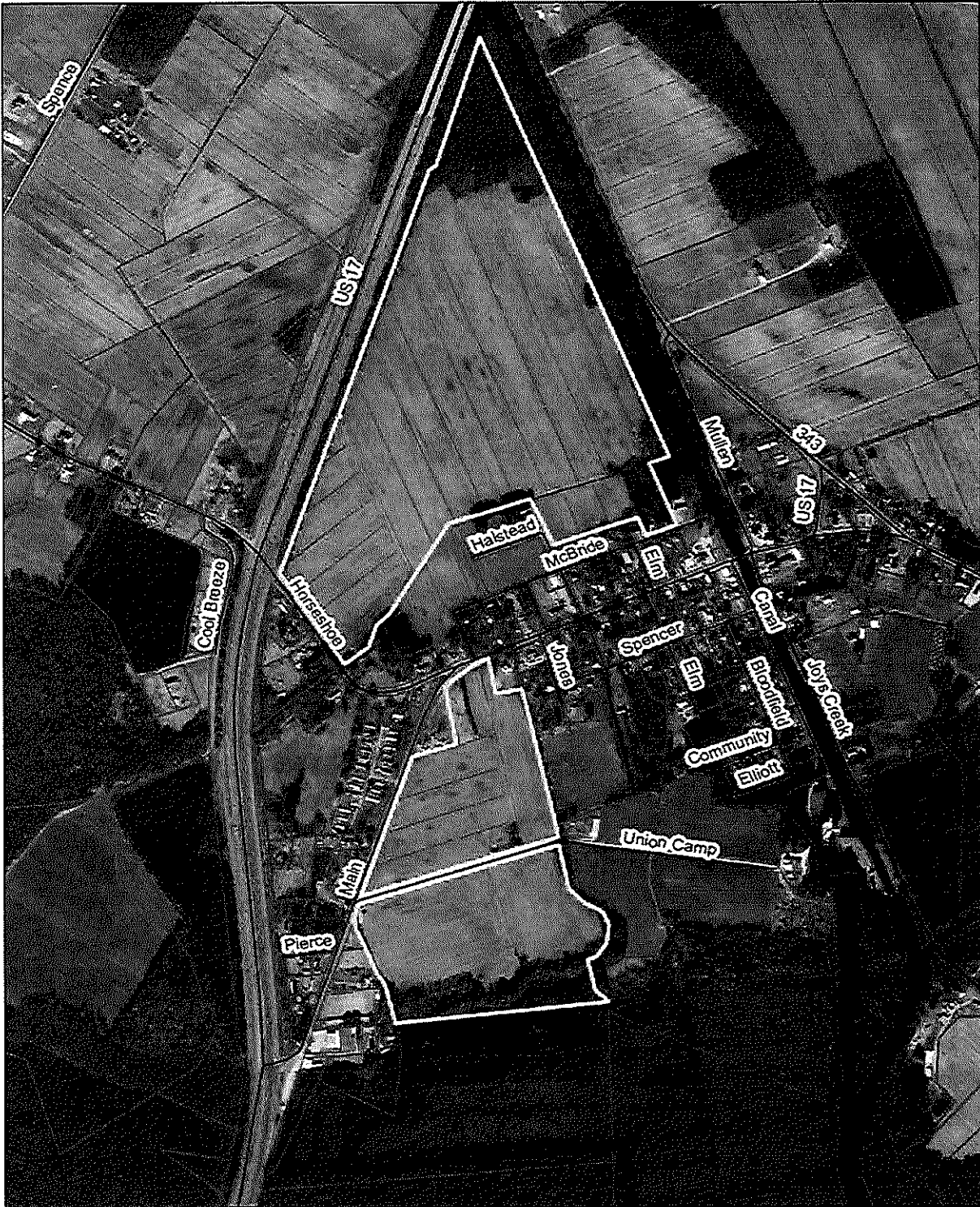
Meeting Dates:
Neighborhood Meeting: January 29, 2020
Technical Review: February 11, 2020
Planning Board: March 18, 2020

Application Received: 1/30/2020
By: David Parks, Permit Officer
Application Fee paid: \$29,000 Check #1672
Stormwater Review Fee: \$6000 Check #1668
Completeness of Application: Application is generally complete
Documents received upon filing of application or otherwise included:

- A. Land Use Application
- B. Master Plan South Mills Landing PD
- C. Developmental Impact Statement
- D. Traffic Impact Analysis
- E. Proposed Development Agreement
- F. Technical Review Committee inputs.

REQUEST: Master Plan/Preliminary Plat-South Mills Landing Planned Development for 580 (single and multifamily) units with commercial and recreational areas.

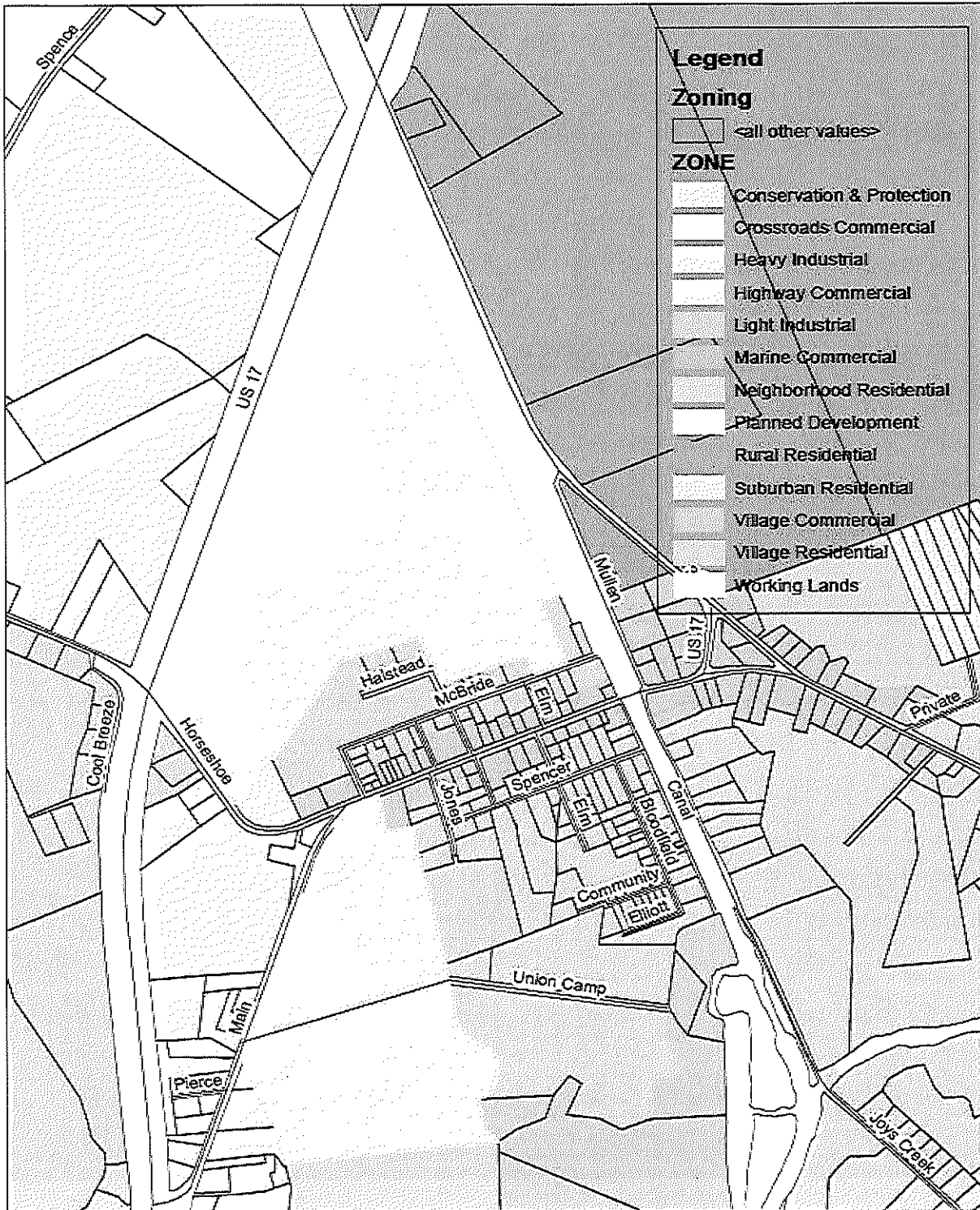
Vicinity Map:



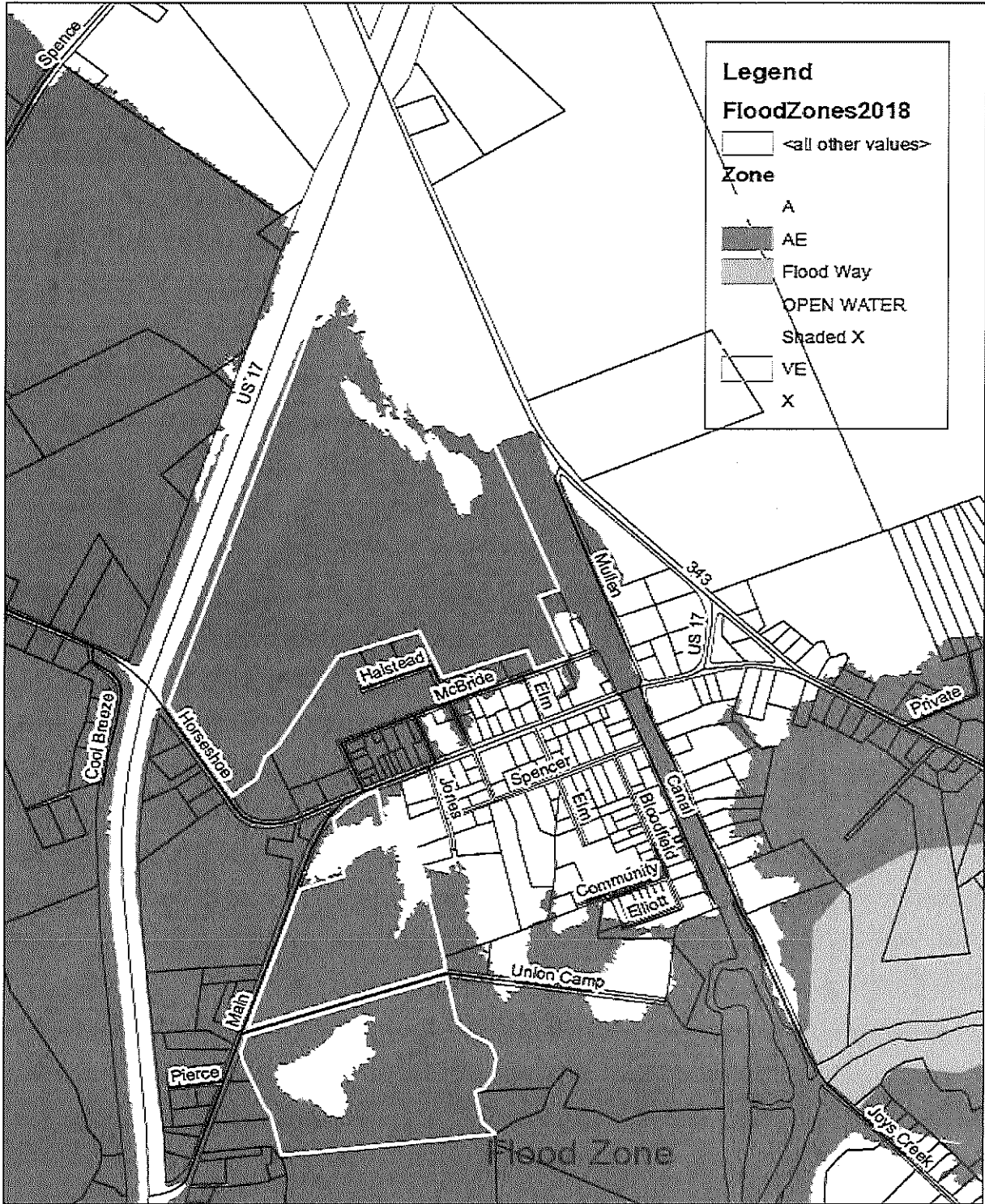
Core Village Lines



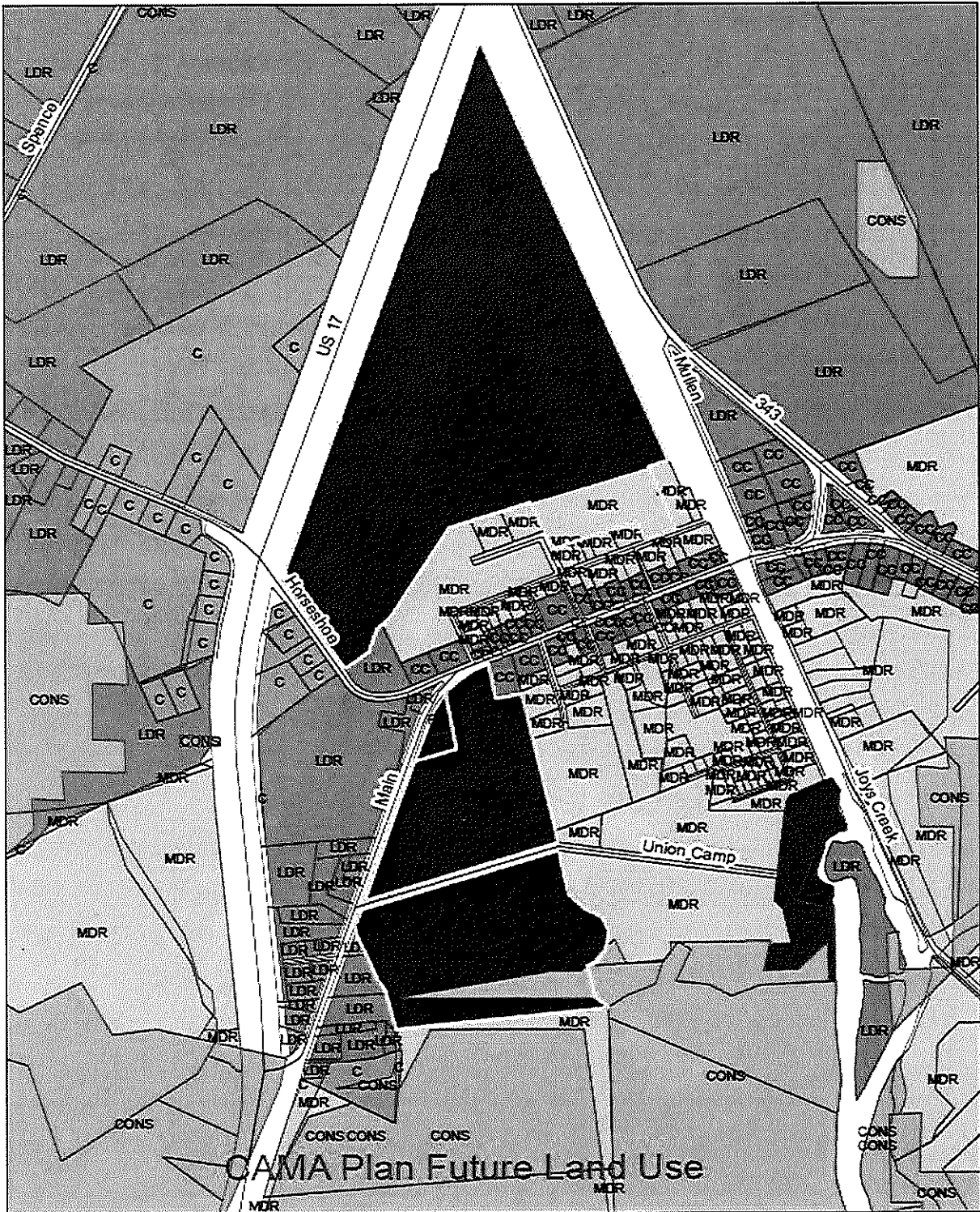
Zoning Map



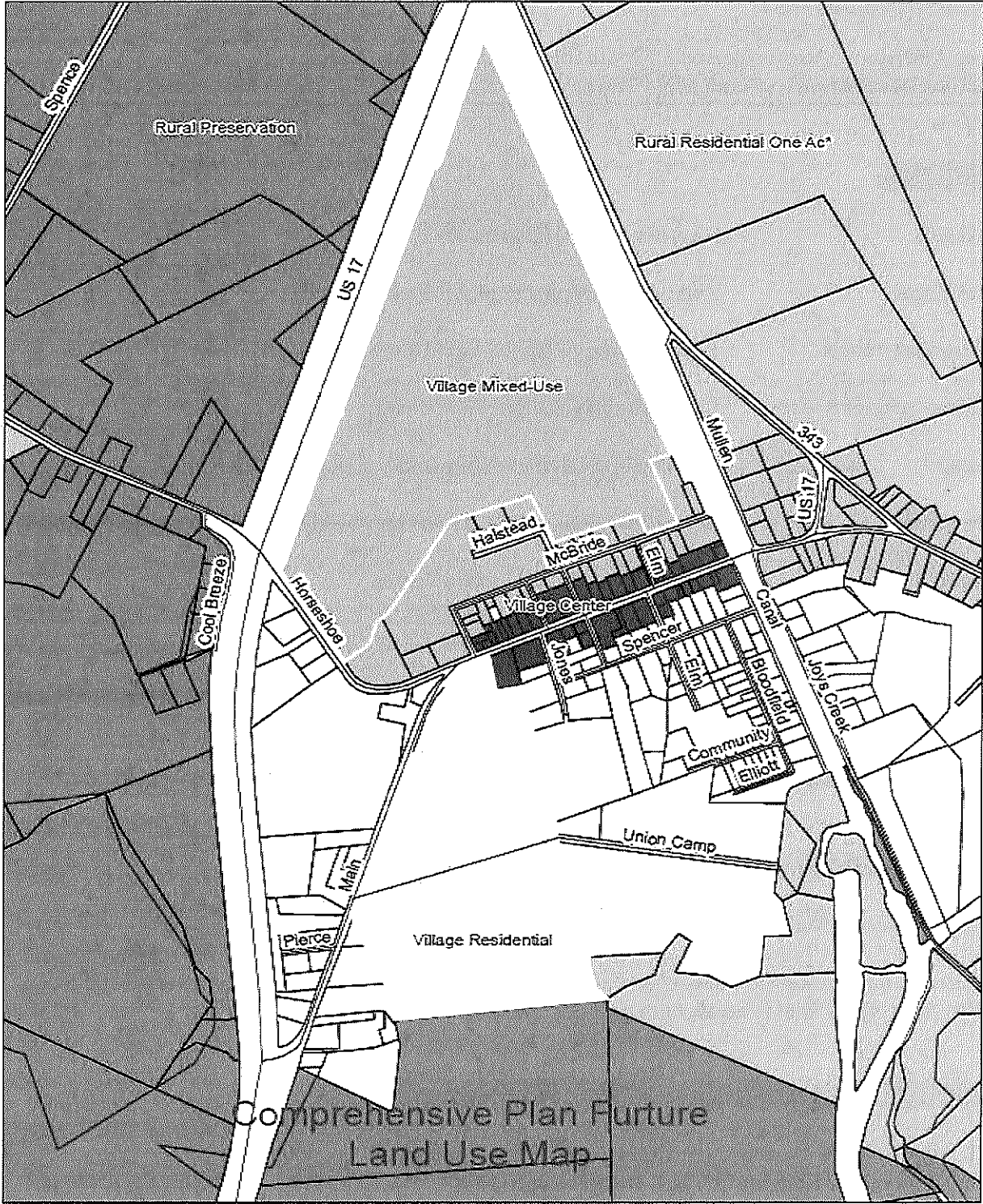
Flood Zone Map



CAMA Future Land Use Map



Comprehensive Plan Future Land Use Map



PROJECT LOCATION:

Street Address: Parcels located off Main Street and Horseshoe Road
Location Description: South Mills Township

SITE DATA

Lot size: Approximately 185 acres.
Flood Zone: Zone AE/X (Majority in AE Flood Zone)
Zoning District(s): Base Zoning; Planned Unit Development (PUD)
Adjacent property uses: Residential/Agriculture/Woodland
Streets: Shall be dedicated to public under control of NCDOT.
Street name: See Master Plan (Street Names approved by Central Communications)
Open Space: Provided: Approximately 65 acres
Landscaping: Landscaping Plan provided
Buffering: Per Article 151.5.5.4, a 50' landscaped vegetative buffer required along all property lines that abut agricultural uses.
Recreational Land: 383 Single Family Lots X 1452sf = 12.76 acres

ENVIRONMENTAL ASSESSMENT

Streams, Creeks, Major Ditches:

Distance & description of nearest outfall: Outfall from North Tract is approximately 1800 feet. Outfall from South Tract is adjacent to property (wetlands).

TECHNICAL REVIEW STAFF (SKETCH PLAN) COMMENTS

1. **South Mills Water Association.** No written response.
2. **Albemarle Regional Health Department.** N/A
3. **South Camden Water & Sewer District:** Approved. See attached.
4. **South Mills Fire Department.** Disapproved. See attached
5. **Postmaster Elizabeth City.** No response. Did not attend TRC meeting.

- 6. **Army Corps of Engineer.** There was a proposed canoe launch located on the North Tract adjacent to the canal, however was removed based on attached email from Army Corps.
- 7. **Superintendent Camden County Schools.** Approved with comments. See attached.
- 8. **Superintendent/Transportation Director of Schools.** Approved with following comment.
- 9. **Sheriff's Office.** Disapproved. See attached.
- 10. **Camden Soil & Water Conservationist.** Reviewed with comments/conditions. See attached.
- 11. **NCDOT.** No response.
- 12. **Parks & Recreation.** No response.
- 13. **Mediacom.** No response.
- 14. **Albemarle EMC.** No response.
- 15. **Century Link.** No response.
- 16. **Pasquotank EMS.** Street names approved.

PLANS CONSISTENCY

CAMA Land Use Plan Policies & Objectives:

Consistent Inconsistent

CAMA Plan future land use maps has land identified as a Planned Unit Development.

2035 Comprehensive Plan

Consistent Inconsistent

Comprehensive Plan has North Tract designated as Village Mixed Use and South Tract as Village Residential (VR). Location of land is within the Core Village of South Mills.

PLANS CONSISTENCY – cont.

Comprehensive Transportation Plan

Consistent Inconsistent

There will be two accesses with a third maintenance access for the North Tract. There will be two accesses off Main Street for the South Tract.

FINDINGS REGARDING ADDITIONAL REQUIREMENTS:

Yes No

Endangering the public health and safety?

Based on TRC input from Sherriff and SM Fire, project could have impact on public safety based on manning and infrastructure concerns.

Yes No

Injure the value of adjoining or abutting property.

Without any evidence to the contrary - staffs opinion is that application does not appear to injure the value of adjoining or abutting property.

Yes No

Harmony with the area in which it is located.

2035 Comprehensive Plan Future Land Use Maps has land designated as Village Residential and Village Mixed Use. CAMA Future Land use Maps has land designated as Planned Unit Development (PUD).

EXCEED PUBLIC FACILITIES:

Yes No

Schools: Proposed development will generate 301 students after build out (.67 per SFD X 383 = 256.6) & (.23 MFU X 197 units = 45.3). High School over capacity. (See breakdown next page.)

Yes No

Fire and rescue: Denied based on lack of supporting infrastructure.

Yes No

Law Enforcement: Denied. Manning/equipment.

Student Generation Rates (Single Family Dwelling = .67 students) (Other = .23 students)

Single Family

Grandy Primary (.29)	383 lots X .29 = 111
Grandy Intermediate (.18)	383 lots X .18 = 68.9
Camden Middle (.07)	383 lots X .07 = 26.8
Camden High School (.13)	383 lots X .13 = 49.7

Total students: 256.4

Other (Townhomes)

Grandy Primary (.08)	197 units X .08 = 15.7
Grandy Intermediate (.08)	197 units X .08 = 15.7
Camden Middle (.04)	197 units X .04 = 8
Camden High School (.03)	197 units X .03 = 6

Total students: 45.4

Overall total students generated: 301.8 (over the life of the project.)

