



CAMDENCOUNTY

new energy. new vision.

**BOARD
OF
COMMISSIONERS**

**May 16, 2016
7:00 PM
Regular Meeting**

**Historic Courtroom
Courthouse Complex**

This agenda is only a tentative schedule of matters the Commissioners may address at their meeting and all items found on it may be deleted, amended or deferred. The Commissioners may also, in their absolute discretion, consider matters not shown on this agenda.

Special accommodations for the disabled who attend public meetings can be made by contacting the Clerk to the Board 24 hours in advance at 252-338-6363, Ext. 100.

Please turn Cell Phone ringers off during the meeting.

Agenda

**Camden County Board of Commissioners
BOC - Regular Meeting
May 16, 2016
7:00 PM
Historic Courtroom, Courthouse Complex**

Welcome & Call to Order

Invocation & Pledge of Allegiance

Commissioner Clayton Riggs

ITEM 1. Public Comments

It is requested that comments be limited to (2-3) minutes. The length and number of comments may be limited upon the Chairman's discretion due to scheduling and other issues.

ITEM 2. Consideration of Agenda (For discussion and possible action)

ITEM 3. Presentations (For discussion and possible action)

A. Presentation by Stephanie Humphries

ITEM 4. Old Business (For discussion and possible action)

A. VIPER and 911 Backup

ITEM 5. Public Hearings

A. Public Hearing - Ordinance 2016-04-01; Rezoning Application (UDO 2016-03-09) Pudding Ridge of South Mills LLC - Herb Mullen and Tracy Swain

B. Public Hearing – Special Use Permit Application (UDO 2015-10-08) for Outdoor Shooting Range for Law Enforcement

ITEM 6. New Business (For discussion and possible action)

- A. Budget Officer Appointment
- B. Budget Message 16-17
- C. Camden County HS Tour for Potential Future Use

ITEM 7. Board Appointments (For discussion and possible action)

ITEM 8. Consent Agenda

- A. March 7Th, 2016 Draft Minutes
 - Motion to approve Draft Minutes
- B. Budget Amendment
- C. Refunds Over \$100.00
- D. DMV Monthly Report
- E. Surplus Items
- F. Surplus Items
- G. Contract for Services WWTP
- H. Copy Fee for Map Copies

ITEM 9. Commissioners' Report

ITEM 10. County Manager's Report

ITEM 11. Information, Reports & Minutes From Other Agencies

- A. Register of Deeds

ITEM 12. Other Matters (For discussion and possible action)

ITEM 13. Adjourn



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Board of Commissioners AGENDA ITEM SUMMARY SHEET

Presentations

Item Number: 3.A
Meeting Date: May 16, 2016

Submitted By: Stephanie Humphries, Finance Director
Finance
Prepared by: Stephanie Humphries

Item Title **Presentation by Stephanie Humphries**

Attachments: New Online Payment Vendor benefits (DOCX)

Presentation by: **Stephanie Humphries**

Summary:



New Vendor for Online Tax and Utility payments



Benefits:

- Now integrated with current billing software for faster account updates
- Customers can now view their bills and usage online
- Charges for online payments greatly reduced

Credit/Debit Card Payments

Credit: 2.75% fee (.50 surcharge if bill payment is less than \$100)

Fee Examples

\$50 utility bill Before: \$6.50
 After: \$1.88* (includes .50 surcharge)

\$500 tax bill Before: \$15.00
 After: \$13.75

Online Check Payments

Check: \$1.00 fee

Fee Examples

\$50 utility bill Before: Unavailable
 After: \$1.00

\$500 tax bill Before: Unavailable
 After: \$1.00

Other examples:

Credit/Debit: \$100 utility bill fee was \$6.50 now \$2.75

\$2,000 tax bill fee was \$60.00 now \$55.00

Online Check: \$100 utility bill fee was unavailable now \$1.00

\$2,000 tax bill fee was unavailable now \$1.00

****Monthly automatic checking account drafted utility bill payments will still be free for customers.****

Cash and Check payments will still be accepted by mail or in person with no charge.

Credit Card payments made at the water/tax offices have the same fees as above.

Tax and Water will not take payments by phone. Phone payments can be made through PSN.

Disconnection process/rules will remain the same.



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Board of Commissioners AGENDA ITEM SUMMARY SHEET

Old Business

Item Number: 4.A
Meeting Date: May 16, 2016
Submitted By: Stephanie Humphries, Finance Director
 Finance
 Prepared by: Stephanie Humphries

Item Title **VIPER and 911 Backup**

Attachments:

Summary: Commissioners Meiggs, Commissioner Riggs and Finance Officer Stephanie Humphries met with Pasquotank and Elizabeth City Officials to discuss the intentions of the group for upgrading the 911 Communications system and the pending state required 911 Backup Center.

The group expressed interest in moving forward to fund the upgrades in the 2016-2017 Fiscal year.

Recommendation: **Discuss the benefits of the 911 Upgrade.**
Express the groups intention to continue to seek approval from the state to use 911 Funds for the backup.
Provide a consensus from the County Commissioners to support the upgrade and the backup center.



Board of Commissioners
AGENDA ITEM SUMMARY SHEET

Item Number: 5.A

Meeting Date: May 16, 2016

Submitted By: Amy Barnett, Planning Clerk
 Planning Board
 Prepared by: Amy Barnett

Item Title Public Hearing - Ordinance 2016-04-01; Rezoning
 Application (UDO 2016-03-09) Pudding Ridge of South Mills
 LLC - Herb Mullen and Tracy Swain

Attachments: Ordinance_2016-04-01 (PDF)
 StaffReport_RezoningPuddingRidgeofSM (PDF)
 mullen photo3.pdf (PDF)
 mullen photo2.pdf (PDF)
 Mullen photo1.pdf (PDF)

Summary:

Pudding Ridge of South Mills LLC has applied to rezone approximately 55 of the 93 acres of land off Pudding Ridge Road in South Mills Township from Basic Residential (R3-2) to Basic Residential (R3-1). Staff presented the rezoning request to the Planning Board on April 20, 2016 with the applicant present and after discussion Planning Board made the following motions:

- (1) Consistency Statement: Motion was made that the requested zoning change was consistent with Camden County's Comprehensive Plan. Motion passed on a 7-0 vote.
- (2) Recommendation: Motion was made recommending approval of the rezoning as recommended by planning staff. Motion passed on a 7-0 vote

Recommendation:

Hold Public Hearing and consider amending agenda to consider Ordinance 2016-04-01

Motion's required:

1. Consistency statement:

- The requested zoning change is consistent with Camden County's Comprehensive Plan as it allows for densities of one or two acres; or
- The requested zoning change is inconsistent with the CAMA Land Use Plan as it has land designated as conservation and is in an Area of Environmental Concern.

2. Motion to approve/deny:

Motion to approve or deny Ordinance 2016-04-01.

Ordinance No.

See Attachment

Ordinance No. 2016-04-01**An Ordinance
Amending the Camden County
Zoning Map
Camden County, North Carolina****Article I: Purpose**

The purpose of this Ordinance is to amend the Zoning Map of Camden County, North Carolina, which was originally adopted by the County Commissioners on December 20, 1993, and subsequently amended.

Article II. Amendment to Zoning Map

The Official Zoning Map of Camden County, North Carolina, which was adopted on December 20, 1993, and subsequently amended, is hereby amended as follows:

The front portion of property excluding the area of the floodway and a 100 foot buffer from the flood way (approximately 52 acres) currently shown in the Camden County Tax Assessor's Office as PIN 01-7090-00-01-5676, is hereby rezoned from Basic Residential (R3-2) to Basic Residential (R3-1).

Additionally the remaining property (approximately 41 acres) to include the area in the floodway and a the 100 foot buffer adjacent to the floodway, is hereby rezoned from Basic Residential (R3-2) to Conservation District (CD).

See attached map.

Article III. Penalty

1. Violations of the provision of this Ordinance or failure to comply with any of its Requirements, including violations of any conditions and safeguards established in connection with grants of variances or Special Use or Conditional Use Permits, shall constitute a misdemeanor, punishable by a fine of up to five-hundred (\$500) dollars or a maximum thirty (30) days imprisonment as provided in G. S. 14-4.
2. Any act constituting a violation of the provisions of this Ordinance or a failure to comply with any of its requirements, including violations of any conditions and safeguards established in connection with the grants of variances or Special Use or Conditional Use Permits, shall also subject the offender to a civil penalty of one-hundred (\$100) dollars for each day the violation continues. If the offender fails to pay the penalty within ten (10) days after being cited for a violation, the

penalty may be recovered by the county in a civil action in the nature of debt. A civil penalty may not be appealed to the Board of Adjustment if the offender was sent a final notice of violation in accordance with Article 151.568 and did not take an appeal to the Board of Adjustment within the prescribed time.

3. This Ordinance may also be enforced by any appropriate equitable action.
4. Each day that any violation continues after notification by the administrator that such violation exists shall be considered a separate offense for purposes of the penalties and remedies specified in this section.
5. Any one, all or any combination of the foregoing penalties and remedies may be used to enforce this Ordinance.

Article IV. Severability

If any language in this Ordinance is found to be invalid by a court of competent jurisdiction or other entity having such legal authority, then only the specific language held to be invalid shall be affected and all other language shall be in full force and effect.

Article V. Effective Date

This Ordinance is effective upon adoption.

Adopted by the Board of Commissioners for the County of Camden this day of 2016.

County of Camden

Michael McLain, Chairman
Camden County Board of Commissioners

ATTEST:

Angie Wooten
Clerk to the Board

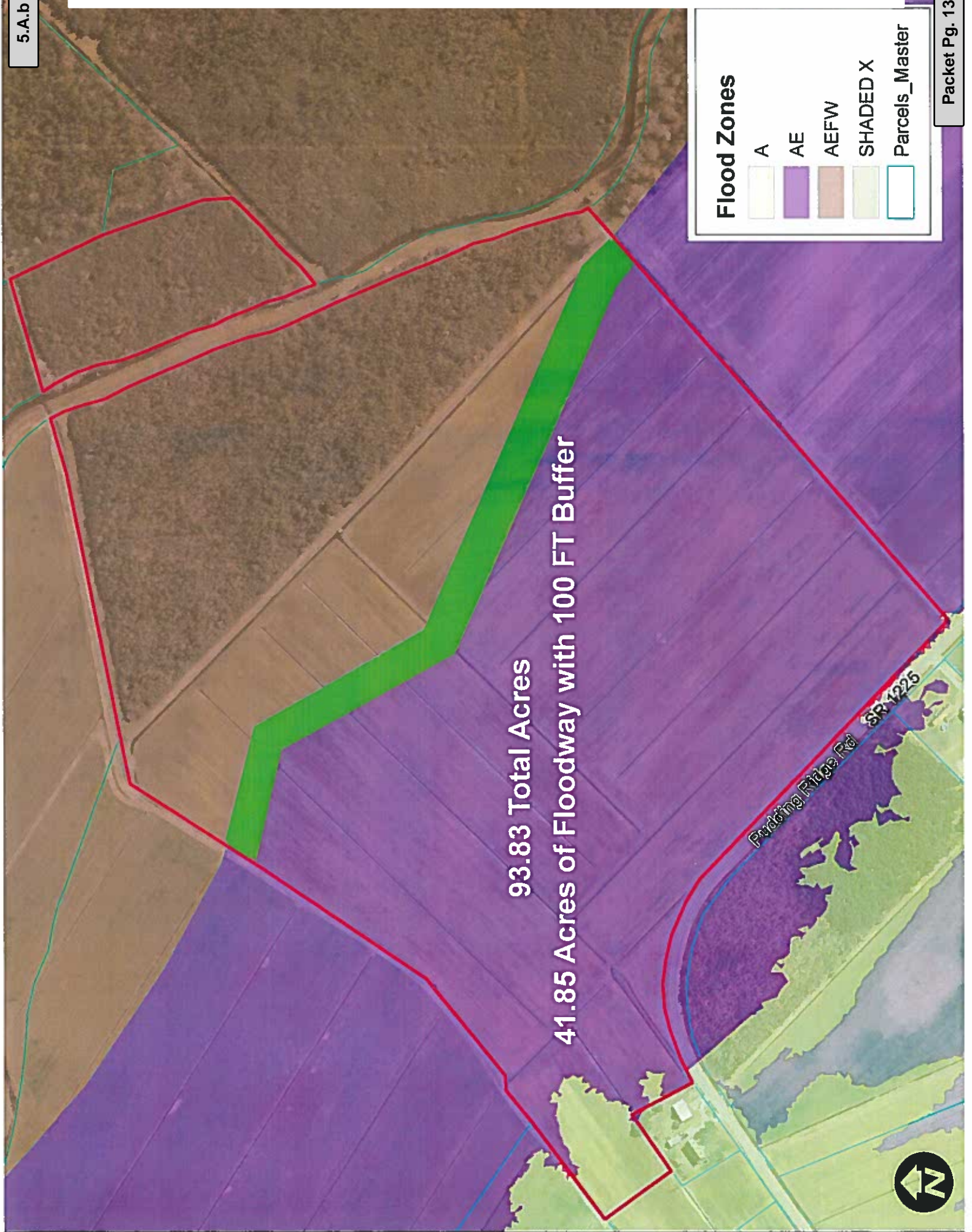
(SEAL)

STAFF REPORT**UDO 2016-03-09
Zoning Map Amendment****PROJECT INFORMATION**

| | | | |
|---------------------------------|---|---|--|
| File Reference: | UDO 2016-03-09 | Application Received: | 3/11/2016 |
| Project Name; | N/A | By: | David Parks, Permit Officer |
| PIN: | 01-7090-00-01-5676 | Application Fee paid: | \$1100 Check #1026 |
| Applicant: | Pudding Ridge of South Mills LLC – Herb Mullen/Tracy Swain | Completeness of Application: | Application is generally complete |
| Address: | 149 Lilly Road South Mills NC 27976 | Documents received upon filing of application or otherwise included: | |
| Phone: | (252) 339-5963 | A. | Rezoning Application |
| Email: | | B. | Deed |
| Agent for Applicant: | | C. | GIS Aerial, existing zoning, Comprehensive Plan Future Land Use Map, CAMA Land Use Plan Suitability Maps |
| Address: | | D. | Letter from Albemarle Regional Health Services |
| Phone: | | E. | Emails from NC Department Public Safety (Floodplain Management Branch) John Gerber and Dan Brubaker |
| Email: | | | |
| Current Owner of Record: | Same as applicant | | |
| Meeting Dates: | | | |
| 4/20/2016 | Planning Board Board of Commissioners | | |

PROJECT LOCATION:

Street Address: Property adjacent to 330 Pudding Ridge Road
Location Description: South Mills Township



Vicinity Map:



REQUEST: Rezoning of the approximately 55 of 93 acres (all property located outside the Floodway)

From: Basic Residential (R3-2)

To: Basic Residential (R3-1)

The R3 Districts are designed to provide for low density residential development in areas that are adjacent to those areas primarily devoted to agriculture. Subdivision in the R3-2 district requires a minimum of two acres per lot.

The R3 Districts are designed to provide for low density residential development in areas that are adjacent to those areas primarily devoted to agriculture. Subdivision in the R3-1 district requires a minimum of one acre per lot.

SITE DATA

Lot size: Approximately 93 acres. Request is for the 56 acres of land that is located outside the FEMA Floodway

Flood Zone: Zones: Shaded X, AE, and AEFW

Zoning District(s): Basic Residential (R3-2)

Existing Land Uses: Agriculture/Woodland

Adjacent Zoning & Uses:

| | North | South | East | West |
|-----------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Zoning | Basic Residential (R3-2) | Basic Residential (R3-2) | Basic Residential (R3-2) | Basic Residential (R3-2) |
| Use & size | Farmland | Farmland | Woodland | Farmland/Residential |

Proposed Use(s):

Uses are the same the only change is in the density from two acres to one acre.

Description of property:

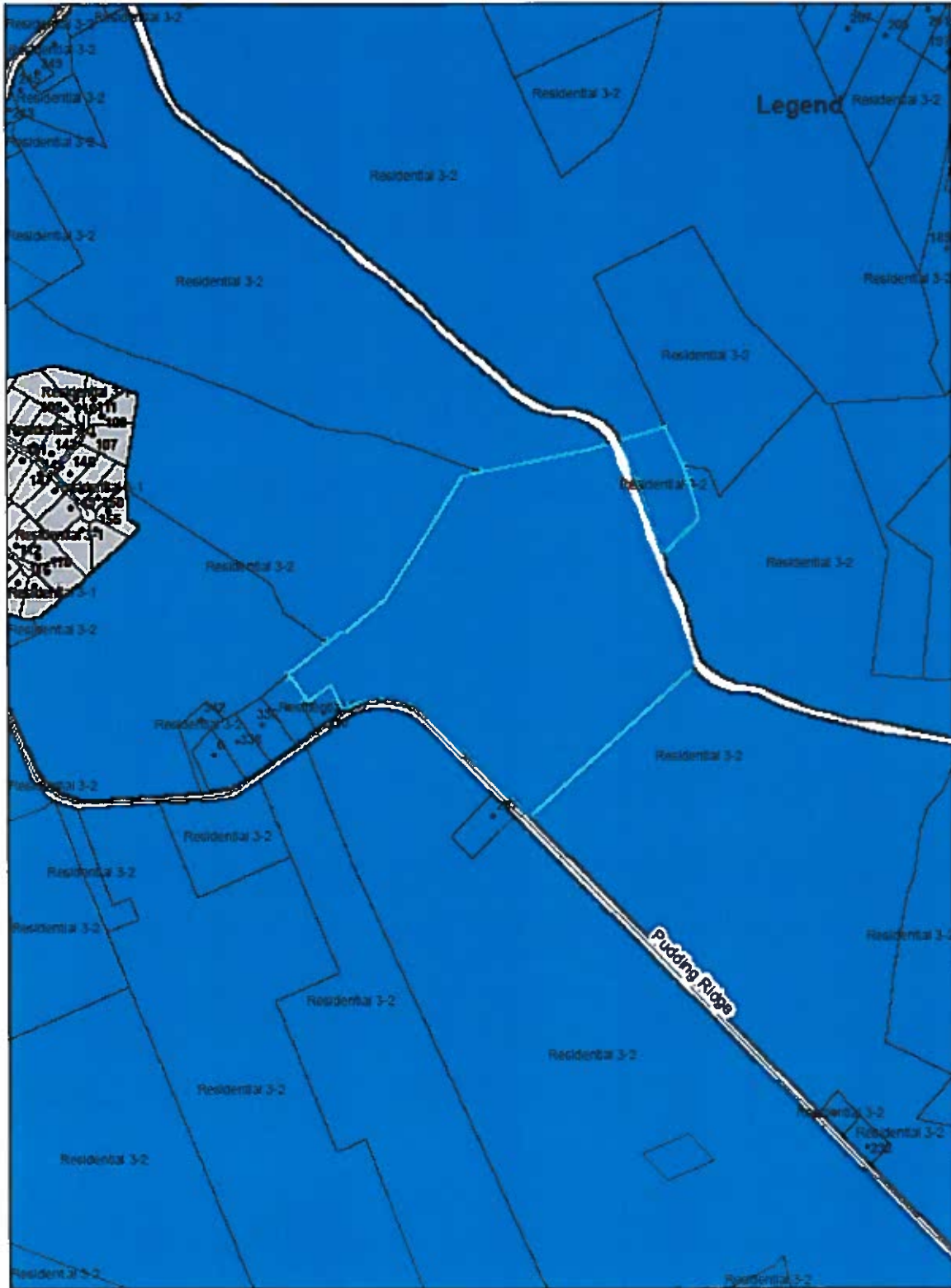
Property abuts 330 Pudding Ridge Road and its current use is mostly farmland. Only utility adjacent to property is electric with the nearest waterline over 4500 feet away on Keeter Barn Road.

ENVIRONMENTAL ASSESSMENT

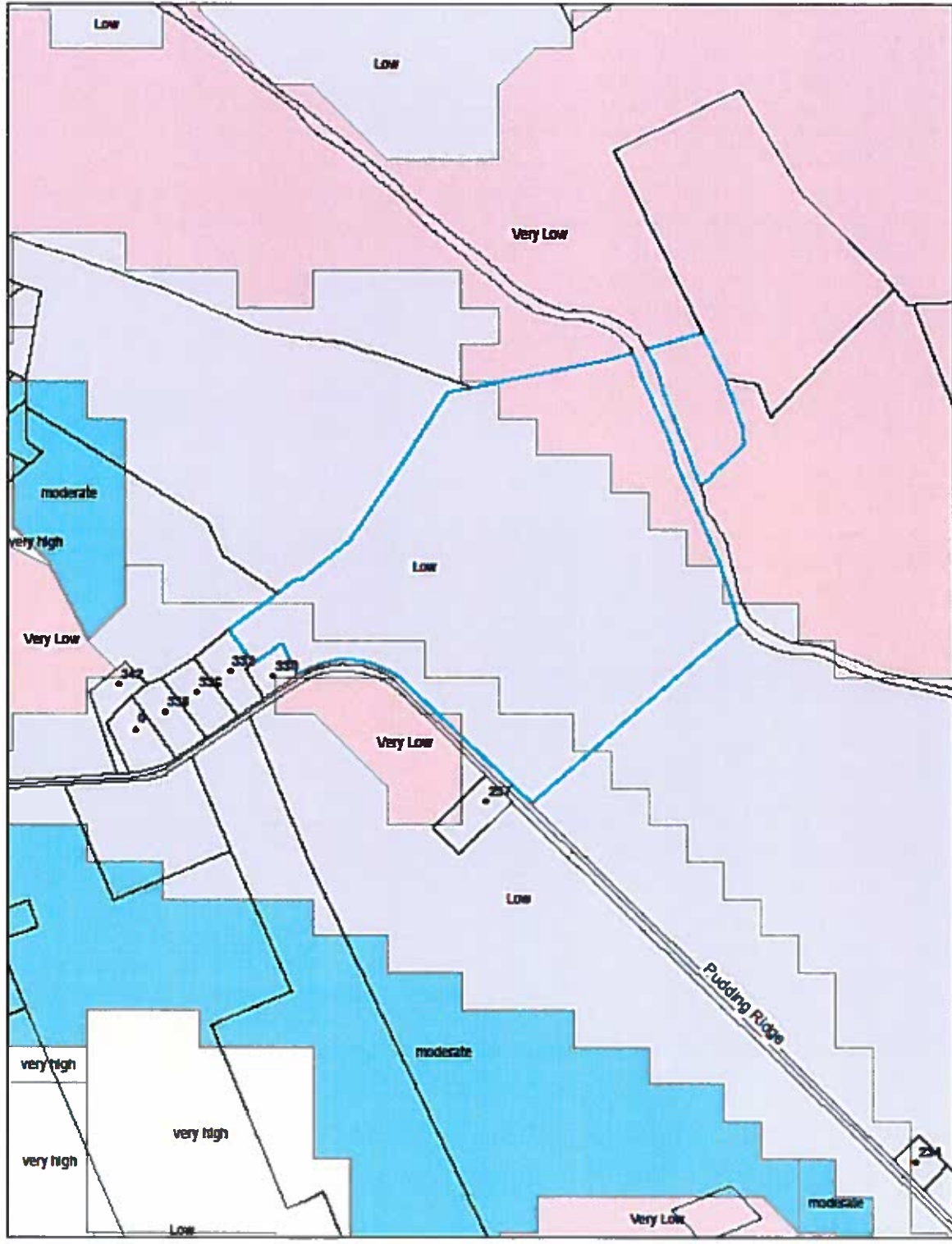
Streams, Creeks, Major Ditches: Cypress Run Ditch.

