

**Camden County Board of Commissioners  
Regular Meeting  
March 1, 2010**

**6:00 P.M. – Closed Session  
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, March 1, 2010 at 7:00 p.m., with a closed session held at 6:00 p.m., in the Historic Courtroom, Camden, North Carolina. The following members were present:

Chairman Philip Faison  
Vice Chair Sandy Duckwall  
Commissioners Melvin Jeralds, Garry Meiggs and Michael McLain

Also present was County Manager Randell Woodruff, Clerk to the Board Ava Gurganus and Attorney John Morrison.

**Closed Session**

Commissioner Sandy Duckwall made a motion to go into closed session pursuant to G.S. 143-318.11(a)(3) for the purpose of consultation with attorney and discussion of potential litigation. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The Board entered closed session at 6:02 p.m.

Commissioner Garry Meiggs made a motion to come out of closed session. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The Board re-entered regular session at 7:07 p.m.

**Invocation & Pledge of Allegiance**

Chairman Philip Faison called upon Commissioner Sandy Duckwall to give the invocation and lead those present in the Pledge of Allegiance.

**Public Comments**

Chairman Philip Faison called for any comments from the public. No comments were heard from the public.

**Consideration of Agenda**

Commissioner Michael McLain made a motion to approve the agenda as presented. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

**Old Business - Consideration of Ordinance No. 2010-01-02 An Ordinance Amending the Camden County Code of Ordinances – Chapter 151-UDO**

Commissioner Sandy Duckwall made a motion to approve Ordinance No. 2010-01-02. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs,

Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

**Ordinance No. 2010-01-02**

**An Ordinance  
Amending the Camden County  
Code of Ordinances**

**Camden County, North Carolina**

BE IT ORDAINED BY THE CAMDEN COUNTY BOARD OF COMMISSIONERS as follows:

**Article I: Purpose**

The purpose of this Ordinance is to amend Chapter 151 of the Camden County Code of Ordinances of Camden County, North Carolina, which was originally adopted by the County Commissioners on December 15, 1997, and subsequently amended and as otherwise incorporated into the Camden County Code.

**Article II. Construction**

For purposes of this Ordinance, underlined words (underline) shall be considered as additions to existing Ordinance language and strikethrough words (~~strikethrough~~) shall be considered deletions to existing language. New language of proposed ordinance shall be shown in italics (*italics*) and underlined.

**Article III.** Amend Chapter 151 as amended of the Camden County Code which shall read as follows:

**CHAPTER 151: UNIFIED DEVELOPMENT**

**§ 151.334 TABLE OF PERMISSIBLE USES**

USE#	DESCRIPTION	R-1	R-2	R-3	CCD	NCD	HC	MC	GUD	I-1	I-2
10.220	Storage inside or outside completely enclosed structure						Z			Z	Z
10.300	Parking of vehicles or storage of equipment outside enclosed structures where; (i) vehicles or equipment are owned by the person making use of the lot and (ii) parking or storage is more than a minor or incidental part of the overall use made of the lot				S	S	S	S		Z	Z
10.400	Temporary indoor/outdoor storage, mobile office(s) and one dwelling for the caretaker when associated with off-site construction of a public facility and when in accordance with applicable provisions of Articles 151.210 and 151.211									S	S
11.000	Scrap Materials, Salvage Yards, Junk Yards and Automobile Graveyards									S	S
<b>12.000</b>											
12.100	Veterinarian				Z	Z	Z	Z	Z		
12.200	Kennels					S	Z	Z	Z		
<b>13.000</b>	<b>Emergency Services</b>										
13.100	Law Enforcement Stations	S	S	S	Z	Z	Z	Z	S	Z	Z
13.200	Fire Stations	S	S	S	Z	Z	Z	Z	S	Z	Z
13.300	Rescue Squad, Ambulance Service	S	S	S	Z	Z	Z	Z	S	Z	Z
13.400	Civil Defense Operations	S	S	S	Z	Z	Z	Z	S	Z	Z

<b>14.000</b>											
<b>14.100</b>											
14.110	Excluding livestock	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
14.120	Including livestock								Z	Z	Z
14.200	Silvicultural Operations	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
14.300	Mining or quarrying operations, including on site sales of products								S	S	S
14.400	Reclamation Landfill						S		S	S	S
<b>15.000</b>											
15.100	Post Office				Z	Z	Z	Z	Z		
<b>15.200</b>											
15.210	County owned and operated airport	S	S	S					S	S	S
15.220	Privately Owned Airport	S							S	S	S
15.230	Airstrip								S	S	S
<b>15.300</b>											

Adopted by the Board of Commissioners for the County of Camden this 1<sup>st</sup> day of March, 2010.

