

Camden County Board of Commissioners

**Closed Session – 6:00 P.M.
Regular Meeting – 7:00 P.M.
July 6, 2009
Historic Courtroom, Courthouse Complex
Camden, North Carolina**

MINUTES

The regular meeting of the Camden County Board of Commissioners was held on Monday, July 6, 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 and County Attorney John Morrison.

Chairman Philip Faison called the meeting to order at 6:00 p.m.

Closed Session

Commissioner Mike McLain made a motion to go into closed session pursuant to G.S. 143-318.11(a)(6) for the purpose of discussing personnel. 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 Commissioners entered closed session at 6:01 p.m.

Commissioner Michael McLain 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 Commissioners re-entered regular session at 6:58 p.m.

Invocation and 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.

Reed Adams, 114 Pine Street, spoke regarding the proposed Green Park and renting space to Elizabeth City State University.

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.

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.

June 15, 2009 Regular Meeting Minutes, June 22, 2009 Joint Meeting with Board of Education, and June 22, 2009 Special Budget Work Session subject to correction of typographical and technical errors.

Set Public Hearing – Special Use Permit – UDO 2009-05-19 for Phase II & III of Camden Yard Materials for July 20, 2009

Set Public Hearing for Ordinance No. 2009-07-01 – Rezoning Application – UDO 2009-05-21 – South Mills Landing for July 20, 2009

Set Public Hearing – Ordinance No. 2009-07-02 – Amendment to Chapter 151 of the UDO of the Camden County Code of Ordinances for July 20, 2009

Set Public Hearing – FY2010 Rural Operating Assistance Program (ROAP) for July 20, 2009

Set Public Hearing – Infrastructure Hook Up for July 20, 2009

Old Business - Set Tax Rate

Commissioner Melvin Jeralds made a motion to set the tax rate for FY2009 at County .59; Fire .01; and Joyce Creek Watershed Improvement Tax .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.

Public Hearings - Capital Improvement Plan FY2010-2014

Commissioner Michael McLain made a motion to go into public hearing to receive comments from the public regarding the FY2010-2014 Capital Improvement Plan. 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.

County Manager Randell Woodruff reviewed the FY2010 – 2014 Capital Improvement Plan.

Commissioner Michael McLain stated that the County Manager needed to add the grants for both fire stations.

Hearing no comments from the public, Commissioner Michael McLain made a motion to go 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.

Amendment to Agenda

Chairman Philip Faison amended the agenda to add *Item 6. New Business I. Consideration of FY2010 – 2014 Capital Improvement Plan.*

Commissioner Melvin Jeralds made a motion to approve the agenda as amended. 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 - Tax Release Request – Tax Administrator

This matter was laid over until the July 20, 2009 meeting.

New Business - Tax Refund Request – Flagstar

This matter was laid over until the July 20, 2009 meeting.

New Business - Fit Together Equipment Grant

The Blue Cross Blue Shield of North Carolina Foundation is offering Camden County a grant of \$5,000 with no matching requirement, for the purpose of purchasing equipment that will continue the success of improving the health of North Carolinians.

Commissioner Duckwall made a motion to approve grant agreement and authorize the Chairman and County Manager to sign related documents. 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 - Green Park Advisory Board

Following discussion, Commissioner Garry Meiggs made a motion to set an advisory board for the Green Park Economic Development project consisting of nine (9) total members, with the specific designation of the Chairman of the Board of Commissioners and County Manager; the remaining seven (7) members would be from the medical profession, education representative, planning or engineering profession, banking profession, UNC System or other professional representatives. 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 establish an advisory board to oversee the Green Park Economic Development Project and to define and set forth in writing its composition, mission or purpose and roles, responsibilities and authorities. 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 - Ordinance No. 2009-07-03 – Amendment to Chapter 93 – Animals – of the Camden County Code of Ordinances

Commissioner Michael McLain asked that *as listed in the Camden County Fee Schedule* be added to the ordinance.

Commissioner Michael McLain made a motion to approve Ordinance No. 2009-07-03 with amendments. 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.

