

Camden County Board of Commissioners

October 5, 2009

Closed Session – 6:00 P.M.

Regular Meeting - 7:00 P.M.

Historic Courtroom, Courthouse Complex

Camden, North Carolina

MINUTES

The regular meeting of the Camden County Board of Commissioners was held on Monday, October 5, 2009 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 S. Faison

Vice Chairman Melvin J. Jeralds

Commissioners Sandy Duckwall, Garry Meiggs and Michael McLain

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

6:00 P.M. – 7:00 P.M. 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 the County Attorney to discuss 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 6:01 p.m.

The Board came out of closed session at 6:48 p.m. and recessed until 7:00 p.m.

Invocation and Pledge of Allegiance

Chairman Philip Faison gave the invocation and led those present in the Pledge of Allegiance.

Chairman Philip Faison read a thank you note from the family of the late Ruth Jones Eason.

PRESENTATION:

Recreation Director Tim White presented Commissioner Michael McLain with a plaque for his participation, completion and inspiration in the forty (40) mile bike ride held on September 26, 2009.

PRESENTATION: Ginger Parrish, Director, Albemarle Home Care and Hospice

Mrs. Parrish reported the following:

- Albemarle Home Care is part of Albemarle Regional Health Services;
- Started in 1968;
- Four (4) programs with one hundred (100) employees, full and part time;
- Have a nursing staff and therapist;
- Home Health Care: provides short term services in patients homes; must require some sort of therapy and be home bound for Medicare to pay for the service; works with agencies to provide medical equipment; Medicaid, Medicare and most insurances pay for Home Health Care services;
- Hospice: For people with a terminal illness, which has been certified by a doctor in writing the patient has less than six (6) months to live; provides nursing care, social worker, Chaplin, volunteers, home health aides; goal is to help the family and the patient through the end of life and make sure there is as much quality of

life for the patient, control the pain, make sure the family knows what to expect and to help with any funeral arrangements;

- Adult Day Care – Day Break: thirty (30) adult participants each day. Medicare does not pay for Adult Day Care; Most clients privately pay \$45.00 per day; open 7:30 a.m. to 5:30 p.m.
- CAPS: Long term program until passing or going into nursing home paid by Medicaid; must be nursing home level of care;
- Serves six (6) counties, five (5) offices;
- Twenty five (25) Home Health Care patients in Camden County and Hospice patients vary.

Public Comments

Chairman Philip Faison called for any comments from the public.

Camden County Ranger Steve Sutton submitted the North Carolina Division of Forest Resources Annual Report. Mr. Sutton explained the programs: fire control, forest management, water quality protection, information and education and urban assistance and pest control. The Forest Service responds to natural disasters and works closely with other cooperative agencies in all counties.

Joy Greenwood, Dismal Swamp State Park, commended Commissioner Michael McLain on his spirit during the bike ride and stated that Parks and Recreation Director Tim White did a great job and looks forward to working with Camden County Parks and Recreation in the future.

Consideration of Agenda

Chairman Philip Faison called for any additions or deletions to the agenda.

Hearing no additions or deletions, Chairman Philip Faison continued with the meeting.

Consent Agenda

Commissioner Michael McLain 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**

September 21, 2009 Joint Meeting with 21st Century Committee subject to correction of typographical and technical errors.

September 21, 2009 Regular Meeting subject to correction of typographical and technical errors.

Volunteer Form – Daniel Gray

Tax Releases, Pick Up and Refunds

<u>Name</u>	<u>Amount</u>	<u>Type</u>	<u>Reason</u>	<u>No.</u>
Alfred Ferebee	\$ 186.98	Release	Sr. Exempt	11498
	\$ 373.95	Pick Up	+\$ 186.97 Adjustment	
Melvin Albertson, Jr.	\$ 402.47	Release	Portion not Farmed	11505
	\$ 297.10	Pick Up	-\$ 105.37 Adjustment	
Adam Jones	\$ 228.77	Pick Up	Late Listing	11496
	\$ 228.77	Adjustment		
Charles Blogg	\$ 109.29	Pick Up	Late Listing	11499

