

Camden County Board of Commissioners

September 8, 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 Tuesday, September 8, 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.

6:00 P.M. – 7:00 P.M. Closed Session

Commissioner Michael McLain 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 potential litigation and 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 6:00 p.m.

Commissioner Michael McLain made a motion to come out of closed session meeting and back into regular meeting at 6:34 p.m. 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 stated no action was taken during closed session.

Commissioner Duckwall made a motion to recess the meeting at 6:34 p.m. until 7:00 p.m. 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.

Invocation and Pledge of Allegiance

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

PRESENTATION - LaDonna Meadors, Director of Operations – Camden Food Pantry

Mrs. Meadors stated that the Camden Food Pantry is:

- Located in the Camden Methodist Church;
- Open every other Tuesday between 9:30 a.m. – 11:00 a.m.;
- Will make alternate arrangements for extenuating circumstances;
- Receives food under state and federal programs as well as donations from local businesses, churches, individuals and food drives;

- Works closely with Food Bank of the Albemarle in Elizabeth City, who provides training for volunteers as well overseeing compliance with all state and federal regulations;
- Currently serving between 75-100 families in Camden County;
- Larger portion of clients are senior citizens;
- Gives out clothing, including children's coats and school supplies;
- Future plans include: Disaster Buckets for families that lose their homes to fire or storms; planning a traditional Thanksgiving and Christmas Dinner cooked for Food Pantry clients at the Methodist Church;
- Asked the Board to help get the word out that the Food Pantry will help those who need help;
- New program called *Food Pantry Partners*. Individuals or groups can sponsor the food pantry with annual, monthly or weekly gifts or volunteers.

PRESENTATION - School Superintendent Ron Melchiorre - Qualified School Bond

School Superintendent Ron Melchiorre spoke regarding:

- **Qualified School Construction Bonds (QSCB)**
The QSCB was established as a part of the American Recovery and Reinvestment Act of 2009; bond proceeds must be used for construction, including new construction, rehabilitation, or repair of a public school; or for land acquisition for such a facility. The QSCB offers tax credits, at a level set by the Treasury Department that is intended to allow the issuance of bonds without interest, to holders of the bonds. The Commissioners approved that the Board of Education could make an application for July 31, 2009 for the first set of monies in the amount of \$1.2m. QSCB may be issued by local governments, which will then be responsible for paying the principal amount. Proceeds may be held in an interest bearing sinking fund account. Notification has been received that the first set of monies has been received. Approval was requested to apply for additional \$1.1m monies because of \$87m of bond monies given to the state and the LEA did not use all money, leaving additional money that the Board of Education could apply for. The total amount applied for is \$2,368,363.50. Mr. Melchiorre explained the expenses to address the US158 Expansion impact regarding cost to relocate parking areas, bus loop, and entrance to the school and presented a conceptual site and floor plan for Camden High School and CAMTECH. Mr. Melchiorre stated that local officials will be responsible for determining whether the purposes for which QSCB's are issued conform to state law regarding indebtedness; working with financial institutions to issue the QSCB's; payment of the principal, upon maturity; reporting requires; and, following all state statutes involving bidding bonds, including but not limited to G.S. 143-134.1 which refers to retainage fees. It will be the responsibility of the governmental entity that issues the bonds to certify to prospective purchaser's that it has met all requirements under the program. Mr. Melchiorre asked the Board to think about the conceptual drawings and asked that the Board move forward with the bonds.
- **Soccer Field and Track:**
Mr. Melchiorre reviewed the track and field events combination drawing.
- **Other issues:** The Board of Education would like to work with the Commissioners regarding holding track meets; shot put circle, bathrooms, changing facilities and track surface and has applied for a grant for the rubber surfacing for running and did not receive.

Public Comments

Bill Wilkins, South Mills, addressed Ordinance No. 2009-07-03 regarding assessing a one time fee for animals.

Consideration of Agenda

Chairman Philip Faison moved *Item 6. New Business, D. Budget Amendment 2009-10-BA007* to *Item 6. New Business, M* and removed *Item 6. New Business, I. Mobile Home Value Appeal*.

Commissioner McLain 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.

Consent Agenda

Commissioner Melvin Jeralds asked that *Item 3. Consent Agenda, A., D., G. No. 11356, and J.* be removed from the Consent Agenda for discussion.

Commissioner Melvin Jeralds made a motion to approve the consent agenda with changes. 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**

Draft Minutes – July 27, 2009 CAPS Special Meeting subject to correction of typographical and technical errors.

Draft Minutes - August 3, 2009 – Regular Meeting subject to correction of typographical and technical errors.

Set Public Hearing – Ordinance No. 2009-09-03 – Amendment to Chapter 151 of the UDO of the Camden County Code of Ordinances for September 21, 2009.

Set Public Hearing – South Mills Fire Commission - Building of New Fire Station on Keeter Barn Road with Stimulus Money or to Obtain a Loan for September 21, 2009.

Volunteer Forms – Rhonda Sommer and Patricia Delano

Tax Collection Report – July 2009 in the amount of \$214,142.88.

Tax Releases, Pick Up and Refunds

<u>Name</u>	<u>Amount</u>	<u>Type</u>	<u>Reason</u>	<u>No.</u>
Hilary Leary	\$ 2,541.30	Pick Up	Roll Back	11285
Paula Moore	\$ 217.00	Release	Recombination	11376
Rodriquiz Alexander	\$ 103.86	Release	Military Exempt	11230
Cecelia Jones	\$ 174.72	Release	Military Exempt	11333
Jennifer Conrad	\$ 141.98	Release	Military Exempt	11334
Roberts Brothers	\$ 126.60	Release	Wrong County	11324
George Rowland	\$ 111.51	Release	Coded Wrong	11297
	\$ 196.56	Pick Up		
Jeffrey Freeman	\$ 2,029.99	Release	Sq. Ft. Incorrect	11339
	\$ 1,785.08	Pick Up	-\$ 244.91 Adjustment	
Roger Gallant	\$ 269.34	Release	Incorrect Value	11329
	\$ 460.51	Pick Up	\$ 191.17 Adjustment	
Alltel Communications	-\$ 977.41	Release	Equip Cost Correction	11393
	\$ 1,341.57	Pick Up	\$ 364.16 Adjustment	
Philip Sanderlin	\$ 963.37	Release	Sr. Exempt not applied	11385
	\$ 490.69	Pick Up	-\$ 472.68 Adjustment	
Kevin Old	-\$ 3,825.39	Release	Equip Listing Corrected	11353
	\$ 1,751.90	Pick Up	-\$ 2,073.49 Adjustment	
Jeffrey Freeman	\$ 2,029.99	Release	Sq. Ft. Incorrect	11384
	\$ 1,785.08	Pick Up	-\$ 244.91 Adjustment	
Jeffrey Freeman	\$ 2,2029.99	Release	Sq. Ft. Incorrect	11383
	\$ 1,785.08	Pick Up	-\$ 244.91 Adjustment	
Wanda Wells	\$ 1,387.74	Release	House 50% Complete	11375

	\$ 869.87	Pick Up	-\$ 517.87	Adjustment	
Airgate PCS, Inc	\$ 654.66	Release	Correct Equip List		11354
	\$ 100.76	Pick Up	-\$ 553.90	Adjustment	

Authorization to Collect

STATE OF NORTH CAROLINA

COUNTY OF CAMDEN

TO: The Tax Administrator of Camden County (May Ren.) Due 9/01/09

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the office of the Tax Administrator and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon personal property of the respective taxpayers in the County of Camden, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell personal property of such taxpayers for and on account thereof, in accordance with the law.