PLANNING STAFF RECOMMENDATION:

- Portion of Union Camp Road within the development from Camelia Drive to eastern property line shall be paved to NCDOT standards.
- Extend Phasing Schedule out 5 years.
- Fee in lieu of acreage for public park can be utilized for providing landscaping along Main Street
- Need to interconnect (sidewalk, crosswalk) North and South Tracts
- Provide sidewalk along Main Street for South Tract with trees.
- Landscaping around ponds (prevents alligator weed and stagnant water)
- Terms and Conditions reflect providing up to 50,000 sf of commercial yet Master Plan shows 35,000 sf?

Attachment

"B"

ORDINANCE NO. 2020-09-01
Adopted by the Camden County Board of Commissioners
September 8, 2020

STATE OF NORTH CAROLINA
COUNTY OF CAMDEN

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (this "Development Agreement") is made this ____ day of _____, 2020, by and between the County of Camden, a North Carolina County possessing the powers of a Unified Government pursuant to N.C.G.S. § 153A-471 (2010) existing under the laws of the State of North Carolina (the "County"), and South Mills Landing LLC, (SML) a North Carolina LLC, as the owner of the property subject to this Development Agreement, and as the developer of the property subject to this Development Agreement, (SML together with their successors and assigns).

WITNESSETH:

WHEREAS, SML owns a parcel of approximately three tracts totaling 233.68 acres (the "Property"), and more than twenty-five (25) acres of the Property is developable within the jurisdiction of the County. A legal description of the Property is attached hereto as Exhibit A; and

WHEREAS, SML intends to establish a large-scale mixed use community on the Property known as "South Mills Landing," which SML intends to be comprised of approximately 580 single family and town home lots, 5 acres of commercial space, a clubhouse and pool. The Master Plan and Preliminary Plat Cover Pages and representation of phasing schedule showing South Mills Landing is attached hereto as Exhibit B; Typical building elevations including a preliminary building plan and swimming pool for the proposed club house and recreation facility are included as Exhibit C. and the Development Schedule for South Mills Landing (the "Development Schedule") required by N.C.G.S. § 153A-349.6(b) is attached hereto as Exhibit D; and

WHEREAS, the County has rezoned the Property to a Planned Development ("PD") and as represented by Exhibit B has been submitted for approval by the County as a Master Plan pursuant to the County's land development regulations. SML and the County anticipate that South Mills Landing will be developed in multiple phases, extending over a period of years and requiring a long-term commitment of SML's resources, and will require the careful integration between public capital facilities planning, financing and construction schedules, as well as the phasing of South Mills Landing, to be successful from the County's and SML's standpoints; and

WHEREAS, South Mills Landing involves a substantial commitment of private capital by SML, which SML is unwilling to risk without sufficient assurances that development standards will remain stable through the extended phasing of South Mills Landing; and

WHEREAS, because of the type, size and location of South Mills Landing, the County and SML believe that the orderly completion of South Mills Landing will be difficult to accommodate through the County's traditional zoning processes alone; and

WHEREAS, the County finds that South Mills Landing is a development suitable to be planned and developed through a Development Agreement as permitted by Part 3A of Article 18 of Chapter 153A of the North Carolina General Statutes and that it is in the County's interests to enter into this Development Agreement because significant benefits to the County and its citizens will be realized as a result of this Development Agreement; and

WHEREAS, the County has published notices of and has held a public hearing concerning this Development Agreement as required by N.C.G.S. § 153A-349.5 (2010) and otherwise completed all steps, conditions and requirements necessary for the County Board of Commissioners to consider the adoption of this Development Agreement as permitted by law; and

WHEREAS, after holding the public hearing and carefully considering the terms and conditions of this Development Agreement, the County Board of Commissioners duly adopted this Development Agreement as an ordinance as required by N.C.G.S. § 153A-349.3 (2010) and directed its execution by the Chairman of the Board of Commissioners and attestation by the Clerk to the Board.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and other good and valuable consideration, and pursuant to North Carolina law, including N.C.G.S. § 153A-349.1 (2010) *et seq.*, the County and SML agree as follows:

1. **Effective Date.**

The Effective Date is the date this Development Agreement is executed by both parties after the adoption of this Development Agreement by the County Board of Commissioners as an Ordinance. The County shall sign and deliver this Development Agreement to SML within five (5) days of adopting the Ordinance.

2. Definitions.

- 2.1. Certain terms having specific definitions are used in this Agreement, and these terms and definitions, unless the context clearly indicates to the contrary, are set forth in Section 2. Otherwise, the meaning shall be as used in the context of the sentence in which it appears and not necessarily that as defined herein.
- 2.2. "South Mills Landing" – means the Property, as it is intended to be developed, substantially in accordance with Exhibit B, as that may be amended from time to time in accordance with applicable County ordinances.
- 2.3. "Development Permit" – means a building permit, zoning permit, subdivision approval, site plan approval, special or conditional use permit, variance or any other official action by the County having the effect of permitting the development of property.
- 2.4. "Land Development Regulations" – means ordinances and regulations enacted by the County for the regulation of any aspect of development and includes zoning, subdivision or any other land development ordinances.
- 2.5. "Laws" – means all ordinances, resolutions, regulations, comprehensive plans, land development regulations, policies, and rules adopted by the County affecting the development of property, and includes laws governing permitted uses of the property, density, design and improvements.
- 2.6. "Property" – means all real property owned by SML and described on Exhibit A that is subject to land-use regulation by the County and includes any improvements or structures customarily regarded as a part of real property.

3. Background

- 3.1. South Mills Landing, LLC is the owner of 3 tracts of land as follows: The North Tract consisting of 124.83 acres located off of Horseshoe Road, the South Tract consisting of 60.1 acres located off of Maple Street, and an undeveloped tract adjacent to the South Tract consisting of 44.39 acres, referred to as the Environment Tract. Legal Descriptions of these properties are attached as Exhibit A.
- 3.2. The North and South Tracts were rezoned to PUD (Planned Unit Development) in 2004, now Planned Development (PD) under the current UDO. A Concept Plan for a Planned Development of 581 units was reviewed and approved administratively in 2019, and a Master Plan was submitted in January, 2020 for a 580 unit Planned Development, which is in substantiated conformance with the approved Concept Plan. A Preliminary Plat for the 580 units, approximately 5 acres, and clubhouse facilities has now also been submitted.

4. Legal Description of Property

The Property that is the subject of the Agreement consists of 3 tracts totaling 233.68 acres, as follows:

- 4.1. The North Tract located off of Horseshoe Road, PIN #017989004312900000 with acreage of 124.83 acres per plat, attached as Exhibit "A".

- 4.2. The South Tract located off Main Street, PIN #017988014928370000 consisting of 60.1 acres per plat, also attached as Exhibit "A".
- 4.3. The third undeveloped, or environmental tract located adjacent to the South Tract, PIN #017988004738040000 consisting of 48.75 acres per plat, also attached as Exhibit "A". (The third tract is not part of the PD-zoned property, but is included in what is being offered as part of this Development Agreement

5. Description of Project

- 5.1. The Development is shown on the Master Plan and the Preliminary Plat, now referred to as the "Plan". The Plan consists of the Master Plan prepared by Bissell Professional Group and dated revised 6-10-20, and the Preliminary Plat also prepared by Bissell Professional Group and dated revised 6-10-20. Typical building elevations including a preliminary building plan and swimming pool for the proposed club house and recreation facility are included as Exhibit C. These plans and elevations show the concept but are subject to change during actual design based on market conditions.
- 5.2. The development is summarized in the following table:

DEVELOPMENT SUMMARY

	<u>AREA</u>	<u>S.F.</u>	<u>LOT SIZE</u>	<u>Multi F.</u>	<u>TOTAL</u>	<u>OPEN SPACE</u>
<u>TRACT</u>	<u>(AC.)</u>	<u>LOTS</u>	<u>RANGE</u>	<u>UNITS</u>	<u>UNITS</u>	<u>(AC.)</u>
<u>NORTH</u>	124.83	285	6,500-15,978	50	335	40.64
<u>SOUTH</u>	60.10	98	6,500-11,783	147	245	23.31
<u>TOTAL</u>	184.93	383	6,500-15,978	197	580	63.95

- 5.3. The density/intensity standards, dimensional standards and development standards for development of the Property shall be in accordance with the Master Plan and Schedule B, subject to the degree of flexibility provided in these conditions.
- 5.4. Community form and design for development of the Property shall conform generally to the sample building elevations attached in Exhibit C. Variations may be provided and shall be permitted in colors, materials, and architectural detailing that are compatible with the design concept. The elevations are similar to, but do not represent exactly, the actual homes that will be constructed within South Mills Landing. The Developer reserves the right to modify the final building plans to fit builder preferences and market conditions.

6. Dedication of Land for Public Use

- 6.1. South Mills Landing proposes to dedicate the third tract (PIN #017988004738040000) consisting of approximately 48.75 acres per plat, also known as the undeveloped, environmentally sensitive area, for public use. SML shall retain the right to utilize this tract for stormwater management purposes in connection with the planned community.

- 6.2. South Mills Landing will also dedicate utility easements for the maintenance of the wastewater collection system, including sewer lines and lift stations.

7. Public Facilities

- 7.1. Subject to the approval of the NC Department of Environmental Quality, a new public waste water collection system including gravity lines, lift stations and force mains will be constructed to serve South Mills Landing and will connect to the County wastewater disposal system. All gravity sewer mains, force mains, pump stations and appurtenances will be designed, permitted and constructed at the Developer's sole expense and then conveyed in fee simple to Camden County for ownership and maintenance.
- 7.2. The Developer will also install a new water main (size to be determined based on modeling) under the Dismal Swamp Canal from Mullen Street on the East side of the canal for the purpose providing the public water supply system to serve South Mills Landing only, including adequate fire flow for firefighting ability of the South Mills Volunteer Fire Department. Individual lots and dwellings shall be metered. The Developer shall model the water system and make any needed improvements (specifics will be agreed to following modeling) to demonstrate adequate water flow and pressure for fighting fires, while meeting the maximum day domestic demand.
- 7.3. All water and sewer lines will be installed: 1) outside of the paved roadway; and 2) above the 100 year flood elevation or be completely waterproofed.
- 7.4. The Developer will commit funds in the amount of \$92,729 to be used by Camden County in the following ways for Public Facilities:
- A. Streetscape improvements along Main Street through the main business corridor of South Mills such as sidewalks, street lights, landscape planting, and related improvements in general conformance with the Concept Plan prepared by Bissell Professional Group and attached hereto. South Mills Landing shall ~~held-attend~~ at least one community meeting prior to approval of Phase 1 construction plans to determine the types, locations, and details of improvements preferred by the current South Mills community.
 - B. Install sidewalk on the south side of US 17 Business (Main St.) from Jones Ave. to the entrance of the Southern Tract.

~~7.5~~ South Mills Water Association, Inc. (Association), is a private North Carolina Non-Profit Corporation. As such, County cannot compel performance, acceptance, agreement, or cooperation with this corporation which will be necessary to carry out the terms of Section 7 and the following Section 8. The County does, however, commit to furnish Association, if it will accept, at commercially reasonable rates, the water necessary to accomplish the terms of this Agreement and to use its good offices and best efforts with Association to accomplish terms of Section 7 and 8 herein. However, it the sole responsibility of Developer to negotiate and contract with Association, assuming all costs therein, to satisfy the terms of this Agreement. ~~Failure of Developer to successfully timely conclude such arrangement shall be a material breach of the Agreement for which County shall bear no responsibility.~~

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8. Obligations of South Mills Landing LLC

- 8.1. Install a wastewater collection system as approved by Camden County and the NC Department of Environmental Quality; pay for all normal costs associated with the preparation of the Engineering Plans, DWR permitting, and the collection system construction and dedication to Camden County. Upon completion and certification, the Developer will deed the wastewater collection system to Camden County.
- 8.2. Purchase capacity for 580 sewer connections in the Camden County Wastewater System, to serve phases 1 through 5, commercial development, and clubhouse facilities through payment of a System Development Fee and Connection Fee for each of the County Sewer Connections per Section 10 and Exhibit D of this agreement.
- 8.3. Install a water main under the Dismal Swamp Canal as described in Section 7.2, and as approved by the South Mills Water Association and the NC Public Water Supply Section, and upon completion and certification, dedicate the water main for public use.
- 8.4. Pay water tap fees to South Mills Water Association in advance of development of each phase as set forth in Development Schedule Exhibit D so that capacity fees can be paid by SMWA to Camden County.
- 8.5. Adhere to conditions of the Master Plan and Preliminary Plat approvals as approved by the Camden County Board of Commissioners.
- 8.6. Up to 50,000 square feet of commercial development will be constructed in the area set aside for commercial development on the Master Plan. Water and sewer lines will be stubbed to the commercial area property line simultaneous with Phase 1 of the residential development.
- 8.7. Environmental Protection and Monitoring: Wetlands subject to the jurisdiction of the US Army Corps of Engineers have been delineated and confirmed by the Corps of Engineers. The Property Owners Association Documents (Declaration) will include provisions that prohibit the filling of wetlands and prohibit the clearing of any vegetation other than incidental tree cutting and vegetation removal, and for stormwater management.