Distance & description of nearest outfall: Cypress Run Ditch located to the East of property. In reviewing flood map approximately 36 acres is designated as the FEMA Floodway defined as "The channel of a river or other watercourse and the adjacent land areas that must be preserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot."

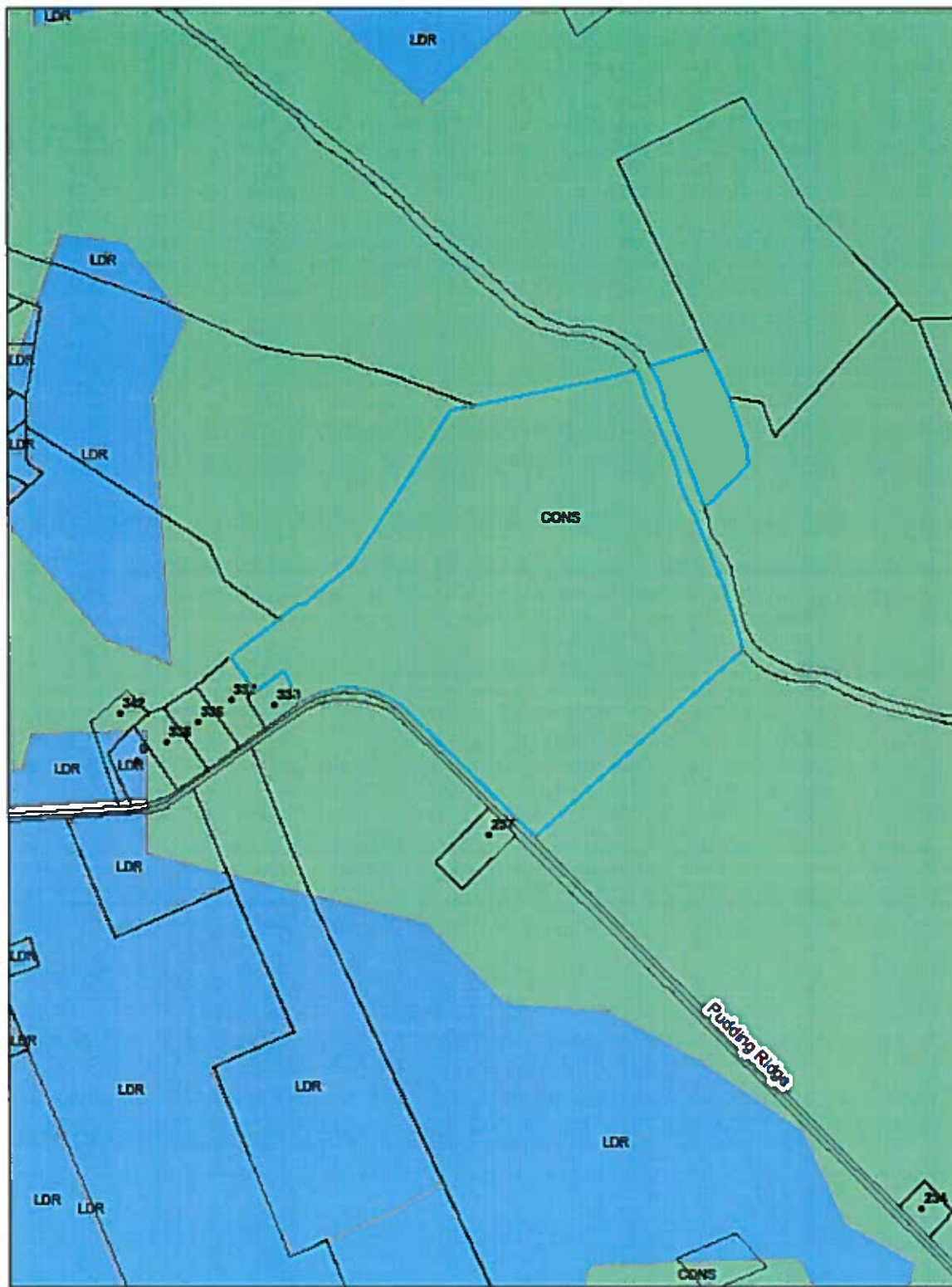
Current Zoning Map



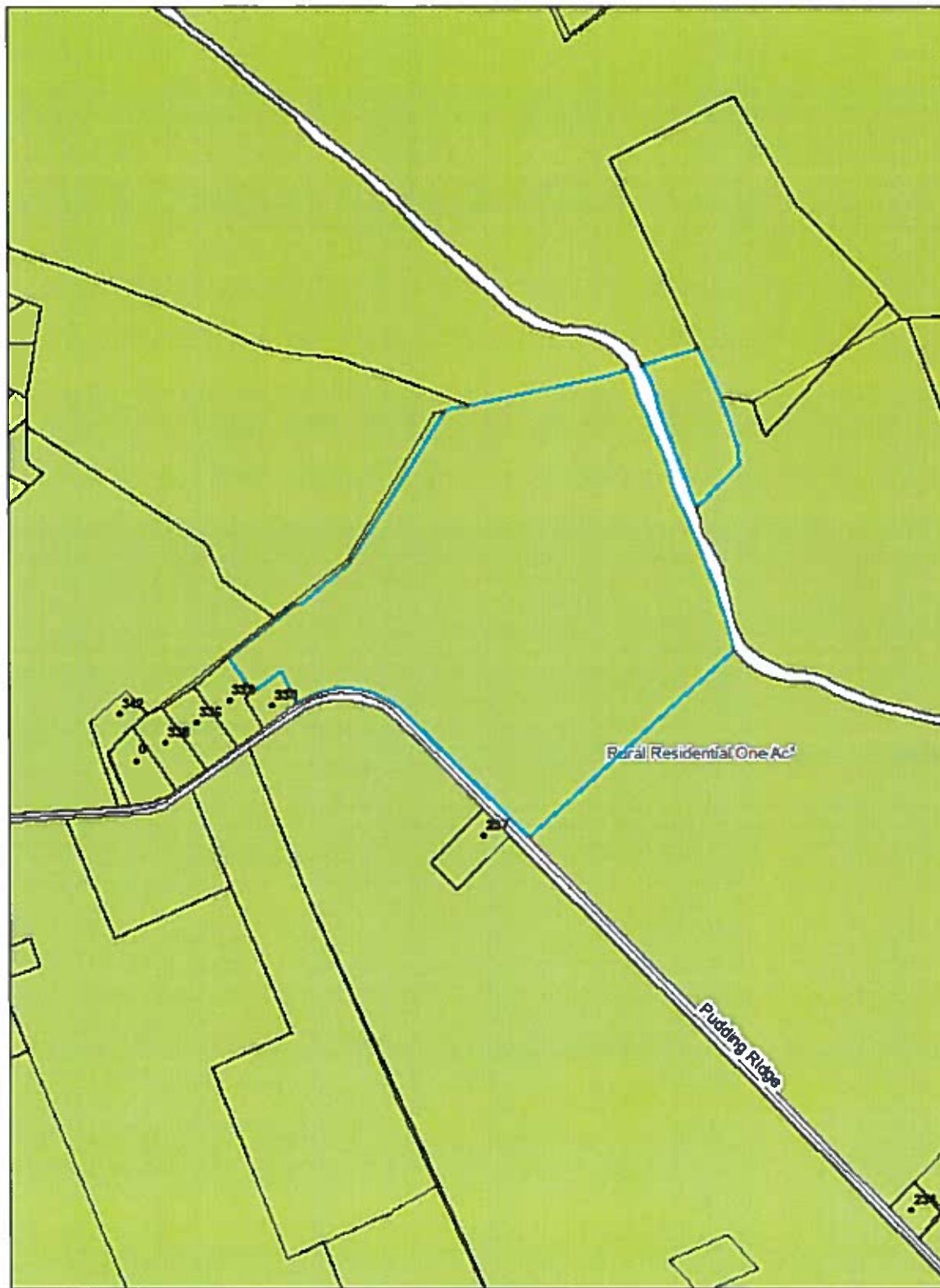
Land Suitability



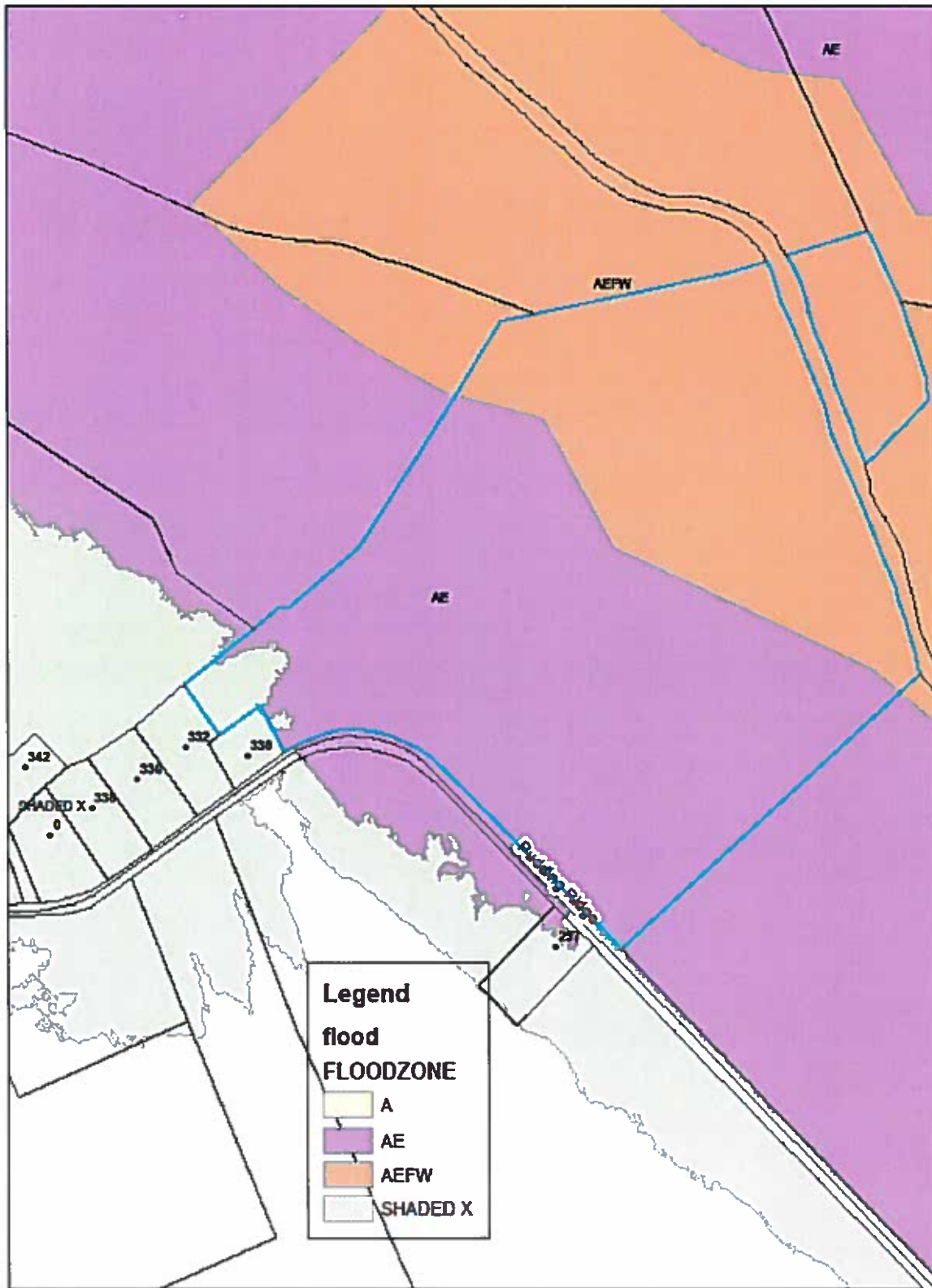
CAMA Future Land Use Map



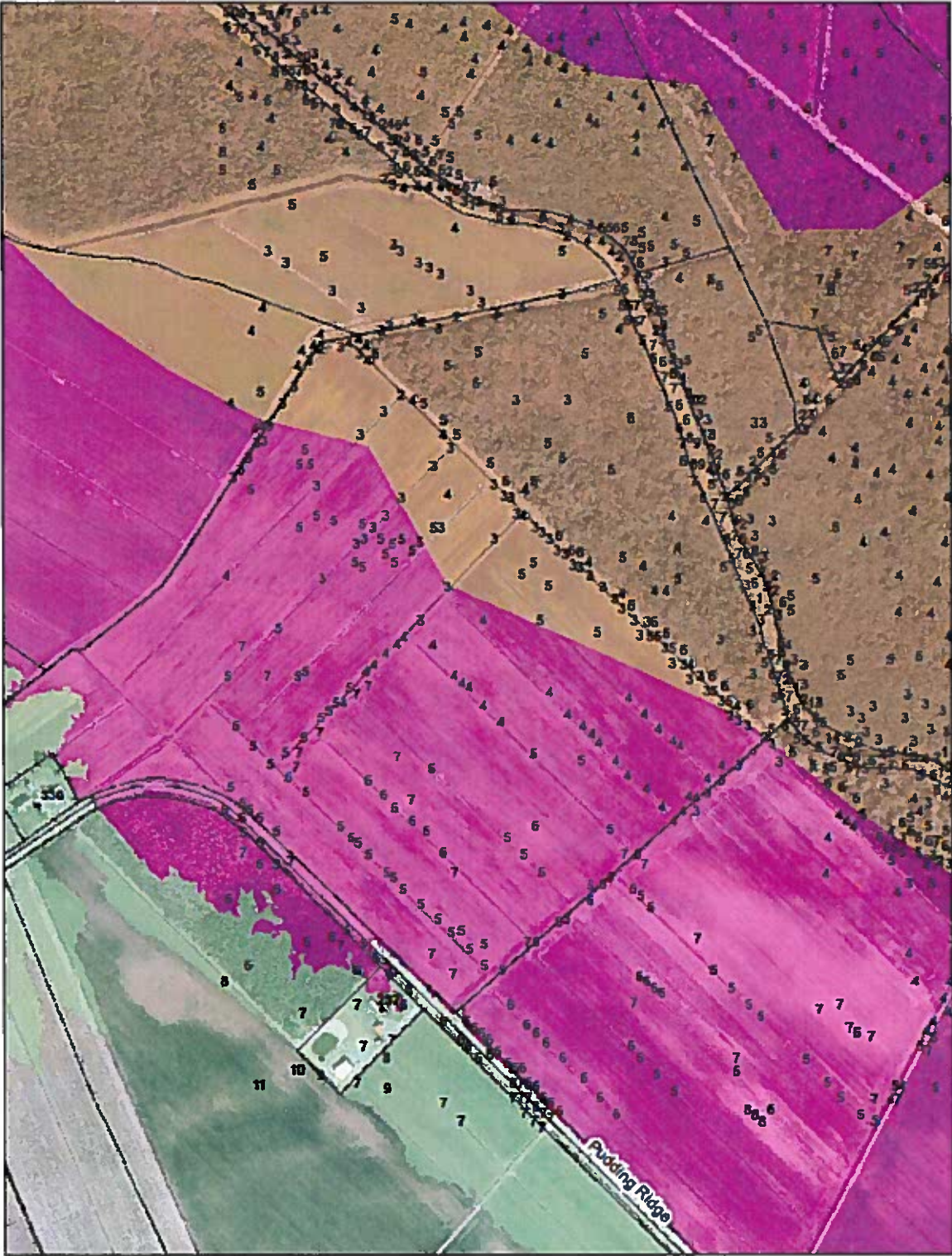
Comprehensive Plan Future Land Use Map



Floodplain Map



Lidar Elevation Data



INFRASTRUCTURE & COMMUNITY FACILITIES

| | |
|----------------------|--|
| Water | Nearest water line located approximately 4500 feet away at Keeter Barn and Pudding Ridge Roads (6 Inch lines). |
| Sewer | Letter from Albemarle Regional Health Services Soil Scientist (Ralph Hollowell stating soils are provisionally suitable for septic systems |
| Fire District | South Mills Fire District. Station located approximately 1.2 miles from property. |
| Schools | Increasing density of development through rezoning will increase projected number of students generated from future development. |
| Traffic | Increasing density will increase traffic generation, however traffic is not anticipated to exceed road capacities. |

PLANS CONSISTENCY**CAMA Land Use Plan Policies & Objectives:**Consistent Inconsistent

The proposed zoning change is inconsistent with the CAMA Land Use Plan which was adopted by the Camden County Board of Commissioners on April 4, 2005 in that is the parcel is designated as Conservation (Area of Environmental Concern). This would probably be based on the property being located in an Area of Environmental Concern (floodplain/Floodway according to the FEMA Flood Maps).

PLANS CONSISTENCY – cont.**2035 Comprehensive Plan**Consistent Inconsistent

Consistent with Comprehensive Plan Future Land Use Maps in that area is identified as Rural Residential with maximum density of 1 acre lots.

Comprehensive Transportation PlanConsistent Inconsistent

Property abuts Pudding Ridge Road (SR 1225)

Other Plans officially adopted by the Board of Commissioners: N/A

FINDINGS REGARDING ADDITIONAL REQUIREMENTS:

Yes No **Will the proposed zoning change enhance the public health, safety or welfare?**

Reasoning:

- (1) The proposed zoning change will enhance the public health, safety, or welfare as it will provide needed residential density in an area identified by the Comprehensive Plan to encourage commercial development.
- (2) The proposed zoning change could jeopardize the public safety as the CAMA Land Use Plan has the parcel identified as Conservation or an Area of Environmental Concern (AEC) due to it being in the FEMA Floodplain/Floodway. Flood Maps are based on that 1% chance every year that the County could be inundated with the 100 year storm which would dump approximately 9 inches of rain in a 24 hour period.

Yes No **Is the entire range of permitted uses in the requested classification more appropriate than the range of uses in the existing classification?**

Reasoning: The permitted uses will not change as the request is for a higher density in the existing district of Basic Residential (R3).

For proposals to re-zone to non-residential districts along major arterial roads:

Yes No **Is this an expansion of an adjacent zoning district of the same classification? N/A**

Reasoning:

Yes No **What extraordinary showing of public need or demand is met by this application? N/A**

Reasoning:

Yes No **Will the request , as proposed cause serious noise, odors, light, activity, or unusual disturbances?**

Reasoning: All uses allowed in the requested zoning classification should not cause any serious noise, odors, light activity, or unusual disturbances.

Yes No **Does the request impact any CAMA Areas of Environmental Concern?**

Reasoning: Property is located in a CAMA Areas of Environmental Concern (Floodplain/Floodway AE/AEFW)

Yes No **Does the county need more land in the zoning class requested?**

Reasoning: The attached graph indicates the percentage and amount of land in the R3-1 zone.

Yes No **Is there other land in the county that would be more appropriate for the proposed uses?**

Reasoning: Uses are the same, request is for higher density from two acres to one acre.

Yes No **Will not exceed the county’s ability to provide public facilities:**

Schools – The higher density would have an impact on the schools once developed as the high school has exceeded its capacity.

Fire and Rescue – Minimal impact.

Law Enforcement – Minimal impact.

Parks & Recreation – Minimal impact

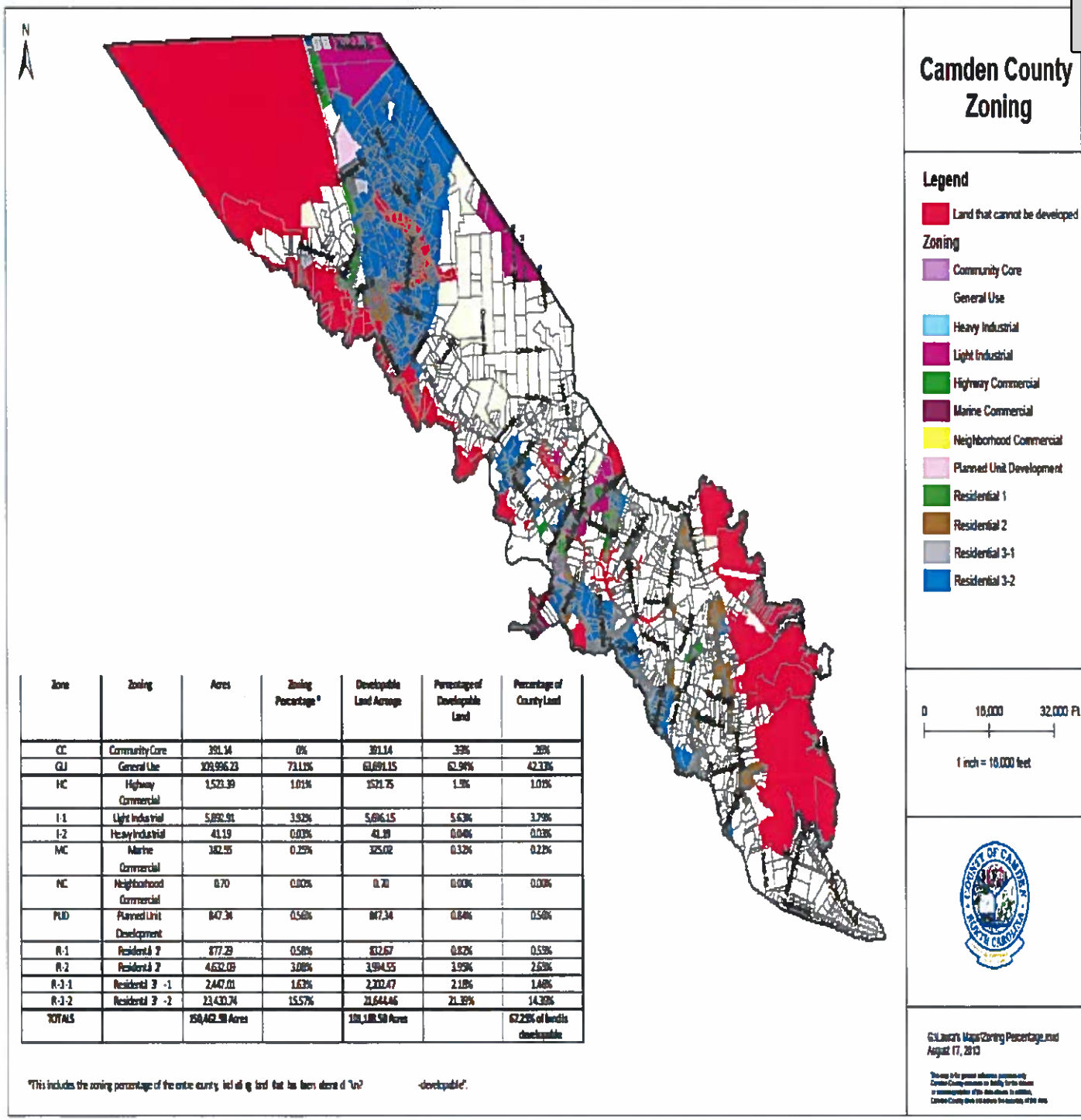
Traffic Circulation or Parking – N/A

Other County Facilities – No.

