

**Camden County Board of Commissioners
Regular & Organizational Meeting
December 2, 2013
Historic Courtroom, Courthouse Complex
Camden, North Carolina**

MINUTES

The organizational and regular meeting of the Camden County Board of Commissioners was held on Monday, December 2, 2013 at 11:00 AM., in the Camden County Public Library Community Meeting Room, Camden, North Carolina. The following members were present:

Commissioners Garry Meiggs, Michael McLain,
Clayton Riggs and Randy Krainiak

Also attending was County Manager Michael Renshaw, Clerk to the Board Ashley Honaker, and County Attorney John Morrison.

Call to Order

County Attorney John Morrison called the organizational meeting to order and called upon Commissioner Michael McLain to give invocation and lead those present in the Pledge of Allegiance.

Organizational Meeting:

Nomination(s) and Election of Chair of the Board

Commissioner Michael McLain nominated Garry Meiggs as Chairman of the Board of Commissioners.

There being no further nominations, Commissioner Sandra Duckwall made a motion to close the nominations. The motion passed with Commissioners Garry Meiggs, Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; Commissioner Sandra Duckwall absent; and no Commissioner not voting.

The nomination of Garry Meiggs as Chairman of the Board of Commissioners passed at 11:06AM with Commissioners Garry Meiggs, Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; Commissioner Sandra Duckwall absent; and no Commissioner not voting.

Nomination(s) and Election of Vice Chair of the Board

Commissioner Clayton Riggs nominated Commissioner Michael McLain as Vice Chair of the Board of Commissioners.

There being no further nominations, Chairman Garry Meiggs made a motion the nominations for Vice Chair of the Board of Commissioners be closed. The motion passed with Chairman Garry Meiggs, and Commissioners Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; Commissioner Sandra Duckwall absent; and no Commissioner not voting.

The nomination of Michael McLain as Vice Chairman of the Board passed at 11:07AM with Chairman Garry Meiggs, Commissioners Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; Commissioner Sandra Duckwall absent; and no Commissioner not voting.

Review Bonds – Sheriff, Register of Deeds, Tax Administrator, Finance Officer

Commissioner Riggs made a motion to approve the bonds of the Sheriff, Register of Deeds, Tax Administrator and Finance Officer. At 11:08AM, the motion passed with Commissioners Garry Meiggs, Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; Commissioner Sandra Duckwall absent; and no Commissioner not voting.

2014 Board of Commissioners Meeting Calendar and Approval of 2014 Employee Holiday Schedule

Vice Chairman Michael McLain made a motion to approve the 2014 Board of Commissioners meeting calendar and 2014 Employee Holiday Schedule. At 11:09am, the motion passed with Commissioners Garry Meiggs, Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; Commissioner Sandra Duckwall absent; and no Commissioner not voting.

Board of Commissioners Calendar 2014

Date of Meeting	Time of Meeting	“Completed” Agenda Items With Summary Sheets Due In Clerks Office	Deadline For Information
Monday, January 6, 2014	7:00 PM	Monday, December 30, 2013	5:00PM
Monday, February 3, 2014	7:00 PM	Monday, January 27, 2014	5:00PM
Monday, February 17, 2014	7:00 PM	Monday, February 10, 2014	5:00PM
Monday, March 17, 2014	7:00 PM	Monday, March 10, 2014	5:00PM
Monday, April 7, 2014	7:00 PM	Monday, March 31, 2014	5:00PM
Monday, April 21, 2014	7:00 PM	Monday, April 14, 2014	5:00PM
Monday, May 5, 2014	7:00 PM	Monday, April 28, 2014	5:00PM
Monday, June 2, 2014	7:00 PM	Tuesday, May 27, 2014	NOON
Monday, June 16, 2014	7:00 PM	Monday, June 9, 2014	5:00PM
Monday, July 7, 2014	7:00 PM	Monday, June 30, 2014	5:00PM
Monday, August 4, 2014	7:00 PM	Monday, July 28, 2014	5:00PM
Tuesday, September 2, 2014	7:00 PM	Monday, August 25, 2014	5:00PM
Monday, September 15, 2014	7:00 PM	Monday, September 15, 2014	5:00PM
Monday, October 6, 2014	7:00 PM	Monday, September 29, 2014	5:00PM
Monday, November 3, 2014	7:00 PM	Monday, October 27, 2014	5:00PM
Monday, November 17, 2014	7:00 PM	Monday, November 10, 2014	5:00PM
Monday, December 1, 2014	8:30 AM	Monday, November 24, 2014	5:00PM
DURING ANY MONTH WITH ONLY ONE SCHEDULED MEETING, AN ADDITIONAL MEETING MAY BE SCHEDULED IF THE WORKLOAD IS ADEQUATE.			