Approved Ordinance No. 2009-07-03 reads as follows:

Ordinance No. 2009-07-03

**A 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 93 of the Camden County Code of Ordinances of Camden County, North Carolina, which was originally adopted by the County Commissioners on June 4, 2001, 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 93 as amended of the Camden County Code which shall read as follows:

CHAPTER 93: ANIMALS

Section

- 93.01 Duties of animal control officer
- 93.02 Definitions
- 93.03 Keeping found animals
- 93.04 Animals requiring special tags
- 93.05 Rabies vaccination and control
- 93.06 Vicious animals
- 93.07 Animals as public nuisances
- 93.08 Injuring animals; notice required
- 93.09 Impounding animals; redemption material
- 93.10 Abandonment of animals
- 93.11 Exemptions
- 93.12 Licensing of cats and dogs; ~~tax~~ fee

§ 93.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ANIMAL CONTROL OFFICER. ~~The County Manager, the Sheriff of Camden County, the Sheriff of Pasquotank County, and any deputy or employee of the Sheriffs of Camden County or Pasquotank County or any other person or persons to whom the County Manager shall have delegated in writing this function.~~

§ 93.12 LICENSING OF CATS AND DOGS; ~~TAX~~ FEE

(A) (1) There is hereby imposed on a person owning or keeping up to two dogs or four cats an annual license ~~tax fee of \$5 as listed in the Camden County Fee Schedule,~~ on each dog or cat six months of age or older for the privilege of keeping a dog or cat within the county.

(2) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

KENNEL. Any premises wherein a person owns, boards or keeps three or more dogs or five or more cats.

PERSON. Associations, firms, partnerships and bodies politic and corporate, as well as to individuals.

(3) There is hereby imposed on a person owning or keeping a kennel an annual license ~~tax fee as listed in the Camden County Fee Schedule,~~ on the kennel ~~of \$20~~ for the privilege of keeping a kennel within the county.

(B) (1) Every person owning or keeping up to two dogs or four cats shall apply to the ~~County Tax Collector~~ Sheriff of Camden County for a license for the privilege of keeping a dog or cat six months of age or older within the county or within 30 days after the dog or cat is first kept within the county, whichever comes first. The applicant shall be required to give the name and street address of the person owning or keeping the dog or cat and the name, breed or description, color, age and sex of the dog or cat. The applicant for a license shall be made in writing by the applicant at the ~~County Tax Office~~ Sheriff's Office.

(2) Every person owning or keeping a kennel, as defined by this section, shall apply annually on or before December 31 to the ~~County Tax Collector~~ Sheriff's Office for a license for the privilege of keeping a kennel within the county or within 30 days after a kennel is first kept within the county and the applicant shall be required to give the name and street address of the person owning or keeping the kennel. The application for the license shall be made in writing by the applicant at the ~~County Tax Office~~ Sheriff's Office.

(C) The license ~~tax~~ fee shall be paid at the same time as the application for license is made and the license ~~tax~~ fee receipt shall constitute the license.

(D) (1) All dogs and cats kept within the county and on which a license ~~tax~~ fee is due pursuant hereto shall display a permanent license tag on the dog or cat. The license tag shall be obtained from the

~~County Tax Office~~ *Sheriff's Office* and the license tag shall continue to be used from year to year. Lost or worn license tags shall be replaced by the owner or person keeping a dog or cat by applying for a license and paying the license ~~tax~~ fee as provided by this section.

(2) The owner or keeper of dogs or cats owned, boarded or kept within a kennel and which dogs or cats are not licensed and displaying a permanent license tag, as provided by this section, shall cause the dogs or cats to either:

(a) Display a permanent license tag on which shall appear the number assigned the kennel at the time payment of the license ~~tax~~ fee is made; or

(b) Display on a collar worn by the dog or cat the name and phone number of the current owner.

