

**Camden County Board of Commissioners
Regular Meeting
December 5, 2011
7:00 P.M. - Regular Meeting
Historic Courtroom, Courthouse Complex
Camden, North Carolina**

MINUTES

The regular meeting of the Camden County Board of Commissioners was held on Monday December 5, 2011 in the Historic Courtroom, Camden, North Carolina. The following Commissioners were present:

Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Randy Krainiak, Clayton Riggs, and Michael McLain.

Also attending were County Manager Michael Renshaw, Clerk to the Board Ashley R. Honaker, and County Attorney John Morrison. Present for purposes of making a presentation(s) or providing supporting information for agenda items were the following persons: Danelle Barco- Cooperative Extension, Dan Porter- Planning Director, and Greg Adams, Thompson Price Scott Adams & Co.

County Attorney John Morrison called to order the December 5, 2011 meeting of the Camden County Board of Commissioners at 7:00 PM.

Invocation and Pledge of Allegiance

Vice Chairman Garry Meiggs gave the invocation and led those present in the Pledge of Allegiance.

Organizational Meeting

Item 1.A Nomination(s) and Election of Chair of the Board

Commissioner Garry Meiggs nominated Sandra Duckwall as Chairman of the Board of Commissioners.

There being no further nominations, Commissioner Meiggs' nomination. The nomination of Sandra Duckwall as Chairman of the Board of Commissioners was made an official motion and passed 5-0 with Commissioners Garry Meiggs, Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Item 1.B- Nomination(s) and Election of Vice Chair of the Board

Commissioner Clayton Riggs nominated Commissioner Garry Meiggs as Vice Chair of the Board of Commissioners.

There being no further nominations, The nomination of Garry Meiggs as Vice Chairman of the Board became an official motion and passed 5-0 with Chairman Sandy Duckwall, Commissioners Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Item 1.C- Appointment - County Attorney

Commissioner Michael McLain made a motion to appoint John Morrison, Twiford Law Firm, as county attorney.

The appointment of John Morrison, Twiford Law Firm, as county attorney passed 5-0 with Chairman Sandy Duckwall, Vice Chairman Garry Meiggs, Commissioners Michael

McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Appointment - Clerk to the Board

Vice Chairman Garry Meiggs made a motion to appoint Ashley Honaker as Clerk to the Board.

The appointment of Ashley Honaker as Clerk to the Board passed 5-0, with Chairman Sandy Duckwall, Vice Chairman Garry Meiggs, Commissioners Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Item 1.D- Review Bonds – Sheriff, Register of Deeds, Tax Administrator, Finance Officer

Commissioner Michael McLain made a motion to approve the bonds of the Sheriff, Register of Deeds, Tax Administrator and Finance Officer. The motion passed 5-0 with Chairman Sandy Duckwall, Commissioners Garry Meiggs, Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Item 1.E- 2012 Board of Commissioners Meeting Calendar and Approval of 2012 Employee Holiday Schedule

Commissioner Clayton Riggs made a motion to approve the 2012 Board of Commissioners meeting calendar. The motion passed 5-0 with Chairman Sandy Duckwall, Vice Chairman Garry Meiggs, Commissioners Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Date of Meeting	Time of Meeting	“Completed” Agenda With Summary Due In Clerks Office	Items Sheets	Deadline For Information
Tuesday, January 3, 2012	7:00 PM	Monday, December 26, 2011		5:00PM
Monday February 6, 2012	7:00 PM	Monday, January 30, 2012		5:00PM
Monday, February 20, 2012	7:00 PM	Monday, February 13, 2012		5:00PM
Monday, March 19, 2012	7:00 PM	Monday, March 12, 2012		5:00PM
Monday, April 2, 2012	7:00 PM	Monday, March 26, 2012		5:00PM
Monday, April 16, 2012	7:00 PM	Monday, April 9, 2012		5:00PM
Monday, May 7, 2012	7:00 PM	Monday, April 30, 2012		5:00PM
Monday, June 4, 2012	7:00 PM	Tuesday, May 29, 2012		NOON
Monday, June 18, 2012	7:00 PM	Monday, June 11, 2012		5:00PM
Tuesday, July 2, 2012	7:00 PM	Monday, June 25, 2012		5:00PM
Monday, August 6, 2012	7:00 PM	Monday, July 30, 2012		5:00PM
Tuesday, September 4, 2012	7:00 PM	Monday, August 27, 2012		5:00PM
Monday September 17, 2011	7:00 PM	Monday, September 10, 2012		5:00PM
Monday, October 1, 2012	7:00 PM	Monday, September 26, 2011		5:00PM
Monday, November 5, 2012	7:00 PM	Monday, October 29, 2012		5:00PM
Monday, November 19, 2012	7:00 PM	Monday, November 12, 2012		5:00PM
Monday, December 3, 2012	7:00 PM	Monday, November 26, 2012		5:00PM