SUBJECT: 2014 Holiday Schedule

Listed below are the holidays that will be observed by State employees during 2014.

New Year's Day	January 1, 2014	Wednesday
Martin Luther King's Day	January 20, 2014	Monday
Good Friday	April 18, 2014	Friday
Memorial Day	May 26, 2014	Monday
Independence Day	July 4, 2014	Friday
Labor Day	September 1, 2014	Monday
Veteran's Day	November 11, 2014	Tuesday
Thanksgiving Day	November 27 & 28, 2014	Thursday & Friday
Christmas	December 24, 25, & 26, 2014	Wednesday, Thursday Friday

The Organizational Meeting concluded and Chairman Garry Meiggs presided over the meeting.

Public Comments

None.

Consideration of Agenda

Commissioner Riggs made a motion to approve the agenda as presented. At 11:10am, the motion passed with Commissioners Garry Meiggs, Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; Commissioner Sandra Duckwall absent; and no Commissioner not voting.

Public Hearing

Item 4.A- Special use Permit Application (UDO 2012-05-01) for Preliminary Plat Phase I (28 Lots) North River Crossing Major Subdivision

Commissioner Randy Krainiak made a motion to go into public hearing. At 11:11am, the motion passed unanimously.

Planning Director Dan Porter was sworn in at 11:13am. Mr. Porter submitted a Board Packet into evidence. At 11:14am, Chairman Meiggs accepted the evidence.

Lance Large and Woody Perry were sworn in at 11:15am.

Mr. Porter presented the Board Packet previously entered into evidence and read over staff's finding of facts.

Lance Large, engineer and branch manager of Bowman Engineering came before the Board. Mr. Large further explained phase I of the presented project to the Board via large scale maps. Mr. Large state that ditches and culverts down Trotman Road had been cleaned, and that a roughly two and one half acre pond will be installed for stormwater retention.

County Attorney John Morrison stated that Mr. Large indicated that phase II has been engineered and licensed, and asked Mr. Large to verify that he has worked under the supervision of a licensed North Carolina Engineer.

Mr. Large pointed out Clay Massey and stated that Mr. Massey is the NC Licensee that oversaw the respective plans.

Mr. Morrison stated that the fact that phase II is not licensed in North Carolina does not render his opinion inadmissible.

Clay Massey, of 1176 Kings Way, Virginia Beach, VA, came before the Board and was sworn in at 11:30am. Mr. Massey stated that he has been a licensed civil engineer in North Carolina since 2004, and agrees with everything that Mr. Large has presented to the Board.

Commissioner Clayton Riggs stated that he agrees with the arrows showing flow of water on the presented map, however, stated that where the bright pink arrows are the water is generally above the ditches and road. He asked would these be fixed.

Mr. Massey responded that yes it would, with a correlated metal pipe under Trotman Road.

Vice Chairman McLain:

- At the pink arrows, those waters will be taken via pipe to adjacent property?

Mr. Massey:

- No, the water will be carried to the retention ponds. This project is proposing a significant storm water management plan for this area.

Chairman Garry Meiggs:

- Is the flooding from storm water or from lack of drainage?

Mr. Massey:

- Primary culprit is undersized pipe under Trotman Road.

Commissioner Riggs:

- The lots are mound fill because the land is so low.

Commissioner Randy Krainiak:

- You're going to build the mounds and dig the ditches, will this flow into the neighboring property or the ditches?

Mr. Massey:

- For a fact the neighbors will not be flooded. At a 100 year flood, the water will be contained.

Vice Chairman McLain:

- Mounded septic tank systems, so you will build up 1 property and will move water to another property?

Mr. Massey:

- No, the storm water will be routed to the 2.5 acre lake shown.

Vice Chairman McLain:

- Since you have guaranteed the lakes will keep the water from being pushed off onto neighboring landowners, are you willing to enter into a contractors agreement with those guarantees?

Mr. Massey:

- We have created is, and have signed these drawings certifying everything is sound.

County Attorney Morrison broke in to verify that the Board could not impose requirements during a Quasi-Judicial hearing.

Woody Perry: (Hertford developer whom developed Albemarle Plantation)

- Drainage is key. There would be very few real estate ventures in northeaster North Carolina if based only on soil. This property is not unique as far as

needing an extensive stormwater management plan (SWMP). This is a flat property, farmers have historically taken water to the north, and land has flooded. This is not unusual for the area. These larger pipes and ditches, and lakes will lower the water table. This will not look any different than any other project in the area. The SWMP is almost over kill and larger than any other. The county's engineer has blessed these plans.