Yes No **Is This A Small Scale “Spot” Rezoning Request Requiring Evaluation Of Community Benefits?**

If Yes (regarding small scale spot rezoning) – Applicants Reasoning:

| | Personal Benefits/Impact | Community Benefits/Impact |
|-------------------------|---------------------------------|----------------------------------|
| With rezoning | | |
| Without rezoning | | |



| Zone | Zoning | Aces | Zoning Percentage * | Developable Land Acreage | Percentage of Developable Land | Percentage of County Land |
|---------------|--------------------------|-------------------------|---------------------|--------------------------|--------------------------------|------------------------------------|
| CC | Community Core | 391.34 | 0% | 391.34 | 33% | 35% |
| GU | General Use | 129,996.23 | 71.11% | 61,691.15 | 62.94% | 42.33% |
| HC | Highway Commercial | 1,523.39 | 1.01% | 1,521.75 | 1.9% | 1.05% |
| I-1 | Light Industrial | 5,892.91 | 3.92% | 5,896.15 | 5.63% | 3.79% |
| I-2 | Heavy Industrial | 41.19 | 0.03% | 41.19 | 0.04% | 0.03% |
| MC | Marine Commercial | 342.55 | 0.25% | 325.02 | 0.32% | 0.22% |
| NC | Neighborhood Commercial | 0.70 | 0.00% | 0.70 | 0.00% | 0.00% |
| PUD | Planned Unit Development | 847.34 | 0.56% | 847.34 | 0.84% | 0.56% |
| R-1 | Residential 1 | 877.29 | 0.58% | 832.67 | 0.82% | 0.55% |
| R-2 | Residential 2 | 4,632.09 | 3.08% | 3,994.55 | 3.95% | 2.63% |
| R-3-1 | Residential 3-1 | 2,447.01 | 1.63% | 2,302.47 | 2.18% | 1.48% |
| R-3-2 | Residential 3-2 | 23,430.74 | 15.57% | 21,644.46 | 21.39% | 14.39% |
| TOTALS | | 159,462.59 Acres | | 108,188.58 Acres | | 67.25% of lands developable |

*This includes the zoning percentage of the entire county, including land that has been deemed "undevelopable".

City of Camden's Maps/Zoning Percentage.mxd
August 17, 2013

Thanks to the great advice and assistance of Camden County's Planning and Zoning Commission in helping to create and incorporate the changes to this map. Camden County does not warrant the accuracy of the map.

STAFF COMMENTARY:

The requested rezoning could possible double the potential number of lots. The property owner has not submitted a proposed conceptual plan as they do not know when they are going to proceed with any development.

It is important to note that the property is located in an Area of Environmental Concern (Floodplain) as stated in this report and that caution should be made when allowing development within the floodplain especially when the flood zone (AE) is located adjacent to the Floodway (AEFW). Though the County has not experienced this 100 year flood resulting in approximately 9 inches of rain in 24 hours, it is of my opinion as the County's Floodplain Administrator if this storm event were to occur, areas in the floodplain would see severe flooding which could result in endangering the health and safety of its citizens.

Development is permitted in Flood Zone AE (Flood Zone with a Base Flood Elevation) as long as the development adheres to current Floodplain Management regulations.

STAFF RECOMMENDATION:

Based on all information provided, staff is recommending approval to rezone from Basic Residential (R3-2) to Basic Residential (R3-1) a portion of the property (approximately 52 acres) excluding the floodway and a 100 foot buffer from the flood way, as it is consistent with the Comprehensive Plan as it allows for density of 1 to 2 acres.

Additionally staff recommends rezoning from Basic Residential (R3-2) to Conservation District (CD) the remaining approximately 41 acres (the floodway and the 100 foot buffer adjacent to the Floodway) (see following map).

PLANNING BOARD RECOMMENDATION:



Zoning Change Application
County of Camden, North Carolina

A rezoning may be obtained pursuant to Article 151.580 of Unified Development Ordinance (UDO) of Camden County and upon approval by the Board of Commissioners after a recommendation from the Planning Board.

Please consult the Planning Office (1-252-338-1919) with any questions about your application.

PLEASE PRINT OR TYPE

| | |
|---------------------------------|--------------------------------------|
| Please Do Not Write in this Box | |
| PIN: | <u>01-7090-00-01-5676</u> |
| UDO# | <u>2016 - 03 - 09</u> |
| Date Received: | <u>3/11/16</u> |
| Received by: | <u>js</u> |
| Zoning District: | <u>R3-2</u> |
| Fee Paid: \$ | <u>1100.00</u> |

Applicant's Name: Pudding Ridge of Sout Mills LLC
Heb Mollen & Tracey Swain

CK # 1026
js

If the Applicant is acting as agent for another person (the "principal"), please give that person's name on the line below and submit a copy of the agency agreement/letter with this Application.

Applicant's Mailing Address: 149 Lilly Road
South Mills, NC 27976

Daytime Phone Number: (252) 339-5963

Street Address Location of Property: Pudding Ridge Road South Mills PIN 017090 005676 0000

General Description of Proposal: Rezone from R-3-2 to R-3-1 - 55 ACRES

I swear or affirm that the foregoing information and all attachments hereto (now or subsequently provided as part of this application) are true and correct to the best of my knowledge.

Signed: 

Dated: 3-3-16

Please include a site plan with this application and any other supporting documentation that the applicant feels would assist the Board of Commissioners and the Planning Board in determining the need for a zoning change.

* Information to be filled out by Planning Department

*Is the Property in a Watershed Protection area? NO

*Flood Zone (from FIRM Map): AE/AEFW *Taxes paid? yes no

Zoning Change Application Questions

The UDO requires the Board to consider to principal issues when considering an application for a zoning change. Please respond to each issue in the space provided below or on a separate sheet.

(A) How will the proposed zoning change enhance the public health, safety or welfare? (Article 151.585)

This parcel is currently zoned R-3-2 having lots of two or more acres in size. A two acre lot for a major subdivision reduces income to the county in two ways. It reduces the amount of land available for agriculture and it makes lots unappealing to the average home owner who had rather maintain a one acre lot than two.

By rezoning this parcel to R-3-1 having lots of one or more acres in size will increase the county's tax revenue, which will allow additional funding to go to public health, safety and welfare. With dwindling State and Federal Revenues dedicated to these programs this additional tax income may provide the county the with the ability to fund these programs in the future (Typically when these funds dry up the requirements stay intact and the burdened of funding falls back on the county government).

(B) Is the entire range of permitted uses in the requested classification more appropriate than the range of uses in the existing classification? (Article 151.585)

Yes, it will allow the county's tax base to increase by utilizing less land, which will give the county the option of a larger tax base in the future through continued development and income from agriculture.



ALBEMARLE REGIONAL HEALTH SERVICES
Partners in Public Health

March 17, 2016

Mr. Herb Mullen
PO Box 236
South Mills NC 27976

- Pasquotank Based on the soil evaluations performed on February 2, 2016 the following property PIN 017090000156760000 located on Pudding Ridge Road, South Mills, NC is provisional suitable - based on the following modifications for single family dwellings on sewage disposal systems with 1 acre lots.
- Perquimans
- Camden Soil evaluations were completed and have been marked on the attached map and the specifics are listed below:
- Chowan
- Currituck -All systems will consist of a 1000 gallon tank - there will be no pretreatment
- Based on the findings the largest system size would be 400 linear feet and a repair area.
- Bertie - Some systems may require backfill
- All landscaping over system will be crowned to divert surface water
- Gates - Install systems shallow with no more than 12 inches cover
- Depending on the amount of backfill if any will determine if the system will be part of the Public Management Entity

If I can be of further assistance, please feel free to contact me at 1-252-340-9015

Ralph L. Hollowell, Jr.
Environmental Health Director
License Soil Scientist



Jerry L. Parks, MPH, Health Director

P.O. Box 189 • 711 Roanoke Avenue • Elizabeth City, North Carolina 27907-0189
Tel: 252-338-4400 • Fax: 252-338-4449 • www.arhs-nc.org



BFE 7.4 FO + 1 Regularity = 8.4

Dave Parks

From: Gerber, John <John.Gerber@ncdps.gov>
Sent: Friday, April 01, 2016 1:46 PM
To: Brubaker, Dan; Dave Parks
Subject: RE: Rezoning

Hey Dave - I agree with Dan.

A buffer is not a bad idea if you are concerned the fill material or other development may encroach into the floodway. There should be some way for you to verify in the field that there are no encroachments in the floodway. It is often helpful to have the surveyor stake the floodway limits so there is no question when fill is being placed in the SFHA that it does not encroach into the floodway.

Thanks for letting us comment and let us know if you need anything additional.

John

From: Brubaker, Dan
Sent: Friday, April 01, 2016 1:27 PM
To: Dave Parks; Gerber, John
Subject: RE: Rezoning

Good afternoon, David. I concur with the Staff Commentary. Do you know if the developer intends to bring fill in for the building sites, or will they elevate on crawlspaces so that the finished floor is above the regulatory flood level?

This area (Joyce Creek) is not changing on the preliminary flood maps.

There isn't a FEMA requirement for a buffer around the floodway. As long as the development is outside of the floodway and built in compliance, it would meet the minimum NFIP requirements. Anything within the floodway would need to be checked for compliance with 60.3.d.3 (No-Rise or CLOMR).

John will be back in the office on Monday. Feel free to give me a call if you need anything else in the meantime.

Best regards,

Dan Brubaker

John D. Brubaker, PE, CFM
NFIP Engineer
NC Department of Public Safety
Risk Management Section
4218 Mail Service Center
Raleigh, NC 27699-4218
(919) 825-2300
dan.brubaker@ncdps.gov
www.ncdps.gov



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From: Dave Parks [<mailto:dparks@camdencountync.gov>]
Sent: Wednesday, March 30, 2016 9:55 AM
To: Brubaker, Dan; Gerber, John
Subject: Rezoning

Dan and John,

John the attached is an updated findings from what I sent you earlier. Property owner want to rezone the portion of his property (outlined)outside the AEFW from two acre to one acre and looking at doing a Major Subdivision later down the road. I'm looking at requiring a buffer from the AEFW of 100 to 200 feet, but would like your inputs on this.

Thanks,

David Parks, CFM
Camden County
(252) 338-1919 ext 232

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Attachment: mullen photo3.pdf (1203 : Public Hearing - Ordinance 2016-04-01)



Attachment: mullen photo2.pdf (1203 : Public Hearing - Ordinance 2016-04-01)



Attachment: Mullen photo1.pdf (1203 : Public Hearing - Ordinance 2016-04-01)



CAMDENCOUNTY

new energy. new vision.

Board of Commissioners AGENDA ITEM SUMMARY SHEET

Public Hearings

Item Number: 5.B

Meeting Date: May 16, 2016

Submitted By: Dan Porter, Planning Director
Planning & Zoning
Prepared by: Angela Wooten

Item Title **Public Hearing – Special Use Permit Application (UDO 2015-10-08) for Outdoor Shooting Range for Law Enforcement**

Attachments: Shooting Range SUP (PDF)
15-164 Camden County Sheriff's Firing Range_Site
Plan (PDF)

Summary:

Sheriff Perry has applied for an Outdoor Shooting Range facility that will allow his personnel and possible other law enforcement personnel to maintain their qualifications required by the state.

Planning Board met on November 18, 2015 to consider Special Use Permit application and after discussion with staff, adjacent property owners and applicant, Planning Board recommended approval of the Special Use Permit application with the conditions as stated in Staffs Findings on a 6-0 vote.

Recommendation:

- 1) Hold Public Hearing
- 2) Amend agenda to consider Special Use Permit

STAFF REPORT

**UDO 2015-10-08
Special Use Permit
Findings of Facts**

PROJECT INFORMATION

File Reference: UDO 2015-10-08
Project Name; Shooting Range –
Law Enforcement
PIN: 03-8964-00-39-4075
Applicant: Sheriff’s Office
Camden County
Address: P.O. Box 57
Camden, NC 27921
Phone: (252) 338-5046
Email:

Agent for Applicant:
Address:
Phone:
Email:

Current Owner of Record: Michael P. McLain

Meeting Dates:
Planning Board - 11/1/2015
Board of Commissioners

Application Received: 10/7/2015
By: David Parks, Permit Officer

Application Fee paid: \$400 Check #

Completeness of Application: Application is generally complete

Documents received upon filing of application or otherwise included:

- A. Land Use/Development Application
- B. Site Plan/Aerial Photo/Deed
- C. Sheriff Perry’s letter request
- D. Sheriff’s office Policy #3.30 entitled Shooting Range Facility
- E. Proposed Lease Agreement
- F. Letter from Twiford Law Firm – John Morrison
- G. Letter from Army Corps of Engineers
- H. Proposal from Albemarle Septic Service
- I. Site Plan reflecting distances to property lines and nearest dwelling in the direction of firing lines.

Attachment: Shooting Range SUP (1245 : Public Hearing – Special Use Permit Application)

PROJECT LOCATION:

Street Address: 480 Trotman Road
Location Description: Shiloh Township

Vicinity Map:



Attachment: Shooting Range SUP (1245 : Public Hearing – Special Use Permit Application)

REQUEST: Request for Shooting Range for Law Enforcement (Use #6.310)

SITE DATA

Lot size: Lease portion of tract approximately 194 acres in size
Flood Zone: X
Zoning District(s): General Use District (GUD)
Existing Land Uses: Cut over woodland.

Adjacent Zoning & Uses:

| | North | South | East | West |
|-----------------------|---|------------------------------|----------------------------|------------------------------|
| Zoning | General Use District (GUD) | General Use District (GUD) | General Use District (GUD) | General Use District (GUD) |
| Use & size | Houses – 10 Acre Tracts (nearest dwelling is over 2200 feet away) | Woodland/Farms over 23 acres | Woodland – 87 acres | Woodland/Farms over 50 acres |

Proposed Use(s): Outdoor shooting range for Law Enforcement Only

Description of property:

Property is located off Trotman Road and contains approximately 194 acres of cut over woodland.

ENVIRONMENTAL ASSESSMENT

Streams, Creeks, Major Ditches:

Distance & description of nearest outfall:

Nearest outfall is North River

Soils:

Predominant: Hyde (HyA)
Other: Nimmo (NoA); Portsmouth (PtA)

INFRASTRUCTURE

There are currently no utilities servicing the property.

Attachment: Shooting Range SUP (1245 : Public Hearing – Special Use Permit Application)

Traffic: Minimal increase of traffic flow on Trotman Road

1. Utilities:

- A. Does the application include a letter or certificate from the District Health Department regarding septic tanks?** Applicant requesting use of portable toilet.
- B. Does the applicant propose the use of public sewage systems?** No
- C. Does the applicant propose the use of public water systems?** No.
- D. Distance from existing public water supply system:** Approximately 2000 feet from Trotman Road to location of range.
- E. Is the area within a five-year proposal for the provision of public water?** Yes
- F. Is the area within a five-year proposal for the provision of public sewage?** No

2. Landscaping

- A. Is any buffer required?** Natural buffer exists (cutover woodland)
- B. Is any landscaping described in application:** Yes, Berms will surround the range on both sides and down range.

3. Findings Regarding Additional Requirements:

A. Endangering the public health and safety

The staff recommendation for approval includes consideration that the range will be used exclusively by trained and licensed professional safety personnel, using overhead baffles, and that the property surrounding the range under the same ownership remain wooded.

The range will also result in noise which will be baffled by surrounding woodland and limited by hours of operation.

- B. Injure the value of adjoining or abutting property:** Staff considers that the range will not injure the values of adjoining woodland or farm land.
- C. Harmony with the area in which it is located:** Yes. The range is located in a secluded area of the county with surround woodland and farmland. Nearest housing is over 2000 feet away.
- D. Conformity with the Plans**
 - (1). Land Use Plan – Shooting Ranges are not addressed in the Land Use Plan or Comprehensive Plan
 - (2). Thoroughfare Plan – N/A
 - (3). Other Plans officially adopted by the Board of Commissioners – N/A
- E. Will not exceed the county's ability to provide public facilities**
 - (1). Schools – N/A.
 - (2). Fire and rescue – No.
 - (3). Law Enforcement – No.
- F. Other County Facilities – N/A**

At their November 18, 2015 meeting, Planning Board recommended approval of the Special Use Permit for outdoor shooting range for law enforcement only with the conditions/modifications as follows:

1. The applicant must strictly abide by all requirements of the Unified Development Ordinance of Camden County, North Carolina, and must also strictly comply with all other local, state, and federal ordinances, laws, rules and regulations as one or more ordinances, laws, rules and regulations may apply to this development.
2. The applicant shall complete the development strictly in accordance with the approved plans contained in the file titled UDO 2015-10-08.
3. Applicant shall adhere to all requirements of their policy 3.30 entitled Shooting Range Facility dated October 2015.
4. Applicant shall amend policy 3.30 reflecting that no children shall be permitted on the range.
5. Hours of operations shall be Monday-Thursday from 8:00 AM – 8:00 PM. EST.
6. Utilization of the caliber of weapons shall be limited to a 357 caliber hand gun and 5.56 caliber rifles.
7. There shall be no training on the small arm ranges while training is being conducted on rifle range.
8. The range policy manual shall include for any round fired that leaves the immediate firing range, targets, or berms, a log book will be kept indicating the date, time, direction of travel, caliber of round, and person firing at the time.
9. Prior to any land disturbing activity, applicant shall provide an approved Sedimentation & Erosion Control Plan & Stormwater Permit from NCDENR.
10. Applicant shall maintain a log of all personnel utilizing the range listing day and times on range.
11. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this approval in its entirety shall be void and have no effect.



Land Use/Development Application
County of Camden, North Carolina

Depending upon the type of proposal, the proposal may require a Zoning Permit, Conditional Use Permit, or Special Use Permit. This form is used as the start of application process. All applicants must submit a site plan (see "Minimum Site Plan Requirements") and a valid Health Department permit. Applicants for a Conditional Use Permit or Special Use Permit should review the "Requirements for Conditional Use Permit and Special Use Permit Applications".

Applicants for a subdivision must submit this form as their Special Use Permit application.

Please consult the Planning Office (1-252-338-1919) with any questions about your application.

| | |
|---------------------------------|---------------------------|
| Please Do Not Write in this Box | |
| PIN: | <u>03-8964-00-39-4025</u> |
| UDO# | <u>2015-10-08</u> |
| Date Received: | <u>10-7-15</u> |
| Received by: | <u>af</u> |
| Zoning District: | <u>640</u> |
| Fee Paid \$ | <u>400.00</u> |

fu ck it
00044585

PLEASE PRINT OR TYPE

Applicant's Name: CAMDEN CO SHERIFF'S OFFICE

If the Applicant is acting as agent for another person (the "principal"), please give that person's name on the line below and submit a copy of the agency agreement/letter with this Application.

Applicant's Mailing Address: PO Box 57
Camden NC 27921

Daytime Phone Number: () 338-5046

Street Address Location of Property: _____

General Description of Proposal: Law Enforcement Shooting Range
USE # 6.310

I swear or affirm that the foregoing information and all attachments hereto (now or subsequently provided as part of this application) are true and correct to the best of my knowledge.

Signed: Sheriff Tony Perry

Dated: 10-7-15

- * Information to be filled out by Planning Department
- * Is the Property in a Watershed Protection area? _____
- * Flood Zone (from FIRM Map): X
- * Taxes paid? yes no _____

Attachment: Shooting Range SUP (1245 : Public Hearing - Special Use Permit Application)

(F) Applicants for a Conditional Use Permit or a Special Use Permit must respond to the following issues and include those responses with their application: [Article 151.509] (The applicant may use separate sheets for answers to these questions.)

(1) Will the proposal in any way endanger the public health or safety? **NO**

(2) Will the proposal in any way injure the value of adjoining or abutting property? **NO**

(3) Is the proposal in conformity with the:

(a) Land Use Plan - **YES**

(b) Thoroughfare Plan - **N/A**

(c) Watershed Plan - **N/A**

(4) Will the proposal exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities?

(a) Schools

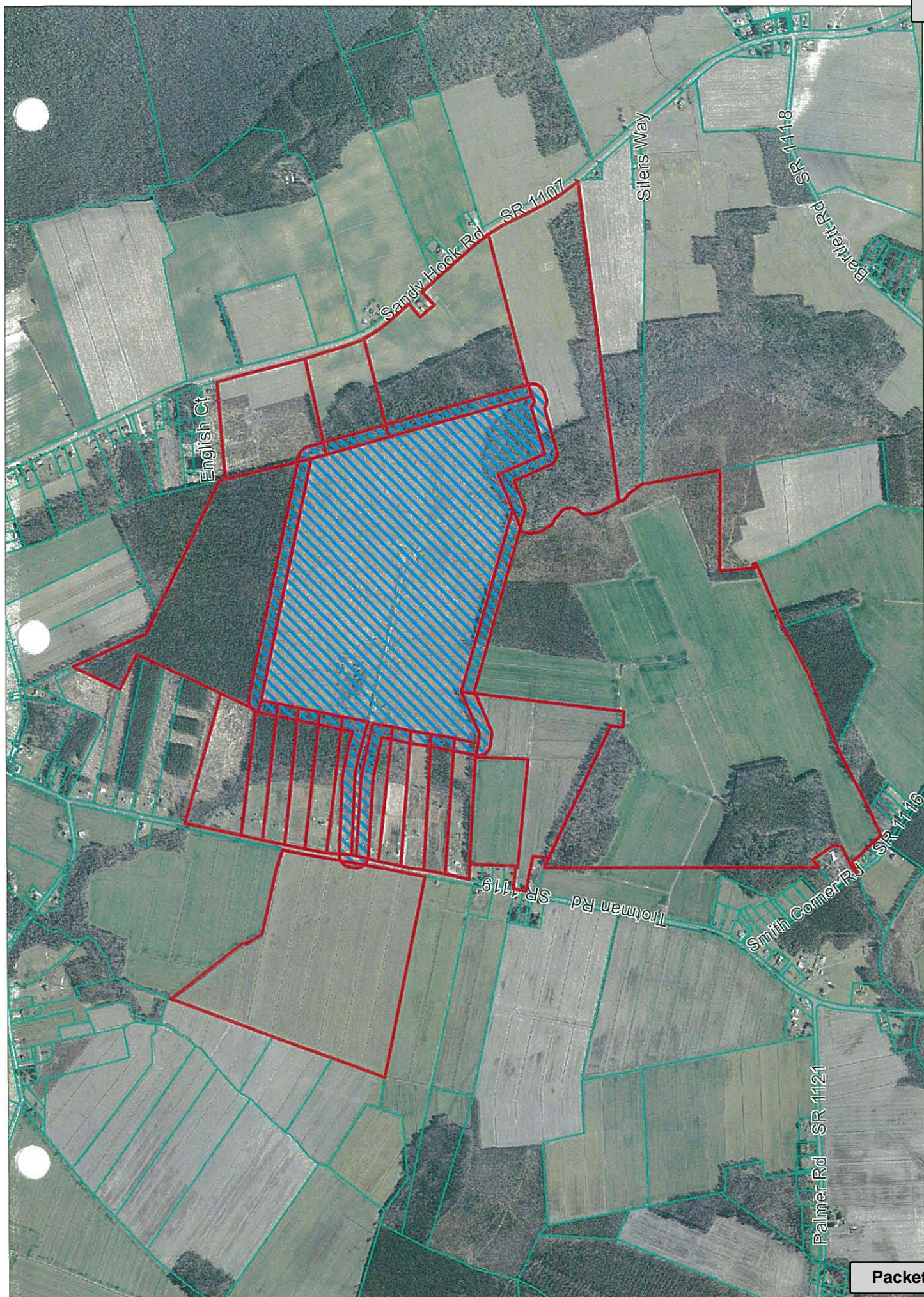
(b) Fire and rescue

(c) Law Enforcement

(d) Other County facilities

N/A

Attachment: Shooting Range SUP (1245 : Public Hearing – Special Use Permit Application)