County of Camden

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 Phillip S. Faison, Chairman  
 Camden County Board of Commissioners

ATTEST:

\_\_\_\_\_  
 Ava Gurganus, NCCCC  
 Clerk to the Board

(SEAL)

**Old Business - Consideration of Ordinance No. 2010-02-01 – An Ordinance Amending Chapter 151 of the Camden County Code of Ordinances Regulating “Internet Sweepstakes Cafes”**

Commissioner Sandy Duckwall made a motion to approve Ordinance No. 2010-02-01. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

**Ordinance No. 2010-02-01**

**An Ordinance  
 Amending the Camden County  
 Code of Ordinances**

**Camden County, North Carolina**

BE IT ORDAINED BY THE CAMDEN COUNTY BOARD OF COMMISSIONERS as follows:

**Article I: Purpose**

The purpose of this Ordinance is to amend Chapter 151 of the Camden County Code of Ordinances of Camden County, North Carolina, which was originally adopted by the County Commissioners on December 15, 1997, and subsequently amended and as otherwise incorporated into the Camden County Code.

**Article II. Construction**

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**Article III. Amend Chapter 151 as amended of the Camden County Code which shall read as follows:**

**CHAPTER 151: UNIFIED DEVELOPMENT**

**§ 151.334 TABLE OF PERMISSIBLE USES**

USE#	DESCRIPTION	R-1	R-2	R-3	CCD	NCD	HC	MC	GUD	I-1	I-2
5.200	Churches, Synagogues and temples (including associated residential structures for religious personnel)	S	S	S	Z	Z	Z	Z	Z		
<b>5.300</b>											
5.310	Located within a building designed and previously occupied as a residence or within a building having a gross floor area not in excess of 3,500 feet	S	S	S	S	S	S	<u>S</u>			
5.320	Located within any permissible structure				S	S	S	S			
5.400	Social, fraternal clubs, lodges, union halls and similar uses				S	S	S	S			
<b>6.000</b>											
<b>6.100</b>											
6.110	Bowling alleys, skating rinks, indoor tennis and racquetball courts, billiards and pool halls, indoor athletic and exercise facilities				Z	Z	Z	Z		S	
6.120	Movie Theaters				Z	Z	Z	Z			
<u>6.130</u>	<u>Internet Sweepstakes Café</u> <u>Subject to Article 151.347(U)</u>				<u>S</u>		<u>S</u>				
<b>6.200</b>											
6.210	Privately owned outdoor recreation facilities such as golf and country clubs, etc. (But not including campgrounds), not constructed pursuant to a permit authorizing the construction of some residential development				Z	Z	Z	Z	Z	Z	

**§ 151.347 SPECIFIC STANDARDS**

(U) The following development and design standards shall apply to all Internet Sweepstakes Café's:

(1) If food is served, the establishment shall meet all the requirements of the Albemarle Regional Health Services or appropriate state agency requirements.

(2) There shall be no consumption of alcoholic beverages on the premises to include parking areas.

(3) The gaming operation shall be visible and open to the store front.

(4) All exterior windows shall not exceed a window tint of 35%.

(5) The maximum number of player terminals shall be shall be made as a condition of the Special Use Permit. No poker or slot style machines shall be allowed.

(6) The hours of operations shall be made as a condition of the Special Use Permit.

(7) Firearms shall be prohibited in the establishment.

(8) The establishment shall be limited to patrons and employees at least eighteen (18) years of age.