SOUTH MILLS	COURTHOUSE	SHILOH	TOTAL
16,184.53	17,054.99	10,816.23	44,055.75

Witness my hand and official seal this 8th day of September, 2009.

Chairman, Camden County Board of Commissioners

Attest:

Clerk to the Board of Commissioners of Camden County

This is to certify that I have received the tax receipts and duplicates for collection in the amounts as listed herein.

Tax Administrator of Camden County

Budget Amendments 2009-10-BA001, 2009-10-BA002, 2009-10-BA003, 2009-10-BA004, 2009-10-BA005, 2009-10-BA006, and 2009-10-BA008

**2009-10-BA001
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:			
105100-503000	Part Time Salaries	\$12,000.00	
105100-505000	FICA	\$ 918.00	
105100-595100	Animal Control		\$12,918.00

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

Balance in Contingency \$402,296.00.

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 8th day of September, 2009.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

**2009-10-BA002
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:			
105100-543701	Taser Grant Expense	\$14,355.00	
Revenues:			
10360510-434701	Taser Grant	\$14,355.00	

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

Balance in Contingency \$402,296.00.

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 8th day of September, 2009.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

**2009-10-BA003
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 Dismal Swamp Visitors Center Fund as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
Expenses:			
606000-535020	Golden Leaf Grant Expenses	\$4,384.26	
Revenues:			

60390600-438110 Golden Leaf Grant \$4,384.26

Grant closing was extended to FY 2009-2010.

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

Balance in Contingency \$402,296.00.

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 8th day of September, 2009.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

2009-10-BA004

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 Park Grants Fund as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
Expenses:			
644920-555207	Signage	\$ 600.00	
644920-566000	Capital Outlay Inventory	\$2,400.00	
644920-533000	Supplies	\$2,000.00	
Revenues:			
64360491-434879	BCBS Grant	\$5,000.00	

“Fit Together Equipment Grant”

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

Balance in Contingency \$402,296.00.

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 8th day of September, 2009.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

2009-10-BA005

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 Revaluation Fund as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
Expenses:			
704200-599900	Fund Reserves		\$5.00
Revenues:			
70399400-439900	Fund Balance Appropriated		\$5.00
	Fund Balance Correction		

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

Balance in Contingency \$402,296.00.

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 8th day of September, 2009.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

2009-10-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, 2010.

Section 1. To amend the Special Capital Projects Fund as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
Expenses:			
716600-599900	Fund Reserves		\$7,350.00
Revenues:			
71399660-439900	Fund Balance Appropriated		\$7,350.00
	Fund Balance Correction		

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

Balance in Contingency \$402,296.00.

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 8th day of September, 2009.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

**2009-10-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, 2010.

Section 1. To amend the General Fund as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
Expenses:			
106050-537500	SHIIP Grant	\$3,553.88	
Revenues:			
10360400-434837	SHIIP Grant	\$2,301.08	
10399400-439900	Fund Balance Appropriated	\$1,252.80**	

****This amount was left from last year’s grant.**

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 8th day of September, 2009.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

- **End of Consent Agenda**

Old Business - Notice of Renewal – Disaster Recovery Assistance

In July 2006, the County approved and executed a three (3) year contract with Crowder Gulf for disaster recovery and debris management assistance.

This company was selected after a formal proposal and bid procedure as required by FEMA. It is referred to as a “prepositioned” contract to be activated by a “Notice to Proceed” submitted by the County in the event of a natural or manmade disaster.

The contract allows for two (2) one (1) year renewals.

Commissioner Sandy Duckwall made a motion to approve a one (1) year contract of Notice of Renewal with Crowder-Gulf, expiring July 3, 2010 and authorize the Chairman to sign the necessary 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.

Old Business - Consideration of Ordinance No. 2009-07-02 – Amendment to Chapter 151 of the UDO of the Camden County Code of Ordinances

Planning Board and Staff discussed amendments in establishing design standards in some commercial zoning districts. Planning Board and Staff agreed that with Highway 158 widening in progress and commercial interests on the Highway 17 corridor these new standards are needed to avoid unsightly strip development that could occur with current ordinances. After further discussion, Planning Board recommended approval on a 6-0 vote.

The public hearing was held on July 20, 2009, changes were suggested and the changes have been made by staff.

Commissioner Melvin Jeralds made a motion to approve Ordinance No. 2009-07-02. 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. 2009-07-02

**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 the Article 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 Section 151 as amended of the Camden County Code which shall read as follows:

CHAPTER 151: UNIFIED DEVELOPMENT

ZONING DISTRICTS

§ 151.031 COMMERCIAL DISTRICTS ESTABLISHED.

(A) The following commercial districts are hereby established: CCD, NCD, HC and MC.

(B) These districts are created to accomplish the purposes listed below.

~~(1) The CCD, community core, district is designed to provide the core commercial use in the county's three villages, Camden, Shiloh and South Mills, to help~~

~~meet social, shopping, employment and some housing needs of the county's rural residents in a village type environment. Areas with this designation have historically been considered the towns of the county, or have the potential to fall into this category in the future and contain a unique mix of uses in close proximity of each other. The goals of this district are:~~

~~(a) To preserve this special mix while minimizing conflicts between uses; and~~

~~(b) To allow only development which can adequately be served with public amenities.~~

(1) The CCD, community core district is coded to provide the core commercial/residential uses in the three villages of Courthouse, Shiloh and South Mills and to encourage vitality by excluding certain activities which have a negative effect on the public realm through auto-dominated or non-pedestrian oriented design or uses. Individual buildings are encouraged to be multi-story with uses mixed vertically, street level commercial and upper level office and residential. Multi-Family residential uses permitted. Areas with this designation have historically been considered the town centers of the county, or have the potential to fall into this category in the future. Specific district provisions:

Commercial District

- a. Parking requirements: (See Article 151.111) off street/rear parking strongly encouraged.
- b. There shall be a minimum of two accesses to a public road (on a project by project basis).
- c. Stub-outs to adjacent properties required if deemed necessary by the County.
- d. Sidewalks, curb and gutter required.
- e. Open Space Requirements: Refer to Article 151.195 for Open Space requirements.
- f. Storm water runoff - Developments shall comply with all federal laws, state laws, and county ordinances. Utilization of Best Management Practices are strongly encouraged.
- g. All on-site utilities shall be located underground unless technical restrictions exist for doing so. Provisions shall be made to significantly reduce the visual blight of any aboveground utilities.
- h. No outside display or storage of inorganic product is permitted.
- i. Building Design Standards:
 1. Manufactured and mobile units shall be prohibited except as may be allowed for temporary office management or storage uses during the construction phase.
 2. The front facades to include a 5 foot wrap around on the front sides of all metal units shall be concealed exposing no metal. Side facades facing public and private street rights of way shall be concealed exposing no metal. The use of smooth vinyl and unpainted cinder-block walls is prohibited, but the use of decorative, split-faced masonry products is permissible. Examples of permissible building materials include masonry, wood, hardiboard, textured vinyl or stucco.
 3. Facades of non-residential buildings shall have a minimum of 25% fenestration with architectural elements like windows and doors, bulkheads, masonry piers, transoms, cornice lines, window hoods, awnings, canopies, and other similar details shall be used on front facades and facades facing public or private street rights-of-way.
 4. Roof pitches less than 3/12 and shall require a parapet wall. A pitched roof shall be profiled by eaves a minimum of 6-inches

- from the building face or with a gutter.
5. Loading and service areas should be designed out of view from public roads and shall be designed to ensure the safety of pedestrians and private property.

Multi-family use and design standards

- a. Multi-family development is allowed to the extent that it is a portion of a mixed-use development and that it does not comprise the majority of the development. Multi-family development can include townhomes, apartments, or duplexes.
- b. Open Space Requirements: Refer to Article 151.195 for Open Space requirements.
- c. Multi-family development shall be connected by vehicular and pedestrian ways to the commercial and/or office uses.
- d. Sidewalks shall be provided on both sides of residential streets with a minimum 4-foot wide section.
- e. The use of decorative elements such as fountains, outdoor seating and benches, works of art, and statues are encouraged in pedestrian and open space areas.
- f. On street parking is allowed and is encouraged to be located adjacent to public open spaces and parks.
- g. Landscaping for parking areas shall include one shade tree for every ten parking spaces. The shade tree shall be at least 10 feet tall at planting. Planting areas shall be at least 8-feet wide, a minimum of 200 square feet in area, edged with a curb at least 6 inches in height.
- h. Storm water runoff - Developments shall comply with all federal laws, state laws, and county ordinances. Utilization of Best Management Practices are strongly encouraged.

(2) The NCD, neighborhood commercial, district is designed primarily to encourage the concentration of commercial facilities, as necessary, outside the core villages but still in clusters and to provide readily accessible shopping facilities for rural residents. The district differs from the community core district in that uses are limited to small commercial and service businesses whose market is primarily those residents within the immediate vicinity. These districts shall be limited to between two and four acres in size and typically located near intersections. This district is also designed to include very limited kinds of water-related commercial activities to serve a waterfront neighborhood. Specific district provisions are as follows:

- a. Manufactured and mobile units shall be prohibited except as may be allowed for temporary office management or storage uses during the construction phase.
- b. The front facades to include a 5 foot wrap around on the front sides of all metal units shall be concealed exposing no metal. Side facades facing public and private street rights of way shall be concealed exposing no metal. The use of smooth vinyl and unpainted cinder-block walls is prohibited, but the use of decorative, split-faced masonry products is permissible. Examples of permissible building materials include masonry, wood, hardiboard, textured vinyl or stucco.
- c. Facades of non-residential buildings shall have a minimum of 25% fenestration with architectural elements like windows and doors, bulkheads, masonry piers, transoms, cornice lines, window hoods, awnings, canopies, and other similar details shall be used on front facades and facades facing public or private street rights-of-way.
- d. Roof pitches less than 3/12 and shall require a parapet wall. A pitched roof shall be profiled by eaves a minimum of 6-inches from the building face or with a gutter.
- e. Loading and service areas should be designed out of view from public roads and shall be designed to ensure the safety of pedestrians and private property.

(3) The HC, highway commercial, district is designed to provide for and encourage the proper grouping and development of roadside uses which will best accommodate the needs of the motoring public along US 17, US 158 and NC 343. In addition, commercial uses served by large trucks and other intense commercial uses shall be encouraged to locate in these districts. These regulations are intended to control those aspects of development that affect adjacent residential land use, traffic flow and the capacity of the land to absorb development. Specifically prohibited in this district are uses which create a hazardous or noxious effect and junkyards. Specific district provisions are as follows:

- a. Manufactured and mobile units shall be prohibited except as may be allowed for temporary office management or storage uses during the construction phase.
- b. The front facades to include a 5 foot wrap around on the front sides of all metal units shall be concealed exposing no metal. Side facades facing public and private street rights of way shall be concealed exposing no metal. The use of smooth vinyl and unpainted cinder-block walls is prohibited, but the use of decorative, split-faced masonry products is permissible. Examples of permissible building materials include masonry, wood, hardiboard, textured vinyl or stucco.
- c. Facades of non-residential buildings shall have a minimum of 25% fenestration with architectural elements like windows and doors, bulkheads, masonry piers, transoms, cornice lines, window hoods, awnings, canopies, and other similar details shall be used on front facades and facades facing public or private street rights-of-way.
- d. Roof pitches less than 3/12 and shall require a parapet wall. A pitched roof shall be profiled by eaves a minimum of 6-inches from the building face or with a gutter.
- e. Loading and service areas should be designed out of view from public roads and shall be designed to ensure the safety of pedestrians and private property.

Adopted by the Board of Commissioners for the County of Camden this 8th day of September, 2009.

County of Camden

Philip S. Faison, Chairman
Board of Commissioners

ATTEST:

Ava Gurganus
Clerk to the Board

(SEAL)

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

A Public Hearing was held on July 20, 2009 and this matter was laid over until September 8, 2009.

Commissioner Garry Meiggs, due to owning land adjacent to road that is a source of controversy, asked to be recused.

Commissioner Michael McLain made a motion to recuse Commissioner Garry Meiggs from participating. 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 record reflects that Commissioner Garry Meiggs took no part in the discussion as well as the vote.

Following discussion from William DeFoe, Greg Stewart and Chris Coleman, who were reminded that they were still under oath from the last meeting regarding this matter, Chairman Philip Faison laid this matter over until a plan to address the culverts and ditches on Ponderosa Road were agreeable to both parties in writing as a condition of the permit and presented to the Board at a later date.