DURING ANY MONTH WITH ONLY ONE SCHEDULED MEETING, AN ADDITIONAL MEETING MAY BE SCHEDULED IF THE WORKLOAD IS ADEQUATE.

Commissioner Michael McLain made a motion to approve the 2012 Employee Holiday Schedule. At 7:05pm, the motion passed 5-0, with Chairman Sandy Duckwall, Vice Chairman Garry Meiggs, Commissioners Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

2012

2012 Holiday Schedule		
Holiday	Observance Date	Day of Week
New Year's Day	January 2, 2012	Monday
Martin Luther King Birthday	January 16, 2012	Monday
Good Friday	April 6, 2012	Friday
Memorial Day	May 28, 2012	Monday
Independence Day	July 4, 2012	Wednesday
Labor Day	September 3, 2012	Monday
Veterans Day	November 12, 2012	Monday
Thanksgiving Day	November 22 & 23 2012	Thursday & Friday
Christmas	December 24,25,26, 2012	Monday, Tuesday & Wednesday

The Organizational Meeting concluded and Chairman Sandra Duckwall presided over the meeting.

Public Comments –

Brian Meekins- 122 Baybridge Dr., Shiloh- Mr. Meekins, who runs the Shiloh Shark football teams program, came before the Board to give praise to the 5 & 6 year old peewee football team, and the 8 & under peewee football team for both being State Champion Teams this year. He also wanted to give praise to all the other teams that play for the Shiloh Sharks, and express pride in the sports fields that he utilizes.

Consideration of Agenda

Commissioner Michael McLain made a motion to approve the agenda as amended. At 7:07PM, the motion passed 5-0 with Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Michael McLain, Clayton Riggs, and Randy Krainiak, voting aye; no Commissioner voting no; No absent; and no Commissioner not voting.

Presentations

Item 4.A- Audit Report- Greg Adams

At 7:08pm, Mr. Adams had not yet arrived from Wilmington, NC, to deliver the Audit Report to the Board. The item was tabled until the end of the meeting.

Old Business

Item 5.A. – Out-of-court Settlement between various State Attorney Generals and Bank of America Corporation

County Attorney John Morrison explained to the Board and the Public the following:

- Mr. Morrison was recently notified by a Federal Court of a Class Action against the Bank of America Corporation
- North Carolina is represented in the party of Lawyers that filed the Class Action
- Action states that those represented did not receive the most profitable rate on loans through Bank of America
- Bank of America Corporation has agreed to settle out of court
- Camden would receive a total reimbursement of **\$20,760.25**
- The Board does not have to accept the settlement offer, and can conduct their own separate litigation against Bank of America Corporation

Commissioner Michael McLain declared a point of order, and requested the professional advice from County Attorney John Morrison on whether he needs to be recused on the grounds that his son is an employee of a subsidiary of Bank of America. Mr. Morrison stated that it was his professional opinion that Commissioner McLain did not need to recuse himself.

Vice chairman Garry Meiggs made a motion to accept the settlement from Bank of America Corporation as presented. At 7:10PM, the motion passed 5-0 with Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Michael McLain, Clayton Riggs, and Randy Krainiak, voting aye; no Commissioner voting no; No absent; and no Commissioner not voting.