(9) There shall be no other Café located within a 1/2 mile of each other. The measurement of distance shall be a straight line from the closest point of the building at which the operations are located.

**§ 151.600 DEFINITIONS OF BASIC TERMS**

**INTERNET SWEEPSTAKES CAFÉ.** Any business enterprise, whether as a principal or an accessory use, where persons utilize electronic machines, including but not limited to computers and gaming terminals, to conduct games of chance, including sweepstakes, and where cash, merchandise or other items of value are redeemed or otherwise distributed, whether or not the value of such distribution is determined by electronic games played or by predetermined sweepstakes, electronic gaming operations or cyber cafés, who have a finite pool of winners. This does not include any lottery approved by the State of North Carolina.

Adopted by the Board of Commissioners for the County of Camden this 1<sup>st</sup> day of March, 2010.

County of Camden

\_\_\_\_\_  
Phillip S. Faison, Chairman  
Camden County Board of Commissioners

ATTEST:

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Ava Gurganus, NCCCC  
Clerk to the Board

(SEAL)

**Old Business - Tax Collection Report – January 2010**

Commissioner Michael McLain made a motion to approve the Tax Collection Report in the amount of \$459,484.66 for January 2010 as presented by the Tax Administrator. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

**Consent Agenda**

Commissioner Garry Meiggs made a motion to approve the consent agenda as presented. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

- **Consent Agenda**

February 15, 2010 Regular Meeting Minutes

Proclamation For National County Government Month

National County Government Month  
April 2010

“Healthy Counties”

**WHEREAS**, the nation’s 3,068 counties provide a variety of essential public services to communities serving 300 million Americans; and

**WHEREAS**, Camden County and all counties take seriously their responsibility to protect and enhance the health, welfare and safety of its residents in sensible and cost-effective ways; and

**WHEREAS**, county governments are integral to America’s healthcare system and are unique in their responsibility to both finance and deliver health services through public hospitals and clinics, local health departments, long-term care facilities, mental health services and substance abuse treatment, and coverage programs for the uninsured; and

**WHEREAS**, as employers, counties provide health insurance benefits to nearly three million county employees and their retirees nationwide; and

**WHEREAS**, the National Association of Counties is the only national organization that represents county governments in the United States; and

**WHEREAS**, since 1991 the National Association of Counties has encouraged counties across the country to actively promote county government programs and services to raise public awareness and understanding about the roles and responsibilities of the nation’s counties to meet the needs of the community; and

**WHEREAS**, the National Association of Counties and Camden County are working together to **Restore the Partnership** between all levels of government to better serve American communities;

**NOW, THEREFORE, BE IT RESOLVED THAT I**, Philip S. Faison, Chairman of the Board of Commissioners, do hereby proclaim April 2010 as National County Government Month and encourage all Camden County officials, employees, schools, and residents to participate in county government week activities.

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Philip S. Faison, Chairman  
Camden County Board of Commissioners

ATTEST:

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Ava Gurganus, NCCCC  
Clerk to the Board

(SEAL)

Budget Amendment 2009-10-BA034

2009-10-BA034

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, 2010.

Section 1. To amend the General Fund as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE

Expenses:

106120-503000 Salaries – Part-Time \$1,900.00

Revenues:

10390612-434883 Sponsorship Contributions \$1,900.00

This will result in an increase of \$0.00 in the Contingency of the General Fund.

Balance in Contingency \$371,463.00.

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 1<sup>st</sup> day of March, 2010.

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Clerk to Board of Commissioners

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Chairman, Board of Commissioners

Volunteer Form - William A. Rawls

- **End of Consent Agenda**

**Board Appointment - ABC Board**

Commissioner Sandy Duckwall made a motion to re-appoint Wayne Walston with a three (3) year staggered term expiring December 31, 2010; Glen Carey with a three (3) year staggered term expiring December 31, 2011; and Charles Walston with a three (3) year staggered term expiring December 31, 2012. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

**New Business - 2009 Advertisement of Tax Liens on Real Property**

Commissioner Michael McLain made a motion to accept the tax lien report up to February 22, 2010 as presented by the Tax Administrator, in the amount of unpaid taxes for the current fiscal year that are liens on real property in the amount of \$490,571.00 of which figure shall change over time with collections and releases. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Sandy Duckwall made a motion to set the advertising of the 2009 tax liens on real property for March 29, 2010. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