9. Obligations of the County

- 9.1. Utilize funds provided by South Mills Landing, LLC for the construction of community improvements as described in the Public Facilities section of this Agreement.
- 9.2. Make sewer taps available upon the payment of System Development Fees and Connection Fees by the Developer in accordance with Section 10 of this agreement and the phasing schedule Exhibit D provided and approved with the Master Plan and the Preliminary Plat.
- 9.3. Furnish a supply of water from the South Camden Water and Sewer District to South Mills Water Association as requested by South Mills Water Association.
 - A. The County will reserve water capacity for South Mills Landing based on providing 200 GPD per water connection for which the county has received the System Fee payment from SMWA of per connection according to the Water Sales Agreement between Camden County and South Mills Water Association.

10. Sewer System Development Fees

- 10.1. In making plans for maintaining, upgrading and expanding the County's sewer systems in order to provide sufficient sewage treatment capacity for citizens of the County, the County shall take into account the homes and amenities planned for the South Mills Landing Subdivision shown on the approved South Mills Landing Plan, and shall allocate and reserve sufficient sewer treatment capacity within its sewer systems to supply adequate quantities of sewer treatment services to the South Mills Landing Subdivision to construct and obtain certificates of occupancy for each of the homes, non-residential buildings and amenities planned for the South Mills Landing Subdivision.
- 10.2. SML shall pay sewer system development fees to the County based upon the actual number of lots developed and permitted on the SML during each County fiscal year or based upon Exhibit D per County fiscal year. During each County fiscal year, sewer system development fees shall be fully paid on an approved lot basis at the time of the issuance of a building permit for each lot.
- 10.3. The County's fiscal year runs from July 1 through June 30. Commencing with the County's fiscal year in accordance with the schedule set out below. South Mills Landing shall pay to the County the standard per lot Sewer System Development Fees charged by the County for each of the 580 residential lots, clubhouse/pool and commercial lots planned to be developed on the SML property as follows:
 - A. Allocation Payment- 25% per connection to be paid upon approval of Construction Drawings for each development phase.
 - B. Reservation Payment- 25% per connection as a condition of recording the Final Plat for each phase.
 - C. Residual Payment- 50% per connection to be paid at the application for a building permit for each lot or unit. Connection to the system shall also require payment at building permit application of the Connection Fee per lot tap fee.
- 10.4. Upon payment of the first 25% of the Sewer System Development Fee per lot, the county will allocate 200 GPD of capacity per each lot. This allocation is for planning purposes only and is not considered a reservation of capacity and is non-refundable.
- 10.5. Upon payment, an additional 25% of the sewer system development fee per lot, the county will reserve 200 GPD sewer capacity per lot. Within fifteen (15) days of the end of each County fiscal year, South Mills Landing and the County shall reconcile their records to determine what, if any, shortfall actually exists between the number of units required by Section 10.2 and actual building permits issued.
- 10.6. If South Mills Landing develops and permits more lots than required in Exhibit D in any County fiscal year, then the number of developed and permitted lots in excess of the number required shall be credited to the next County fiscal year lot requirements.
- 10.7. If South Mills Landing does not develop and obtain a building permit for at least the number of lots set out in Exhibit D in any County fiscal year then South Mills Landing shall pay to the County the shortfall in Sewer System Development Fees within thirty (30) days after the end of the County fiscal year. Camden County will credit the amount

paid due to the shortfall toward System Development Fees and Connection Fees for future building permits requested by South Mills Landing; however the credit will not reduce the number of lots required to be developed according to Exhibit D in the following fiscal year. This obligation will terminate when South Mills Landing has paid cumulative fees (reservations, system development fees, and connection fees) in the amount of \$3.5 million.

- 10.8. The initial per lot sewer capital fee shall be \$7,400. Sewer capital fee rates shall be subject to the sewer rate schedules adopted annually by the Board of Commissioners.
- 10.9. For the purposes of determining the amount of System Development Fee payments only, building permit issuance prior to June 30th of the relevant County fiscal year shall trigger the standard capital fee payments only if actual construction is begun within forty-five (45) days. Requesting building permits for lots not ready for home construction for the purpose of acquiring more favorable System Development Fee rates shall be considered a material breach of this Agreement.
- 10.10. In the event that lots are developed within the South Mills Landing and homes are constructed thereon and ready for occupancy per the Development Schedule but prior to the Sewer Availability Date, then the County agrees, at its sole cost and expense, to pump and haul excess sewage from the treatment plant in order to maintain compliance with state and federal permits and continue serving the waste water needs of County citizens including those in SML.
- 10.11. Until such time as public sewer is actually available, pump and haul arrangements shall be subject to all superseding state and federal laws and regulations. All required permits and approvals shall be the responsibility of the County to obtain and the County will diligently pursue the issuance of all required permits and approvals.

11. Public Roads, Public Streets, and Private Streets to serve South Mills Landing.

- 11.1. Connection to Existing Public Roads. SML will be responsible for securing appropriate permits from the North Carolina Department of Transportation ("NCDOT") for connecting South Mills Landing to the existing public road system maintained by NCDOT. To that end, SML agrees to make all improvements to the public road system required by NCDOT. SML and the County agree to cooperate and assist each other in connection with the planning of connections to the public road system as well as improvements to the public road system; however, the County shall have no duty to fund the construction of improvements to the public road system required by NCDOT in connection with South Mills Landing.
- 11.2. Public Streets within South Mills Landing. SML anticipates that there will be a number of streets built to NCDOT standards for public residential streets. SML will be solely responsible for the design and construction and cost of these streets. SML shall have a continuing obligation to repair and maintain these streets until the public streets are accepted by NCDOT for maintenance or SML transfers the obligations to repair and maintain the streets to one or more property owners associations (POA) established as part of South Mills Landing. SML may not transfer the duties to repair and maintain these streets to the POA until the County has reviewed and approved the documents

establishing the POA, and SML has either provided an engineering certification that the roads meet NCDOT standards or established a reserve account with sufficient funds to cover any needed repairs.

12. Stormwater Management and Wetlands.

- 12.1. Stormwater Management. SML will be solely responsible for the design, permitting, construction, repair and maintenance of the stormwater management system to serve South Mills Landing. SML's Stormwater Management Plan for South Mills Landing will include stormwater management devices which meet or exceed the minimum criteria of the North Carolina Department of Environmental and Natural Resources (DENR), Camden County, and incorporate drainage ways, ponds and wetlands that treat and control stormwater passively by taking advantage of naturally occurring processes.

- 12.2. On-site stormwater will be managed by construction of a series of stormwater management ponds that will be interconnected and will retain and slow-release stormwater to existing drainage outlets both directly and indirectly.
 - A. In addition to modeling and retaining stormwater to the UDO and Stormwater Manual standard for the 10-year developed condition and runoff, stormwater will be modeled for the 100-year storm event, and property line berms constructed as necessary to manage the 100-year storm without adversely impacting neighboring properties.
 - B. Stormwater will be conveyed to on-site retention ponds through a combination of curbs with inlets, stormwater pipes, and open vegetated swales.
 - C. The Improvements set forth in this section shall be maintained by the Developer, or a management association created by the Developer.
 - D. The Association, either itself or via a management entity, will assume responsibility for ongoing operation and maintenance of all stormwater management facilities in accordance with the Camden County UDO requirements and all NCDEQ permit requirements. The Association dues will be structured in a way that funds are provided for the upkeep of these facilities, as well as a contribution to off-site ditch maintenance.

- 12.3. Improve off-site drainage ways downstream of the Development's stormwater drainage outlets by clearing and snagging as necessary to remove obstructions to flow, subject to gaining the right of access to make these improvements.

13. Self-Contained Development.

South Mills Landing will contain a network of pedestrian and bicycle paths according to the approved Master Plan which connect all residential neighborhoods with the amenities within South Mills Landing so that residents of South Mills Landing will have the option to walk or ride a bicycle to the passive and active recreational opportunities located in South Mills Landing.

14. Phasing and Development Schedule.

14.1. The proposed schedule for completing the Development that is the subject of this Agreement is shown on Exhibit D:

15. Vested Rights to Complete South Mills Landing as Approved: Application of Laws and Land Development Regulations.

15.1. South Mills Landing shall be subject only to the Laws and Land Development Regulations enacted and applicable to South Mills Landing at the time of the County's adoption of this Development Agreement as an ordinance and in accordance with the provisions of the Development Agreement (the "Existing South Mills Landing Development Law"). The parties agree that SML needs to obtain the following permits or approvals:

- A. Master Plan approval
- B. Preliminary Plat approval
- C. South Mills Water Association water system plans
- D. State Erosion and Control Permit
- E. County Sewer System approval
- F. County Stormwater Plan approval
- G. State Stormwater Plan Permit
- H. Construction Plans
- I. Commercial Site Plan for Clubhouse and Pool
- J. Final Plat approval
- K. Building Permits for all structures pursuant to the North Carolina State Building Code
- L. Comply with the Existing South Mills Landing Development Law in order to complete the development of South Mills Landing under local law. Except for changes in the County's System Development Fee schedule.
- M. Laws, rules, regulations or policies adopted by the County or any of its boards, officials or staff enacted, adopted, formed or administered after the adoption of this Development Agreement, including but not limited to land use, streets, buffers, the division of land, grading, landscaping, water, sewer, stormwater, setbacks and signage, shall not directly or indirectly be applicable to any aspect of South Mills Landing, the development of South Mills Landing as approved, the Existing South Mills Landing Development Law or the Property for a period of ten (10) years after the Effective Date.

15.2. The failure of this Development Agreement to identify a particular permit, condition, term or restriction does not relieve SML of the necessity of complying with the law governing the permitting requirements, conditions, terms or restrictions of local development permits. However, the County represents to SML that the above paragraph identifies all permits or approvals which are required by the County prior to the County issuing certificates of occupancy for uses and improvements at South Mills Landing.

15.3. In the event that State or federal law is changed after the Effective Date in such a way that prevents compliance with this Development Agreement by SML, the County and SML will review the terms of the aforementioned agreement, and will work together in good faith to modify the affected provisions to the extent reasonable to accomplish both the intended purpose of said agreement and the theretofore associated economic benefits foreseen by the parties

16. Review to Assess Compliance with this Development Agreement.

From time to time, SML and the County may review the good faith execution of the provisions of this Development Agreement by the parties to assure compliance with this Development Agreement and the accomplishment of the purposes originally intended by the parties. The failure of SML to complete any phases of South Mills Landing within the times set forth in this Development Agreement shall not, in and of itself, constitute a material breach of said agreement and whether a material breach exists must be judged based on the totality of the circumstances. The County and SML agree that the development schedule may be influenced by changing market conditions and that once the initial obligation outlined in paragraph 10.7 has been satisfied by SML, a modified development schedule may be proposed that reflects then current market conditions. A County officer designated by the Chairman of the County Commissioners shall conduct a progress review ("Review") every twelve (12) months to determine whether SML remains in good faith compliance with this Development Agreement based upon the totality of the circumstances.