3,000 Feet
1,500
0

150 Buffer



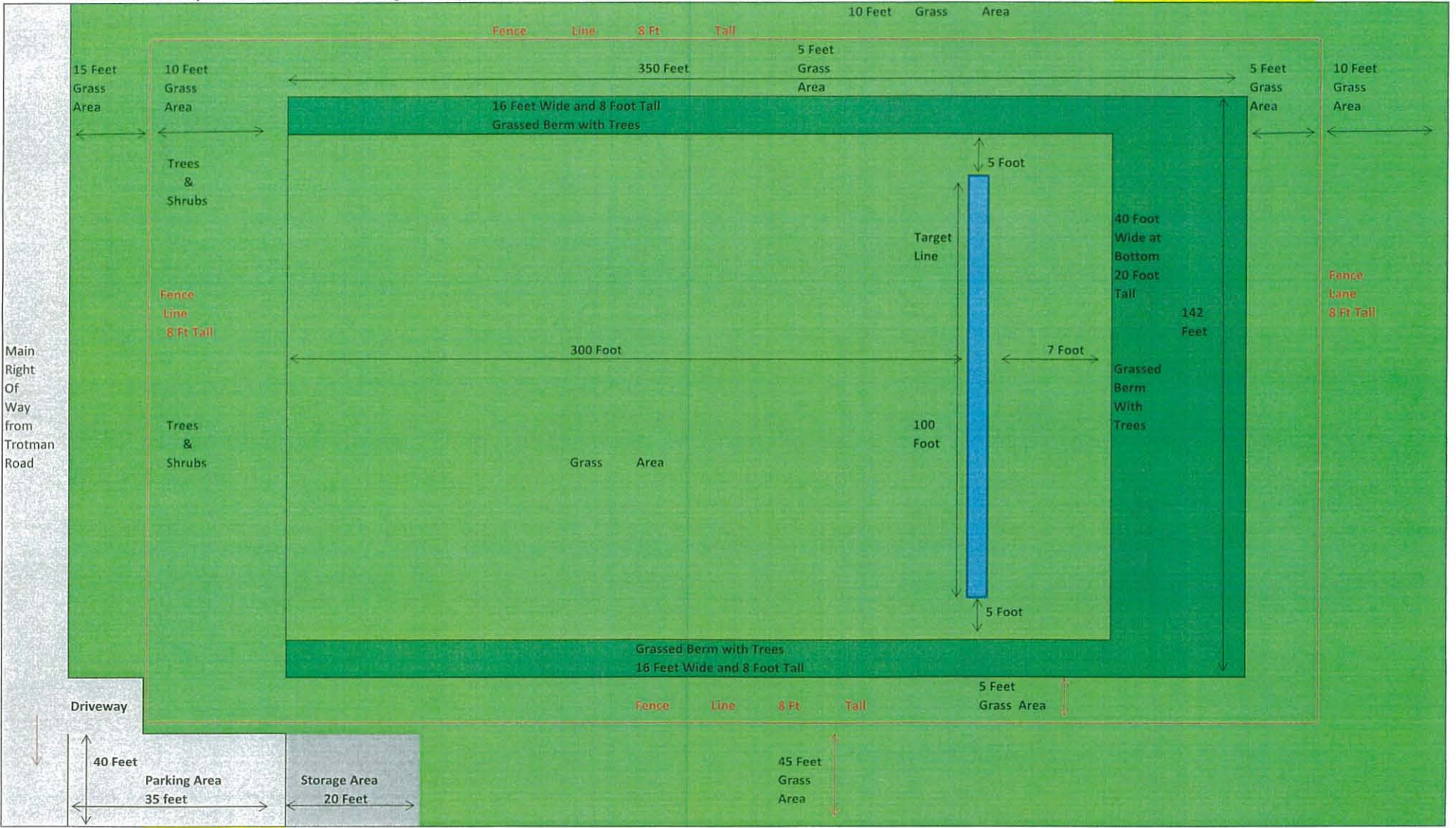
Attachment: Shooting Range SUP (1245 : Public Hearing – Special Use Permit Application)



Camden County Sheriff's Office Firing Range

390 Feet

Drawing NOT to Scale



207 Feet

Attachment: Shooting Range SUP (1245 : Public Hearing – Special Use Permit Application)

Drawing NOT to Scale

CAMDEN COUNTY SHERIFF'S OFFICE

Page 1 of 3

Post Office Box 57

Camden, North Carolina 27921

Tony E. Perry, Sheriff



Voice: 252-338-5046
 Fax: 252-335-4300
 24 Hours: 252-331-7445

MEMORANDUM

TO: Camden County Board of Commissioners

FROM: Sheriff Tony Perry

DATE: July 27, 2015

RE: Firing Range Need

The Camden County Sheriff's Office is mandated by the North Carolina Sheriff's Education and Training Standards Commission to qualify annually in firearms that deputies carry. Qualification ranges require maximum 25 yards on handguns, 40 yards on shotguns and 100 yards on rifles. Qualification times vary depending upon weather and availability of deputies to gather for a period over a week for classroom, day and night training. Furthermore, we may train with other agencies on site for qualification purposes.

For the last 13 years, George Wood Farms has allowed the Sheriff's Office through the Pasquotank County Sheriff's Office and then in 2008 through a County of Camden lease an area here in Camden for a firing range equipped with a berm and target area. In December 2014, that lease agreement was terminated by George Wood Farms due to the sale of farmland. I was contacted by Matt Wood in June 2015 that he was going to completely close the area and have it cleaned up.

I spoke with Currituck Sheriff in the use of their range for this year but after all the winter storms and rains, berms were washed away. I also met with Academi and they know by their Special Use Permit, they can allow the Sheriff's Office to use their range. I have requested further meetings with superiors at Academi, requested potential trainings available, and available range dates but have received no responses. Furthermore, we would not be a paying customer and if we planned to use the range, we could be bumped for a paying customer.

I met with Mike Renshaw back in January 2015 on the need for a firing range. John Morrison was informed of the termination of the George Wood Farm lease and the need to build a new range. For the last year, I have been looking for property in the county to build a new firing range. I had been in touch with one property owner in South Mills I thought had property available but was later discovered it was not. I have been reviewing

"Working Together For a Safer Tomorrow"

Attachment: Shooting Range SUP (1245 : Public Hearing – Special Use Permit Application)

county owned property through GIS but was unable to find suitable property with a large area and a buffer zone.

Commissioner Michael McLain stated to me back in the spring of 2015 he had property that was possibly suitable for a firing range. I reviewed the GIS map for the McLain property and set up meetings with the County Planning Office – Dave Parks and then with the Army Corps of Engineers (ACOE). The ACOE requested that a small area be cleared so that they could better determine wetlands possibilities.

I flew by airplane over the property during mid-June and saw that trees were growing in the proposed area. Through speaking with a former logger of the property they stated that there would be stumps from passed logging that would be six inches high that would create extra problems for clearing the area. Commissioner McLain said I could look at other areas of his property in which I did and discovered that where the logging operation stripped and loaded the logs was actually an area that would be easily cleared and cleaned. I have been to this area and bulldozed an area 100 feet by 150 feet pushing the dead logs and trees limbs to the side for the ACOE to make a determination on this area.

While this opportunity has risen with the McLain property, Law Enforcement Support Services (LESO) of the North Carolina Department of Public Safety just opened up for law enforcement to get equipment. LESO works in conjunction with the (military) Defense Logistics Agency that facilitates a law enforcement support program, which originated from the National Defense Authorization Act of Fiscal Year 1997 (FY 97). This law allows transfer of excess Department of Defense property that might otherwise be destroyed to law enforcement agencies across the United States and its territories.

No equipment is purchased for distribution. All items were excess which had been turned in by military units or had been held as part of reserve stocks until no longer needed. Since its inception, the program has transferred more than \$5.4 billion worth of property. In 2014, \$980 million worth of property (based on initial acquisition cost) was transferred to law enforcement agencies. Requisitions cover the gamut of items used by America's military -- clothing and office supplies, tools and rescue equipment, vehicles, rifles and others small arms. Of all the excess equipment provided through the program, only five percent are weapons and less than one percent is tactical vehicles. More than 8,000 law enforcement agencies have enrolled in the program.

Such equipment available that could be used to build a firing range was a bulldozer, a motor grader, a dump truck and a used pickup truck. We are currently looking for a front end loader. This equipment was given to the Sheriff's Office at no cost with the only stipulation that we hold it for 12 months then we could surplus and sell it.

At this point and the date of this memorandum, we are waiting for the ACOE to return sometime the second week of August to determine if the proposed area on the McLain property will be suitable for the range. After that, further consultation with the County Planning Office will be needed to start the process for permits. The UDO currently designates for commercial and private use firing ranges. This will not be for commercial

use and a designation of private use needs to be reviewed.

At the same time, a lease agreement will need approval between County of Camden and Michael McLain if the UDO will allow the range. Furthermore, the determined amount of leasing the property will be \$1.00 annually from the Sheriff's Office to McLain.

I have been working on this project to save the county a maximum amount of costs using available resources. I will be available for questions.

Camden County Sheriff's Office
 PO Box 57
 Camden, NC 27921

Policy #: 3.30

Policy Title: **Shooting Range Facility**

Date: **October 2015**

PURPOSE:

To establish policy and provide guidelines for Sheriff's Office firearms training sessions and for the safe operation and use of the Sheriff's Office Shooting Range.

POLICY:

Firearms training are an important phase in the development of public safety officers. Consequently, it is the policy of this Sheriff's Office that all persons participating in firearms training sessions and using the Shooting Range will do so using safe practices and adhering to procedures set forth in this policy.

DEFINITIONS:

Shooting Range: A Camden County Government approved and permitted facility for the use the qualifications of sworn law enforcement officers on property leased by the County for the exclusive use of the Camden County Sheriff's Office.

PROCEDURES:

I. Safety on the Shooting Range

- A. A North Carolina Criminal Justice Education and Training Standards Commission Certified Firearms Instructor shall be present on the Shooting Range during all training sessions.
- B. Safety on the firing range will be the first priority of all personnel. Shooting Range Safety Rules, as provided for in APPENDIX A of this policy, will be followed at all times.
- C. All personnel will have the duty and responsibility to announce a cease fire for any unsafe condition whether during organized training sessions or individual firing.
- D. Hours of operation:
 1. Monday through Thursday
 2. 8:00 AM through 8:00 PM

II. Authorization for Use of the Shooting Range

A. Sworn Public Safety Personnel

1. Sworn Public Safety personnel may use the Shooting Range in the following situations:
 - a. During scheduled training sessions;
 - b. On-duty as directed by his/her supervisor; or
 - c. Off-duty when the range is not being used.
2. Use of the Shooting Range by sworn Public Safety personnel must be coordinated with the Sheriff's Office Training Officer to ensure there are no conflicts with scheduled training sessions.
3. All sworn Public Safety personnel using the range, except for scheduled Sheriff's Office training sessions, must obtain the key from the Sheriff's Office and sign the Shooting Range Sign-In Log.

B. Non-Sheriff's Office Personnel

1. All non-Sheriff's Office personnel must obtain approval, in writing, from the Sheriff's Office Training Officer, his/her designee in order to utilize the Shooting Range.
2. All written approvals for non-Sheriff's Office personnel will be forwarded to the Sheriff's Office Training Officer for scheduling.
4. All non-Sheriff's Office personnel using the range must obtain the key from the Sheriff's Office and sign the Shooting Range Sign-In Log.

III. Responsibility for the Shooting Range

- A. The Sheriff's Office Training Officer shall be responsible for maintaining the Shooting Range facility and related records.
- B. The Training Officer, any supervisor or firearms instructor will have the authority to stop any use of the Shooting Range for any unsafe condition whether during an organized training session or individual firing.
- C. The Training Officer will have the authority to re-call any person or organization to clean the Shooting Range if it is not cleaned properly.

IV. Records

- A. A Shooting Range Sign-In Log will be maintained in the Sheriff's Office for all persons using the range including scheduled Sheriff's Office training sessions.
- B. The log will state the date, persons/agencies using the range, time in and time out, and a responsible party.

V. Clean-Up

- A. All brass, targets and other items used in training will be cleaned and stored as necessary by the person/agency at the conclusion of the training session.
- B. The grounds of the Shooting Range will be cleaned after each training session, garbage can(s) emptied in the dumpster and returned to the range.
- C. The range should be left in a neat and clean condition and ready for the next training session

NOTE: This policy is for internal use only, and does not enlarge a deputy's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this agency, and then only in a non-judicial administrative setting.

Date: October 24, 2015

Sheriff: *Tony E. Perry*

Appendix A Shooting Range Safety Rules

1. Ear and Eye protection will be worn at all times while firing is in progress.
2. Do not practice dry firing at any time, except in the presence of a qualified firearms instructor.
3. No loading or unloading of revolvers unless on the firing line and instructed by a qualified firearms instructor. Semi-autos are governed by the "hot range" concept (no weapon is to be removed from the holster except on the firing line).
4. No unnecessary talking while on the firing line except to a qualified firearms instructor.
5. While on the firing line, weapons shall be pointed down range or carried in the holster.
6. No cross-draw or shoulder holsters will be allowed on the firing line.
7. In the case of a misfire, keep the firearm pointed down range for at least ten (10) seconds before opening the cylinder/action.
8. When handling any firearm, first check to determine if it is loaded or empty.
9. Never lay a firearm down without unloading it and having the action open.
10. At no time will anyone go beyond the firing line until it is safe and then only when the firearms instructors give the command.
11. Discipline must be maintained. Horseplay, carelessness and irresponsible behavior will not be tolerated in the range area.
12. The firearms instructors are in charge at all times when officers are on the firing range for training.
13. No smoking, drinking, eating, or chewing tobacco will be permitted in the area of the firing lanes.
14. Each person leaving the firing range shooting area must wash their hands

before leaving the range facility.

15. Keep the trigger finger out of the trigger guard and away from the trigger until the weapon is pointed down range.

16. The use of tracer ammunition and armor piercing rounds is prohibited at the Shooting Range. No ammunition greater than .45 calibers will be permitted on the Shooting Range. Loads more powerful than standard factory loads are prohibited.

19. Anyone utilizing the Shooting Range must have a second person in the range with them in case of emergency.

39-15 2/27/14
\$249,600.00 / \$2496.00

No delinquent taxes - MK - 2/27/14

PREPARED BY: Linda H. McCown, McCown & McCown, P.A., PO Box 729, Manteo, NC 27954
RETURN TO: H. T. Mullen, Jr., Attorney at Law, 101 East Elizabeth Street, Elizabeth City, NC 27909

Delinquent taxes, if any, are to be paid by the closing attorney to the County Tax Collector upon disbursement of proceeds.

LAND TRANSFER TAX NO:
LAND TRANSFER TAX:

Excise Tax: \$500.00

NORTH CAROLINA, COUNTY OF CAMDEN

PARCEL # 03-8964-00-39-4075

Brief Description for Index: 194.21 Acre Parcel, Shiloh Township

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this the 14th day of February, 2014, by and between **M & L Partnership, a North Carolina General Partnership**, Grantor, of c/o PO Box 729, Manteo, NC 27954, and **P. Michael McLain**, Grantee, of PO Box 2427, Elizabeth City, NC 27906;

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH:

That the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in Shiloh Township, Camden County, North Carolina and more particularly described as follows:

That certain 194.21 Acre Parcel of woodland as shown and delineated on that certain plat prepared by Edward T. Hyman, Jr., Registered Surveyor, entitled "Trotman Road, L.L.C., Shiloh Township, Camden County, North Carolina" dated January 27, 2000 and recorded in the office of the Register of Deeds of Camden County in Plat Cabinet 3, Slide 59B.

The Property herein above described was acquired by Grantor by instrument recorded in Book 295 at Page 593.

All or a portion of the property herein conveyed does not include the primary residence of a Grantor.

Attachment: Shooting Range SUP (1245 : Public Hearing - Special Use Permit Application)

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple. And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that the Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property herein above described is subject to the following exceptions:

Easements, restrictions and general utility agreements of record.

IN WITNESS WHEREOF, the Grantor has hereunto set her hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers by authority of its Board of Directors, the day and year first above written.

M & L PARTNERSHIP
By: *Linda H. McCown* (SEAL)
Linda H. McCown, General Partner

STATE OF NORTH CAROLINA
COUNTY OF DARE

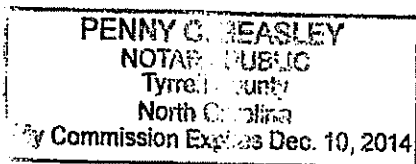
I Penny C Beasley, a Notary Public of Tyrrell County, North Carolina, hereby certify that **Linda H. McCown, General Partner of M & L Partnership, a North Carolina General Partnership**, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official seal or stamp, this 14th day of February, 2014.

Penny C Beasley
Notary Public

(SEAL-STAMP)

My commission expires: 12-10-14



Attachment: Shooting Range SUP (1245 : Public Hearing – Special Use Permit Application)

NORTH CAROLINA

CAMDEN COUNTY

LEASE AGREEMENT

THIS LEASE AGREEMENT, made and entered into this ___ day of _____, 2016, by and between **Michael McLain**, hereinafter called **Lessor**, and the **COUNTY OF CAMDEN**, whose address is 117 North Highway 343, Camden, NC 27921, hereinafter called **LESSEE**;

WITNESSETH

Article 1. Lease Premises: Lessor hereby leases to Lessee and Lessee hereby leases from Lessor the property owned by Lessor in Camden County, North Carolina more particularly known as the Camden County Sheriff's Office Firearms Range, located at 480 Trotman Road in the Camden County Township of Shiloh, North Carolina, 27974.

Article 2. Term: The term of the lease shall begin the 1st day of _____ 2016 and unless terminated as provided herein, shall expire on the 31st of December of each year. Lessor shall have the right to terminate the lease after any rent payment specified hereinafter goes unpaid by the Lessee for fifteen (15) days. In addition to said rent payment, the lessor shall have the right to terminate the lease if Tony Perry, Sheriff of Camden County, should leave said office.

Article 3. Rent: During the 12 month lease term, Lessee shall pay as rent the sum of one dollar (\$1.00) per year, which said annual rental payment shall be due and payable on or before the 1st day of specified in term.

Article 4. Utility Payments: Lessee shall be responsible for all monthly payments for electricity, water telephone, or other utility services used by lessee in connection with the Lessee's use of the leased premises.

Article 5. Property Maintenance: Lessee shall be responsible for maintaining proper grade and keeping the grass mowed on the path to the firearms range to a reasonable level agreeable to lessee and lessor.

Article 6. Ad Valorem Taxes: Lessor shall be responsible for the payment of any and all Camden County Ad Valorem property taxes associated with the leased premises. Lessee shall be responsible for any Camden County property taxes associated with any county owned property that is kept on or about the leased premises.

Article 7. Compliance with Requirements and All Applicable Law: Lessee shall comply with any and all local, state, or federal laws while in possession of the leased premises.

Article 8. Insurance: Lessee will maintain with insurers authorized to do business in North Carolina extended coverage insurance policies applicable to any and all property owned by the lessee in or on the leased premises. Lessee shall also maintain comprehensive general liability insurance coverage against claims for bodily injury, death and or property damage arising out of the use or occupancy of the leased premises by Lessee.

Lessee shall indemnify and hold harmless the Lessor, and the Lessor's successors in interest, for any and all claims arising out of the leased premises.

Article 9. Assignment and Subletting: Lessee may not assign this lease or sublet the leased premises to any other person or entity. Any law enforcement agency will be allowed to use said range in agreement with Lessor and Lessee. The law enforcement agency will be responsible for maintaining cleanliness, and damages, and providing proper supervision and/or a qualified firing range instructor of said range while they are using it. The County of Camden shall not be held accountable for the use of the leased property by the law enforcement agency or any unauthorized user of the range.

Article 10. Surrender of Leased Premises: Upon the expiration or earlier termination of this lease agreement, Lessee shall return the leased premises to the Lessor in good order and condition, except for ordinary wear and tear, and except for the results of any casualty damage caused through no fault of the Lessee. Lessee shall remove from the leased premises on or prior to such expiration or earlier termination all of the Lessee's property situated thereon and shall repair any damage caused by such removal.

Article 11. Miscellaneous Provisions:

Binding Effect. This lease shall be binding upon and insure the benefit of and be enforceable by the respective heirs, executors, administrators, and successors in interest of the parties hereto.

Quiet Enjoyment. Upon due performance of the covenants and agreements to be performed by Lessee under this lease. Lessor covenants that Lessee shall and may at all times peaceably and quietly have, hold land enjoy the leased premises during the terms of this lease.

Captions. The section headings in this lease are for convenience of reference only and shall not limit or otherwise affect the meaning hereof.

Duplicate Originals. This lease agreement shall be executed in duplicate originals, one of which shall be retained by each of the parties hereto, and each duplicate original shall constitute an original and shall be fully enforceable.

Governing Law. This lease agreement shall be governed by and construed in accordance with the laws of the State of North Carolina.

Modification. No modification in this lease agreement shall be binding on the parties unless the same shall be executed with the same formality of the original lease agreement.

Lessor's Right of Inspection. Lessor, or such designated representative of the Lessor as Lessor, shall have the right to inspect the leased premises at reasonable times, and upon giving reasonable notice thereof to the Lessee.

Any violation of these provisions shall constitute a major breach of the lease on the Lessee's part and shall be adequate grounds for immediate summary ejection from the lease premises.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals, this the _____ day of _____, 2016.

MICHAEL MCLAIN

Witness: _____

By: _____
Michael McLain

COUNTY OF CAMDEN

Witness: _____

By: _____, Vice Chairman
Camden County Board of County
Commissioners

Attachment: Shooting Range SUP (1245 : Public Hearing – Special Use Permit Application)

The Twiford Law Firm, P.C.

Russell E. Twiford (Retired)
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LOOK AT OUR WEBSITE:
www.twifordlaw.com

Please Respond To:
Moyock

July 27, 2015

Michael McLain
Michael Renshaw
Sheriff Perry
Via Email

Re: *Proposed Firing Range – McLain Lease*

Dear Gentlemen:

I reviewed Sheriff Perry's email of July 22, 2015, together with the agenda item summary sheet and proposed lease for a firing range. I have the following comments:

- Consideration – North Carolina law strictly prohibits any elected official from dealing with the government he serves in private transactions for valuable consideration. Indeed, it is a crime, and in certain cases, can be a felony. My review of the proposed lease, which as Sheriff Perry says “mirrored” that of what Matt Wood provided, is legally compliant in that Commissioner McLain is receiving only a token \$1.00 amount. Further, Commissioner McLain shall continue to be responsible for ad valorem property tax. Only personal property brought onto and stored on the property by the Sheriff would be subject to taxation. This seems highly unlikely to me. However, I caution both parties to carefully reflect upon this transaction. Is Commissioner McLain, in any way, receiving any valuable consideration? It certainly does not appear so. To the contrary, this appears more like a donation to the county. Nevertheless, given the severity of a legal violation here, everyone should carefully reflect upon this. To this end I suggest language be stricken from Article 2 that Lessor would have the right to terminate the lease if the rent payment goes unpaid for 15 days. That is the language of a commercial transaction rather than a gift. Even though the rent only \$1.00, I think it best not to in anyway imply this is a lease in which monetary rent is of prime importance.

Attachment: Shooting Range SUP (1245 : Public Hearing – Special Use Permit Application)

- Transparency - As we all know, the Sheriff is a Constitutional officer and is not subject to regulation by the board of county commissioners except as to his budget. Nevertheless, conflicts can arise between the Sheriff's Dept. and the Board of Commissioners. Accordingly, this lease should be made to the public in open session. I do not see this rising to the level of a conflict of interest or even close to it; however, my perception may not be shared by others. If there is free and open disclosure that should go a long way towards removing any such concerns.