Vice Chairman McLain:

- The health department stated there had to be mounded systems, now you are telling me there will not be mounded systems.

Mr. Perry:

- That is with current drainage. With the improved drainage system mounded systems will not be necessary.

Vice Chairman McLain:

- Why were these newer plans not taken back to planning board?

Mr. Perry:

- Because the sketch plans were approved and the county's engineer blessed the plans.

Vice Chairman McLain:

- The engineers did not object to mounded systems. Are you stating that you will keep the engineers from adhering to health department standards?

Mr. Massey:

- We did not state they would be mounded. Part of this process includes the health department testing under current conditions. Current conditions would require both flat and mounded systems. By putting in a SWMP the lots would need to be retested, and the theory is that with the lowered water table, the mounded systems would not be needed.

Opposition presented by Terry Forehand, 583 Trotman Road, Shiloh, NC.

Pictures submitted into evidence by opposition. All photos were taken in October 2013 after a 5in rain fall of the subject area.

Tom Nash, the attorney for Seaboard Alliance LLC, objected to pictures. John Morrison stated they were ok.

Mr. Forehand:

- The ditches have no entrance and no exit, and are much deeper on the ditch bank road end.

The following is a conversation between Mr. Nash and Mr. Forehand's responses in parentheses:

- You have a regular septic system (yes).
- You are not a licensed engineer? (No)
- You are aware that this plan has been approved by the county's engineer (yes).
- You are aware that the storm water plan presented would reduce the water table and storm water problem (no, I do not know that I agree with that. I am concerned that the people on ditch bank will be flooded out)
- You have heard the testimony to the ditch deepening (yes).
- The developer has offered to clean your ditches, would you allow this (no).
- Have you stated that you in general are not in agreement with this development (no).
- All the obligations have been met by the developer (yes).

Vice Chairman McLain:

- Mr. Forehand did you attend the planning board meeting (yes).

County Attorney Morrison politely interrupted the conversation to suggest that Chairman Meiggs either recess the public hearing to 3:00pm or another date and time.

Chairman Meiggs asked for a motion to recess the public hearing until 3:00pm.

Commissioner Riggs made the requested motion. At 12:40pm, the motion passed with Commissioners Garry Meiggs, Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; Commissioner Sandra Duckwall absent; and no Commissioner not voting.

Commissioner Riggs made a motion to reconvene the regular meeting of the Camden County Board of Commissioners at 3:07pm. The motion passed unanimously.

Commissioner Riggs made a motion to reconvene the Public Hearing at 3:07pm. The motion passed unanimously.

Planning Director Dan Porter:

- The proposed application does meet all the requirements. Planning staff did develop recommendations with conditions (read aloud). Staff recommended the approval of the sketch plan with said conditions to the Planning Board. A motion was made to approve the sketch plan by the Planning Board, but a second was not made. There is no recommendation from the Planning Board.

Commissioner Riggs:

- The HOA restrictive covenants would require a DENR statement.

Vice Chairman McLain:

- First it was said maybe they would have mounded septic systems. Now it's saying houses would be built up on sand.

Mr. Porter:

- That housing buildup for 100 year flood plan is a requirement for all subdivisions in Camden County. This area would be going from no storm water system, to have an extensive storm water system.

Mr. Nash:

- The property is zoned at I2. This is a phased development. Phase 1 is 28 lots. Phases 2 & 3 would require the same processes at phase 1. The engineering done was for the total phased out project. Camden has an incredibly strict UDO, which is probably a good thing. Storm water requirements for Camden are stronger than those of the state. My client has put forth extensive time, effort and, money in this project. The County engineer has approved this project. My client has met all requirements of them from the UDO. The planning department recommends approving with conditions. We have met demands of everyone has made and offered to clean the opponent, Mr. Terry Forehand's ditch.

Mr. Forehand:

- I am not the only person who opposes this. Our major concern is drainage; housetops increase drainage issues.

Vice Chairman Michael McLain made a motion to come out of public hearing. At 3:24pm, the motion passed with Commissioners Garry Meiggs, Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; Commissioner Sandra Duckwall absent; and no Commissioner not voting.

Commissioner Riggs made a motion to amend the agenda to add New Business as Item 6 and the Public Hearing as item 6.A and pushing the rest of the items to the next

consecutive item number. At 3:39pm, the motion passed 3-1, with Chairman Garry Meiggs, and Commissioners Clayton Riggs and Randy Krainiak voting aye; Vice Chairman Michael McLain voting no; Commissioner Sandra Duckwall absent; no Commissioners not voting.