17. Default.

17.1. In the event the County determines in the course of a Review that SML is in material breach of this Development Agreement, the County shall, within a reasonable time after the Review, send notice to SML setting forth (a) with reasonable particularity the nature of the breach and evidence supporting the County's findings and determination, and (b) a reasonable time in which SML may cure the breach. If SML fails to cure the breach within the time provided, the County may unilaterally terminate this Development Agreement by sending a termination notice to SML; provided the termination notice may be appealed to the County's Board of Adjustment in the manner provided in N.C.G.S. § 153A-345(b) (2010).

17.2. For all other defaults and breaches of this Development Agreement by either the County or SML, the non-defaulting Party shall notify the defaulting Party of the default, specifying the nature of the default and providing at least thirty (30) days for the defaulting Party to cure the default. If the default at issue cannot be cured by the defaulting Party within thirty (30) days, then the notice shall specify a reasonable cure period in excess of thirty (30) days, but in no event more than ninety (90) days. If the defaulting Party fails to cure the default within the cure period provided in the notice, then the non-defaulting Party may terminate this Development Agreement or, in the alternative, seek to enforce this Development Agreement through any and all remedies available at law or in equity.

18. **Recordation of Agreement.**

Pursuant to N.C.G.S. § 153A-349.11 (2010), within fourteen (14) days after the Effective Date, SML shall record this Development Agreement with the register of deeds in Camden County, North Carolina.

19. **Term.**

Pursuant to N.C.G.S. § 153A-349.4 (2010), the term of this Development Agreement shall be a period of ten (10) years from the Effective Date.

20. **Miscellaneous.**

~~20.1. This Agreement is not assignable by Developer to any other person or entity without the express written permission of County, which permission shall not unreasonably be withheld.~~

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~~20.4-20.2.~~ **Force Majeure.** The parties hereto shall not be liable for any failure to perform hereunder as a result of an external event or events beyond their respective control, including, without limitation, acts of the United States of America, acts of the State of North Carolina, embargos, fire, flood, drought, hurricanes, tornadoes, explosions, acts of God or a public enemy, strikes, labor disputes, vandalism or civil riots. However, if any such event interferes with the performance by a party hereunder, such party shall diligently and in good faith act to the extent within its power to remedy the circumstances affecting its performance or to complete performance in as timely a manner as is reasonably possible.

~~20.2-20.3.~~ **Amendment and Cancellation.** This Development Agreement may be amended or canceled by mutual consent of the County and SML, and their successors or assigns. Minor amendments will be processed administratively. Major amendments will require Public Hearing. No amendment to this Development Agreement shall be effective, unless such amendment is reduced to a written agreement signed by the parties hereto.

~~20.3-20.4.~~ **Recitals.** The recitals of this Development Agreement are material terms of this Development Agreement and shall be binding upon the parties.

~~20.4-20.5.~~ **Severability.** If any section, subsection, sentence, clause, phrase or portion of this Development Agreement is for any reason held invalid or unconstitutional by a non-appealable, final decision from any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

~~20.5-20.6.~~ **Notice.** All notices or other communications required or permitted to be served hereunder shall be deemed served in accordance with this Development Agreement if the notice is (a) mailed in a sealed wrapper and deposited in the United States mail, certified mail, return receipt request, postage prepaid; or (b) deposited with a national overnight courier service that retains receipts of its deliveries. Notices or other communications shall be properly addressed as follows:

The County: County of Camden
P.O. Box 190
117 North NC 343
Camden, NC 27921
Attn: County Manager

SML: South Mills Landing LLC
PO Box 9636
Chesapeake, VA 23321
Attn: Reese Smith

The parties may, by written notice given to the other, designate any further or different addresses to which all notices or other communications shall be sent.

~~20-6-20.7.~~ Run with the Land. This Development Agreement shall run with the Property and any portion thereof as it may be subdivided or recombined.

~~20-7-20.8.~~ Entire Agreement. This Development Agreement contains the entire agreement between the parties. Any prior or contemporaneous oral or written agreements are merged into this Development Agreement.

~~20-8-20.9.~~ Multiple Counterparts. This Development Agreement may be executed in any number of counterparts, each of which when so executed and delivered shall be deemed an original, and it shall not be necessary in making proof of this Development Agreement to produce or account for more than one such fully executed counterpart.

~~20-9-20.10.~~ Applicable Law. This Development Agreement is governed by, and shall be construed in accordance with, the laws of the State of North Carolina.

~~20-10-20.11.~~ Representations and Warranties of the Parties. The County and SML, and the persons executing this Development Agreement on their behalf, represent and warrant, as applicable, that: (1) such party or person has the full power and authority to enter into this Development Agreement, to execute it on behalf of the party indicated on the signature page, and to perform the obligations hereunder; (2) such party is acting on its own behalf and on behalf of its members, successors and assigns; (3) this Development Agreement is a valid and binding obligation, enforceable against the parties in accordance with its terms; (4) entering into this Development Agreement does not conflict with any other agreements entered into by either party; and (5) the execution, delivery and performance of this Development Agreement has been duly and validly authorized by all necessary corporate or governmental action on its part. Specifically (and not as a limitation), the County represents and warrants to SML that this Development Agreement has been pre-audited to ensure compliance with the applicable budgetary accounting requirements (if any). In the event that any of the obligations of the County in this Development Agreement constitute debt, the County has complied, at the time of the obligation to incur the debt and before the debt becomes enforceable against the County, with any applicable constitutional and statutory procedures for the approval of the debt.

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

By:
Stephanie Jackson
Finance Officer
Camden County, North Carolina

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed on the day and year indicated below:

ATTEST: COUNTY OF CAMDEN

By: _____ By: _____

STATE OF NORTH CAROLINA

COUNTY OF _____

This is to certify that on the ___ day of _____ in the year 2020, before me personally came _____, who, being by me duly sworn, has affirmed that she is the Clerk to the Camden County Board of Commissioners and that _____ is the Chairman of the Camden County Board of Commissioners, and that said county is a North Carolina County possessing powers of a Unified Government pursuant to N.C.G.S. § 153A-471, described in and which executed the foregoing; that she knows the Corporate Seal of said County, that the seal affixed to the foregoing instrument is said Corporate Seal, and the name of the Unified Government was subscribed thereto by the said _____ and that the said corporate seal was affixed by order of the governing body of said County, and that the said instrument is the act and deed of said County.

WITNESS my hand and official seal or stamp, this the _____ day of _____, 2020.

Printed Name
Notary Public

Signature
Notary Public

My Commission Expires: _____

Official Seal or Stamp

ATTEST: SOUTH MILLS LANDING, LLC.

By: _____
Managing Member

By: _____

STATE OF NORTH CAROLINA

COUNTY OF _____

I, a Notary Public of _____ County, North Carolina, do hereby certify that _____ personally came before me this day and acknowledged that he/she is the _____ of South Mills Landing LLC., a North Carolina LLC, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its _____, sealed with its corporate seal, and attested by (her/him) self as its _____.

WITNESS my hand and official seal or stamp, this the _____ day of _____, 2020.

Printed Name
Notary Public

Signature
Notary Public

My Commission Expires: _____

Official Seal or Stamp

ATTEST: SOUTH MILLS LANDING LLC.

By: _____ By: _____

STATE OF NORTH CAROLINA

COUNTY OF _____

I, a Notary Public of _____ County, North Carolina, do hereby certify that _____ personally came before me this day and acknowledged that he/she is the _____ of South Mills Landing LLC., a North Carolina, LLC and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its _____, sealed with its corporate seal, and attested by (her/him) self as its _____.

WITNESS my hand and official seal or stamp, this the _____ day of _____, 2020.

Printed Name
Notary Public

Signature
Notary Public

My Commission Expires: _____

Official Seal or Stamp

Attachment

"C"

STAFF REPORT

**UDO 2020-09-14
Zoning Map Amendment**

PROJECT INFORMATION

File Reference: UDO 2020-09-14
Project Name: N/A
PIN: 03-8953-04-80-2636

Applicant: Richard Krainiak
Address: 103 Camellia Drive
Camden, NC 27921
Phone: 252-333-0787
Email: rickykrainiak@yahoo.com

Agent for Applicant: Self
Address:
Phone:
Fax:
Email:

Current Owner of Record: Applicant

Meeting Dates:
8/31/2020 **Neighborhood Meeting**
9/16/2020 **Planning Board Approved 5-0**

Application Received: 9/10/2020
By: Amber Curling, Planning

Application Fee paid: \$650.00 Ck# 2156

Completeness of Application: Application is generally complete

Documents received upon filing of application or otherwise included:

- A. Rezoning Application
- B. Deed
- C. GIS Aerial, Current zoning, Comprehensive Plan Future Land Use and CAMA Land Use Plan Suitability Maps
- D. Neighborhood Meeting Comments
- E. Zoning Comparison RR and NR

REQUEST: Rezone approximately 3 acres from Village Commercial (VC) to Neighborhood Residential (NR) on Parcel 03-8953-04-80-2636 located at 913 Hwy 343 South in the Shiloh Township.

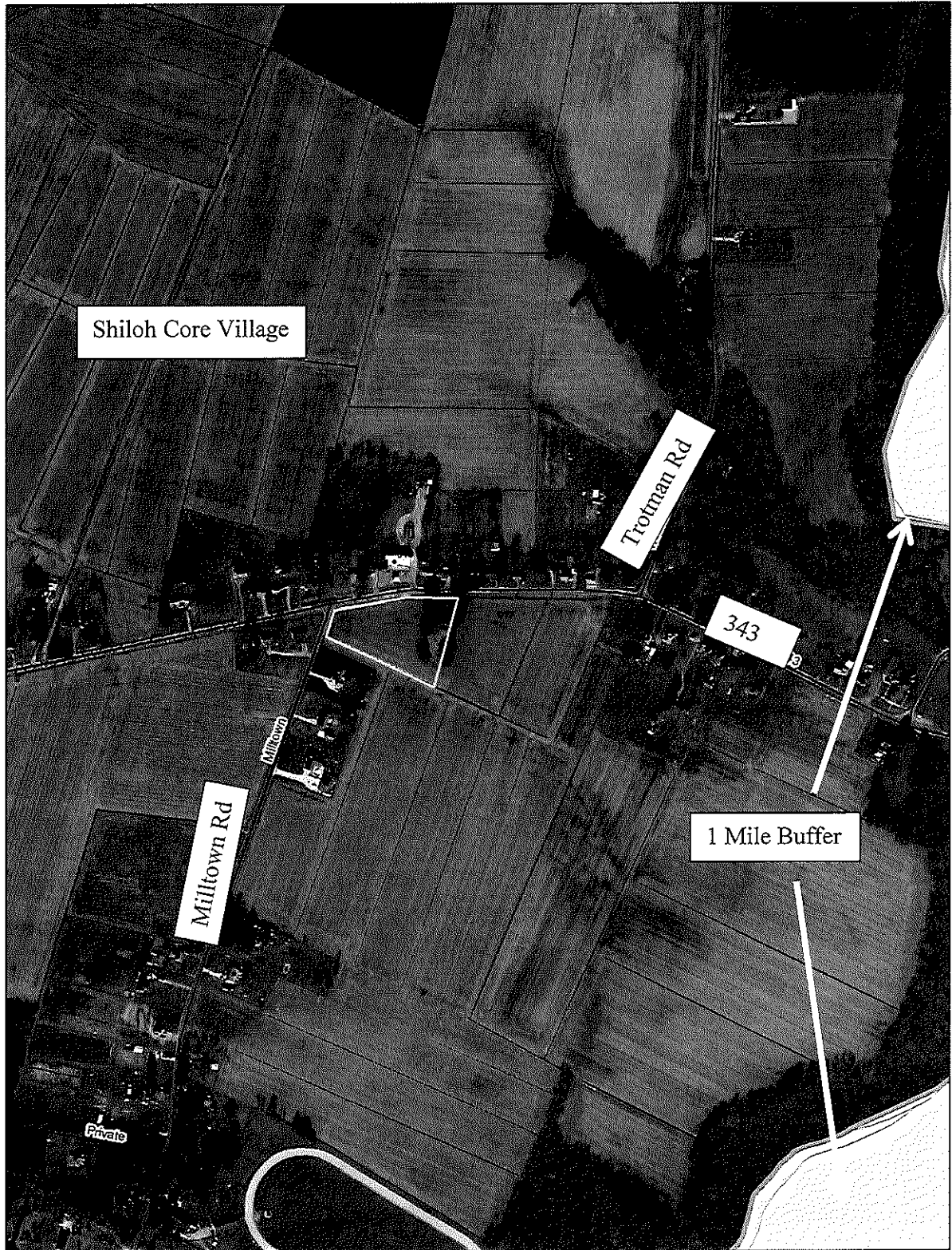
From Village Commercial (VC) Article 151.3.6.3 (Purpose Statement)

The Village Commercial district intended to foster high quality, compact, pedestrian-oriented development on lots within designated village centers. Development in the VC district is human-scaled and designed to promote visual interest for pedestrians. Ground-level retail and personal services that promote pedestrian activity along the street are highly encouraged and large, monolithic, automobile-oriented developments are prohibited. New development in the district is located close to the street, provides passers-by with clear views into the building's ground floor, and fosters sidewalk dining, outdoor seating, and interaction among pedestrians. The district requires urban-style open space (greens, seating areas, plazas, pocket parks, roof gardens, etc.) to be included as a part of new development. In addition to commercial uses, the district allows a variety of moderate-density residential development. New commercial, mixed-use, and multi-family developments in the district are subject to the design standards in.