	\$	109.29	Adjustment		
Brian Foster	\$	127.94	Pick Up	Late Listing	11501
	+\$	127.94	Adjustment		
Hi-Tech Welding	+\$	842.16	Pick Up	Equip Info Update	11515
	\$	842.16	Adjustment		

Budget Amendments 2009-10-BA009, 2009-10-BA010, 2009-10-BA011, and 2009-10-BA012

**2009-10-BA009
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 CH & S Fire Commission Fund as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
Expenses:			
405300-564108	Grant Purchases	\$21,072.00	
405300-574400	Grant Purchases		\$21,072.00

Items under \$3,000.00 could not be capital Outlay

This will result in a decrease of \$0.00 in the Contingency of the General Fund.

Balance in Contingency \$395,296.00.

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 October, 2009.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

**2009-10-BA010
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:			
106210-501000	Board Member Salaries	\$1,000.00	
106210-505000	FICA	\$ 77.00	
109990-500000	Contingency		\$1,077.00

This will result in a decrease of \$1077.00 in the Contingency of the General Fund.

Balance in Contingency \$394,219.00.

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 October, 2009.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

2009-10-BA011
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:			
109990-500000	Contingency		\$15,824.00
Revenues:			
10330400-434100	Beer & Wine Distribution		\$15,824.00

This will result in a decrease of \$15,824.00 in the Contingency of the General Fund.

Balance in Contingency \$378,395.00.

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 October, 2009.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

2009-10-BA012
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:

AMOUNT	
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ACCT NUMBER	DESCRIPTION OF ACCT	INCREASE	DECREASE
Expenses:			
106200-502000	Program Salary		\$ 201.00
106200-503000	Part-Time Salary		\$ 115.00
106200-505000	FICA		\$ 24.00
106200-507100	401K		\$ 10.00
106200-507000	Retirement	\$825.00	
106200-509000	Worker's Comp		\$ 10.00
106200-522000	Food		\$ 700.00
106200-510000	Training		\$ 250.00
106200-531000	Gas & Oil		\$ 377.00
106200-532000	Office Supplies		\$ 300.00
106200-545100	Audit	\$100.00	
106200-514000	Travel		\$ 660.00
106200-511000	Telephone & Postage		\$ 100.00
106200-570002	Crown Kids		\$ 416.00
106200-554000	Insurance	\$650.00	
106200-567000	Camp		\$1,100.00
109990-500000	Contingency		\$ 44.00

Revenues:

10330620-434801	JCPC Grant		\$2,732.00
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This will result in a decrease of \$44.00 in the Contingency of the General Fund.

Balance in Contingency \$378,351.00.

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 October, 2009.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

- End of Consent Agenda

Public Hearing - Ordinance No. 2009-10-01 – An Ordinance Amending the Camden County Code of Ordinances – Chapter 153 – Adequate Public Facilities – Transferring Appeal Hearing Authority from the Board of Commissioners to the Board of Adjustment

Commissioner Garry Meiggs made a motion to go into public hearing to receive comments from the public regarding Ordinance No. 2009-10-01. 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.

This matter was set for public hearing at the September 21, 2009 Commissioners meeting and advertised in the Daily Advance.

At the request of the County Manager the amendment to the Adequate Public Facilities Ordinance was drafted. The amendment transfers responsibility for hearing appeals from the Board of Commissioners to the Board of Adjustment.

In order to assure compliance with legal requirements, the draft has been provided to the County Attorney for review and consideration of the following issues:

- 1) Does the text amendment require public hearing and advertising?

Staff's opinion is that the ordinance does cite some General Statute language from the zoning and subdivision authorities, and the legislative nature of a text amendment indicates input from the public is allowed.

- 2) Does the amendment require review and recommendation from the Planning Board per GS 153a-344?
- 3) Is the APFO a land use issue within the authority of the Board of Adjustment as outlined in GS 153a-340 & 345?
- 4) Do the authorities granted in GS 153a-345 to grant variances extend to the APFO, or does Camden's Ordinance limit the authority to appeals of the determination of adequacy?