**New Business - Request for Declaration of Surplus Vehicles**

Commissioner Michael McLain made a motion to declare a 2005 Ford Crown Victoria, VIN2FAFP71W05X109381, and a 2000 Ford Mustang, VIN1FAFP4049YF254434 surplus. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Garry Meiggs made a motion to place the 2005 Ford Crown Victoria, VIN2FAFP71W05X109381, and the 2000 Ford Mustang, VIN1FAFP4049YF254434 for sale on GovDeals and the bid results will be on the March 15 Commissioner's agenda. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs,

Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

**New Business - Request for Additional Funds – Replacement of Sheriff's Office Patrol Vehicle**

Commissioner Michael McLain made a motion to approve moving of funds within the Sheriff's budget from Animal Control to Capital Expenditures for \$11,200.00 to replace a wrecked patrol vehicle. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

**New Business - Withdrawal of AMHC Services**

County Manager Randell Woodruff reviewed the following process:

1. February 1, 2010 - Presentation and discussion with Roy Wilson, East Carolina Behavioral Health (ECBH)
2. March 1, 2010 – Staff report back to Board on funding, services and county representation on ECBH Board and withdraw from AMHC Services
3. April 5, 2010 – Set Public Hearing on proposal to withdraw from Albemarle Mental Health Center Services and join East Carolina Behavioral Health pursuant to G.S. 122-C-115.3(c)
4. April 19, 2010 – Hold Public Hearing to receive comments from the public. After Public Hearing, formal vote on withdrawal. Write letter to Secretary of Health and Human Services asking for permission to withdraw from AMHC and explain how Camden will demonstrate continuity of services by joining with ECBH.
5. July 1, 2010 – Process becomes final.

Commissioner Michael McLain made a motion to withdraw from Albemarle Mental Health Services contingent upon no financial liability to Camden County. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

**Commissioner's Report**

Commissioner Sandy Duckwall inquired as to the status of videotaping upcoming FY2010-2011 budget work sessions.

Jesse Stallings stated that the agreement with Practical Computing is based on two (2) meetings a month and the agreement would be extended to include twenty four (24) meetings a year if the Board could choose to include a budget work session within the twenty four (24) meetings.

Commissioner Garry Meiggs made a motion for the 2010-2011 budget work session to be video taped for the public. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Mr. Stallings will provide a quote for the Board's consideration for off site video taping of the retreat

Commissioner Garry Meiggs was asked to share that the Museum of the Albemarle invites the citizens to a free family program, "*Camden County, Now and Then*", on Sunday, April 25, 2010 from 2:00 p.m. to 5:00 p.m.

Commissioner Michael McLain stated he went to East Carolina on Saturday, February 27, 2010 to be a judge in the North Carolina Teaching Fellows.

**County Manager's Report**

County Manager Randell Woodruff reported the following:

- Prior to March 15, 2010 regular meeting, the Commissioners will meet jointly with the Camden County Board of Education at 5:00 p.m. to discuss NCDOT right of way property
- March 3, 2010 Leadership North Carolina Reception held at Arts of the Albemarle
- March 22, 2010 Sheriff's Awards Banquet at Old Trap Community Center at 7:00 p.m.
- Approached by North Carolina Potato Festival to be a sponsor
- The Micro Electronic Center of North Carolina has joined Kenan Institute seeking stimulus monies for the North Carolina Broadband Initiative
- Presented packet for Retreat for review

**SOUTH CAMDEN WATER & SEWER DISTRICT**

A South Camden Water and Sewer District Board of Directors meeting was held directly after adjournment at 7:42 p.m.

**Adjourn**

Commissioner Michael McLain made a motion to adjourn the meeting. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The meeting adjourned at 7:42 p.m.

ATTEST:

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Philip S. Faison, Chairman  
Camden County Board of Commissioners

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Ava J. Gurganus, NCCCC  
Clerk to the Board