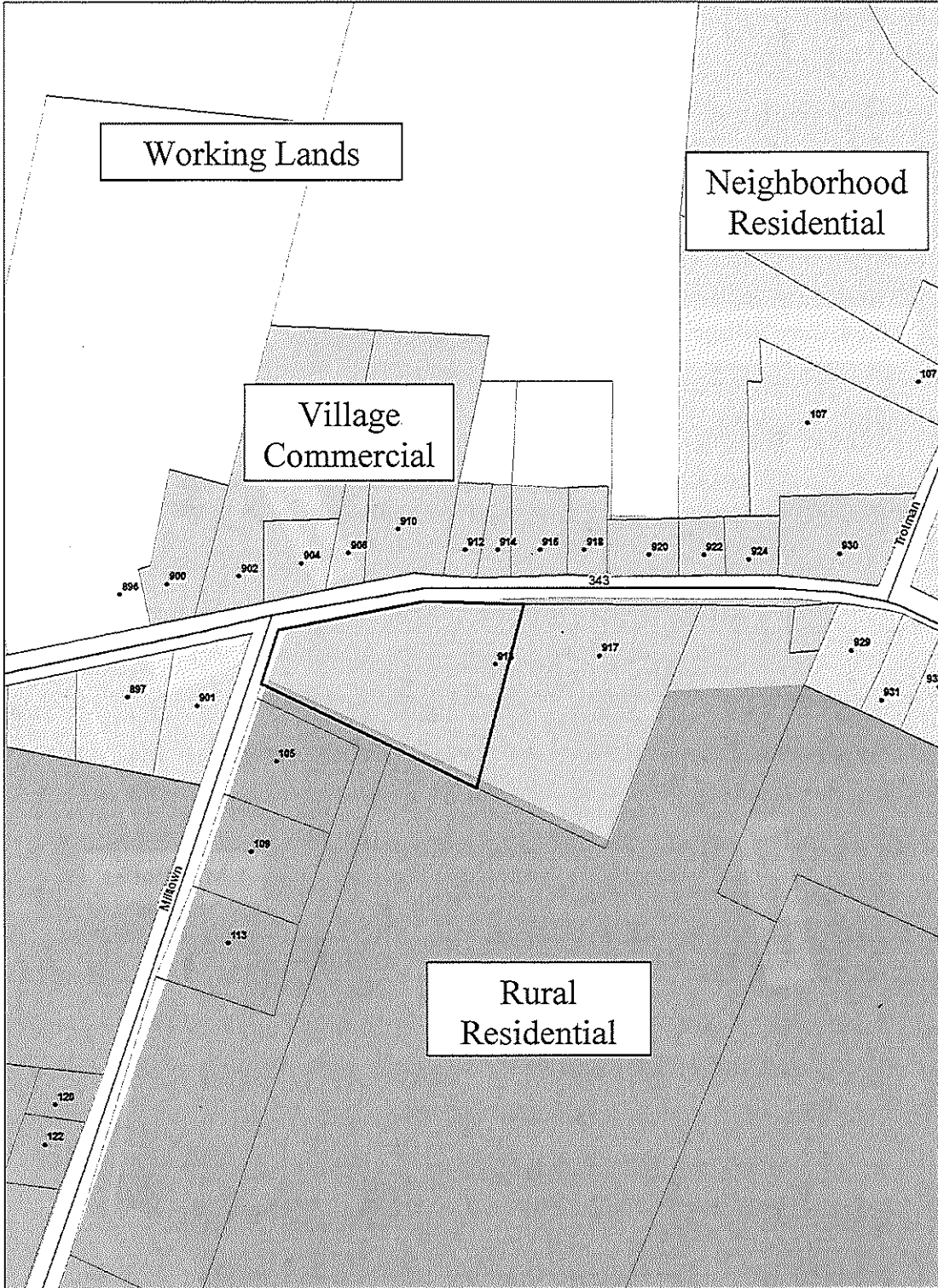
To: Neighborhood Residential (NR) – Article 151.3.5.5 (Purpose Statement)

The Neighborhood Residential (NR) district serves as a transition district from the rural and suburban portions of the County to areas proximate to village centers and major commercial corridors. The district is intended to accommodate single-family detached homes in a neighborhood setting at moderate densities. Mobile and manufactured homes on individual lots, conservation subdivisions, and agricultural uses are limited in order to preserve the district's neighborhood character. Manufactured homes are not allowed on lots within 5,280 linear feet of a village center boundary. The district's 40,000-square-foot minimum lot area may be reduced when lots are within one mile of a designated village center boundary and served by public sewer. District regulations discourage uses that interfere with the development of residential neighborhoods or that are detrimental to the district's single-family detached neighborhood character.

PROJECT LOCATION: Vicinity Map: Shiloh Township



Zoning Map:



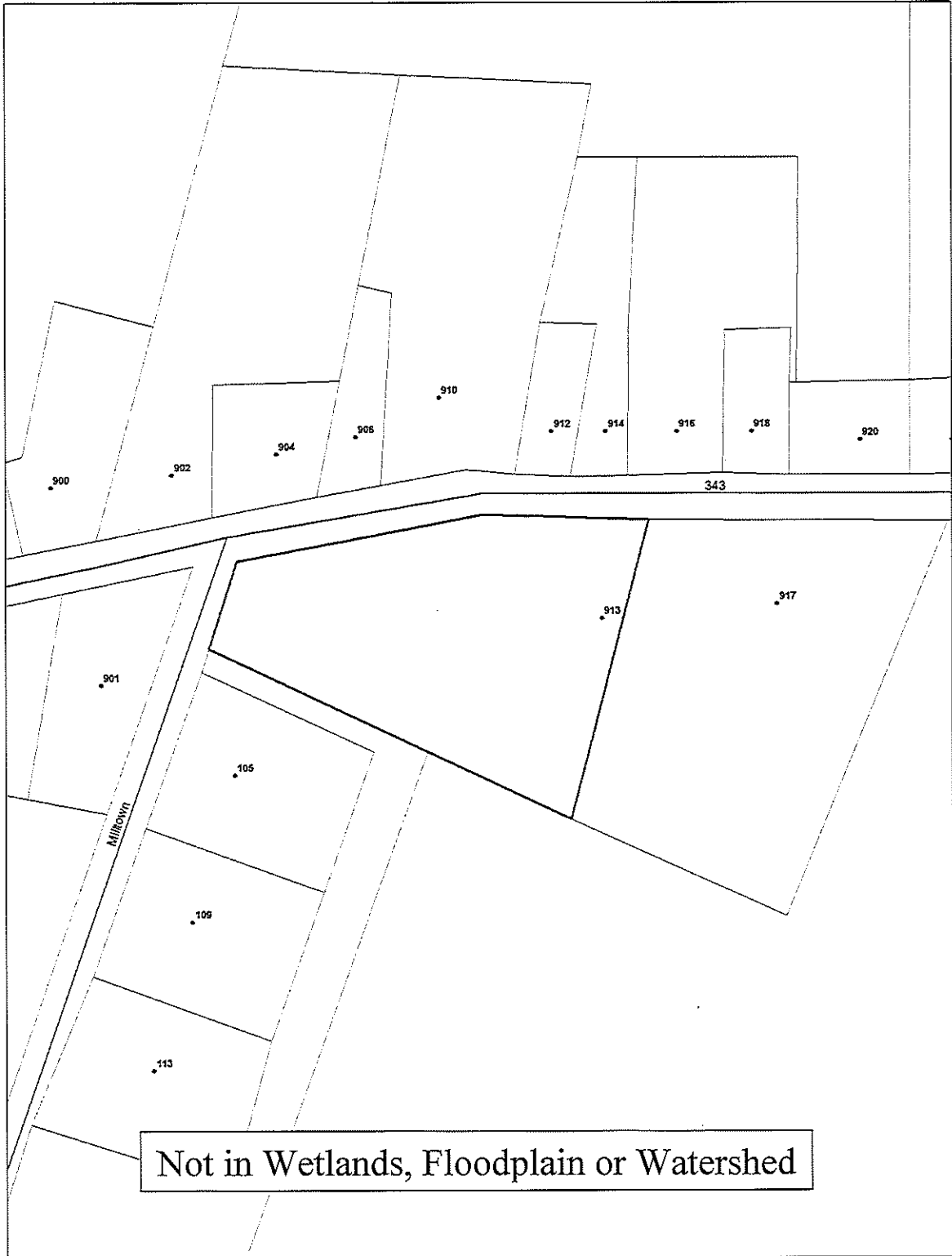
CAMA Land Suitability:



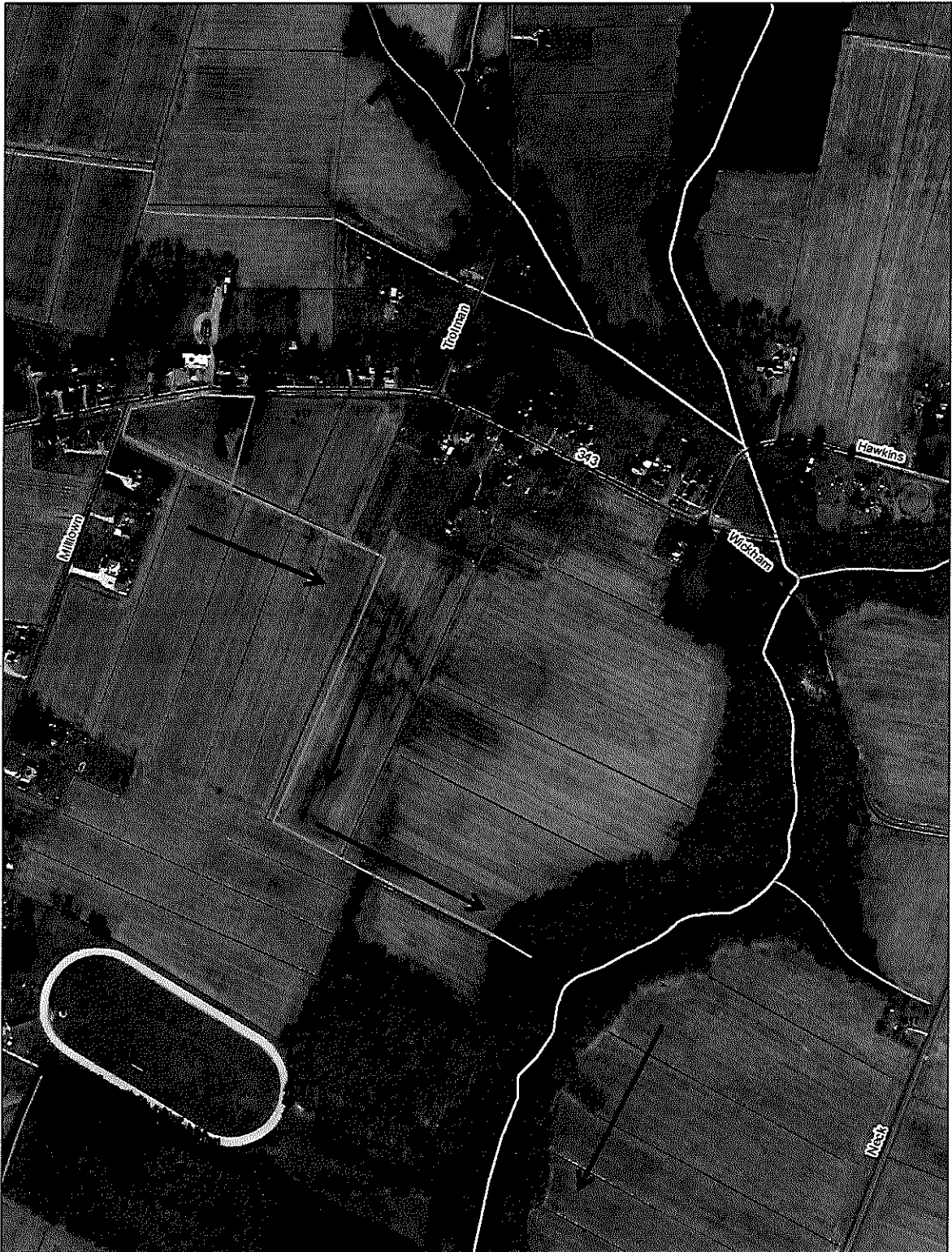
Wetlands Map

Floodplain Map

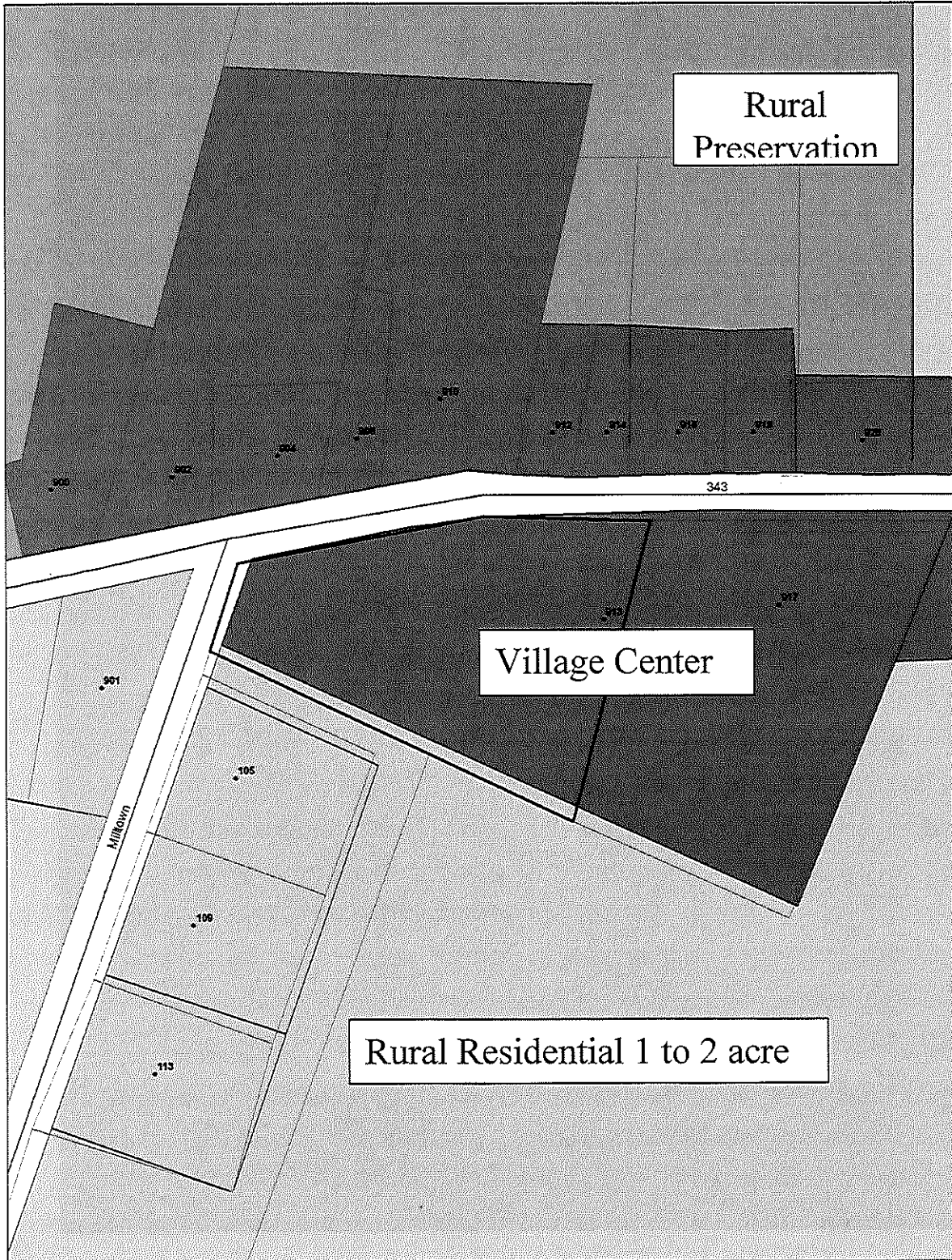
Watershed Map



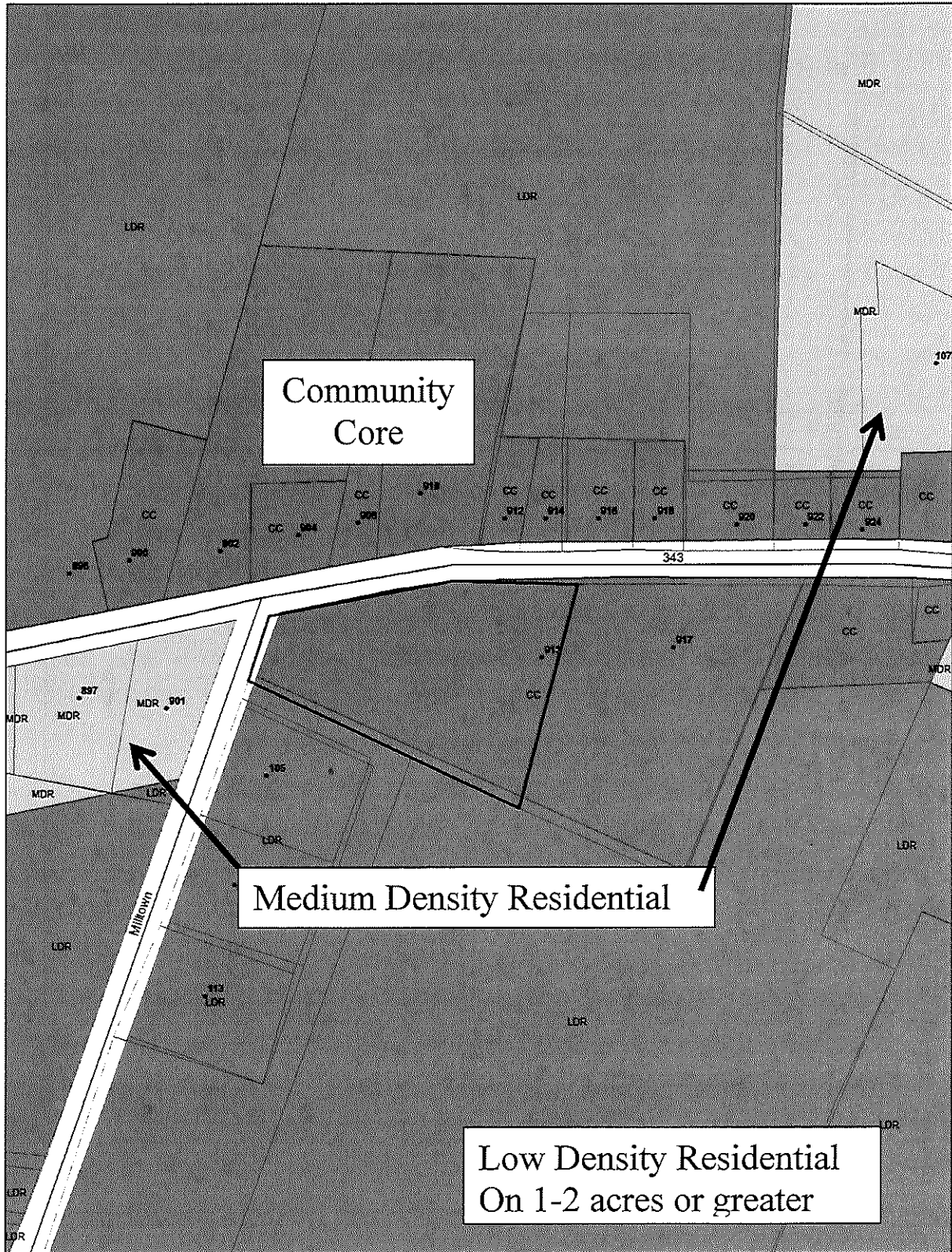
Drainage; Black arrows show apparent water flow