Permit Officer Dave Parks stated that staff would like to amend the Special Use Permit to include the condition that Mr. Chris Coleman installs the rip rap along all the ditches within six (6) months of the approval of the Special Use Permit and meet with the parties involved to formulate a plan that is agreeable to both parties.

Consent Agenda – Draft Minutes – May 11, 2009 – Special Meeting

Commissioner Melvin Jeralds questioned the date *“Respectfully submitted as full and accurate minutes of the open session, including a recordation of votes of Commissioners on the issues presented, this the 4th day of August, 2009”*, and asked the County Attorney, who drafted said minutes, if the date should be *“September 8, 2009”*.

Attorney John Morrison stated that it was the 4th of August, 2009 when he sent the draft minutes to the Board and the date should be changed to September 8, 2009.

Commissioner Melvin Jeralds made a motion to approve the minutes of the May 11, 2009 Special Meeting with the changes. 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 – Set Public Hearing – South Mills Fire Commission – Building of New Fire Station on Keeter Barn Road with Stimulus Money or to Obtain a Loan

Commissioner Melvin Jeralds stated that the application has Culpepper Road, which is incorrect, and should be changed to Keeter Barn Road.

Chairman Philip Faison stated that Commissioner Melvin Jeralds made a motion to change the fire station location from Culpepper Road to Keeter Barn Road. 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.

No motion was made to Set Public Hearing – South Mills Fire Commission – Building of New Fire Station on Keeter Barn Road with Stimulus Money or to Obtain a Loan.

Consent Agenda – Tax Releases, Pick Up and Refunds – No. 11356

Commissioner Melvin Jeralds asked to be recused from voting on tax release, pick up and refunds No. 11356 due to relationship to a family member.

Commissioner Michael McLain made a motion to recuse Commissioner Melvin Jeralds from voting. 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 record reflects that Commissioner Melvin Jeralds took no part in the discussion as well as the vote.

Commissioner Michael McLain made a motion to approve tax release, pick up and refund No. 11356. The motion passed with Commissioners Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and Commissioner Melvin Jeralds recused from voting.

Consent Agenda – NC Division of Forest Resources – 2009-2010 County Cooperative Agreement

Commissioner Melvin Jeralds stated that the question came up in the past year regarding Camden County paying 30% of the vehicle and asked that the county be reimbursed for the 30% when the vehicle is sold.

County Manager Randell Woodruff stated that he would ask for that when they purchase a vehicle, the County has prepaid the county’s share and the Forest Service may not purchase the vehicle until the end of the fiscal year or carry over to the next fiscal year.

Commissioner Melvin Jeralds stated with that condition, he made a motion to approve the 2009-2010 County Cooperative Agreement. 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 Board of Education – Budget Amendment

Commissioner Sandy Duckwall made a motion to approve the budget amendment as submitted by the Board of Education. The motion failed with Commissioners Michael McLain, Garry Meiggs and Chairman Philip Faison voting no; Commissioner Melvin Jeralds and Sandy Duckwall voting aye; no Commissioner absent; and no Commissioner not voting.

This budget amendment will be placed on the September 21, 2009 agenda for further explanation.

New Business - Resolution No. 2009-09-01 – Aquatic Weed Control

The NC Department of Environment and Natural Resources conducts an annual program known as the Aquatic Weed Control Program. The program identifies and provides herbicide treatment to control the spread of aquatic weeds. It is a 50/50 matching program. The 2009 Work plan identifies the following areas to be treated and the associated costs.

Stream	Acres	Cost	Matching Share
Goose Creek	.5	\$ 400	\$ 200
Joyce Creek DD	.5	\$ 400	\$ 200
Pasquotank River	4.0	\$2000	\$1000
Potohonk Creek	.5	\$ 400	\$ 200
Sharron/Lilly Ditches	1.0	\$ 700	\$ 350
Total	6.5	\$3900	\$1950

Commissioner Melvin Jeralds stated that Goose Creek is really Spitty Sand Run. Goose Creek is a big area and the ditch to control the aquatic weed is Spitty Sand Run.

Commissioner Michael McLain made a motion to approve Resolution No. 2009-09-01 and authorize expenditure of \$1,950.00 for matching funds. 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.

Resolution No. 2009-09-01

**A Resolution of the Camden County Board of Commissioners
Regarding Aquatic Weed Control Resolution**

WHEREAS, the Camden County Board of Commissioners desires assistance from the North Carolina Aquatic Weed Program for control of aquatic weeds in various streams and canals in Camden County to improve drainage that is being severely impeded by the growth of alligator weed and other invasive species.

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1) The Board requests that the North Carolina Aquatic Weed Control Program conduct the Camden County Streams and Canals aquatic weed control project in the County of Camden;
- 2) The Board assumes full obligation for payment of fifty percent (50%) of non-federal costs associated with Camden County Streams and Canals aquatic weed control project;
- 3) The Board will assist the North Carolina Department of Environment and Natural Resources in quantifying its aquatic weed problems and determining the public benefits of the proposed control project;
- 4) The Board will assure that the public will have access to the waters that are benefited by the control project;
- 5) The Board will hold the State harmless from any damages that may result from the implementation of the project;
- 6) The Board will be responsible for notifying all landowners whose property is adjacent to the body of water in which the control project is located and for sponsoring any public information meetings that may be needed; and
- 7) The Board will notify the public of any temporary restrictions on use of the body of water as required by the specific method of treatment used.

Adopted by the Camden County Board of Commissioners this 8th day of September, 2009.

Ava Gurganus
Clerk to the Board

Philip S. Faison, Chairman
Camden County Board of Commissioners

(SEAL)

New Business - Board Appointment – Jury Commission

Commissioner Garry Meiggs made a motion to re-appoint Portia Lee Burgess to the Jury Commission for a term of two (2) years to expire June 30, 2011. 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. 2009-09-01 – An Ordinance Amending the Camden County Code of Ordinances – Animal Control

Permit Officer Dave Parks stated that the recommended changes can be incorporated into the amended ordinance regarding a lifetime payment as determine in the fee schedule.

Commissioner Garry Meiggs made a motion for a lifetime fee of \$30.00.

Following discussion Commissioner Garry Meiggs amended his motion for yearly fee to be determined by staff and a lifetime fee to be determined by the staff. 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. 2009-09-01

**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 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

§ 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 Sheriff of Camden County and any deputy ~~or employee~~ of Camden County.

§ 93.12 LICENSING OF CATS AND DOGS; FEE

(A) (1) There is hereby imposed on a person owning or keeping up to two dogs or four cats ~~at an annual~~ license fee 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.

(E) The amount of any license 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 to do so shall be liable to an action in the name of the county in any court of competent jurisdiction for the amount of any license fee imposed by and required by this section to be paid for the privilege of keeping and having a dog or cat. ~~The 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 fee required by the provisions of this section for the recovery of the license 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 8th day of September, 2009.