Staff's opinion is that Camden's ordinance permits appeals of the administrator's interpretation and application of the ordinance, but no variance from the requirements of the ordinance.

- 5) Does the appeal require advertising of the appeal hearing, or notice to surrounding property owners per Camden Code 151.550?
- 6) Does the \$150 Fee for appeals apply to APFO appeals?

Chairman Philip Faison called for any comments.

Hearing no comments, Commissioner Sandy Duckwall made a motion to come out of public hearing. 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.

Board Appointment - Senior Citizen Advisory Board

Commissioner Michael McLain made a motion to appoint Edith Poole Jennings and Dorothy Drake to the Senior Citizens Advisory Board. 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 - Camden County Senior Services Advisory Board By-Laws

County Manager Randell Woodruff recommended appointing a Commissioner and the Director of Social Services to serve on the Camden County Senior Services Advisory Board (formerly known as Senior Citizen Advisory Board) in order to give the Advisory Board more support and authority to function by having a Commissioner actively involved in the Advisory Board. The members would receive a monthly stipend for attending meetings.

Commissioner Michael McLain made a motion to approve the Camden County Senior Services Advisory Board By-Laws as written. 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.

Chairman Philip Faison appointed Commissioner Sandy Duckwall to the Camden County Senior Services Advisory Board. 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.

**Camden County Senior Services Department
Advisory Board By-Laws**

ARTICLE I

Name

The name of this organization shall be the Camden County Senior Services Department Advisory Board. It is established to provide oversight and support for all Senior programming in the Department.

ARTICLE II

Purpose & Objectives

The Senior Citizens Advisory Board shall be responsible for the following duties:

1. Serve as the liaison between the older citizens of Camden County and the County government.
2. Suggest policy and make recommendations to the Board of County Commissioners on special needs registry of the elderly.
3. Work to stimulate and promote needed services and programs for older persons.
4. Review and make recommendations concerning service proposals and funding of services that have an impact on older persons.
5. Consult with and assist the Senior Center Coordinator and the County Manager in the preparation of the department budget.
6. Review the proposed budget with the Senior Center Director and the County Manager prior to the time the Department Budget is submitted to the County Manager.
7. Perform other functions and duties as may from time to time be requested by the County Manager or the Board of Commissioners.

ARTICLE III

Membership

1. The Senior Citizens Advisory Board shall be composed of up to seven (7) members who are residents of Camden County to include the Director of Social Services or a designee and a County Commissioner. The County Commissioner appointee shall be appointed annually by the Chairman of the Board of Commissioners. The Board shall include at least three (3) members who are 55 years of age.
2. As the Board is being reorganized the first three new appointees will serve a three year term and the remainder of appointees will serve a two year term so that the terms will be staggered. Thereafter all appointees shall serve for a two year term. Member may not serve for more than three consecutive two year terms.
3. All vacancies in the Senior Citizens Advisory Board shall be filled by appointment by the Board of County Commissioners within 60 days and the person appointed shall serve for the unexpired portion of the term.
4. Any member of the Board who misses more than three meetings in any twelve month period shall lose their status as a member of the Board and shall be replaced by the Board of County Commissioners. Absences due to sickness, death of an immediate family member, or an emergency situation shall be considered approved absences, and shall not affect the member's status.
5. The roster of board members shall always be available to the public and published on the County website.
6. Officers may be elected to succeed themselves, but may not exceed two consecutive terms in any position.
7. An orientation shall be held for all new members appointed to the Board.

ARTICLE IV

Meetings

1. Regular meetings of the Camden Senior Center Advisory Board shall be held monthly or at least every other month or as otherwise directed by chair. The meetings will be held at 5:00 pm at the Senior Center.

2. A majority of the Board shall constitute a Quorum for the transaction of business for any meeting of the Board.
3. The meetings shall be subject to the open meetings law and advertised to encourage public participation.