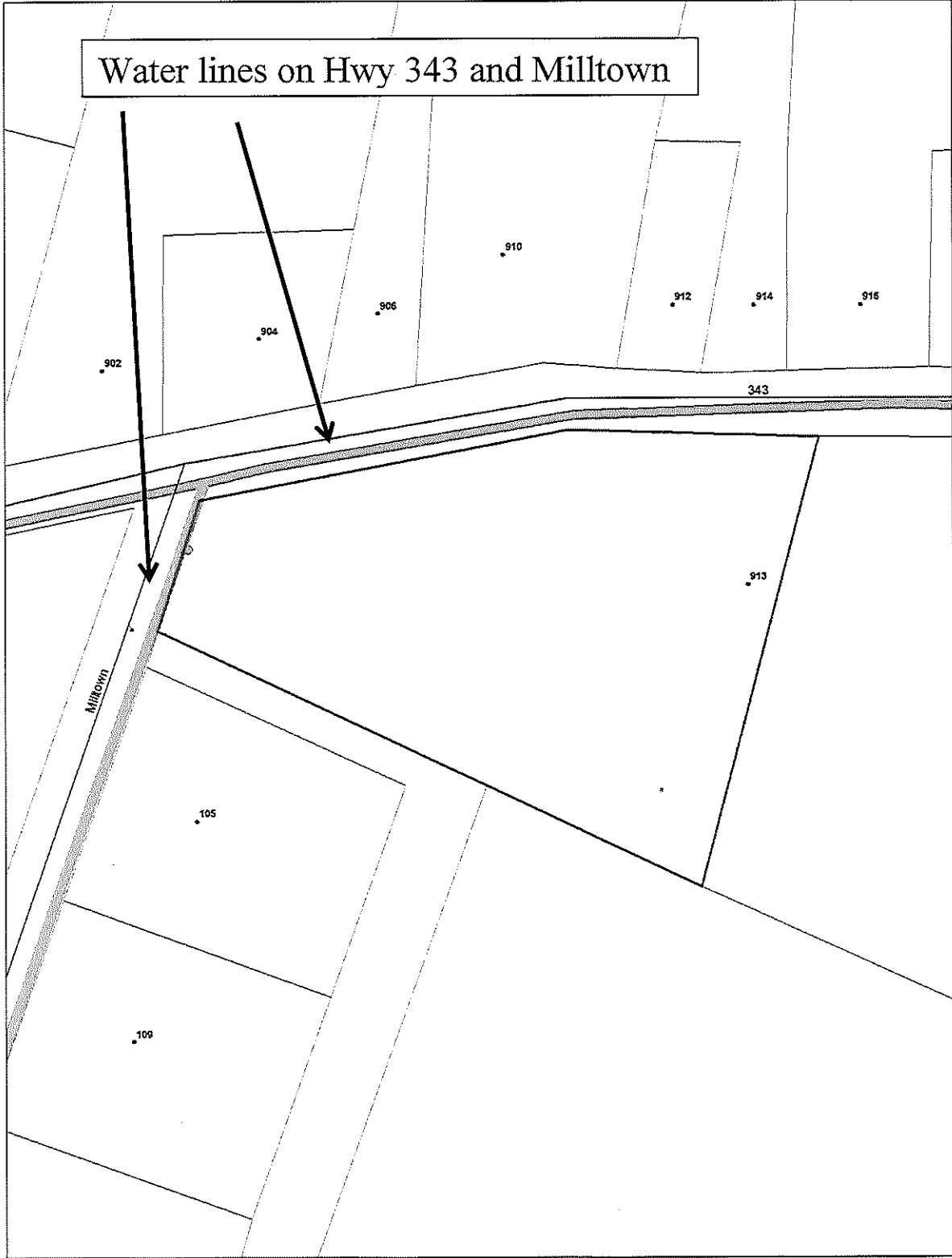


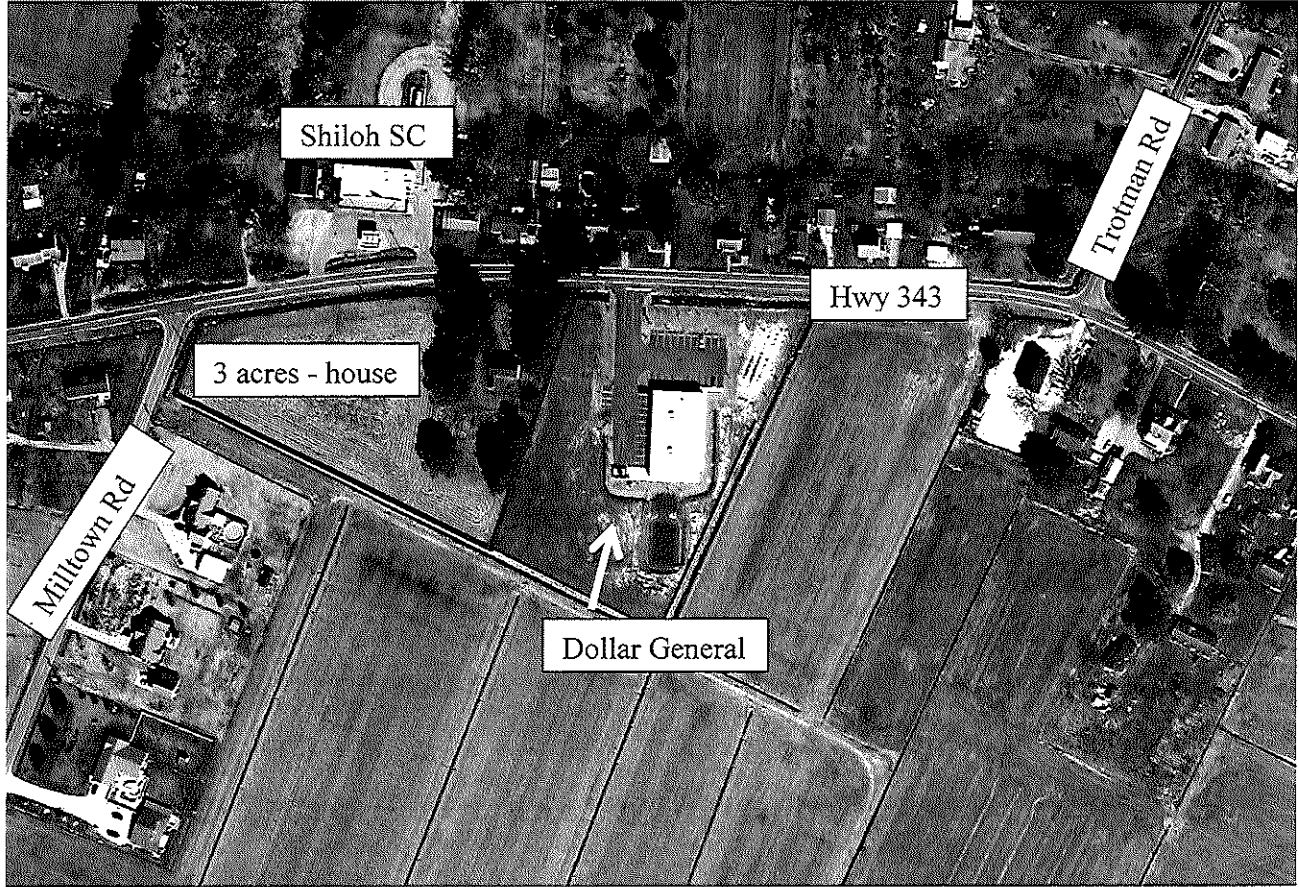
Comprehensive Plan Future Land Use Map



CAMA Future Land Use Map







SITE DATA

Lot size: Approximately 3 acres.
 Flood Zone: X
 Zoning District(s): Village Commercial (VC)
 Existing Land Uses: Vacant- House and Farmland

Adjacent Zoning & Uses:

	North	South	East	West
Zoning	Village Commercial (VC)	Rural Residential (RR)	Village Commercial (VC)	Rural/Neighborhood Residential (RR/NR)
Use & size	Commercial Business/ Residential	Residential Lots	Commercial Business	Residential Lots/Farmland

Proposed Use(s) - Subdivide one acre with the house and continue to farm Residual.

Description/History of property: Property is located in Shiloh Core Village on Hwy 343. Property has been farmed and house has been vacant.

ENVIRONMENTAL ASSESSMENT

Streams, Creeks, Major Ditches:

Distance & description of nearest outfall: It appears the property drains to the ditch on the south west side in farm field. The flow continues approximately 3300 feet thru farm field ditches south east, south west, south east again into wetlands. The wetlands flow to Pasquotank River.

INFRASTRUCTURE & COMMUNITY FACILITIES

Water	Water lines are located adjacent to property along Highway 343 and Milltown Road.
Sewer	Not available.
Fire District	Shiloh Fire District.
Schools	Proposed zoning will have minimal impact on Schools.
Traffic	Proposed zoning will have minimal impact on Traffic

PLANS CONSISTENCY

CAMA Land Use Plan Policies & Objectives:

Consistent Inconsistent

The CAMA Land Use Plan was adopted by the Camden County Board of Commissioners on April 4, 2005. The proposed zoning change is inconsistent in that the Future Land Use Maps has property identified as. Community Core.

2035 Comprehensive Plan

Consistent Inconsistent

While the current Rural Residential Zoning requires a minimum of two acres, the proposed zoning change is consistent as the County's Comprehensive Plan (Adopted 2012) as the Future Land Use Map shows the property to be Village Center.

Comprehensive Transportation Plan

Consistent Inconsistent

Property abuts Hwy 343 South and Milltown Road.

Other Plans officially adopted by the Board of Commissioners

N/A

FINDINGS REGARDING ADDITIONAL REQUIREMENTS:

Yes No Will the proposed zoning change enhance the public health, safety or welfare?

Reasoning: The Parcel is intended to be part of Village Center

Yes No Is the entire range of permitted uses in the requested classification more appropriate than the range of uses in the existing classification?

Reasoning: The Core Village is intended for Commercial Use

For proposals to re-zone to non-residential districts along major arterial roads:

Yes No Is this an expansion of an adjacent zoning district of the same classification? N/A

Reasoning:

Yes No What extraordinary showing of public need or demand is met by this application? N/A

Reasoning:

Yes No Will the request, as proposed cause serious noise, odors, light, activity, or unusual disturbances?

Reasoning: All uses permitted in the requested zoning classification should not cause any serious noise, odors, light activity, or unusual disturbances.

Yes No Does the request impact any CAMA Areas of Environmental Concern?

Reasoning: Property is outside any CAMA Areas of Environmental Concern.

Yes No Does the county need more land in the zoning class requested?

Reasoning: In the appropriate location, this would include the 1 mile buffer adjacent to the Shiloh Core Village. This parcel is within the Shiloh Community Core Village Area.

Yes No Is there other land in the county that would be more appropriate for the proposed uses?

Reasoning: Moderate density residential development areas would enhance the area adjacent to the Shiloh Village Center.

Yes No **Will exceed the county's ability to provide public facilities:**

The proposed zoning will have minor impact on all public facilities, it is only 3 acres.

Schools Projected students maximum 1.956 (3 x 0.6521) and minimum student 1.304 (2 x 0.6521)

Fire and Rescue – Minimal impact.

Law Enforcement – Minimal impact.

Parks & Recreation – Minimal impact.

Traffic Circulation or Parking – Minimal impact.

Other County Facilities – Minimal impact.

Yes No **Is This A Small Scale "Spot" Rezoning Request Requiring Evaluation Of Community Benefits?**

If Yes (regarding small scale spot rezoning) – Applicants Reasoning:

	Personal Benefits/Impact	Community Benefits/Impact
With rezoning		
Without rezoning		

STAFF COMMENTARY:

The applicant seeks to subdivide the three acre parcel and the house becomes a residential home. The property being in the Core Village is Commercial not moderate density residential development area adjacent to. The property is located in an area that is not supported by either the CAMA or Comprehensive Plans Future Land Use Maps as residential development.

Consistency statement:

The requested zoning change is not consistent with either the CAMA or the Comprehensive Future Land Use Maps that reflect a Village Center and Community Core area.

Recommendation:

Planning Staff recommends denial the Rezoning Application (UDO 2020- 09-03) of 913 Hwy 343 South from Village Commercial (VC) to Neighborhood Residential (NR).

Attachment

"D"

Ordinance

2020-11-01

Zoning Map

Amendment



Ordinance No. 2020-11-01

**An Ordinance
Amending the Camden County
Zoning Map
Camden County, North Carolina**

Article I: Purpose

The purpose of this Ordinance is to amend the Zoning Map of Camden County, North Carolina, which was originally adopted by the County Commissioners on December 20, 1993, and subsequently amended.

Article II. Amendment to Zoning Map

The Official Zoning Map of Camden County, North Carolina, which was adopted on December 20, 1993, and subsequently amended, is hereby amended as follows:

The property currently shown in the Camden County Tax Assessor's Office as PIN 03-8953-04-80-2636, the three acres is hereby re-zoned from Village Commercial (VC) to Neighborhood Residential (NR).

Article III. Penalty

1. Violations of the provision of this Ordinance or failure to comply with any of its Requirements, including violations of any conditions and safeguards established in connection with grants of variances or Special Use or Conditional Use Permits, shall constitute a misdemeanor, punishable by a fine of up to five-hundred (\$500) dollars or a maximum thirty (30) days imprisonment as provided in G. S. 14-4.
2. Any act constituting a violation of the provisions of this Ordinance or a failure to comply with any of its requirements, including violations of any conditions and safeguards established in connection with the grants of variances or Special Use or Conditional Use Permits, shall also subject the offender to a civil penalty of one-hundred (\$100) dollars for each day the violation continues. If the offender fails to pay the penalty within ten (10) days after being cited for a violation, the

penalty may be recovered by the county in a civil action in the nature of debt. A civil penalty may not be appealed to the Board of Adjustment if the offender was sent a final notice of violation in accordance with Article 151.568 and did not take an appeal to the Board of Adjustment within the prescribed time.

3. This Ordinance may also be enforced by any appropriate equitable action.
4. Each day that any violation continues after notification by the administrator that such violation exists shall be considered a separate offense for purposes of the penalties and remedies specified in this section.
5. Any one, all or any combination of the foregoing penalties and remedies may be used to enforce this Ordinance.

Article IV. Severability

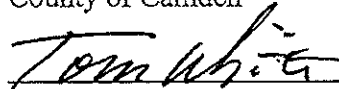
If any language in this Ordinance is found to be invalid by a court of competent jurisdiction or other entity having such legal authority, then only the specific language held to be invalid shall be affected and all other language shall be in full force and effect.

Article V. Effective Date

This Ordinance is effective upon adoption.

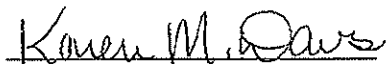
Adopted by the Board of Commissioners for the County of Camden this 2nd day of November, 2020.

County of Camden



Tom White, Chairman
Board of Commissioners

ATTEST:



Karen M. Davis
Clerk to the Board of Commissioners