County of Camden

Philip S. Faison, Chairman
Camden County Board of Commissioners

ATTEST:

(SEAL)

Ava Gurganus
Clerk to the Board

New Business - Ordinance No. 2009-09-02 – An Ordinance Amending the Camden County Code of Ordinances – Annual Notice to Chronic Violators of Public Nuisance Laws

The North Carolina General Assembly has enacted a General Statute (153a-140.2) to facilitate Code Enforcement of Public Nuisance laws. The statute defines “chronic violators” of public nuisance laws, and permits the county to send an annual notice of violation rather than an individual notice for each violation.

Commissioner Michael McLain made a motion to approve amendment to the Camden County Code Chapter 94 to incorporate language of General Statute 153a-140.2 permitting annual notice to chronic violators of public nuisance laws. 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. 2009-09-02

**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 the Chapter 94 of the Camden County Code of Ordinances of Camden County, North Carolina, which was originally adopted by the County Commissioners on May 19, 2003, 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 94 as amended of the Camden County Code which shall read as follows:

CHAPTER 94: GENERAL NUISANCES

§ 94.05 Annual notice to chronic violators of public nuisance ordinance.

Under the provisions of North Carolina General Statutes § 153A-140.2, effective October 1, 2009, the county may notify a chronic violator of the county's public nuisance

ordinance that, if the violator's property is found to be in violation of the ordinance, the county shall, without further notice in the calendar year in which notice is given, take action to remedy the violation, and the expense of the action shall become a lien upon the property and shall be collected as unpaid taxes. The notice shall be sent by certified mail. A chronic violator is a person who owns property whereupon, in the previous calendar year, the county gave notice of violation at least three times under any provision of the public nuisance ordinance.

Adopted by the Board of Commissioners for the County of Camden this 8th day of September, 2009.

ATTEST: _____
Philip S. Faison, Chairman
Camden County Board of Commissioners

Ava J. Gurganus, Clerk to the Board

(SEAL)

New Business - Resolution 2009-09-02 A Resolution of the Camden County Board of Commissioners Regarding the Camden County Residential Anti-Displacement & Relocation Assistance Plan and Resolution 2009-09-03 A Resolution of the Camden County Board of Commissioners Regarding the Camden County Citizens Participation Plan – Community Development Block Grant Program (CDBG)

Following a recent monitoring visit for the CDBG Infrastructure Hook-up Program, the Department of Community Assistance is requesting that the attached resolutions be approved. The resolutions are standard requirements for all CDBG programs. The two (2) resolutions are: Residential Anti-Displacement and Relocation Assistance Plan and Camden County Citizens Participation Plan.

Commissioner Michael McLain made a motion to approve Resolution No. 2009-09-02 for Residential Anti-Displacement And Relocation Assistance 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.

Resolution No. 2009-09-02

**A RESOLUTION OF THE CAMDEN COUNTY BOARD OF COMMISSIONERS
REGARDING THE CAMDEN COUNTY RESIDENTIAL ANTI-
DISPLACEMENT AND RELOCATION ASSISTANCE PLAN**

In order to comply with the requirements of Section 104(d) of the Housing and Community Development Act of 1974, Camden County adopts the following plan:

Camden County will replace all occupied and vacant occupiable very-low or low-income dwelling units demolished or converted to a use other than low/moderate-income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24CFR 570.606(b)(1).

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the County will make public and submit to the HUD the following information in writing:

1. A description of the proposed assisted activity;
2. A general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a

- use other than as low/moderate-income dwelling units as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
 4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
 5. The source of funding and a time schedule for the provision of replacement dwelling units; and
 6. The basis for concluding that each replacement dwelling unit will remain a low/moderate-income dwelling unit for at least 10 years from the date of initial occupancy.

Camden County will provide relocation assistance, as described in 570.606(b)(2), to each low/moderate-income household displaced by the demolition of housing or by the conversion of a low/moderate-income dwelling to another use as a direct result of assisted activities.

Adopted this the 8th day of September, 2009.

Philip S. Faison, Chairman
Camden County Board of Commissioners

Ava Gurganus
Clerk to the Board

(SEAL)

Commissioner Sandy Duckwall made a motion to approve Resolution 2009-09-03 for Camden County Citizens Participation 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.

Resolution No. 2009-09-03

**A RESOLUTION OF THE CAMDEN COUNTY BOARD OF COMMISSIONERS
REGARDING THE CAMDEN COUNTY CITIZENS PARTICIPATION PLAN**

Camden County provides for and encourages citizen participation, with particular emphasis on participation by persons of low and moderate income who are residents of low and moderate income neighborhoods and/or slum and blight areas. The County provides citizens with reasonable and timely access to local information and records relating to the grantee's proposed use of funds. This is done through County meetings which are advertised in the local newspaper.

Camden County provides for public hearings to obtain citizens views and to respond to proposals and questions at all stages of the community development program, including the application process, the amendment process, and the closeout of the grant. Adequate notice is given for these meetings at times and locations convenient to potential or actual beneficiaries, and with accommodation for the handicapped. Any published advertisement issued by Camden County's Community Development Office includes the State TTY/TDD telephone number (1-800-735-2962).

Camden County provides for timely written answers to written complaints and grievances. A response will be made within 10 calendar days. (See attached Complaint Procedure)

Camden County will provide a translator for non-English speaking residents for public hearings when the County is notified that any non-English speaking resident will attend the public hearing. An interpreter will be provided for hearing impaired residents.

Adopted this the 8th day of September, 2009.

Philip S. Faison, Chairman
Camden County Board of Commissioners

Ava Gurganus
Clerk to the Board

(SEAL)

New Business - Tax Releases, Pick Up and Refunds

Commissioner Garry Meiggs asked to be recused from voting due to punitive interest.

Chairman Philip Faison made a motion to recuse Commissioner Garry Meiggs. 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 McLain made a motion to approve the tax releases, pick up and refunds as presented by the Tax Administrator. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and Commissioner Garry Meiggs recused from voting.

<u>Name</u>	<u>Amount</u>	<u>Type</u>	<u>Reason</u>	<u>No.</u>
Ricky Edwards & Garry Meiggs	\$10,281.52	Pick Up	Roll Back	11319
Ricky Edwards & Garry Meiggs	\$ 270.41	Release	Roll Back	11338
	\$ 4,596.65	Pick Up		
	+\$ 4,326.24	Adjustment		

New Business - Offer To Purchase Real Property Due To The Acquisition of Right of Way and Damages – Medical Park Complex – NCDOT

Commissioner Garry Meiggs made a motion to accept NCDOT’s offer of \$14,258.00 to purchase real property due to the acquisition of right of way and damages at the Medical Park Complex on US 158. 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 - Resolution No. 2009-09-04 – A Resolution of the Camden County Board of Commissioners Creating the Camden Economic Development Commission

Commissioner Sandy Duckwall made a motion to approve Resolution No. 2009-09-04. 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.