New Business

Item 6.A- CAMA Land Use Implementation Report

Planning Director Dan Porter came before the Board to give the following bi-annual report on the progression of the Camden County CAMA Land Use Plan:

- Camden County adopted the current CAMA Land Use Plan in 2005
- The State requires a Land Use Implementation Report every two (2) years
- The report outlines the following:
 - Successful Undertakings in Local Regulatory, Permitting, & Policy Actions
 - Actions that have been delayed and the reasons behind the delays
 - Any unforeseen land use issues that have arisen since certification of the CAMA land use plan
 - Consistency of existing land use and development ordinances with current CAMA land use plan policies

AND

- Current policies that create desired land use patterns and protection of natural systems.

Commissioner Michael McLain made a motion to accept the 2011 CAMA Land Use Implementation Report. At 7:15PM, the motion passed 5-0 with Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Michael McLain, Clayton Riggs, and Randy Krainiak, voting aye; no Commissioner voting no; No absent; and no Commissioner not voting.

Item 6.B- Going Paperless- Electronic Board Packets

Commissioner Clayton Riggs made a motion to table item 6.B. until the new County Manager has sufficient time to study the material on the Item, and have it brought back before the Board at the January 2012 Regular Board of Commissioners meeting. At 7:16PM, the motion passed 5-0 with Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Michael McLain, Clayton Riggs, and Randy Krainiak, voting aye; no Commissioner voting no; No absent; and no Commissioner not voting.

Item 6.C- JCPC Program Revision

Cooperative Extension Agent Danelle Barco came before the Board of behalf of JCPC Director Christy Edwards to present the following information:

- Due to potential budget cuts at the beginning of the 2011-2012 fiscal year, the Camden County JCPC requested that 10% of the funds be left unallocated.
- This would help prepare us for a potential budget reversion if necessary. The 10% left unallocated equaled \$5,191.
- Since the state budget has passed and the Department of Juvenile Justice & Delinquency Prevention did not suffer a budget cut, we have been given permission to revise our county program budgets and include the \$5,191.
- Also, since we have completed the 2011 Treasure Point 4-H Day Camp summer program, there were lapse part-time salary monies.
- We are requesting to use some of those salaries as well as the \$5,191 to increase our programming budget.
- A great majority of those funds will be used to assist with programming needs for 3 of the 4 components of the grant (1) CROWN Kids/BEARS; (2) Teen Court; and (3) Treasure Point 4-H Day Camp.

Commissioner Clayton Riggs made a motion to approve the JCPC program revision as presented. At 7:18PM, the motion passed 5-0 with Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Michael McLain, Clayton Riggs, and Randy Krainiak, voting aye; no Commissioner voting no; No absent; and no Commissioner not voting.

Item 6.D- Anonymous Complaint Policy for Code Enforcement Office

Commissioner Michael McLain made a motion to table Item 6.D. until the new County Manager had sufficient time to review the available information, and have the Item brought back before the Board at the January 2012 Regular Board of Commissioners meeting. At 7:19PM, the motion passed 5-0 with Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Michael McLain, Clayton Riggs, and Randy Krainiak, voting aye; no Commissioner voting no; No absent; and no Commissioner not voting.

Board Appointments

Item 7.A- Albemarle Commission- Camden Commissioner

Commissioner Michael McLain made a motion to re-appoint Commissioner Clayton Riggs to the Albemarle Commission. At 7:19PM, the motion passed 5-0 with Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Michael McLain, Clayton Riggs, and Randy Krainiak, voting aye; no Commissioner voting no; No absent; and no Commissioner not voting.

Item 7.B- Albemarle Commission- Camden Citizen

Vice Chairman Garry Meiggs made a motion to authorize Commissioner Clayton Riggs to select a Camden Citizen to serve on the Albemarle Commission from April 2012- April 2014, as an At-Large Voting Delegate, and announce whomever he chooses at the January 2012 Regular Board of Commissioners meeting. At 7:23PM, the motion passed

5-0 with Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Michael McLain, Clayton Riggs, and Randy Krainiak, voting aye; no Commissioner voting no; No absent; and no Commissioner not voting.

Consent Agenda

Commissioner Michael McLain made a motion to accept the Consent Agenda. At 7:23PM the motion passed 5-0 with Chairman Sandra Duckwall, Vice-Chairman Garry Meiggs, and Commissioners Michael McLain, Clayton Riggs, and Randy Krainiak voting aye; No Commissioners voting no; No Commissioners absent; No Commissioners not voting.