~~(3) The Tax Collector may authorize in writing another person to issue dog or cat licenses and shall require that person to no less than quarterly submit the license application information and taxes required under the section to the Tax Collector. The delegation of authority may be revoked, in writing, by the Tax Collector at any time with or without cause.~~

(E) The amount of any license ~~tax~~ *fee* imposed by this section shall be deemed a debt to the county. Any person owning, having or keeping any dog or cat in the county on or after November 1, 2001, without having obtained a license so to do shall be liable to an action in the name of the county in any court of competent jurisdiction for the amount of any license ~~tax~~ *fee* imposed by and required by this section to be paid for the privilege of keeping and having a dog or cat. The ~~County Manager~~ *Sheriff* or any animal control officer is authorized to cause a complaint to be filed against any person violating any of the provisions of this section and to cause an action to be brought against any person failing to pay any license ~~tax~~ *fee* required by the provisions of this section for the recovery of the license ~~tax~~ *fee*. The action shall be cumulative and shall not be deemed as a bar or waiver of the right to institute any other civil or criminal proceeding for a violation of this section.

Adopted by the Board of Commissioners for the County of Camden this 6th day of July, 2009.

County of Camden

Philip S. Faison, Chairman
Board of Commissioners

ATTEST:

(SEAL)

Ava Gurganus
Clerk to the Board

New Business - Camden County Board of Education Budget Amendments – Local Current Expense Fund & Capital Outlay

The matter was laid over for further review.

New Business - Fee Schedule

Commissioner Sandy Duckwall made a motion to approve the fee schedule with the addition of *Licensing of Cats and Dogs Fee* of \$5.00 per animal, \$20.00 per kennel. 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 - Board Appointment - Child Fatality Prevention Team

Commissioner Michael McLain made a motion to appoint Walter Meads to the Child Fatality Prevention Team to serve at the pleasure of the 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 - Board Appointment - Criminal Justice Partnership Offender Referral Services

Commissioner Michael McLain made a motion to appoint Pastor Karl Bowden for a term of two (2) years, commencing July 1, 2009 and expiring June 30, 2011, to the Criminal Justice Partnership Offender Referral Services. 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 - Consideration of FY2010-2014 Capital Improvement Plan

Commissioner Melvin Jeralds stated that no monies had been set aside for the clearing of the Noblitt property.

County Manager Randell Woodruff stated the clearing would be budgeted without being included in the Capital Improvement Plan.

Commissioner Melvin Jeralds referred to the item for a new administration building and stated that there is stimulus money for a multi-purpose building and asked the County Manager to investigate to see if there was any stimulus money available for building a multi-purpose building which would be more beneficial to the County.

Commissioner Michael McLain asked that the two (2) grants for the Fire Stations be added to the Capital Improvement Plan.

Commissioner Michael McLain made a motion to approve the Capital Improvement Plan with changes as discussed. 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.

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 8:03 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.

Member Garry Meiggs made a motion to adjourn. 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 meeting adjourned at 8:21 p.m.

Commissioner's Report

Commissioner Michael McLain reported on meeting in Edenton with Richard Burr and discussed the Broadband money available.

County Manager's Report

County Manager Randell Woodruff reported on the following:

- Friday, July 10, 2009 Edenton Steamers game for Camden night.
- Working a scheduling visit in D.C. with Senators Hagen and Burr and possibly Congressmen Jones and Butterfield to discuss the OLF on July 15, 16 or 17, 2009.
- Reminder: NCACC Conference needs to be reserved.
- Meeting with Rural Center on July 7, 2009.
- Spoke with Representative Bill Owens and Senator Basnight' office regarding the stimulus money requested for the R/O water plant expansion.
- At next meeting a presentation from School Superintendent Ron Melchiorre regarding stimulus money for new bonds issued by Federal Government to support education capital building.
- One Commissioners meeting in August due to the Commissioners conference.
- Reviewed land transfer report.

Adjournment

Commissioner Melvin Jeralds 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 8:29 p.m.

Philip S. Faison, Chairman
Camden County Board of Education

ATTEST:

Ava J. Gurganus
Clerk to the Board