Resolution No. 2009-09-04

A Resolution of the Camden County Board of Commissioners
Creating the
Camden Economic Development Commission (CEDC)

Whereas, Camden County is a growing community in need of new tax base and jobs for its citizens, and

Whereas, the Board of Commissioners is striving to address these needs through the creation of a vibrant and effective economic development program through whatever means available to ensure the well being of the County, and

Whereas, General Statute 158 grants to the County the authority to create an Economic Development Commission to promote and foster commercial and industrial growth, and

Whereas, the purpose of the Commission will be establish a framework for federal, state and local efforts to provide the basic resources needed to develop facilities and programs essential to promote economic growth, and

Whereas, the Commission is to develop, operate and coordinate these programs and activities to enhance economic growth within the entire County including the promotion and development of the US17 corridor, the Camden Eco-Industrial Park, and the US158 corridor, and

Whereas, the Commission will be composed of up to nine (9) members including the Chairman of the Board of Commissioners and the County Manager along with, but not limited to, representatives from the following professions or institutions: medical, engineering, finance/banking, local educator, UNC or NCSU (life science or environmental science), ECSU (life science or environmental science), UNC School of Government, College of the Albemarle.

Now, Therefore, Be It Resolved, the name of the entity will be the Camden Economic Development Commission (CEDC).

Adopted this the 8th day of September, 2009.

Philip S. Faison, Chairman
Camden County Board of Commissioners

ATTEST:

Ava J. Gurganus
Clerk to the Board

(SEAL)

New Business - Resolution No. 2009-09-05 – Adoption of Camden Economic Development Commission Bylaws

Commissioner Michael McLain asked that “*but not limited to:*” be added to the sentence “*The remaining seven (7) are to be filled from the following professions or institutions*”.

Commissioner Garry Meiggs made a motion to approve Resolution No. 2009-09-05 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.

Resolution No. 2009-09-05

WHEREAS, the County of Camden by Resolution No. 2009-09-04 adopted September 8, 2009, created the **Camden County Economic Development Commission**, (“CEDC”); *and*

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners for Camden County, North Carolina in open session duly convened, by the adoption and enactment of this resolution, adopt these By-Laws for the **Camden Economic Development Commission** as follows:

ARTICLE I

Name

The name of this organization shall be the **Camden Economic Development Commission**, hereinafter referred to as the Commission or the CEDC.

ARTICLE II

Service Area

The service area of the Commission shall be within the three Townships of Camden County.

ARTICLE III

Purpose and Objectives

Section 1. The purpose of this Commission (CEDC) is to assist the County in the area of economic development and recruitment.

Section 2. The Commission (CEDC) is to establish a framework for federal, state and local efforts to provide the basic resources needed to develop facilities and programs essential to promote economic growth. The Commission is to develop, operate, and coordinate these programs and activities to enhance economic growth within the entire County.

Section 3. Specific objectives of the Commission are, but not limited to:

- a. The fostering of growth---planned, diversified, and controlled---within the County.
- b. The promotion of activities aimed at providing quality land development, job opportunities, and an ever-increasing tax base throughout the County.
- c. The designing and implementation of programs to stimulate continued growth and prosperity of the existing business and industry community.
- d. The promotion of an improved general economic situation, by whatever means or measures are available, in order to insure the well being of the County.
- e. The promotion and development of the Camden Eco-Industrial Park and the US17 Corridor located in the northern portion of the County. While the Commission (CEDC) will provide oversight for the development of the Park along with the Eco-Institute, the County Public Works Department will maintain the public areas as well as the wastewater system.
- f. The promotion and development of the US158 Business Corridor in the central portion of the County.
- g. The Commission (CEDC) will work closely with the Eco-Institute in the development of the County property. The Eco-Institute will report to the CEDC at its meetings as it works to recruit new tenants for the facility.
- h. The Commission (CEDC) will monitor the progress and compliance of the Eco-Institute to the provisions in the option and lease of the business incubator property.
- i. The Commission (CEDC) will interact with and provide quarterly reports to the Board of Commissioners as to the progress of the Eco-Institute and the development of the Camden Eco-Industrial Park.

- j. The Commission (CEDC) will assist in exploring various funding and grant opportunities which may assist in the economic development activities of the County which will entail the fostering of relationships with business organizations, state and federal officials/agencies.

ARTICLE IV

Offices

While there will be no full-time staff of the Commission (CEDC) the principal contact for the business community or the public to access will be the Chairperson of the Commission or the County Manager who will forward pertinent information to the other Board members upon receipt. Meetings shall be held at various locations within the County to include the County Government Complex, the Eco-Industrial Park or other suitable locations as determined by the Commission.

ARTICLE V

Membership

Section 1. The Commission membership shall be comprised of no more than nine (9) members with each having a vote.

Of the nine (9) members of the Commission, two are the Chairperson of the Camden County Board of Commissioners and the County Manager. The remaining seven (7) are to be filled from the following professions or institutions, but not limited to:

- Medical
- Engineering
- Finance/Banking
- Local Educator
- University of North Carolina System – UNC or NCSU (Life Science or Environmental Science)
- Elizabeth City State University (Life Science or Environmental Science)
- UNC School of Government
- College of the Albemarle

Section 2. Should there not be eligible individuals to serve representing some of the above professions or institutions, it will be in the discretion of the Camden County Board of Commissioners to make appointments from the local business or non-profit community.

Section 3. Members so appointed shall be designated for a term of two (2) years to serve at the pleasure of the Camden County Board of Commissioners. In the event a Commission (CEDC) member ceases to represent one of the initial professions or institutions as at the time of their appointment, this change shall be reported to the Camden County Board of Commissioners for review and a determination as to whether or not the appointee shall continue to serve.

Section 4. In order to insure the terms are staggered, four of the initial appointees shall be appointed for two (2) year terms and the remaining positions shall be appointed for three (3) year terms. Thereafter all appointments shall be for two (2) years.

Section 5. The Camden Economic Development Commission shall have available for the public a roster of the current Commission members, as well as their terms of office.

ARTICLE VI

Organization

Section 1. The Officers of the Commission shall consist of a Chairman and a Vice Chairman both of whom shall be elected by the members of the Commission. The Commission Chairman and Vice-Chairman shall be chosen from the members appointed by the County of Camden Board of Commissioners.

Section 2. The officers shall be elected at the regular meeting of the Commission in January of each year, which meeting shall also be the annual meeting of the Commission.

Section 3. All officers shall be elected for a one (1) year term and assume office at the annual meeting. Officers may be elected to succeed themselves or be elected to any other office, but may not exceed two (2) consecutive terms in any position.