A. Draft Minutes for November 21, 2011

B. Budget Amendments- 2011-12-BA017

**2011-12-BA017
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, 2012.

Section 1. To amend the General Fund as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
Expenses:			
104500-545017	Turner Contract	\$460,900.00	
106900-568100	South Mills 4 Cent	\$ 79,100.00	
105000-515000	Maintenance Building	\$ 3,700.00	
109990-500000	Contingency		\$3,700.00
104410-504100	Attorney Fees	\$ 178.00	
104700-504111	Other OLF Fees	\$ 1,000.00	
104800-504100	Attorney Fees	\$ 303.00	
104700-504100	Attorney Fees		\$1,481.00
Revenues:			
10301450-400007	2007 Ad Valorem Tax	\$ 20,650.00	
10301450-400008	2008 Ad Valorem Tax	\$141,350.00	
10301450-400005	2005 Ad Valorem Tax	\$ 16,000.00	
10301450-400006	2006 Ad Valorem Tax	\$ 4,000.00	
10301450-431700	Penalties & Interest	\$358,000.00	

This will result in a decrease of \$3,700.00 in the Contingency of the General Fund.

Balance in Contingency \$75,857.00.

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 5th day of December, 2011.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

C. Tax Refunds, Pickups, & Releases

Name	Amount	Type	Reason	No.
Ellis E & Tamera A Pichaloupe	\$274.99	Pickup	Code Enf.	14141
Harry J Walker	\$224.99	Pickup	Code Enf.	14140
Christopher W. Hoskins	\$224.99	Pickup	Code Enf	14139
AAR Corp ETAL	\$1176263.83	Pickup	Rel'd Per audit	14181
AAR Corp ETAL	\$985474.26	Release	Rel'd Per Audit	14180
AAR Corp ETAL	\$634351.83	Release	Rel'd Per Audit	14179
AAR Corp ETAL	\$63479.62	Release	Rel'd Per Audit	14178
AAR Corp ETAL	\$26562.33	Release	Rel'd Per Audit	14177
AAR Corp ETAL	\$28941.15	Release	Rel'd Per Audit	14176
K&G Farming Inc	\$126.18	Adjustment	Inc. Value	14150
E.P. Aviation	\$215569.73	Pickup	Audit	14217
E.P. Aviation	\$235166.98	Pickup	Audit	14216
EP Aviation	\$55692.00	Pickup	Audit	14215
EP Aviation	\$29400.00	Pickup	Audit	14214
Air Quest INC	\$385.94	Pickup	Audit	14213
Aviation Worldwide	\$55087.69	Pickup	Audit	14210
Aviation Worldwide	\$29373.26	Pickup	Audit	14209
Aviation Worldwide	\$32289.04	Pickup	Audit	14208
Presidential Airways	\$222709.37	Pickup	Audit	14207
Presidential Airways	\$196490.83	Pickup	Audit	14206
Presidential Airways	\$325075.87	Pickup	Audit	14205
STI Aviation	\$3931.27	Pickup	Audit	14204
STI Aviation	\$1134.25	Pickup	Audit	14203
STI Aviation	\$822.07	Pickup	Audit	14202
Chad D. Peters	\$110.04	Release	Mil. Expt	14219
Robert John Riemer	\$154.38	Release	Mil. Expt.	14117
Robert R & Macy O Welsh	\$113.87	Pickup	Discovery	14223
George Rowland	\$243.17	Pickup	Discovery	14196
Thien Van Nguyen	\$100.99	Pickup	Discovery	14175
Leslie Etheridge	\$181.76	Pickup	Discovery	14156
Jeffrey Edwin Davis	\$116.82	Pickup	Discovery	14153
Mel Eckerstrom	\$-129.80	Pickup	Discovery	14154
John Matthew Carter	\$295.21	Pickup	Discovery	14148
Karen Bundy/ Town & Country Pet grooming	\$143.11	Pickup	Discovery	14144
Kevin & Stacey Anderson	\$101.90	Pickup	Discovery	14143
Hubert Liles Conners, Jr	\$-111.67	Release	Wrong County	14142