ARTICLE V

Duties & Responsibilities

1. The principle officers of the Board shall be a Chairperson, Vice-Chairperson, and a Secretary.
2. The Chairperson and Vice-Chairperson shall be elected by the Board for a term of one year at its annual meeting in January of each calendar year.
3. Any vacancy in office elected by the Board may be filled by the Board for the unexpired portion of the term.
4. The Chairperson shall preside at all meetings on the Board and shall represent the Board in approved activities on its behalf.
5. The Vice Chair shall preside in the event the Chair is not available.
6. The Secretary shall:
 - a. Record and keep a file of the minutes of the meeting of the board.
 - b. In general, perform all duties incident to the office of Secretary.

ARTICLE VI

Compensation

With the exception of the County Commissioner member and the DSS Director all citizen Board members shall receive a \$30 stipend for each regular monthly Board meeting attended in service to the organization.

ARTICLE VII

Department Budget

The Board shall have the opportunity to review and make recommendations to the department budget annually at their monthly meeting prior to submission to the County Manager or the Board of Commissioners.

ARTICLE VIII

These by-laws may be amended by resolution of the Camden County Board of Commissioners. The Board of Commissioners may at the request of the Senior Services Board make such amendment.

ARTICLE IX

This resolution shall become effective October 5, 2009.

Adopted the 5th day of October, 2009 by the Camden County Board of Commissioners in Camden, North Carolina.

ATTEST:

Ava Gurganus
Clerk to the Board

Philip S. Faison, Chairman
Camden County Board of Commissioners
Camden County, North Carolina

Tax Releases, Pick Ups and Refunds

This matter was laid over until October 19, 2009 and Chairman Philip Faison asked the County Manager to have the Tax Administrator attend the meeting on October 19, 2009.

Budget Amendment 2009-10-BA013 and Transfer of Unused NCDOT Rural Operating Assistance Program Funds for FY09

Camden County did not use \$62,659.86 of NCDOT ROAP funds allocated for FY09 and approval is requested to transfer these unused funds to Pasquotank County as Pasquotank County did not receive enough funds to cover their expenses. If the funds are not transferred, they will have to be sent back to NCDOT.

Additionally, Camden Social Services received NCDOT EMP funding and was not able to use \$1,317.81 for which Budget Amendment 2009-10-BA013 allows the funds to be sent for the use of Pasquotank County.

Commissioner Jeralds made a motion to approve the transfer of the unused FY09 Rural Operating Assistance Funds to Pasquotank 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.

**2009-10-BA013
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 Social Services Fund as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
Expenses:			
526100-557000	Misc FY09 Supp EMP	\$1,317.81	
Revenues:			
52390610-439900	Fund Balance Appropriated	\$1,317.81	

This will result in a decrease of \$0.00 in the Contingency of the General Fund.

Balance in Contingency \$378,351.00.

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 October, 2009.

Clerk to Board of Commissioners Chairman, Board of Commissioners

July 1, 2009 Quarterly Fiscal Monitoring Report for Albemarle Mental Health Center

Chairman Philip Faison ask the Clerk to note the July 1, 2009 Quarterly Fiscal Monitoring Report from Albemarle Mental Health Center in the minutes.

SOUTH CAMDEN WATER & SEWER DISTRICT BOARD OF DIRECTORS

Member Michael McLain made a motion to go into South Camden Water and Sewer District Board of Directors meeting at 7:40 p.m. The motion passed with Members Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Member voting no; no Member absent; and no Member not voting.

Chairman Philip Faison called the meeting to order.

Adjournment

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

The South Camden Water and Sewer District meeting adjourned at 8:09 p.m.

Commissioner's Report

Commissioner Michael McLain reported that Senator Burr replied to his email regarding broadband stimulus money and that no one wants the money because the broadband has to operate like a public utility.

County Manager's Report

County Manager Randell Woodruff reported the following:

- Requested that the employee's pay during the holidays be made early.
- Received notification that the county is eligible for Recovery Bonds
- Joint meeting with Board of Education at 5:00 p.m. on October 19, 2009
- Emailed a letter from Gates County OLF Citizens Group and Tom West recommended not to pursue the letter by confusing the issue.

Adjournment

Chairman Philip Faison adjourned the meeting at 8:15 p.m.

ATTEST:

Philip S. Faison, Chairman
Camden County Board of Commissioners

Ava J. Gurganus, Clerk to the Board