Section 4. Any vacancy shall be filled by the Board of Commissioners within sixty (60) days after they occur.

Section 5. In addition to the Commission officers above named, in the future an Economic Developer (Developer) may be employed upon the affirmative vote of a majority of the CEDC Board as well as adequate funding availability. Once on staff the Economic Developer shall conduct the business and activities of the Commission in strict compliance with the rules and policies adopted by the said Commission.

Section 6. All employees of the CEDC shall be at-will local government employees of the Commission.

Section 7. When necessary the County Manager will provide assistance and access to needed support from County staff for the activities of the Commission. The Clerk to the Board of Commissioners will provide clerical support and attend the meetings to keep and maintain the officials records of the CEDC until such time as there is a staff person of the Commission to assume this responsibility.

Section 8. As the General Statutes do not give economic development commissions the authority to acquire an industrial or commercial site, to acquire land for an industrial park or to construct a shell building, or borrow money, these type activities shall be conducted by the Camden County Board of Commissioners.

Section 9. The Camden Economic Development Commission will be a part of the County Government and shall be subject to the Local Government Budget and Fiscal Control Act. All moneys received by the Commission must be run through the County Finance Department and all expenditures must be authorized in the County's annual budget ordinance or in a separate capital project or grant project ordinance adopted by the Commissioners.

Section 10. As part of the County Government the Commission (CEDC) will enjoy the same tax advantages. Its income is not subject to federal or state income tax and any real property owned by the Commission for administrative purposes is exempt from property tax. Individuals making gifts to the Commission may deduct the payments as charitable contributions.

Section 11. The Commission (CEDC) is subject to the open meetings and the public records law.

Section 12. An orientation shall be held for all new members appointed to the Commission.

Section 13. Within the limits of appropriated funds, the Commission (CEDC) may hire and fix the compensation of any personnel necessary to its operations, contract with consultants for such services as it may require, and contract with the State of North Carolina or the federal government, or any agency or department thereof, for such services as may be provided of such contracts as it may enter.

Section 14. Within the limits of appropriated funds, the Commission (CEDC) may lease or purchase, or otherwise obtain suitable quarters and office space for its staff, and lease, rent or purchase necessary furniture, fixtures and other equipment.

Section 15. The Commission (CEDC) may accept, receive, and disburse in furtherance of its functions any funds, grants and services made available by the federal government

and its agencies, the state government, and its agencies, Camden County and by private and civic sources. Camden County shall have authority to appropriate funds to the CEDC which it created.

Section 16. The Commission (CEDC) shall have access to the county website in the conduct of marketing and economic development activities.

Duties & Responsibilities

Section 1. The duties of the Chairman of the Commission are as follows:

- a. To appoint such committees as may be appropriate in the discharge of the Commission's functions. The Bylaws, Personnel, Finance, Legislative and Marketing Committees shall contain representation from the County and various professions specified previously in the by-laws. Other Committees as may be appropriate in the discharge of the Commission's functions shall be chaired by a member of the Commission.
- b. To promulgate and publish such orders and directives as will promote the purposes of the Commission, providing the same are first approved by the Commission.
- c. To authorize the disbursement of funds in conformance with established policies of the Commission and in compliance with the general and special terms and conditions of any grant offers and such other agreements as may be entered into. To perform such other duties as the Commission has approved and that will promote the purposes of the Commission of which are required by the Commission.
- d. To preside at all meetings of the Commission.
- e. The Commission Chairman shall be the chief officer of the Commission. The Chairman shall function directly under the overall supervision of the full Commission.

Section 2. The Vice-Chairman of the Commission shall perform the duties of the Chairman in his/her absence.

Section 3. The Secretary shall perform as follows:

- a. To verify and authenticate the records of meetings of the Commission.
- b. To function as the accountable officer for all property and equipment owned or leased or contracted for by the Commission.
- c. To perform such other duties as shall be assigned by the Commission.

Section 4. Initially there will be no paid staff positions for the Commission (CEDC). It is anticipated within a few years there will be adequate funding to allow for the creation of a full-time Economic Developer position. This position shall function as an employee of the Commission (CEDC) being supervised on a day to day basis by the Chairperson of the Commission. He/She shall be directly responsible for the following:

- a. The implementation of administrative policies and procedures concerning the staff and staff functions as established by the Commission. Maintain the necessary records to satisfy the Commission requirements, and those of such other agencies as may be involved.
- b. Appropriate records shall be maintained of all property and equipment purchased as authorized by the Commission.

- c. The discharge of functional and operational requirements as set forth by the Commission.
- d. The establishment of liaisons with the agencies of the local, state and federal governments and allies. This will include the necessary reports, requests, and studies which may be required in the normal conduct of business.
- e. Maintain appropriate fiscal and financial records as required by the Commission and other authorities for a period as designated in the general and special terms and conditions of the grant and in accordance with the laws of the State of North Carolina.

Section 5. The Commission shall carry out such functions as the Commission may be authorized or directed to perform by the County of Camden.

Section 6. The Commission shall assist in the creation of and make recommendations to the Board of Commissioners on the following issues: Setting of guidelines for recruitment of businesses, negotiation & approval of businesses applications, lease or purchase conditions, publicity & program development, restrictive covenants for the Eco-Industrial Park and creation of the County Business Incentive Program.

Section 7. The Commission (CEDC) shall formulate projects for carrying out such economic development programs through the attraction of new industries, encouragement of existing industries, encouragement of agricultural development, encouragement of new business and ventures by local as well foreign capital, and other activities of a similar nature.

Section 8. The Commission (CEDC) shall conduct industrial surveys as needed, advertise in periodicals, or other communications media, furnish advice and assistance to existing businesses and industries, furnish advice and assistance to persons seeking to establish new businesses or industries and engage in related activities.

Section 9. The Commission (CEDC) shall encourage the formation of private business development corporations or associations which may carry out such projects as securing and preparing sites for industrial development, constructing industrial buildings, or rendering financial or managerial assistance to businesses and industries; furnish advice to and assistance to such corporations or associations.

Section 10. The Commission shall have the authority to use grant funds to make loans for purposes permitted by the federal government, by the grant agreement and in furtherance of economic development. The Commission shall have authority to delegate to another organization or agency the implementation of the grant's purposes, subject to approval by the federal agency involved and the Commission Board.

ARTICLE VIII

Compensation

The nine (9) Commission members with the exception of the County Manager and the Chair of the Camden County Board of Commissioners shall receive a stipend of \$30 for each regular monthly meeting they attend to cover their cost of attendance. Should members be required to make recruiting trips or participate in training activities they shall be reimbursed for their official expenses at the current rate used by the County. Commission members will be expected to carpool or use a County vehicle on such trips. Commission members who travel from outside of the region to participate in the meetings will receive additional reimbursement for their travel or overnight expenses. All expenditures shall be in conformity with an approved budget allocation from the Board of Commissioners.