I have no opinion on the text amendment or the suitability of the subject property for a firing range. Otherwise, I have no legal issues.

If you have any questions, please contact me. I suggest all of this correspondence, including my position, be circulated to the full board prior to the next meeting.

Warmest Personal Regards,

John S. Morrison

John S. Morrison
Dictated but not reviewed
to expedite delivery

**U.S. ARMY CORPS OF ENGINEERS
WILMINGTON DISTRICT**

Action Id. SAW-2015-01866 County: Camden U.S.G.S. Quad: NC-SHILOH

GENERAL PERMIT (REGIONAL AND NATIONWIDE) VERIFICATION

Permittee: Camden County Sheriffs Office
Tony Perry

Address: 117 North NC343

Telephone Number: Camden, NC, 27921
252-338-5046

Size (acres) 1.6

Nearest Waterway Areneuse Creek

USGS HUC 03010205

Nearest Town Camden

River Basin Albemarle

Coordinates Latitude: 36.3226093558351

Longitude: -76.0712994404755

Location description: The project is located off North Trotman Road on a private parcel of forest land owned by P. Michael McLain. Access is via a gatted (cabeled) dirt forest road.

Description of projects area and activity: Haul in clean fill to construct an impact berm for a police training facility for rifle and pistol marksmanship practice. Approximate wetland impacts are less than a tenth of an acre. Some grading will be required. Area is a former commercial forest lot that is largely upland and has been recently logged.

Applicable Law: Section 404 (Clean Water Act, 33 USC 1344)
 Section 10 (Rivers and Harbors Act, 33 USC 403)

Authorization: Regional General Permit Number or Nationwide Permit Number: NWP 18 Minor Discharges.
SEE ATTACHED RGP or NWP GENERAL, REGIONAL AND SPECIAL CONDITIONS

Your work is authorized by the above referenced permit provided it is accomplished in strict accordance with the attached conditions and your submitted application and attached information dated 09/17/2015. Any violation of the attached conditions or deviation from your submitted plans may subject the permittee to a stop work order, a restoration order, a Class I administrative penalty, and/or appropriate legal action.

This verification will remain valid until the expiration date identified below unless the nationwide authorization is modified, suspended or revoked. If, prior to the expiration date identified below, the nationwide permit authorization is reissued and/or modified, this verification will remain valid until the expiration date identified below, provided it complies with all requirements of the modified nationwide permit. If the nationwide permit authorization expires or is suspended, revoked, or is modified, such that the activity would no longer comply with the terms and conditions of the nationwide permit, activities which have commenced (i.e., are under construction) or are under contract to commence in reliance upon the nationwide permit, will remain authorized provided the activity is completed within twelve months of the date of the nationwide permit's expiration, modification or revocation, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend or revoke the authorization.

Activities subject to Section 404 (as indicated above) may also require an individual Section 401 Water Quality Certification. You should contact the NC Division of Water Quality (telephone 919-807-6300) to determine Section 401 requirements.

For activities occurring within the twenty coastal counties subject to regulation under the Coastal Area Management Act (CAMA), prior to beginning work you must contact the N.C. Division of Coastal Management in Elizabeth City, NC, at (252) 264-3901.

This Department of the Army verification does not relieve the permittee of the responsibility to obtain any other required Federal, State or local approvals/permits.

If there are any questions regarding this verification, any of the conditions of the Permit, or the Corps of Engineers regulatory program, please contact Chester Bigelow at 910-251-4595 or Chester.C.Bigelow@usace.army.mil.

Corps Regulatory Official: _____ Date: 10/06/2015
Expiration Date of Verification: 03/18/2017

Attachment: Shooting Range SUP (1245 : Public Hearing – Special Use Permit Application)

SAW-2015-01866

Determination of Jurisdiction:

- A. Based on preliminary information, there appear to be waters of the US including wetlands within the above described project area. This preliminary determination is not an appealable action under the Regulatory Program Administrative Appeal Process (Reference 33 CFR Part 331).
- B. There are Navigable Waters of the United States within the above described project area subject to the permit requirements of Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- C. There are waters of the US and/or wetlands within the above described project area subject to the permit requirements of Section 404 of the Clean Water Act (CWA)(33 USC § 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- D. The jurisdictional areas within the above described project area have been identified under a previous action. Please reference jurisdictional determination issued 10/10/2015. Action ID: SAW-2015-01866.

Basis For Determination: Presence of field indicators of hyric soils, vegetation and hydrology consistent with the 1987 Corps of Engineers manual for Identifying and Delineating Wetlands.

Remarks: The wetland area is a small wetland less than 0.21 acres in size located in the southwest corner of the property.

E. Attention USDA Program Participants

This delineation/determination has been conducted to identify the limits of Corps' Clean Water Act jurisdiction for the particular site identified in this request. The delineation/determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are USDA Program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service, prior to starting work.

F. Appeals Information (This information applies only to approved jurisdictional determinations as indicated in B and C above).

This correspondence constitutes an approved jurisdictional determination for the above described site. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and request for appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the following address:

US Army Corps of Engineers
 South Atlantic Division
 Attn: Jason Steele, Review Officer
 60 Forsyth Street SW, Room 10M15
 Atlanta, Georgia 30303-8801
 Phone: (404) 562-5137

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by

It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this correspondence.

Corps Regulatory Official: _____
 Chester Bigelow

Date of JD: 10/06/2015

Expiration Date of JD: 10/5/2020

Attachment: Shooting Range SUP (1245 : Public Hearing – Special Use Permit Application)

SAW-2015-01866

The Wilmington District is committed to providing the highest level of support to the public. To help us ensure we continue to do so, please complete our customer Satisfaction Survey online at <http://regulatory.usacesurvey.com/>.

Copy furnished:

Agent: Camden County Sheriffs Office
Tony Perry
Address: 117 North NC343
Camden, NC, 27921
Telephone Number: 252-338-5046

Attachment: Shooting Range SUP (1245 : Public Hearing – Special Use Permit Application)

SAW-2015-01866

SPECIAL CONDITIONS

Attachment: Shooting Range SUP (1245 : Public Hearing – Special Use Permit Application)

Action ID Number: SAW-2015-01866 County: Camden

Permittee: Camden County Sheriffs Office
Tony Perry

Project Name: Camden County Sheriffs Office Shooting Range

Date Verification Issued: 10/06/2015

Project Manager: Chester Bigelow

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

US ARMY CORPS OF ENGINEERS
WILMINGTON DISTRICT
Attn: Chester Bigelow

Please note that your permitted activity is subject to a compliance inspection by a U. S. Army Corps of Engineers representative. Failure to comply with any terms or conditions of this authorization may result in the Corps suspending, modifying or revoking the authorization and/or issuing a Class I administrative penalty, or initiating other appropriate legal action.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and condition of the said permit, and required mitigation was completed in accordance with the permit conditions.

Signature of Permittee

Date

Attachment: Shooting Range SUP (1245 : Public Hearing – Special Use Permit Application)

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND
REQUEST FOR APPEAL**

| | | |
|---|------------------------------------|-------------------------|
| Applicant: Camden County Sheriffs Office Tony Perry | File Number: SAW-2015-01866 | Date: 10/06/2015 |
| Attached is: | See Section below | |
| <input type="checkbox"/> INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission) | A | |
| <input type="checkbox"/> PROFFERED PERMIT (Standard Permit or Letter of permission) | B | |
| <input type="checkbox"/> PERMIT DENIAL | C | |
| <input type="checkbox"/> APPROVED JURISDICTIONAL DETERMINATION | D | |
| <input type="checkbox"/> PRELIMINARY JURISDICTIONAL DETERMINATION | E | |

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at or <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits.aspx> or the Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the district engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:
District Engineer, Wilmington Regulatory Division, Attn: Chester Bigelow

If you only have questions regarding the appeal process you may also contact:
 Mr. Jason Steele, Administrative Appeal Review Officer
 CESAD-PDO
 U.S. Army Corps of Engineers, South Atlantic Division
 60 Forsyth Street, Room 10M15
 Atlanta, Georgia 30303-8801
 Phone: (404) 562-5137

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

| | | |
|---|-------|-------------------|
| _____ Signature of appellant or agent. | Date: | Telephone number: |
|---|-------|-------------------|

For appeals on Initial Proffered Permits send this form to:

District Engineer, Wilmington Regulatory Division, Attn: Chester Bigelow, 69 Darlington Avenue, Wilmington, North Carolina 28403

For Permit denials, Proffered Permits and approved Jurisdictional Determinations send this form to:

Division Engineer, Commander, U.S. Army Engineer Division, South Atlantic, Attn: Mr. Jason Steele, Administrative Appeal Officer, CESAD-PDO, 60 Forsyth Street, Room 10M15, Atlanta, Georgia 30303-8801
 Phone: (404) 562-5137

Attachment: Shooting Range SUP (1245 : Public Hearing – Special Use Permit Application)

ACTION ID: SAW-2015-01866

MEMORANDUM FOR RECORD

SUBJECT: Department of the Army Memorandum Documenting Nationwide Permit/Regional General Permit Verification

1. Applicant: Camden County Sheriffs Office
Tony Perry

2. Project Location (*Waterway, Section, Township, Range, City, County, State*):

Nearest Waterway Areneuse Creek

Nearest Town

County Camden

State NC

USGS HUC 03010205

Location description:

3. Pre-Construction Notification Receipt Date: 8/26/2015

Complete? Yes No

4. Additional Information Requested Date(s):

10/02/2015

5. Pre-Construction Notification Complete Date: 09/17/2015

6. Waters of the US:

*see Jurisdictional Determination form(s) and/or Preliminary JD letter(s) dated: October 6, 2015

7. Authority: Section 404

8. Project Description (*Describe activities in waters of the U.S. considered for verification*):

Haul in clean fill to construct an impact berm for a police training facility for rifle and pistol marksmanship practice. Approximate wetland impacts are less than a tenth of an acre. Some grading will be required. Area is a former commercial forest lot that is largely upland and has been recently logged.

9. Type of Permit Requested: NWP 18 Minor Discharges.

10. Pre-construction Notification Required: with PCN

11. Waiver required to begin work (*see GC 31 (a)(2) as applied to appropriate NWP*s): Yes No

Rationale:

12. Coordination with Agencies/Tribes Needed: Yes No Date: _____

Resolution:

13. Commenting Agencies:

- a. US Fish and Wildlife Service
- b. US Environmental Protection Agency

- c. National Marine Fisheries Service
- d. State Agency (list commenting state agencies)
- e. State Historic Preservation Office
- f. Other:

14. Substantive Issues Raised and Corps Resolution (*Consideration of Comments*):

15. Compliance with Other Federal Laws (*If specific law is not applicable write N/A*):

a. Endangered Species Act: N/A

- (1) Name of species present:
- (2) Effects determination: No Effect
- (3) Date of Service(s) concurrence:
- (4) Basis for "no effect" determination:
- (5) Additional information (optional):

b. Magnuson-Stevens Act (Essential Fish Habitat): N/A

- (1) Name of species present:
- (2) Effects determination: No Effect
- (3) Date of Service(s) concurrence:
- (4) Basis for "no effect" determination:
- (5) Additional information (optional):

c. Section 106 of the National Historic Preservation Act: N/A

- (1) Known site present: yes no
- (2) Survey required/conducted: yes no
- (3) Effects determination: No Effect
- (4) Rationale:
- (5) Date consultation complete (if necessary):
- (6) Additional information (optional):

d. Section 401 Water Quality Certification: N/A

- (1) Individual certification required: yes no
- (2) Individual Certification: Issued Waived Denied
- (3) General Certification required: yes no

(4) Additional Information (optional):

e. Coastal Zone Management Act: N/A

(1) Individual certification (CAMA Major) required: yes no

(2) Individual certification: Issued Waived Denied

(3) Other CAMA permit required: yes no

(4) Additional information (optional):

f. Wild and Scenic Rivers Act: N/A

(1) Project located on designated or "study" river: yes no

(2) Managing Agency:

(3) Date written determination provided that the project will not adversely affect the Wild and Scenic River designation or study status:

(4) Additional information (optional):

g. Other: N/A

16. Special Conditions Required (include rationale for each required condition/explanation for requiring no special conditions): **Verified Without Special Conditions**

a. The activity is conducted in accordance with the information submitted and meets the conditions applicable to the NWP, as described at Part C of the NWP Program and the Wilmington District NWP Regional Conditions.

17. Compensatory Mitigation Determination: The applicant has avoided and minimized impacts to the maximum extent practicable.

a. Is compensatory mitigation required for unavoidable impacts to jurisdictional aquatic resources to reduce the individual and cumulative adverse environmental effects to a minimal level?

No

[If "no," do not complete the rest of this section and include an explanation of why not here]

b. Is the impact in the service area of an approved mitigation bank? yes no

(1) Does the mitigation bank have appropriate number and resource type of credits available? yes no

c. Is the impact in the service area of an approved in-lieu fee program? yes no

(a) Does the in-lieu fee program have appropriate number and resource type of credits available? yes no

d. Check the selected compensatory mitigation option(s):

mitigation bank credits

in-lieu fee program credits

permittee-responsible mitigation under a watershed approach

- permittee-responsible mitigation, on-site and/or in-kind
- permittee-responsible mitigation, off-site and/or out-of-kind

e. If a selected compensatory mitigation option deviates from the order of the options presented in §332.3(b)(2)-(6), explain why the selected compensatory mitigation option is environmentally preferable. Address the criteria provided in §332.3(a)(1) (i.e., the likelihood for ecological success and sustainability, the location of the compensation site relative to the impact site and their significance within the watershed, and the costs of the compensatory mitigation project):

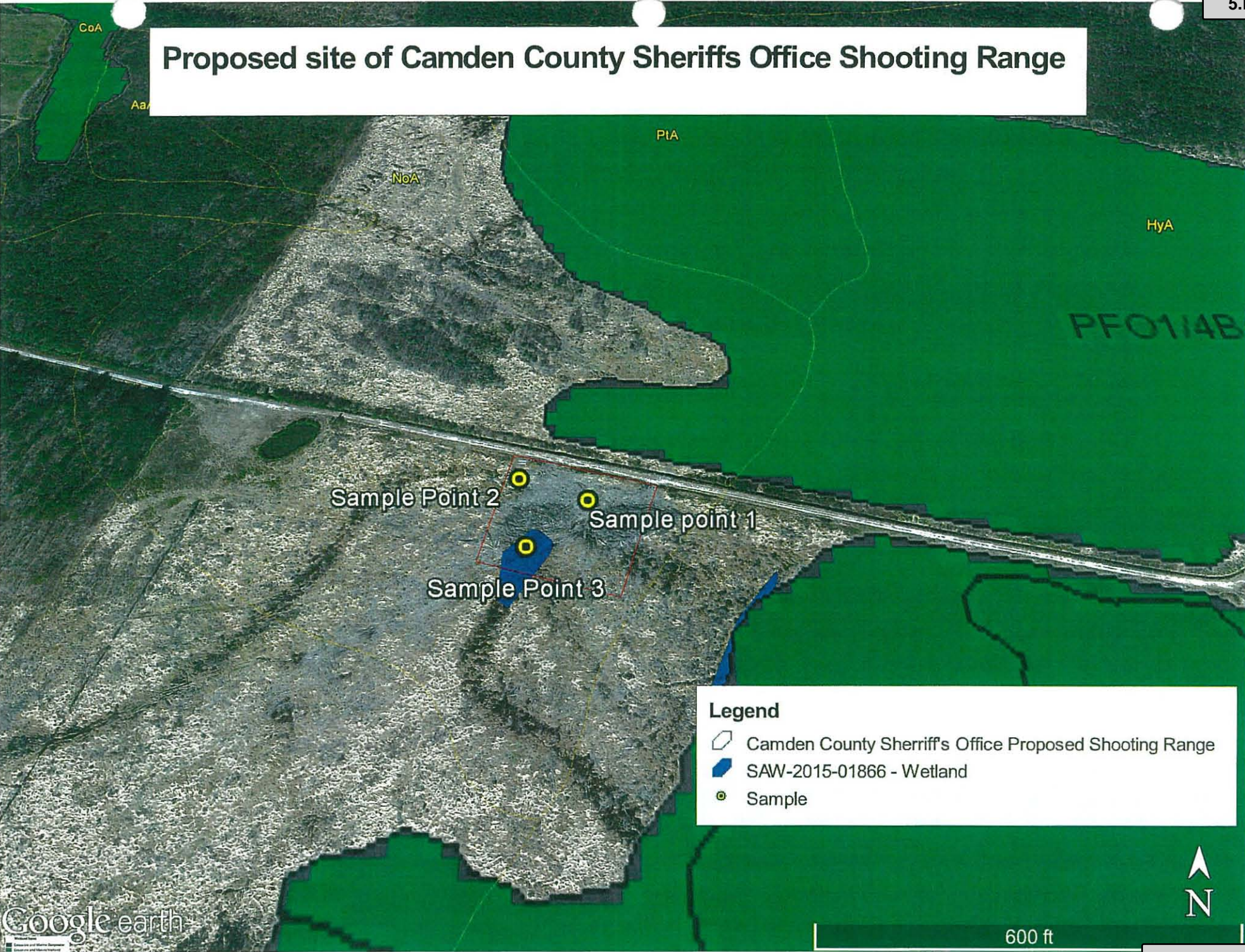
Determination (*Reference Section D. District Engineer's Decision*):

The proposed activity, with proposed mitigation (if applicable) would result in no more than minimal individual and cumulative adverse environmental effects and would not be contrary to the public interest provided the special conditions and/or modifications identified in the above sections are incorporated. This project complies with all terms and conditions of NWP 18 Minor Discharges., including any applicable regional conditions.

PREPARED BY:

_____ Date: 10/06/2015

Proposed site of Camden County Sheriffs Office Shooting Range



Legend

-  Camden County Sherriff's Office Proposed Shooting Range
-  SAW-2015-01866 - Wetland
-  Sample

Google earth

600 ft



Attachment: Shooting Range SUP (1245 : Public Hearing – Special Use Permit Application)

PRELIMINARY JURISDICTIONAL DETERMINATION FORM

BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR PRELIMINARY JURISDICTIONAL DETERMINATION (JD): October 6, 2015

B. NAME AND ADDRESS OF PERSON REQUESTING PRELIMINARY JD: Tony Perry, 117 North NC343, , NC, 27921.

C. DISTRICT OFFICE, FILE NAME, AND NUMBER: Wilmington, Camden County Sheriffs Office Shooting Range, SAW-2015-01866

D. PROJECT LOCATION(S) AND BACKGROUND INFORMATION:
(USE THE ATTACHED TABLE TO DOCUMENT MULTIPLE WATERBODIES AT DIFFERENT SITES)

State: NC County/parish/borough: Camden City:
Center coordinates of site (lat/long in degree decimal format): Lat. 36.3226093558351° N, Long. -76.0712994404755° W.
Universal Transverse Mercator:
Name of nearest water body: Areneuse Creek

Identify (estimate) amount of waters in the review area:

Non-wetland waters: linear feet: width (ft) and/or acres.
Cowardin Class:
Stream Flow:
Wetlands: 0.45 acres.
Cowardin Class: Forested

Name of any water bodies on the site that have been identified as Section 10 waters:

Tidal:
Non-Tidal:

E. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLIES):

- Office (Desk) Determination. Date: October 6, 2015
 Field Determination. Date(s): September 16, 2015

1. The Corps of Engineers believes that there may be jurisdictional waters of the United States on the subject site, and the permit applicant or other affected party who requested this preliminary JD is hereby advised of his or her option to request and obtain an approved jurisdictional determination (JD) for that site. Nevertheless, the permit applicant or other person who requested this preliminary JD has declined to exercise the option to obtain an approved JD in this instance and at this time.

2. In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "pre-construction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an approved JD for the activity, the permit applicant is hereby made aware of the following: (1) the permit applicant has elected to seek a permit authorization based on a preliminary JD, which does not make an official determination of jurisdictional waters; (2) that the applicant has the option to request an approved JD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an approved JD could possibly result in less compensatory mitigation being required or different special conditions; (3) that the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) that the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) that undertaking any activity in reliance upon the subject permit authorization without requesting an approved JD constitutes the applicant's acceptance of the use of the preliminary JD, but that either form of JD will be processed as soon as is practicable; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a preliminary JD constitutes agreement that all wetlands and other water bodies on the site affected in any way by that activity are jurisdictional waters of the United States, and precludes any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an approved JD or a preliminary JD, that JD will be processed as soon as is practicable. Further, an approved JD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331, and that in any administrative appeal, jurisdictional issues can be raised (see 33 C.F.R. 331.5(a)(2)). If, during that administrative appeal, it becomes necessary to make an official determination whether CWA jurisdiction exists over a site, or to provide an official delineation of jurisdictional waters on the site, the Corps will provide an approved JD to accomplish that result, as soon as is practicable.

This preliminary JD finds that there "may be" waters of the United States on the subject project site, and identifies all aquatic features on the site that could be affected by the proposed activity, based on the following information:

SUPPORTING DATA. Data reviewed for preliminary JD (check all that apply - checked items should be included in case file and, where checked and requested, appropriately reference sources below):

- Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant:
- Data sheets prepared/submitted by or on behalf of the applicant/consultant.
 - Office concurs with data sheets/delineation report.
 - Office does not concur with data sheets/delineation report.
- Data sheets prepared by the Corps:
- Corps navigable waters' study:
- U.S. Geological Survey Hydrologic Atlas:
 - USGS NHD data.
 - USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name:
- USDA Natural Resources Conservation Service Soil Survey. Citation:
- National wetlands inventory map(s). Cite name:
- State/Local wetland inventory map(s):
- FEMA/FIRM maps:
- 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date):
 - or Other (Name & Date):
- Previous determination(s). File no. and date of response letter:
- Other information (please specify): Site visit and evaluation by USACE on Sept. 16, 2015.

IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.

BIGELOW.CHESTER.CHARLES.III
.1205754357

Digitally signed by
BIGELOW.CHESTER.CHARLES.III.1205754357
DN: c=US, o=U.S. Government, ou=DoD,
ou=PKI, ou=USA,
cn=BIGELOW.CHESTER.CHARLES.III.1205754
357
Date: 2015.10.06 13:53:39 -0400'

Signature and date of
Regulatory Project Manager
(REQUIRED)

Dr. Tony Perry
10-7-2015

Signature and date of
person requesting preliminary JD
(REQUIRED, unless obtaining the signature is
Impracticable)

Attachment: Shooting Range SUP (1245 : Public Hearing – Special Use Permit Application)

SAMPLE

| Site number | Latitude | Longitude | Cowardin Class | Estimated amount of aquatic resource in review area | Class of aquatic resource |
|-------------|----------|-----------|-----------------|---|---------------------------|
| Wetland | 36.32218 | -76.07177 | PFO (HARVESTED) | 0.21 acre | section 404 Non-tidal |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

Attachment: Shooting Range SUP (1245 : Public Hearing – Special Use Permit Application)

Dave Parks

From: David Swinney <dswinney@arhs-nc.org>
Sent: Thursday, May 05, 2016 10:16 AM
To: Dave Parks
Subject: RE: Sheriff's Shooting Range

Portable toilet(s) at the proposed Sheriffs range will meet the requirements of this office as long as a contract is in place for the continued servicing of this port-a-john unit. The number of port-a-johns will need to be adequate based on the number of users. However, unless the Sheriff is planning on having a large number of users at this site at one time 1 unit should be sufficient. The port-a-john is an acceptable use in this case since there is no water using fixtures associated with this range.