Old Business

Item 5.A- Special Use Permit (UDO 2013-09-02) from Invenergy for Meteorological Tower over 35 feet

Commissioner Riggs made a motion to approve the SUP as presented. At 3:31pm, the motion passed with Commissioners Garry Meiggs, Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; Commissioner Sandra Duckwall absent; and no Commissioner not voting.

Item 5.B- Ordinance No 2013-09-01; Proposed Amendments to Chapter 151 (Unified Development Ordinance) to the Camden County Code of Ordinances

Commissioner Riggs made a motion to approve ordinance 2013-09-01 as presented. At 3:32pm, the motion passed with Commissioners Garry Meiggs, Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; Commissioner Sandra Duckwall absent; and no Commissioner not voting.

Item 5.C- Sketch Plan Green Meadows- 9 Lots Major Subdivision (UDO 2013-08-04)

Vice Chairman McLain made a motion to approve the Green Meadows sketch plan as presented. At 3:33pm, the motion passed with Commissioners Garry Meiggs, Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; Commissioner Sandra Duckwall absent; and no Commissioner not voting.

New Business

Item 6.A- Special Use Permit Application (UDO 2012-05-01) for Preliminary Plat Phase I (28 lots) North River Crossing Major Subdivision

Commissioner Riggs made a motion to approve the North River Crossing sketch plan as presented. At 3:36pm, the motion passed 3-1, with Chairman Garry Meiggs, and Commissioners Clayton Riggs and Randy Krainiak voting aye; Vice Chairman Michael McLain voting no; Commissioner Sandra Duckwall absent; no Commissioners not voting.

Board Appointments

Item 7.A- Shiloh Watershed Advisory Board- Appoint Mike Riggs and Kenny Respass

Vice Chairman McLain made a motion to approve the appointments as presented. At 3:37pm, the motion passed with Commissioners Garry Meiggs, Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; Commissioner Sandra Duckwall absent; and no Commissioner not voting.

Item 7.B- Coastal Resource Commission Nomination

Commissioner Riggs made a motion to nominate Soil & Water Tech Brain Lannon as recommended by staff. At 3:39pm, the motion passed with Commissioners Garry Meiggs, Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; Commissioner Sandra Duckwall absent; and no Commissioner not voting.

E. Tax Authorization to Collect (January 2014 Renewals)

SOUTH MILLS	COURTHOUSE	SHILOH	TOTAL
15,582.30	14,836.90	7,971.30	38,390.50

F. Article Viii. Holidays and Leave of Absence

G. Ordinance 2013-12-01; Code of Ordinances Supplement Adoption

Ordinance 2013-12-01

**AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE
CODE OF ORDINANCES FOR CAMDEN COUNTY,
AND DECLARING AN EMERGENCY.**

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio, has completed the 13th supplement to the Code of Ordinances of the Political Subdivision, which supplement contains all ordinances of a general and permanent nature enacted since the prior supplement to the Code of Ordinances of this Political Subdivision; and

WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances which are based on or make reference to sections of the NC code; and

WHEREAS, it is the intent of the Legislative Authority to accept these updated sections in accordance with the changes of the law of the State of NC; and

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date;

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF CAMDEN COUNTY:

- Section 1. That the 13TH supplement to the Code of Ordinances of the Political Subdivision as submitted by American Legal Publishing Corporation of Cincinnati, Ohio, and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.
- Section 2. Such supplement shall be deemed published as of the day of its adoption and approval by the Legislative Authority and the Clerk of the Political Subdivision is hereby authorized and ordered to insert such supplement into the copy of the Code of Ordinances kept on file in the Office of the Clerk.
- Section 3. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of this municipality, and shall take effect at the earliest date provided by law.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 2nd day of December, 2013.

Garry Meiggs, Chairman

ATTEST:

Ashley Honaker, Clerk

Commissioner's Report

Commissioner Randy Krainiak reported that EMS has moved to their new building.

Vice Chairman Michael McLain reported:

- The Albemarle Commission may have state wide reorganization
- ECBH has lost \$6.5 Million
- The SPCA is looking for money to build a new shelter

Commissioner Riggs reported that Sky 4 TV paid back taxes owed to the County today.

County Manager's Report

County Manager Michael Renshaw reported that staff submitted a letter to Golden Leaf last week referencing interest in grant funding. The County should know the final answer in February or March 2014.

Other Matters

None.

Adjournment

At 3:38pm, Chairman Garry Meiggs asked if there were any other matters to come before the Board of Commissioners, hearing none, he declared the meeting adjourned.

Garry Meiggs, Chairman
Camden County Board of Commissioners

ATTEST:

Ashley Honaker
Clerk to the Board