ARTICLE IX

Meetings

Section 1. The annual meeting of the Commission shall be held in such places designated by the Commission.

Section 2. Regular meetings of the Commission shall be held on the 2nd Tuesday of each month or at least quarterly or as otherwise directed by the Chair. All Commission meetings shall be properly advertised in advance to allow for public participation.

Section 3. Special meetings may be called by the Chairman or by any two (2) Commission members at any time or place, provided that notice is given in accordance with North Carolina's Open Meeting laws.

Section 4. A Commission quorum shall consist of five (5) voting members present.

Section 5. At Commission meetings, each of the Commission members present shall have one (1) vote and all Commission actions shall be by majority vote, except any actions dealing with the sale, acquisition, leasing or auctioning of real estate, or the expenditure of funds in excess of \$5,000.00, shall require an affirmative vote of six (6) voting members present.

Section 6. Upon a Commission member reaching three consecutive absences, the Commission shall notify the Board of Commissioners.

ARTICLE X

Budgets

Section 1. The Commission shall prepare an annual budget for presentation to the County Manager's Office and for approval by the Board of Commissioners. The Chair of the CEDC will participate in the County Budget process to present recommended budget and provide any desired information to the Board of Commissioners.

Section 2. The annual budget shall show proposed cash outlays for all operating expenses and capital equipment and improvements. Each item of expenditure shall be justified and explained in appropriate detail. Such budget shall also show any equipment and facilities provided in kind. A breakdown of the source of funds shall indicate amounts to be appropriated by the County, and any amounts to be provided in kind and the amount to be obtained from Federal or State grants.

Section 3. The Commission shall operate on a fiscal year beginning July 1st through June 30th of each year.

ARTICLE XI

Funding of Commission Activities

If at any time the Commission shall receive funds derived from the sale, lease or optioning of any parcel or parcels of real estate purchased by the County for or on behalf of the Commission then the said funds so received, after deducting the expenses of sale, shall be returned on an equal basis to the County until such time as all funds which have been contributed by the said County are returned to them and the Commission is operating on its own funds or funds derived from the sale, lease or optioning of real estate, or on State or Federal grants which the Commission has received in its own right.

ARTICLE XII

These By-Laws shall only be amended by resolution of the County of Camden Board of Commissioners. The Board of Commissioners may at the request of the CEDC Board consider making such amendment.

ARTICLE XIII

This resolution becomes effective September 8, 2009.

ARTICLE XIV

These By-Laws are adopted pursuant to Chapter 158 of the North Carolina General Statutes and the said Commission derived its authority from the said Chapter 158 and all things inconsistent therewith are deemed stricken and modified herein.

ADOPTED the 8th day of September, 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

(SEAL)

New Business - Budget Amendment 2009-10-BA007

Commissioner Michael McLain made a motion to approve budget amendment 2009-10-BA007. 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-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, 2010.

Section 1. To amend the General Fund as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
Revenues:			
10-9990-500000	Contingency		\$ 7,000
Expenditures:			
10-4100-562100	Governing Body Economic Incentives		\$50,000
10-4700-504100	Attorney Fees		5,000
10-6900-553110	EDC Contribution		5,000
10-4940-501000	“ Board Member Salaries	\$ 2,500	
10-4940-504100	“ Attorney Fees	5,000	
10-4940-505000	“ FICA	200	
10-4940-510000	“ Training	1,000	
10-4940-511000	“ Postage	500	
10-4940-512000	“ Printing	1,000	
10-4940-514000	“ Travel	3,300	
10-4940-526000	“ Advertising	2,000	
10-4940-545000	“ Contracted Services	1,000	

10-4940-553000	“ Dues & Subscriptions	500
10-4940-562100	“ Economic Incentives	50,000

This will result in a decrease of \$7,000.00 in the Contingency of the General Fund.

Balance in Contingency \$395,296.

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 8th day of September, 2009.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

Recess

Chairman Philip Faison called a recess at 8:26 p.m. and reconvened at 8:33 p.m.

SOUTH CAMDEN WATER & SEWER DISTRICT BOARD OF DIRECTORS

Member Garry Meiggs made a motion to go into South Camden Water and Sewer District Board of Directors meeting at 8:33 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.

Adjournment

Member Garry Meiggs made a motion to adjourn the South Camden Water and Sewer District Board of Directors 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 Board of Directors meeting adjourned at 8:36 p.m.

Commissioner’s Report

Commissioner Michael McLain stated that Commissioner Philip Faison was appointed as District 1 representative at the North Carolina Association of County Commissioners Conference in Hickory, North Carolina.

County Manager’s Report

County Manager Randell Woodruff reported on the following:

- New requirement of Ethics Training during term of office. Discussed with Attorney Morrison and it appears that the Commissioner’s Association and the League of Municipalities will offer training for the Board and everyone will have ample opportunity to attend.
- The Board will be required to adopt a new Code of Ethics. Attorney Morrison will draft a document for the Board to review.
- David Credle, Aaron Maupin and Randell Woodruff went to Raleigh and met with Laurel Wright, Department of Insurance, regarding handicap accessibility issues in the county buildings. Mr. Credle and Mr. Maupin are in the process of putting a plan together to present at the next meeting laying out over the next year how the issues will be taken care of. The least expensive issues will be addressed first, and the handicap ramp in the front of the administrative building will also be addressed. Redoing the bathrooms in the Administrative office will be done last but are still required to be in full compliance.

- Waste water plant is operating in compliance. Filters are not the appropriate filters to filter out the waste water coming in the plant. Received another civil fine of \$500.00 from DENR on September 4, 2009 for time period of May and June.
- CAPS appeal hearing is scheduled for October 5, 2009.

Chairman Philip Faison asked what the Board had to do to change CAPS appeals so that they may be heard by the Board of Adjustment.

Attorney John Morrison stated that the Board would amend the CAPS appeal ordinance and instead of being appealed to the Board of Commissioners, it would be appealed to the Board of Adjustment.

Chairman Philip Faison suggested this matter be discussed at the next meeting.

Commissioner Melvin Jeralds questioned why this matter would be put on the agenda since it had been discussed before and why would the Board want to take the authority away from the Board of Commissioners and give the authority to the Board of Adjustment.

Chairman Philip Faison replied that the Board of Adjustment had the time to hear the CAPS appeal and stated that discussion would be held to see how the Board feels as a whole on the next agenda.

Adjournment

Chairman Philip Faison adjourned the meeting at 8:48

Philip S. Faison, Chairman
Camden County Board of Commissioners

ATTEST:

Ava J. Gurganus
Clerk to the Board