Let me know if you need anything further.

David R Swinney, REHS
 Environmental Health Specialist

Albemarle Regional Health Services
 Office: 252-338-4470
 Fax: 252-338-4475
dswinney@arhs-nc.org

From: Dave Parks [<mailto:dparks@camdencountync.gov>]
Sent: Thursday, May 5, 2016 10:07 AM
To: David Swinney
Subject: Sheriff's Shooting Range

David,

As discussed on the phone, we are processing a Special Use Permit for Sheriff Perry for a shooting range for law enforcement only and he desires to utilize a portable toilet. Will this meet your regulations?

Thanks,

David Parks
 Permit Officer
 Camden County

This e-mail message may contain information that is privileged, confidential, and exempt from disclosure. It is intended for use only by the person to whom it is addressed. If you have received this message in error, please do not forward or use this information in any way. Delete it immediately and contact the sender as soon as possible by the reply option or by telephone at the telephone number listed (if available). In the event you cannot fulfill your obligation or there has been any improper release of this information, please contact the Privacy Officer at Albemarle Regional Health Services at (252) 337-6716.

Our Mission:

Estimate

ALBEMARLE SEPTIC SERVICE LLC
 134 BELCROSS RD
 Camden NC 27921
 252-202-9969/252-562-5121

| |
|--|
| Name/Address |
| Camden County Sheriff's Office PO Box 57 Camden NC 27921 |

| Date | Estimate No. | Project |
|----------|--------------|---------|
| 09/29/15 | 14 | |

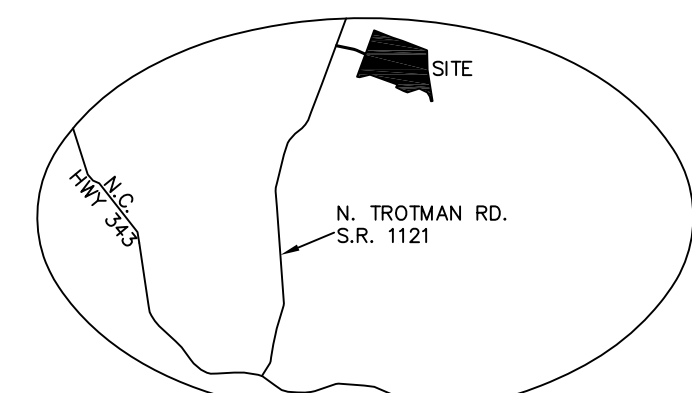
| Item | Description | Quantity | Cost | Total |
|------------------------------|--|----------|--------|---------|
| monthly pt rental | portable toilet rental/service for the month of 1/16-12/16 at shooting range. Rental is cleaned once a week and resupplied with tissue. Additional items or changes can increase price. | 1 | 72.00 | 72.00T |
| discount | county discount | | -15.00 | -15.00 |
| | Sales Tax | | 6.75% | 3.85 |
| Thank you for your business. | | | Total | \$60.85 |

Attachment: Shooting Range SUP (1245 : Public Hearing – Special Use Permit Application)

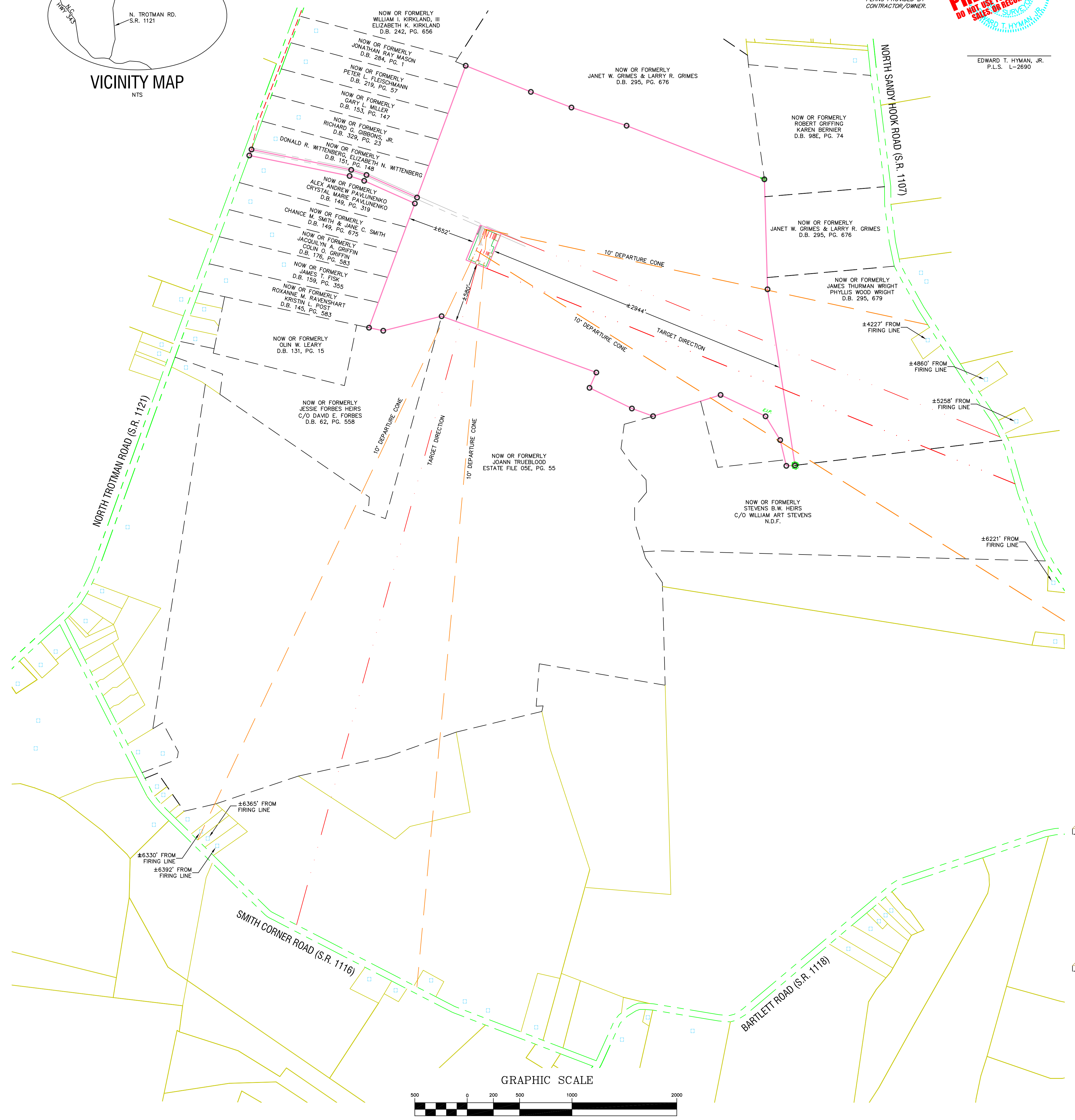
THIS IS A SITE PLAN ONLY
(NOT A SURVEY) BASED
ON RECORDED
INFORMATION AND DESIGN
PLANS PROVIDED BY
CONTRACTOR/OWNER



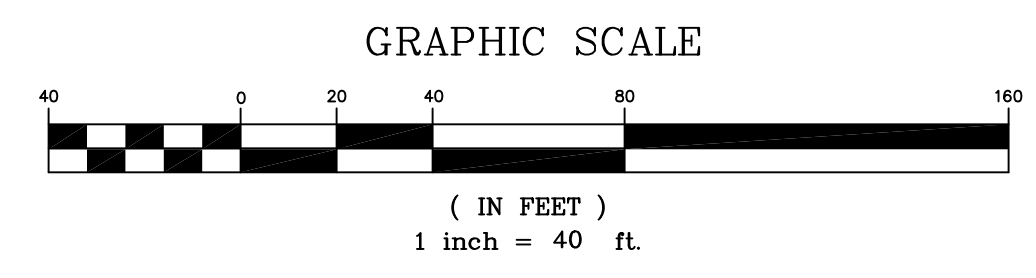
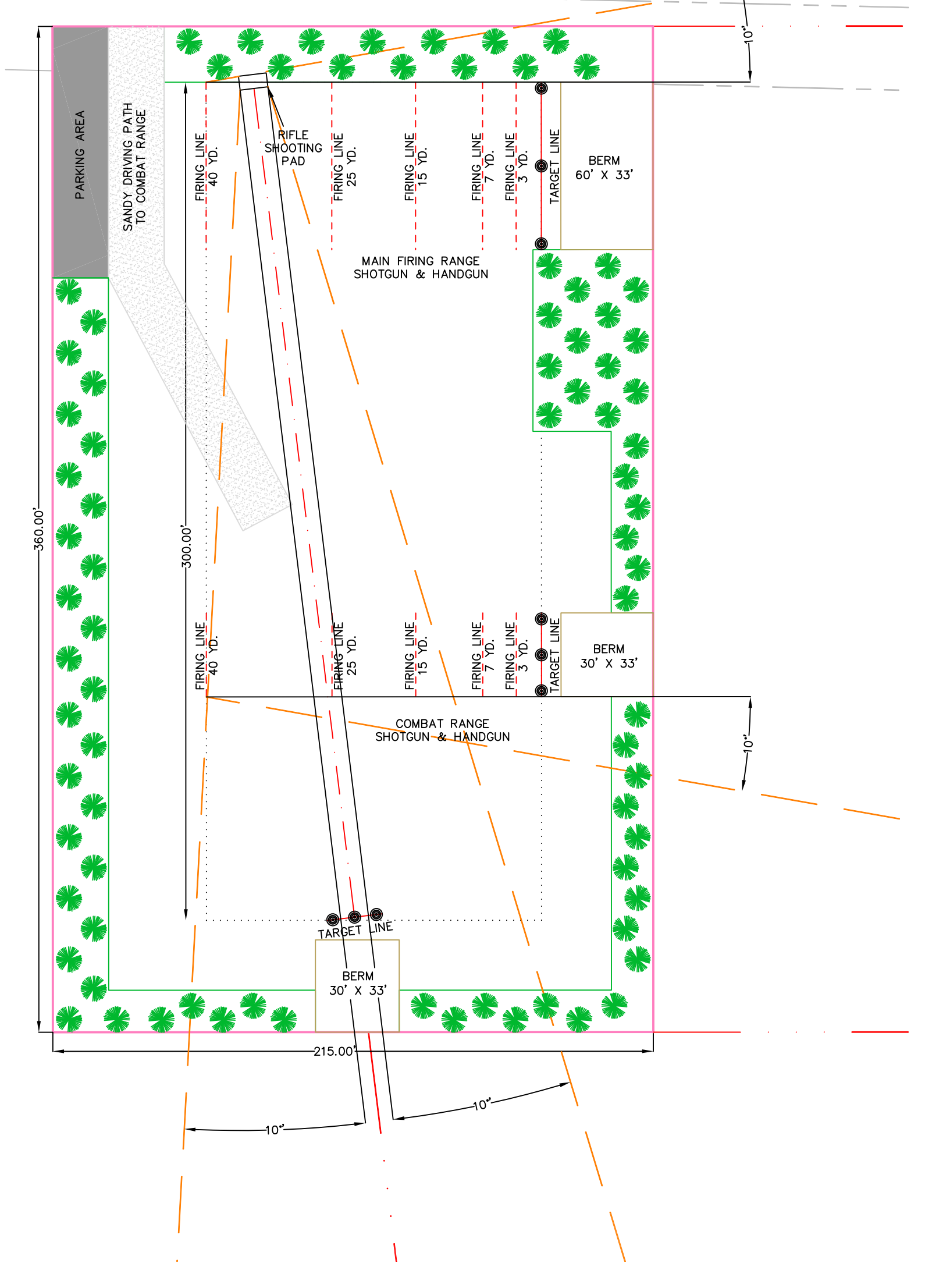
EDWARD T. HYMAN, JR.
P.L.S. L-2690



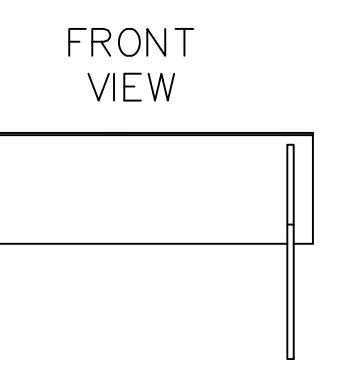
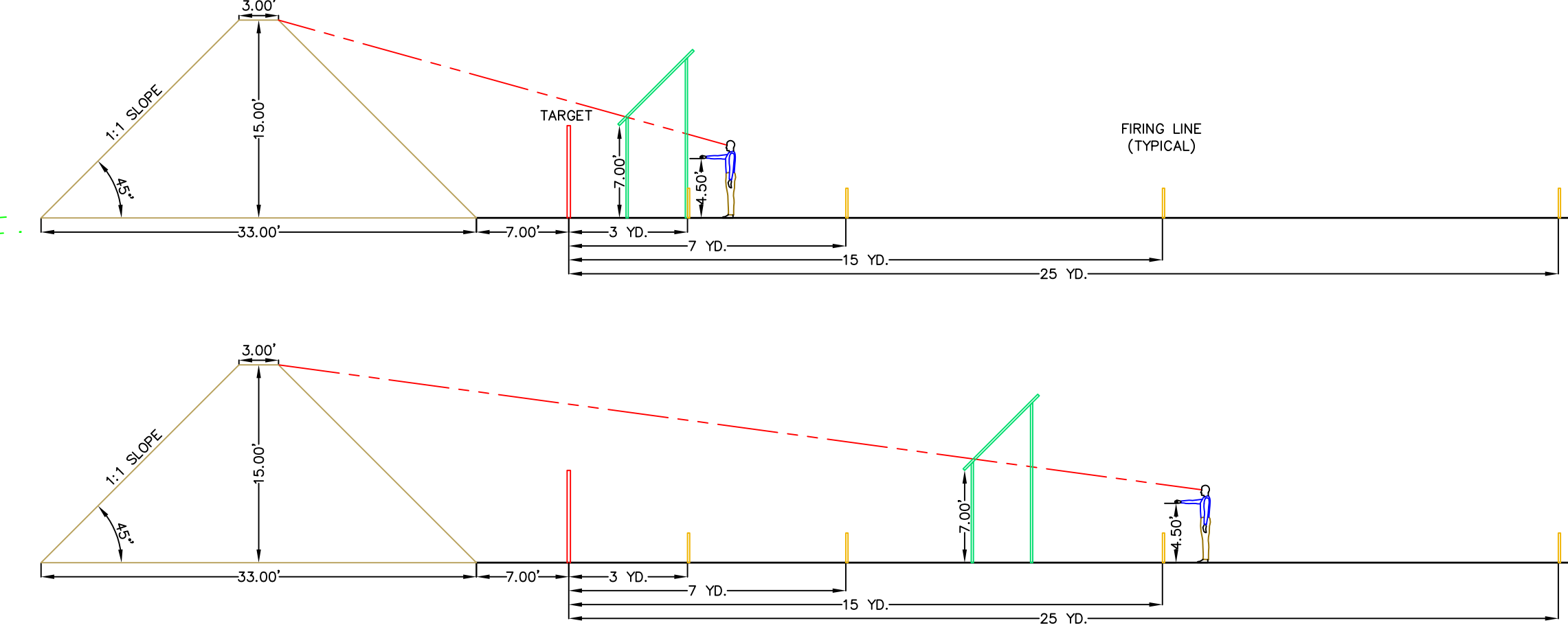
VICINITY MAP
NTS



SITE PLAN

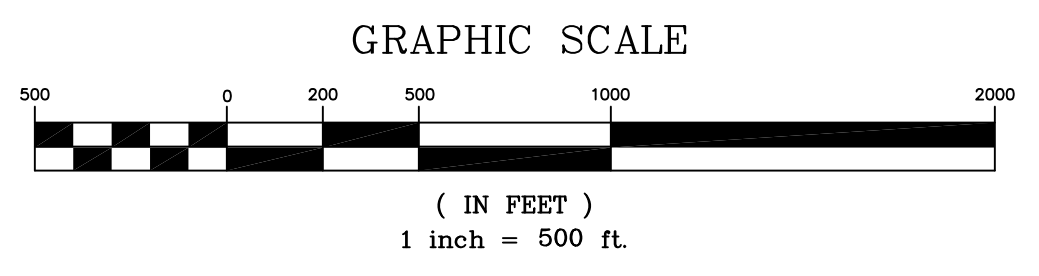


BAFFLE & BERM CROSS SECTION
(1 inch = 10 ft.)
MOVEABLE OVERHEAD DEFLECTION BAFFLE
DESIGN BY OTHERS.



LEGEND

- EIP EXISTING IRON PIPE
- EIR EXISTING IRON REBAR
- CORNER MARKER
- CALCULATED POINT
- EXISTING HOMES
- TREES AND/OR SHRUBS
- PROPERTY LINE
- - - PROPERTY EXTENSION
- - - RIGHT OF WAY LINE
- - - SURROUNDING PARCELS
- - - EXISTING DITCH





CAMDENCOUNTY

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Board of Commissioners AGENDA ITEM SUMMARY SHEET

New Business

Item Number: 6.A
Meeting Date: May 16, 2016
Submitted By: Angela Wooten, Clerk to the Board
 Administration
 Prepared by: Angela Wooten

Item Title **Budget Officer Appointment**

Attachments:

Summary:

Pursuant to NCGS § 159-9 Local governing boards are required to appoint a budget officer prior to receiving the budget message and budget for the 2016-2017 fiscal year.

§ 159-9. Budget officer.

Each local government and public authority shall appoint a budget officer to serve at the will of the governing board. In counties or cities having the manager form of government, the county or city manager shall be the budget officer. Counties not having the manager form of government may impose the duties of budget officer upon the county finance officer or another county officer or employee except the sheriff, or in counties having a population of more than 7,500, the register of deeds. Cities not having the manager form of government may impose the duties of budget officer on any city officer or employee, including the mayor if he agrees to undertake them. A public authority or special district may impose the duties of budget officer on the chairman or any member of its governing board or any other officer or employee.

Recommendation:

On the advise of Trey Allen with the School of Government staff recommends the board appoint a budget officer until such time that an interim county manager or county



manager is appointed and assume the duties of the budget officer.

- Motion to appoint the duties of the budget officer upon the county finance officer.

(or)

- Motion to appoint the duties of the budget officer upon the interim county manager.



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Board of Commissioners AGENDA ITEM SUMMARY SHEET

New Business

Item Number: 6.B
Meeting Date: May 16, 2016

Submitted By: Stephanie Humphries, Finance Director
Finance
Prepared by: Stephanie Humphries

Item Title **Budget Message 16-17**

Attachments: Budget Message 16-17 (DOCX)

Summary: Budget Books are being provided to the Commissioner's with a public copy provided to the Clerk as required in GS 159-12.
The Budge Message is being provided with the budget per GS 159-11.

Recommendation: No action required at this time.



FY 2016-2017 Budget Message

May 16, 2016

To: The Camden County Board of Commissioners
 Mike McLain, Chairman
 Garry Meiggs, Vice Chairman
 Sandy Duckwall, Commissioner
 Clayton Riggs, Commissioner
 Tom White, Commissioner

In accordance with General Statute 159-11, I hereby submit to you for your consideration the proposed FY 2016-2017 budget for Camden County. A copy of the recommended budget has been filed with the Clerk to the Board and is available for public review and comment. One of the critical purposes of this document is to encourage open dialogue, questions, and public deliberation as it relates to how citizen tax dollars can best be used to serve the community.

The FY 2016-2017 budget was prepared in accordance with the North Carolina Local Government and Budget Fiscal Control Act. In addition, while developing the budget the following key activities were taken into consideration:

- Continue to minimize the financial impact of county operations on its citizens through mindful budgeting and frugal expenditures.
- Fund Capital goals as indicated in the Capital Improvement Plan.
- Invest in the 911 Communications upgrade identified by the Mission Critical Partners study.
- Fund the required 911 Backup Center required by state mandate.
- Implement a structure to incentivize employees to perform to their highest potential.
- Maintain a healthy reserve fund balance in accordance with the financial policies outlined and adopted in Resolution 2007-05-04.
- Continue to provide outstanding government services at adequate levels.

General Fund Revenues

The above goals for 2016-2017 were balanced with expected revenues with the intent of minimizing the use of General Fund Balance. Revenues are generally related to expected

economic growth within the County and the State. Consumer confidence has been up and down due to continued economic uncertainty. Economic growth is expected to continue at minimal levels into 2016-2017. The state growth is expected to be equal to 2014 and 2015 levels at 3% for 2016. Local level of growth is predicted at only 1.5%. The expected 5% growth predicted for 2015 was only 3% at year end. A balance between expected growth and realized 2015 growth was used to estimate revenues for 2016-2017

During the months leading up to the budget process various state funding streams have also declined for a variety of local services, especially in respect to recycling mandates. We have also been asked to contribute a larger portion of salaries of the NC State Extension staff that previously has been significantly supported with state funds. We are now funding those positions with a 50% contribution.

A redistribution of Sales Tax is expected in the 2016-2017 Fiscal Year. The redistribution is required to be earmarked for School Capital and Economic Development. These funds come at an opportune time as we embark on the Camden Core Wastewater Treatment Plant that is needed to support identified growth and job creation that is expected to result from that project. The expected capital investment by the County for that project is significant but minimized by the expected redistribution.

Below is a listing of the major General Fund revenue sources.

| | |
|--|-------------|
| Ad Valorem Tax | \$6,281,863 |
| Local Option Sales Tax (Art. 39) | \$600,000 |
| Vehicle Tax | \$636,250 |
| Franchise Tax | \$625,000 |
| Medicaid Hold Harmless | \$500,000 |
| Article 40 Tax | \$275,000 |
| Article 42 Tax | \$145,000 |
| Special Revenue Fund (CRF for Debt Payment) | \$353,864 |
| From School Reserve Fund (Debt Payments, Capital Outlay) | \$991,602 |

General Fund Expenditures

Due to falling short of the 2015 goal of 5% growth and the local expectations of only 1.5% growth in 2016, it was important to minimize expenditure increases in the 2016-2017 budget. Considering the expectation of minimal revenue growth, budget staff recommends minimizing operational budget increases while continuing to invest in the infrastructure that is critical to future economic development within the County. Level operational expenses in 2016-2017 partnered with prudent financial management policies adhered to by the Board of Commissioners and Budget staff, the County is well positioned to fund the critical infrastructure needed to foster growth within the county as well as invest in capital projects, such as the 911 Communications System, without a tax increase.

Attachment: Budget Message 16-17 (1238 : Budget Message 16-17)

The County’s healthy fund balance should be invested within our county to foster economic growth and quality of life without burdening the taxpayers. While it is imperative to keep our responsible fiscal policies intact, we are in a position to use a portion of the fund balance to address failing County buildings and critical infrastructure as well as community projects that are important to our citizens such as Community Parks and recreational projects. Funding Capital Improvement Plan projects is vital to the success of these goals. While fund balance has been appropriated for Capital projects in 16-17, no fund balance was needed to balance general fund operating expenses.

Compared to the current (FY 2015-2016) adopted budget of \$12,192,459, the proposed FY 2016-2017 budget of \$12,219,979 represents an increase of only \$27,520. While we had an increase in Capital Improvements for 2016-2017, we were able to implement the next fiscal year’s goals with a very small overall increase in the budget. The 16-17 general fund budget uses no fund balance to finance operational expenses. The fund balance appropriated for 16-17 is solely for capital improvements, specifically, the \$275,000 in capital improvement for the 911 Communication upgrade and backup center. Even with the appropriating of fund balance for capital outlay, we expect general fund balance to stay at or above 50% of operating expenses. Well above the 25% general fund balance fiscal policy adopted in 2007.