D. Tax Authorization to Collect

SOUTH MILLS	COURTHOUSE	SHILOH	TOTAL
16,001.32	19,902.79	9,474.86	45,378.97

E. ECBH Fiscal Monitoring Report

F. MOU between NCDOT, Camden, Chowan, Currituck, Pasquotank, and Perquimans Counties, and Albemarle Regional Health Services Operating as Inter-County Public Transportation Authority

Commissioner's Report

Chairwoman Sandra Duckwall announced the addition of Michael Renshaw as the new Camden County Manager, recognized him attending his first Board of Commissioners meeting, and welcomed him to the County.

County Managers Report

No report.

Chairwoman Sandra Duckwall recessed the Board of Commissioners meeting at 7:25pm.

Chairwoman Sandra Duckwall brought the Board of Commissioners meeting out of recess at 7:31pm.

Item 4- Audit Report- Greg Adams of Thompson, Price, Scott, Adams & Co

Mr. Adams came before the Board to present the following information on the 2011 Audit:

• Cash- All funds	\$9,730,883
• Fund Balance- General Fund	\$4,621,314
○ Available Fund Balance	\$1,927,330
○ Percentage of Fund Balance Available for Appropriation	41.71%
• Tax Analysis (Values)	
○ Real Property	1,033,999,031
○ Personal Property	290,133,390
○ Public Service Companies	15,580,274
• Tax Value (Dollars)	
○ Total Levy	\$7,904,305
○ Total Levy (2010)	\$6,857,371
• Tax Collection Rate-Combined	82.89%
○ Property Excluding Registered Motor Vehicles	82.66%
○ Registered Motor Vehicles	86.70%
• Total Revenues- General Fund	\$12,259,176
• Total Expenditures-General Fund	\$14,851,645
○ Net Change	-\$2,556,469
• Total Revenues- Proprietary Fund	\$2,567,068
• Total Expenditures- Proprietary Fund	\$1,659,938
○ Net Change	+\$907,130

County Attorney John Morrison asked Mr. Adams for the Public knowledge the following questions, with Mr. Adams respective answers:

- This report is an unequivocal report with no exceptions equal to a Gold Seal?
 - *Yes*
- Is it in your opinion that respective to Camden's size, that the County is in good financial standing?
 - *Yes*
- Is it correct that the fund loss shown in the General Fund Net Change is actually showing a transfer of funds from the General Fund to another, and not an actual loss of funds?
 - *Yes*
- The Property Tax Collection rate of 86.70% is a low collection rate. Historically, prior to the Xe-tax discovery, Camden County operated at approximately 98%. The discovery of the Xe-taxes believed to equal to \$3million was the cause of the decrease in tax collection rate from 2010 to 2011. Upon further investigation, it was discovered the Xe more correctly owed Camden County \$1.2million in unpaid taxes. Xe has since paid Camden County all taxes owed, and once recalculated, Camden County's tax collection rate will be significantly higher
 - *That information is correct*

Commissioner Michael McLain requested that Mr. Adams make the recalculations to Camden's Tax Collection Rate and send the new numbers to Finance Director Clarann Mansfield. Commissioner McLain asked for Mr. Adams to verify that Internal Control found no problems with the Audit of Camden County. Mr. Adams stated for the Board that the Audit completed on Camden County produced no problems, and no weak spots.

Vice Chairman Garry Meiggs made a motion to approve the 2011 Audit as presented. At 7:42PM the motion passed 5-0 with Chairman Sandra Duckwall, Vice-Chairman Garry Meiggs, and Commissioners Michael McLain, Clayton Riggs, and Randy Krainiak voting aye; No Commissioners voting no; No Commissioners absent; No Commissioners not voting.

Any other Questions or comments?

None

Meeting Adjourned

At 7:42 P.M., Chairwoman Sandra Duckwall asked if there were any other matters to come before the Board of Commissioners, hearing none, she declared the meeting adjourned.

Chairwoman Sandra Duckwall
Camden County Board of Commissioners

ATTEST:

Ashley Honaker
Clerk to the Board