In addition to capital our employees are also an important asset. It is important to recognize when staff salaries are falling behind in market rates and next years’ budget includes funding for positions that have been identified as being below market. As we move into future budget years, we must recognize that it will be harder and harder to keep quality, qualified staff as more and more of the working class retires. Keeping salaries current and competitive will be important to keep ahead of this issue. To help with retaining quality staff, a major goal of management was to implement a pay for performance plan in 16-17 that would provide incentive and improve moral of our highest performing staff members. While several departments are addressing staff salaries, most budgets were kept at little to no increase in overall expenditures.

Departmental Appropriations

Below is a list of some of the major Departmental expenditures proposed for FY 2016-2017.

| | |
|---------------------------------|-------------|
| Governing Body | \$117,384 |
| County Administration | \$200,251 |
| Elections | \$116,851 |
| Finance Department | \$213,767 |
| Personnel | \$71,085 |
| Tax Department | \$414,567 |
| Legal (including OLF) | \$67,500 |
| Register of Deeds | \$221,055 |
| Planning Department/Inspections | \$474,017 |
| Public Works/Building & Grounds | \$474,304 |
| Sheriff & SRO | \$1,718,210 |
| Extension | \$117,443 |
| Recreation | \$245,441 |

| | |
|-----------------------------|-------------|
| Senior Center | \$125,719 |
| Solid Waste | \$632,996 |
| Non-Departmental | \$181,400 |
| Economic Development | \$156,002 |
| Capital Outlay/Debt Service | \$1,046,708 |
| Library | \$195,866 |
| JCPC | \$62,288 |
| Soil & Water Conservation | \$62,620 |

Special Appropriations

In the FY 2016-2017 budget, Special Appropriations expenditures total \$4,728,870 or 39% of total General Fund expenses. The percentage of the overall Special Operations budget is equal to 2015-2016, however, there are requests that would put a significant burden on the current operating budget. Camden has already committed to investing in the upgrade to the 911 Communications system and backup. In addition to that unexpected expense, there was a significant increase in requests from Emergency Management, the School Board and Forestry and the expected 3% increase in the EMS contribution.

While we are required by contract to commit the funds budgeted for EMS, Emergency Management and Forestry, management recommends funding the School Board at the same amount appropriated in 2015-2016. The School System continues to see a decline in ADM which would normally relate to a decline in funding as well. We believe committing the same amount of funding in 2016-2017 is reasonable.

The list below highlights some of the major Special Appropriation proposed for FY 2016-2017.

| | |
|--|-------------|
| School Current Expense | \$2,079,726 |
| Pasquotank/Camden EMS | \$499,550 |
| Central Communications/Emergency Mgmt. | \$537,681 |
| College of the Albemarle | \$45,000 |
| Albemarle District Jail | \$416,068 |
| Department of Social Services | \$325,000 |
| CH & S Fire Commission | \$245,095 |
| South Mills Fire Commission | \$147,859 |
| School Capital Outlay | \$298,758 |

Major Concerns

A major concern for Camden County continues to be encouraging economic development while maintaining responsible residential growth. As development occurs, the burden on County services is increased. Balancing growth and development with the quality of life enjoyed in Camden County is imperative.

Additionally, in order to move the South Camden Water and Sewer District to a financial position closer to that of a true enterprise fund and enhance its self-sufficiency, the remainder of the increase requested in FY 2015-2016 is proposed for 2016-2017. The remaining increase would add \$2.00 to the base-rate fee for water and \$3.00 for sewer with an additional .50 cents for each 1,000 gallons beyond the first 2,000 gallons. The partial increase approved in 2015-2016 was the first base-rate fee increase since 2010. We are hopeful that the new Wastewater Treatment Plant that is currently in the beginning stages of an approximately 18 month project, will bring additional customers that would avoid future rate increases.

Other Major Program Goals

Community Park Trust Fund

The 2016-2017 CPTF budget includes funding for Community Park Lighting and other Park Maintenance Capital needs. Also included is funding for purchasing land in the South Mills Township for a Community Park in accordance with the goals of the 2017-2021 Capital Improvement Plan. The county will pursue grant funding for design/construction of the future community park once the location has been identified.

County Capital Reserve Fund

The funding for this fund comes from the \$0.01 land transfer tax which is levied on all land sales. County appropriations also support this fund as it is a key function of county government to ensure resources for Capital expenditures. Due to failing County building, we are including funds to continue planning for a new County Offices Building that would replace the current building that houses the Tax, Planning and Water/Sewer Billing staff. The new building would combine the Administrative staff and free up the current property which could be sold to help fund the project or replace funds in reserve for capital needs.

School Capital Reserve Fund

A redistribution of Sales Tax is expected in 2016-2017 that will be earmarked for Economic Development or School Capital needs. The majority of the redistribution will be directed to this fund for restricted use.

FY 2016-207 Budget Summary

This budget reflects the intent of responsible use of taxpayer dollars by providing critical services and wisely investing the financial contributions of our citizens to become the best possible environment in which to work and live. As public officers, we have been given the task of protecting the rights, needs and desires of the constituents. The budget staff believes that this task has been achieved and respectfully submits to you the 2016-2017 Fiscal Year Budget.



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Board of Commissioners
AGENDA ITEM SUMMARY SHEET

New Business

Item Number: 6.C
Meeting Date: May 16, 2016
Submitted By: Stephanie Humphries, Finance Director
 Finance
 Prepared by: Stephanie Humphries

Item Title **Camden County HS Tour for Potential Future Use**

Attachments:

Summary: County members of the APFO Committee (Mike Renshaw, Stephanie Humphries, Gary Meiggs, Clayton Riggs, Dan Porter and David Credle) met with Superintendent Hawkins and School Maintenance Director Larry Lawrence to tour the current County High School facility to determine potential future use. Potential uses include both a recreational facility and future County Offices. The group consensus was that the size of the complex far exceeds the future potential use as County Offices and Recreational Facilities. While the newest parts of the school would fit well with uses such as Parks and Recreation Center and a Senior Center, the amount of wasted space in the rest of the building would not be the best use of the facility. Additionally, the expense for retrofitting would far outweigh the cost of a new Administration building.

The current facility still functions well as High School and abandoning that facility would not be the best use of resources. Options for making use of the current facility as a high school far outnumber the options for using it for a County Building. One option would be to build the Athletic Facility on the available property and using the current fields for expansion. Another option would be to replace the mobile units that are aging with actual brick and mortar construction.

The recommendation of the group would be to continue planning to build a County Offices Administration Building that continues to be an urgent need to replace the failing Tax, Planning and Water/Sewer offices and further discussion with the APFO Committee on Adequate Public Facility options.

Recommendation: Discuss the above report for any desired action.

CAMDEN COUNTY BOARD OF COMMISSIONERS
 Regular Meeting – March 07, 2016

Camden County Board of Commissioners

BOC - Regular Meeting

March 7, 2016

7:00 PM

**Historic Courtroom, Courthouse Complex
 Camden, North Carolina**

MINUTES

The regular meeting of the Camden County Board of Commissioners was held on March 07, 2016 in the Historic Courtroom, Camden, North Carolina. The following Commissioners were present:

WELCOME & CALL TO ORDER

| Attendee Name | Title | Status | Arrived |
|---------------------|--------------------|---------|---------|
| P. Michael McLain | Chairman | Present | |
| Sandra Duckwall | Vice Chairman | Absent | |
| Garry Meiggs | Commissioner | Present | |
| Clayton Riggs | Commissioner | Present | |
| Tom White | Commissioner | Present | |
| Michael Renshaw | County Manager | Present | |
| Angela Wooten | Clerk to the Board | Present | |
| John Morrison | County Attorney | Present | |
| Lisa Anderson | Tax Administrator | Present | |
| Stephanie Humphries | Finance Director | Present | |

CLOSED SESSION

Enter Closed Session

Communication: March 7Th, 2016 Draft Minutes (Consent Agenda)

CAMDEN COUNTY BOARD OF COMMISSIONERS

Regular Meeting – March 07, 2016

| | |
|----------------|------------------------------|
| RESULT: | PASSED [UNANIMOUS] |
| MOVER: | Tom White, Commissioner |
| AYES: | McLain, Meiggs, Riggs, White |
| ABSENT: | Duckwall |

Come out of Closed Session

| | |
|----------------|------------------------------|
| RESULT: | PASSED [UNANIMOUS] |
| MOVER: | Garry Meiggs, Commissioner |
| AYES: | McLain, Meiggs, Riggs, White |
| ABSENT: | Duckwall |

INVOCATION & PLEDGE OF ALLEGIANCE

Chairman McLain

1. PUBLIC COMMENTS

None

2. CONSIDERATION OF AGENDA

Motion accept the agenda as presented.

| | |
|----------------|------------------------------|
| RESULT: | PASSED [UNANIMOUS] |
| MOVER: | Clayton Riggs, Commissioner |
| AYES: | McLain, Meiggs, Riggs, White |
| ABSENT: | Duckwall |

3. PRESENTATIONS

A. Cardinal Awards

Chairman Mike McLain presented the State Cardinal Award to three Camden County employees with 30+ years of public service.

- Clarann Mansfield
- Miles Gregory
- Sylvia Holley

4. OLD BUSINESS

None

5. NEW BUSINESS

A. Monthly Tax Report - Dec 2015

CAMDEN COUNTY BOARD OF COMMISSIONERS

Regular Meeting – March 07, 2016

| | |
|----------------|--|
| RESULT: | APPROVED AS PRESENTED [UNANIMOUS] |
| MOVER: | Garry Meiggs, Commissioner |
| AYES: | McLain, Meiggs, Riggs, White |
| ABSENT: | Duckwall |

B. Monthly Tax Report - Jan 2016

| | |
|----------------|--|
| RESULT: | APPROVED AS PRESENTED [UNANIMOUS] |
| MOVER: | Clayton Riggs, Commissioner |
| AYES: | McLain, Meiggs, Riggs, White |
| ABSENT: | Duckwall |

C. ConnectNC Bond

| | | |
|--|------------|-------------------|
| RESOLUTION | No. | 2016-03-01 |
| IN SUPPORT OF THE CONNECT NC BOND ACT | | |

WHEREAS, the North Carolina General Assembly and Governor McCrory approved the Connect NC Bond Act during the 2015 Legislative Session; and

WHEREAS, The \$2 billion bond will connect North Carolina to the 21st century through statewide investments in education, parks, safety, recreation, and water and sewer infrastructure; and

WHEREAS, The Connect NC bond will allow the state of North Carolina to pay for 50-year assets with 20-year financing without increasing taxes; and

WHEREAS, the Connect NC Bond will invest \$75 million in State Parks across the state to repair and renovate, as well as update select facilities to make them more accessible to children with disabilities and Veterans with disabilities, and:

WHEREAS, the Dismal Swamp State Park will receive \$990.750 of the \$75 million for state park improvements.

WHEREAS, The Connect NC Bond Act will invest \$1.3 billion dollars to the state's Universities and Community Colleges; and,

WHEREAS, the College of the Albemarle will receive \$6.5 million to upgrade and construct facilities to offer state-of-the-art learning experiences for the citizens of North East North Carolina.

WHEREAS, Elizabeth City State University will receive \$13 million for capital improvements to modernize and enhance existing facilities.

WHEREAS, the Connect NC Bond will provide \$300 million statewide for water and sewer infrastructure loans and grants; and,

WHEREAS, \$180 million will be invested in agriculture, which contributes \$78 billion to the state's economy and accounts for 17 percent of the state's revenue; and

WHEREAS, \$70 million will be invested in modernizing National Guard facilities, which will also make the guard eligible for additional federal funding, as North Carolina moves towards more centralized facilities.

NOW, THEREFORE, BE IT RESOLVED, that the Camden County Board of Commissioners supports the \$2 Billion Connect NC Bond that invests in North Carolina's future, and encourages its citizens and votes to approve the Connect NC Bond.

APPROVED, this the 7th day of March, 2016.

CAMDEN COUNTY BOARD OF COMMISSIONERS

Regular Meeting – March 07, 2016

RESULT: ADOPTED [UNANIMOUS]
MOVER: Garry Meiggs, Commissioner
AYES: McLain, Meiggs, Riggs, White
ABSENT: Duckwall

D. Resolution No. 2016-03-02 Opposing the Discontinuance of the Existing Tier Designation System

RESOLUTION **No.** **2016-03-02**

Opposing Discontinuance of the Economic Development Tier System

Whereas, the Program Evaluation Division of the North Carolina General Assembly has issued Report Number 2015-11 under the date of December 14, 2015 with recommendations to:

- Discontinue the Economic Development Tier System for all non-economic development programs by July 1, 2017
- Sunset the tier system for all economic development programs as of July 1, 2018
- Form a legislative commission to reexamine the State's strategy for identifying and assisting economically distressed communities

Whereas, Camden County is developmentally and economically distressed due to the lack of critical water, sewer, gas and broadband infrastructure to attract job producing industrial and commercial businesses, and;

Whereas, Camden County has very few commercial and industrial jobs inside the county forcing our residents to travel outside the County and State for employment resulting in an 87% outmigration of jobs, and;

Whereas, discontinuing the tier system will negatively impact Camden County's ability to attract State funds to build critical infrastructure to attract businesses and jobs to the county, and;

Whereas, without State funding assistance local taxes must be increased to fund infrastructure and these costs will be borne by a very small population base, and;

Whereas, historically Camden County has benefited from designation as a Tier 1 economically distressed county through the award of State funding for multiple critical infrastructure projects in support of attracting private investment and job creation, and;

Now, therefore, be it resolved that the County of Camden opposes discontinuance of the existing tier designation system until a new system is in place, and;

Now, therefore, be it further resolved that the County of Camden hereby recommends any new economic distress classification system consider the following factors related to:

- Out migration of jobs due to limited local employment opportunities
- Average wages generated by businesses within the county boundaries
- Commercial/industrial property valuation per capita

RESULT: ADOPTED [UNANIMOUS]
MOVER: Tom White, Commissioner
AYES: McLain, Meiggs, Riggs, White
ABSENT: Duckwall

E. Proposal for Phase II WWTP Geohydrology Study

RESULT: APPROVED AS PRESENTED [UNANIMOUS]
MOVER: Tom White, Commissioner
AYES: McLain, Meiggs, Riggs, White
ABSENT: Duckwall

6. BOARD APPOINTMENTS

CAMDEN COUNTY BOARD OF COMMISSIONERS
 Regular Meeting – March 07, 2016

A. Camden County CAC's

7. CONSENT AGENDA

| | |
|----------------|------------------------------|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Tom White, Commissioner |
| AYES: | McLain, Meiggs, Riggs, White |
| ABSENT: | Duckwall |

- A. Draft Minutes
- B. Budget Amendment - Ba0014-0019
- C. CCS Budget Amendments
- D. Tax Collection Report - January
- E. Authorization to Collect April Renewal
- F. Pick-Ups/Releases/Refunds
- G. Letter in Support of Offshore Energy
- H. FY 2015-2016 Addendum with Trillium Health Resources
- I. Surplus Sheriff - Console 2
- J. Surplus Sheriff - Light
- K. Surplus Sheriff - Tires
- L. Surplus Sheriff - Radar
- M. Surplus Sheriff - Siren-Light Box
- N. Surplus Sheriff - Mace Holder
- O. Surplus Sheriff - 1999 Dodge Durango
- P. Board of Social Services

8. COMMISSIONERS' REPORT

9. COUNTY MANAGER'S REPORT

RECESS TO SOUTH CAMDEN WATER & SEWER DISTRICT BOARD OF DIRECTORS MEETING

Motion to recess

Communication: March 7Th, 2016 Draft Minutes (Consent Agenda)

CAMDEN COUNTY BOARD OF COMMISSIONERS

Regular Meeting – March 07, 2016

| | |
|----------------|------------------------------|
| RESULT: | PASSED [UNANIMOUS] |
| MOVER: | P. Michael McLain, Chairman |
| AYES: | McLain, Meiggs, Riggs, White |
| ABSENT: | Duckwall |

RECONVENE COMMISSIONERS' MEETING

Motion to reconvene

| | |
|----------------|------------------------------|
| RESULT: | PASSED [UNANIMOUS] |
| MOVER: | P. Michael McLain, Chairman |
| AYES: | McLain, Meiggs, Riggs, White |
| ABSENT: | Duckwall |

10. INFORMATION, REPORTS & MINUTES FROM OTHER AGENCIES

- A. Sales & Use Tax Report
- B. Monthly Report - Register of Deeds
- C. Camden Public Library Statistics February 2016 Report
- D. Trillium Reports and Budget Requests for New Year

11. OTHER MATTERS**12. ADJOURN**



CAMDENCOUNTY

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Board of Commissioners AGENDA ITEM SUMMARY SHEET

Consent Agenda

Item Number: 8.B
Meeting Date: May 16, 2016

Submitted By: Stephanie Humphries, Finance Director
 Finance
 Prepared by: Stephanie Humphries

Item Title **Budget Amendment**

Attachments: 15-16-BA028 (DOC)
 15-16-BA029 (DOC)

Summary: BA028 for Watershed Maintenance
 BA029 Transfer Funds for Wastewater Plant

Recommendation: Approve Amendment

2015-16-BA028
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, 2016.

Section 1. To amend the Shiloh Watershed Fund as follows:

| ACCT NUMBER | DESCRIPTION OF ACCT | AMOUNT | |
|-----------------|---------------------------|----------|----------|
| | | INCREASE | DECREASE |
| Revenue | | | |
| 39399472-439900 | Fund Balance Appropriated | \$9,440 | |
| Expenses | | | |
| 394720-545000 | Contracted Services | \$9,440 | |

This Budget Amendment is made to appropriate funds for expenses related to Watershed maintenance.

This will result in no change to the Contingency of the General Fund.

Balance in Contingency \$22,500.00

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 16th day of May, 2016.

 Clerk to Board of Commissioners

 Chairman, Board of Commissioners

Attachment: 15-16-BA028 (1240 : Budget Amendments)

2015-16-BA029
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, 2016.

Section 1. To amend the General Fund and Sewer Project Fund as follows:

| ACCT NUMBER | DESCRIPTION OF ACCT | AMOUNT | |
|-----------------|----------------------------|-------------|----------|
| | | INCREASE | DECREASE |
| Revenue | | | |
| 29330760-434511 | County Contribution | \$1,157,000 | |
| 10399400-439900 | Fund Balance Appropriated | \$1,157,000 | |
| Expenses | | | |
| 297600-574202 | Wastewater Treatment Plant | \$1,157,000 | |
| 106900-574202 | Wastewater Treatment Plant | \$1,157,000 | |

This Budget Amendment is made to transfer funds from the General Fund to the Camden Core Wastewater Treatment Plant project. The Fund Balance is expected to be approximately \$7,000,000 after this transfer; 58% of General Fund expenditures. The current County Fiscal Policy requires 25%.

This will result in no change to the Contingency of the General Fund.

Balance in Contingency \$22,500.00

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 16th day of May, 2016.

Clerk to Board of Commissioners

Chairman, Board of Commissioners



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Board of Commissioners AGENDA ITEM SUMMARY SHEET

Consent Agenda

Item Number: 8.C
Meeting Date: May 16, 2016

Submitted By: Terri Smith,
Taxes
Prepared by: Terri Smith

Item Title Refunds Over \$100.00

Attachments: Vehicle Tax Refunds (PDF)

Summary: Refunds over \$100.00

Recommendation: Review and Approve

REFUNDS OVER \$100.00

North Carolina Vehicle Tax System

NCVTS Pending Refund report



APRIL REFUNDS OVER \$100.00

| Payee Name | Primary Owner | Secondary Owner | Address 1 | Address 2 | Address 3 | Refund Type | Bill # | Plate Number | Status | Transaction # | Refund Description | Refund Reason Tag | Create Date | Authorization Date | Tax Jurisdiction | Levy Type | Change | Interest Change | Total Change | |
|------------------------|------------------------|-----------------|----------------------|-----------|------------------|-------------|------------|--------------|------------|---------------|---|-------------------|-------------|-----------------------|------------------|-----------|------------|-----------------|--------------|----------|
| RUSSELL, REGINA JORDAN | RUSSELL, REGINA JORDAN | | 537 NC HIGHWAY 343 N | | CAMDEN, NC 27921 | Proration | 0028592766 | 0BX18594 | AUTHORIZED | 46598504 | Refund Generated due to proration on Bill #0028592766-2015-2015-0000-00 | Surrender | 04/15/2016 | 4/20/2016 12:23:15 PM | 1843 | Tax | (\$102.98) | \$0.00 | (\$102.98) | |
| | | | | | | | | | | | | | | | 2 | Tax | (\$1.51) | \$0.00 | (\$1.51) | |
| | | | | | | | | | | | | | | | | | | Refund | \$104.49 | \$104.49 |

Submitted by Lisa S. Anderson Date 5-3-16
 Lisa S. Anderson, Tax Administrator Camden County

Approved by _____ Date _____
 P. Michael McLain, Chairman Camden County Board of Commissioners



Board of Commissioners
AGENDA ITEM SUMMARY SHEET

Consent Agenda

Item Number: 8.D
Meeting Date: May 16, 2016

Submitted By: Terri Smith,
Taxes
Prepared by: Terri Smith

Item Title **DMV Monthly Report**

Attachments: 20160511102019919.pdf (PDF)

Summary: DMV Monthly Report. July Renewals Due 8/15/2016

Recommendation: Review and Approve

STATE OF NORTH CAROLINA

COUNTY OF CAMDEN

TO: The Tax Administrator of Camden County July Ren. Due 08/15/16

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 |
| 22,974.13 | 23,329.77 | 12,890.25 | 59,194.15 |

Witness my hand and official seal this _____ day of _____

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.

Gina S. Anderson

Tax Administrator of Camden County

Attachment: 20160511102019919.pdf (1241 : DMV Monthly Report)



Board of Commissioners
AGENDA ITEM SUMMARY SHEET

Consent Agenda

Item Number: 8.E
Meeting Date: May 16, 2016
Submitted By: Tony Perry, Sheriff
Sheriff
Prepared by: Stephanie Humphries
Item Title **Surplus Items**
Attachments: 2016-05 Sheriff 2006 Crown Vic (PDF)
Summary: Sheriff Surplus Item Request Attached: Sell GovDeals
Recommendation: Approve Requests

Surplus Property Request

Requested by: Sheriff Tony Perry

Sell Dispose

Department: Sheriff's Office

Item: 2006 Crown Victoria

Disposal Method: Gov Deals

Suggested Value: \$1,984.00

Reason for surplus: Removed from Fleet

Item Description
 2006 Crown Victoria , Vin# 2FAFP71W46X163588 , V8 , Power Windows, doors, locks, Cloth Seats. Exterior Silver, Interior charcoal, 164,769 miles. Runs good, needs a tune up. Over all condition good , exterior good and interior clean in good shape.

Manager Approval

Disposal Method: Gov Deals

Value: Start bid @ \$2,000.00

Comments:

Board Approval

Approved/Denied:

Date:

Final Disposition Date:

Method:

Amount:

Purchased by:

Attachment: 2016-05 Sheriff 2006 Crown Vic (1237 : Surplus Items)



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Board of Commissioners AGENDA ITEM SUMMARY SHEET

Consent Agenda

Item Number: 8.F
Meeting Date: May 16, 2016
Submitted By: Stephanie Humphries, Finance Director
 Finance
 Prepared by: Angela Wooten

Item Title **Surplus Items**

Attachments: Surplus-RoD (PDF)

Summary: Register of Deeds Surplus Item Request Attached: Scrap

Recommendation: Approve Requests



Surplus Property Request

Requested by:
 Sell Dispose

Department:

Item:

Disposal Method:

Suggested Value:

Reason for surplus:

Manager Approval

Disposal Method:

Value:

Comments:

Board Approval

Approved Denied Date:

Comments:

Final Disposition Date:

Method:

Amount:

Purchased by:

| | |
|------------------|------------------|
| Item Description | HP Laserjet 8000 |
| | N |

Attachment: Surplus-RoD (1244 : Surplus Items)



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Board of Commissioners AGENDA ITEM SUMMARY SHEET

Consent Agenda

Item Number: 8.G
Meeting Date: May 16, 2016

Submitted By: Stephanie Humphries, Finance Director
Finance
Prepared by: Angela Wooten

Item Title **Contract for Services WWTP**

Attachments: Agreement - Eastern Carolina Engineering -
Courthouse Township
WWTP (PDF)

Summary:

Recommendation:

Approve

INDEPENDENT CONTRACTOR AGREEMENT

THIS AGREEMENT is made the ___ day of _____, 2016 between the **County of Camden** (hereinafter "County") and **Eastern Carolina Engineering, PC**, (hereinafter "Contractor").

RECITALS

County is a body corporate and politic of the State of North Carolina with the duties and powers set forth in Chapter 153A of the North Carolina General Statutes.

Contractor represents that it is duly qualified to perform business, and otherwise to transact business in North Carolina.

IT IS THEREFORE AGREED as follows:

1. Scope of Work. Contractor agrees to perform the following services for County:

Design, Permitting, Construction Administration and Inspection for the Courthouse Township Waste Water Treatment Plant

Included in the design and permitting is the following:

A. DESIGN AND PERMITTING

1. Topographic Survey:

We will perform a detailed topographic survey of the property within the site boundary up to the wetland limits and up to 100' off site as necessary to complete design. We will also perform topographical survey of any key locations for the sewer force main routing; however aerial photography and existing data will be used for much of the route. The topographical survey will locate all existing utilities, structures and drainage features within the project limits. Assistance from Public Works personnel will be required to locate any existing utilities we are unable to locate. If authorized by the Owner, we will have areas of uncertainty investigated by a subsurface utility scanner.

2. Site Design:

Upon completion of the topographical survey, Eastern Carolina Engineering, PC will begin the site plan design of the sewage treatment facility area including buildings, parking, and access drive.

We will prepare a site plan depicting accurately dimensioned layouts of all features. We will schedule periodic meetings with the County throughout the design and submit the plans to the County for site plan review by the Technical Review Committee and attend all associated review meetings.

3. Stormwater management plan and erosion & sedimentation control plan.

- a. This will include the design of the required erosion control devices and on-site drainage. Drainage design will be in accordance with the Camden County Stormwater Manual and the requirements of NCDEQ.
- b. Applications for the Erosion and Sedimentation Control Permit and a Low Density Stormwater Management Permit will be submitted to NCDENR. This proposal does not include fast-tracking of these permits.

4. Utilities

- a. Water utilities will be designed to provide domestic service and fire protection for the site.
- b. Sewer force main design will include rerouting of waste from the Scotland Road area to the Courthouse Pump Station and an extension of a new force main from the Courthouse Pump Station to the plant.
- c. Eastern Carolina Engineering, PC will coordinate with an electrical engineer to provide electrical design plans to provide electrical power for the plant and site including the plant operations building.

5. Design and Permitting of the Treatment Plant and Disposal Field(s)

The plant shall have a rated permitted capacity of 50,000 gpd with provisions for expanding to 100,000 gpd. Plant shall be a below ground Submerged Attached Growth Bioreactor. Tanks shall be pre-cast or cast in place concrete units fitted with equipment from an Owner approved supplier.

- a. Treatment plant design shall include:
 - 1. treatment plant equipment buildings, complete with plumbing and electrical design plans;
 - 2. plant operating controls;
 - 3. telemetry interface;
 - 4. the following plan sheets
 - 5. existing conditions
 - 6. site plan
 - 7. tank and piping layout
 - 8. building plans
 - 9. building equipment layout
 - 10. design calculations
 - 11. plant hydraulic profiles
 - 12. treatment tank, clearwell, and reactor details
 - 13. blowers and control panels
 - 14. UV disinfection

- b. Design of Infiltration Pond based upon future hydrogeologic assessment by Edwin Andrews & Associates, P.C. Infiltration pond design shall consist of:
 - 1. pond geometry
 - 2. effluent disposal (spray heads, level spreader, diffuser, etc.)
 - 3. perimeter mechanical de-watering (wells)
 - 4. drainage infrastructure to support de-watering discharge

B. CONSTRUCTION ADMINISTRATION AND INSPECTION

1. Project Bidding

- a. Prepare Contract Documents and review with Camden County for compliance with procurement requirements. Assure compliance with any MBE/WBE requirements as defined by the Camden County's procurement procedures.
- b. Provide final cost estimate for the project.
- c. Advertise the project and circulate the plans to Contractors and plan review locations such as iSqFt and the NC Institute of Minority Economic Development Center. Advertisements will meet any MBE/WBE requirements.
- d. Conduct a Pre-Bid conference and prepare minutes of meeting as well as any addenda required to clarify any issues that arise during the bidding process.
- e. Conduct the Bid Opening.
- f. Review the bids and check licensing references and financial status of the Contractors as needed.
- g. Prepare bid tabulation and make a formal Recommendation of Award to Camden County.
- h. Following award of the project, prepare contract documents and ensure proper execution of the documents.

2. Construction Administration

- a. Review and Approval of Schedule of Values for any large lump sum items.
- b. Preparing for and conducting pre-construction meetings and construction progress meetings. Construction progress meetings to be held at a minimum on a bi-weekly basis at a location to be determined. Preparation and distribution of minutes from pre-construction meeting and construction progress meetings.
- c. Review of Contractor's payment application, including detailed review of the stored materials and work completed per pay period as well as quantities to-date.
- d. Review of Contractor's Safety Program.
- e. Review, negotiation and recommendation of Change Orders.
- f. Receipt and packaging of submittal data and equipment manuals (paper and digital).
- g. Review of project close out documentation
- h. Review and recommendation of final pay application.

3. Construction Inspection And Inspection

- a. Review of plans and specifications for familiarity particular to project.
- b. Providing pre-construction dialog with the contractor to ensure proper knowledge of Engineer’s design intent.
- c. Thorough daily inspection of work in progress for compliance to Contract Documents and the standards of the Camden County and NCDEQ.
- d. Review of submittals for comment and approval.
- e. Review and response of RFIs.
- f. Provide daily reports of Contractor activity, work completed and job conditions.
- g. Provide weekly summaries of all Contractor work.
- h. Field measurement of quantities installed for evaluation of payment application.
- i. Receipt of truck quantity tickets for unit price items.
- j. Pre-measurement of trucks hauling select materials and load/haul reporting.
- k. Serve as liaison to community during construction.
- l. Review of traffic control devices and layout. Ensure adequate and appropriate access to homes and businesses.
- m. Review of state permits and enforcing compliance by the Contractor.
- n. Recording of as-built locations via red line drawings or with surveying equipment as deemed necessary by the Inspector.

2. Compensation. Contractor will be paid for its Services by County as follows:

Base Fee Proposal

All of the above design scope items assume adequate storm drainage and water systems within the project vicinity and that location of existing utilities in the vicinity of the existing building will be provided to us. Should an extensive study or extension requiring permitting of any systems be required to support the project design, additional fees will be negotiated.

| | |
|--|----------------------|
| A. Design & Permitting | \$ 65,000.00 |
| B. <u>Construction Administration and Inspection</u> | <u>\$ 55,900.00</u> |
| Total Fee | \$ 120,900.00 |

Work Outside of Proposal Items

For any work performed outside of the above mentioned items, the hourly rates found in the request for proposals and attached to this agreement shall apply. Additional work is by written change order only.

Exclusions

The following items are not included in this proposal:

- 1. Construction stakeout
- 2. Geotechnical testing; the cost of testing is not included; however, Eastern Carolina Engineering, PC will obtain estimates from geotechnical firms and will coordinate with the chosen firm to

- have all appropriate testing performed. Testing includes, but is not limited to, compaction testing of subgrade and stone base and asphalt testing.
3. Inspection of change order work that requires a time extension on the contract. If change orders occur requiring additional contract time and, therefore, more inspection time, will require negotiation of additional fees.
 4. Permit application fees
 5. Wetland fill or mitigation permitting

3. Contractor's Freedom to Contract. Contractor may employ assistants at its sole expense and discretion as may be necessary to fulfill Contractor's obligations under this Agreement. Contractor agrees that anyone to whom it delegates any or all of the Services called for by this contract will be competent, qualified and capable of performing the work without any supervision, contact or assistance by County's employees. Any such assistant will be employed only by Contractor, and will not be an employee of the County while performing services under this contract.

4. Expenses. County shall not be liable to Contractor for any expenses which Contractor incurs, nor shall Contractor be liable to County for office help or expenses. Contractor shall have no authority to bind County by any promise or representation, unless specifically authorized by the County Manager in writing to do so.

5. Term. This Agreement may be terminated by either party at any time upon 30 days written notice to the other party. Upon the termination of this Agreement, Contractor shall prepare and provide to County a list of all pending unfinished business involving Contractor. Contracted Services under the terms of this agreement shall terminate upon completion of the Services.

6. Nature of Relationship. Contractor understands that it is an independent contractor and is not an employee, subcontractor, agent, servant, partner nor joint venturer of County. Contractor understands that it has the right to use its best judgment and efforts to fulfill the terms and obligations of this Agreement. Contractor further understands and acknowledges the following:

- a. That it will receive no compensation other than as outlined in this Agreement and is not subject to nor eligible for any benefits which may be offered by County to its employees, such as vacation pay, sick leave, insurance coverage or retirement plan participation.
- b. Its Services provided in accordance with this Agreement are an independent calling or occupation.
- c. Contractor is expected to use its own skill, judgment and expertise to fulfill the obligations of this Agreement, and is not supervised, directed or controlled by County as to the means or methods it should employ.
- d. Contract is not required to perform tasks in any particular order or sequence.
- e. Contractor needs no training from County as to how to fulfill its duties and responsibilities.
- f. Contractor may determine its own daily schedule and those of its own employees or servants without prior approval of County.
- g. Contractor is not required to devote any particular percentage of its time or resources to perform the Services required hereunder.

h. Contractor furnishes its own equipment and supplies and is expected to maintain its business office somewhere other than at the County's office.

i. To the extent Contractor must procure or maintain any insurance, license, certification or trade membership, it must do so at its own cost.

j. This Agreement shall not prevent Contractor from performing other services for other parties. Contractor may engage in other business endeavors or projects of any kind or nature.

7. Taxes. Contractor assumes exclusive liability for payment of all federal, state or other governmental division taxes and contributions for social security, Medicare/Medicaid, etc., now or hereafter required, incurred or assessed by law. Contractor agrees to indemnify and hold harmless the County from any claims for taxes as described in this Section.

8. Insurance. Contractor understands and agrees that neither it nor its employees are subject to workers' compensation or general liability coverage maintained by the County for its employees. Contractor agrees to procure and maintain workers' compensation insurance coverage for the benefit of contractor's employees or subcontractors and to procure general liability insurance listing the County as an additional insured at all times relevant to this Agreement. Contractor shall provide to County upon request a valid and current certificate of workers' compensation and general liability insurance. In the event Contractor shall fail at any time to have in force and effect insurance as required by this Section, Contractor agrees to indemnify and hold harmless County for (1) any premium paid by County to maintain insurance coverage applicable to Contractor and/or its employees or subcontractors; (2) any worker's compensation benefits paid by County as a result of Contractor's failure to comply with this

Section; and (3) any amounts paid by County for general liability claims as a result of Contractor's failure to comply with this Section.

9. Indemnity. Contractor shall and does hereby agree to indemnify, save harmless and defend County from the payment of any sum or sums of money to any person whomsoever on account of claims or suits growing out of injuries to persons, including death, or damage to property caused by Contractor, its employees, agents or subcontractors in any way attributable to the performance of the Services, including (but without limiting the generality of the foregoing), all claims for service, labor performed, materials furnished, provisions and supplies, injuries to person or damage to property, liens, garnishments, attachments, claims, suits, costs, attorneys' fees, costs of investigation and of defense. It is the intention of this paragraph to hold the Contractor responsible for the payment of any and all claims, suits, or liens, of any nature and character, in any way attributable to or asserted against County or against Contractor and County, or which the County may be required to pay. In the event the liability of the Contractor shall arise by reason of the sole negligence of County and/or the sole negligence of County's employees, agents or servants, then and only then, Contractor shall not be liable under the provisions of this paragraph.

10. Arbitration. Any controversy or claim arising out of, or relating to this Agreement, or its breach, shall be settled by arbitration in Camden County, North Carolina in accordance with the provisions of the North Carolina Revised Uniform Arbitration Act, (the "Act"). The parties to this Agreement understand that this arbitration provision shall expressly apply to this Agreement in accordance with the Act. Judgment upon the award rendered may be entered and enforced in any court of competent jurisdiction.

11. Notices. Any notice, request or report given by one party to the other shall be in writing, deposited in the United States Mail (postage prepaid) or hand delivered and properly addressed as follows:

If the notice is to County:

Mr. Michael McLain, Chairman
Camden County Board of Commissioners
P.O. Box 190
330 East US Highway 158
Camden, NC 27929

(Or such other person or address as County shall have designated by due notice to Contractor).

If the notice is to Contractor:

Eastern Carolina Engineering, PC
Kimberly D. Hamby, PE
P. O. Box 128
Camden, NC 27921

(Or such other person or address as Contractor shall have designated by due notice to County).

12. Non-Waiver. Nothing set forth herein is intended nor shall be construed as a waiver of any immunity available to County, its governing board or employees.

13. Headings. The headings, subheadings and captions in this Agreement and in any exhibit hereto are for reference purposes only and shall not affect the meaning or interpretation of this Agreement.

14. Amendments. This Agreement may not be amended except by written instrument duly executed by or on behalf of all of the parties hereto.

15. Complete Agreement. This Agreement constitutes the entire Agreement between County and Contractor pertaining to its subject matter and supersedes all prior and contemporaneous negotiations, agreements and understandings of either or both parties in connection therewith.

16. Governing Law. The validity, interpretation and performance of this Agreement and of its provisions shall be governed by the laws of the State of North Carolina.

The undersigned have read the entire Agreement and accept the terms and conditions as shown by their signatures below.

COUNTY OF CAMDEN

By: _____ (SEAL)
Michael P. McLain, Chairman
Board of Commissioners

CONTRACTOR

By: Kimberly D. Hamby (SEAL)
Kimberly D. Hamby, Vice President - Engineering

Attest:

By: Daphne F. Robey
Daphne F. Robey, CFO

(Affix Corporate Seal)

Independent Contractor carries and will provide County with a Certificate of Insurance for:

| | | |
|-----------------------|--------------------------------------|--------------------------|
| Workers' Compensation | <input checked="" type="radio"/> Yes | <input type="radio"/> No |
| General Liability | <input checked="" type="radio"/> Yes | <input type="radio"/> No |

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

Stephanie Humphries
Finance Officer

Attachment: Agreement - Eastern Carolina Engineering - Courthouse Township WWTP (1247 : Contract for Services WWTP)

Fee Schedule

Courthouse Area Wastewater Treatment Plant – Camden County

Eastern Carolina Engineering, PC is pleased to offer our competitive rate structure. Our fees include direct labor, fringe benefits, indirect costs, expenses and profit.

| | |
|----------------------------|----------------|
| Principal Engineer | \$150.00/hour |
| Professional Engineer | \$135.00/hour |
| Professional Land Surveyor | \$125.00/hour |
| Design Engineer | \$110.00/hour |
| Engineering Technician | \$ 90.00/hour |
| CAD Technician | \$ 80.00/hour |
| Survey Party | \$125.00/hour |
| Construction Inspector | \$ 80.00/hour |
| Administrative | \$ 40.00/hour |
| 8.5 x 11" copies | \$.10/page |
| Plan copies | \$.50/sq. ft. |
| Reimbursable Expenses | Cost + 10% |

Attachment: Agreement - Eastern Carolina Engineering - Courthouse Township WWTP (1247 : Contract for Services WWTP)



CAMDENCOUNTY

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Board of Commissioners AGENDA ITEM SUMMARY SHEET

Consent Agenda

Item Number: 8.H
Meeting Date: May 16, 2016

Submitted By: Stephanie Humphries, Finance Director
Finance
Prepared by: Stephanie Humphries

Item Title **Copy Fee for Map Copies**

Attachments:

Summary: Register of Deeds requests ability to charge fee for Map Copies
ROD will now be able to make map size copies for which no fee
has been established. ROD requests the approval of the board to
charge \$3 per 11x17 map copy.

Recommendation: **Approve Request**



Board of Commissioners
AGENDA ITEM SUMMARY SHEET

Information, Reports & Minutes From Other Agencies

Item Number: 11.A
Meeting Date: May 16, 2016
Submitted By: Angela Wooten, Clerk to the Board
Administration
Prepared by: Angela Wooten

Item Title **Register of Deeds**

Attachments: Monthly Report - RoD (PDF)

Summary:

April's Monthly Report for the Register of Deeds

Recommendation:

Information only

Camden County Register of Deeds: Tammie Krauss
 April 2016 Daily Deposit

| DATE | NC CHILDREN TRUST | NC DOM. VIO. FUND | STATE REV. STAMPS | COUNTY REV. STAMPS | RETIREMENT | AUTO FUND | STATE TREASURY | ROD GENERAL | TOTAL |
|--------------|-------------------|-------------------|--------------------|--------------------|-----------------|------------------|------------------|--------------------|--------------------|
| 04/01/16 | \$ - | \$ - | | | \$ 5.41 | \$ 34.52 | \$ 49.60 | \$ 271.47 | \$ 361.00 |
| 04/04/16 | \$ - | \$ - | | | \$ 4.28 | \$ 27.66 | \$ 18.60 | \$ 235.51 | \$ 286.05 |
| 04/05/16 | \$ - | \$ - | \$ 264.60 | \$ 275.40 | \$ 4.17 | \$ 26.26 | \$ 37.20 | \$ 210.17 | \$ 817.80 |
| 04/06/16 | \$ - | | \$ 29.40 | \$ 30.60 | \$ 4.12 | \$ 23.49 | \$ 49.60 | \$ 198.19 | \$ 335.40 |
| 04/07/16 | | | \$ 49.00 | \$ 51.00 | \$ 4.59 | \$ 32.94 | \$ 37.20 | \$ 231.27 | \$ 406.00 |
| 04/08/16 | \$ 10.00 | \$ 60.00 | \$ 216.58 | \$ 225.42 | \$ 4.11 | \$ 18.83 | \$ 24.80 | \$ 156.41 | \$ 716.15 |
| 04/11/16 | | | \$ 239.12 | \$ 248.88 | \$ 2.69 | \$ 16.48 | \$ 24.80 | \$ 135.33 | \$ 667.30 |
| 04/12/16 | | | | | \$ 2.07 | \$ 11.76 | \$ 18.60 | \$ 105.57 | \$ 138.00 |
| 04/13/16 | \$ 5.00 | \$ 30.00 | | | \$ 2.68 | \$ 12.90 | \$ 12.40 | \$ 116.07 | \$ 179.05 |
| 04/14/16 | | | | | \$ 1.83 | \$ 12.09 | \$ 12.40 | \$ 95.78 | \$ 122.10 |
| 04/15/16 | \$ 10.00 | \$ 60.00 | \$ 169.05 | \$ 175.95 | \$ 4.15 | \$ 19.73 | \$ 18.60 | \$ 164.52 | \$ 622.00 |
| 04/18/16 | | | \$ 302.82 | \$ 315.18 | \$ 2.16 | \$ 13.01 | \$ 24.80 | \$ 104.03 | \$ 762.00 |
| 04/19/16 | | | | | \$ 0.78 | \$ 3.88 | \$ 12.40 | \$ 34.94 | \$ 52.00 |
| 04/20/16 | | | | | \$ 5.13 | \$ 33.88 | \$ 12.40 | \$ 290.59 | \$ 342.00 |
| 04/21/16 | | | \$ 49.98 | \$ 52.02 | \$ 2.40 | \$ 13.96 | \$ 31.00 | \$ 112.64 | \$ 262.00 |
| 04/22/16 | | | \$ 386.12 | \$ 401.88 | \$ 4.52 | \$ 29.88 | \$ 37.20 | \$ 229.70 | \$ 1,089.30 |
| 04/25/16 | \$ 5.00 | \$ 30.00 | | | \$ 3.55 | \$ 16.07 | \$ 37.20 | \$ 144.63 | \$ 236.45 |
| 04/26/16 | | | \$ 0.49 | \$ 0.51 | \$ 1.09 | \$ 5.89 | \$ 12.40 | \$ 52.97 | \$ 73.35 |
| 04/27/16 | | | \$ 34.30 | \$ 35.70 | \$ 0.78 | \$ 3.88 | \$ 12.40 | \$ 34.94 | \$ 122.00 |
| 04/28/16 | | | \$ 367.50 | \$ 382.50 | \$ 3.90 | \$ 23.20 | \$ 37.20 | \$ 195.70 | \$ 1,010.00 |
| 04/29/16 | \$ 5.00 | \$ 30.00 | \$ 434.14 | \$ 451.86 | \$ 4.44 | \$ 26.47 | \$ 31.00 | \$ 199.09 | \$ 1,182.00 |
| | | | | | | | | | 0.00 |
| | | | | | | | | | 0.00 |
| | | | | | | | | | \$ - |
| TOTAL | \$ 35.00 | \$ 210.00 | \$ 2,543.10 | \$ 2,646.90 | \$ 68.85 | \$ 406.78 | \$ 551.80 | \$ 3,319.52 | \$ 9,781.95 |

Attachment: Monthly Report - RoD (1246 : Monthly Report - Register of Deeds)

Ledger Report - Fee Distribution

11.A.a

TAMMIE KRAUSS, REGISTER OF DEEDS

Camden County, NC

4/1/2016 - 4/30/2016

| | |
|--------------------------------------|-------------------|
| NC Children's Trust Fund | \$35.00 |
| NC Domestic Violence Fund | \$210.00 |
| State Revenue Stamp | \$2,543.10 |
| County Revenue Stamp | \$2,646.90 |
| Land Transfer Fee | \$0.00 |
| Floodplain Map Fund | \$0.00 |
| Supplemental Retirement | \$68.85 |
| ROD Automation Fund | \$406.78 |
| Dept Of Cultural Resources | \$0.00 |
| Vital Records Fund | \$0.00 |
| State General Fund | \$0.00 |
| State Treasurer Amount | \$551.80 |
| ROD General Fund | \$3,319.52 |
| Total Distribution For Period | \$9,781.95 |

| | |
|---------------------------------|-------------------|
| Cash Total | \$779.45 |
| Check Total | \$9,002.50 |
| Pay Account Total | \$0.00 |
| Overpayment Total | \$0.00 |
| Total Deposit For Period | \$9,781.95 |

Total Escrow Change \$0.00

Attachment: Monthly Report - RoD (1246 : Monthly Report - Register of Deeds)