

**Camden County Board of Commissioners
Regular Meeting
January 3, 2011
6:00 P.M. - Closed Session
7:00 P.M. - Regular Meeting
Historic Courtroom, Courthouse Complex
Camden, North Carolina**

MINUTES

The regular meeting of the Camden County Board of Commissioners was held on Monday January 3, 2011 in the Historic Courtroom, Camden, North Carolina. The following Commissioners were present:

Chairman Sandra Duckwall,
Vice Chairman Garry Meiggs, Commissioners Randy Krainiak, Clayton Riggs, and
Michael McLain.

Also attending were County Manager Randell Woodruff, Clerk to the Board Ashley R. Honaker, and County Attorney John Morrison. Present for purposes of making a presentation(s) or providing supporting information for agenda items were the following persons: Dan Porter, Director of Planning; Dave Parks, Permit Officer and Flood Administrator, Penny Leary-Smith of the Dismal Swamp Welcome Center, Todd Tripp and Bill Cowan with McGill Associates, Mary Gaskins, Tax Administrator. The following persons spoke during public hearing for Camden Plantation: David Rudiger, Boyd Homes, Sam Davis of Sam Davis Realty, Margaret Jean-Bell of South Mills, Marcella Whitson of South Mills, William Stafford of South Mills, Mike Andrews of South Mills, Jason Barlow of South Mills,

Chairman Sandra Duckwall called to order the January 3, 2011 meeting of the Camden County Board of Commissioners at 6:00 PM.

Closed Session, 6:00 P.M. Pursuant to G.S. 143-318.11(a)(3) - Consultation with Attorney & Pursuant to G.S. 143-318.11(a)(6) - Personnel

Commissioner Michael McLain made a motion to go into closed session pursuant to G.S 143-318.11(a)(3) for consultation with attorney and pursuant to G.S 143-318.11(a)(6) for personnel matters. The motion passed 5-0 with Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; No Commissioners absent; and no Commissioner not voting.

The Commissioners entered closed session at 6:00 P.M.

Commissioner Michael McLain made a motion to come out of closed session at 6:50 P.M. The motion passed 5-0 with Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; No Commissioners absent; and no Commissioner not voting.

Chairman Sandra Duckwall recessed the Board at 6:45.

Regular Session, 7:00 P.M.

Chairman Sandra Duckwall re-convened the January 3, 2011 meeting of the Camden County Board of Commissioners at 7:02 P.M. for the Regular Session.

Invocation and Pledge of Allegiance

Vice-Chairman Garry Meiggs gave the invocation and led those present in the Pledge of Allegiance.

Public Comments –

Margaret Jean-Bell- 107 Macpherson Road. Mrs. Bell requested another public hearing to be held on the Camden Plantation in South Mills. She asked everyone in the audience who was concerned to stand. Mrs. Bell also voiced her concerns with the time limit placed on individuals testifying in the public hearing for Camden Plantation on November 15, 2010. She also stated that she was concerned that two of the commissioners were not sworn in at the time of the previous trial, and also that another commissioner had to rely on the video as they were absent from the public hearing. Mrs. Bell has concerns for fire and public safety, negative influence on schools, and negative effects on property values.

Marcella Whitson- 222 Culpepper Road. Mrs. Whitson voiced that she wished to support Mrs. Jean-Bell.

William Stafford- 102 Lake Drive. Mr. Stafford stated that he felt that the time limit in the November 15, 2010 public hearing was inadequate; also asked for a reopening of the public hearing to continue testimony in the quasi-judicial manner. Mr. Stafford stated that one citizen was called down from the podium due to time, and that person's testimony was not completely heard. He requested a reopening of the public hearing on Camden Plantation PUD.

Consideration of Agenda

Chairman Sandra Duckwall asked if there were any changes to the agenda. Not hearing any changes, she called for a motion to approve the agenda.

Commissioner Clayton Riggs made a motion to approve the agenda as presented. The motion passed 5-0 with Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; No Commissioners absent; and no Commissioner not voting.

Old Business

Item 3.A. - Camden Plantation Master Plan & Conditional Use Permit; request for extension.

Commissioners have 60 days to vote. They asked for an extension to February 7, 2011.

County Attorney John Morrison stated that it was possible with the consent of the developer.

Chairman Sandra Duckwall stated that a letter of consent was in the board packet.

Public Hearing

Public Hearing

Item 4. A. Camden Plantation Development Agreement (Pg. 1-28)

Chairman Sandra Duckwall called for a motion to open the public hearing.

Commissioner Clayton Riggs made a motion to open the Public Hearing on the Camden Plantation Development Agreement. The motion passed 5-0 with Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; No Commissioners absent; and no Commissioner not voting.

Camden Plantation developer David Rudiger of Boyd Homes- 544 New Towne Road, VA. Mr. Rudiger came forward to review the past. He stated the following:

- Boyd Homes acquired the land in South Mills in 2002. The land was zoned residential development. The land was initially Tanglewood (300 homes and a golf course), with 60 lots having already been approved. The property would have been subdivided into 500 lots with a golf course.
- Mr. Rudiger acquired the property and worked with the county to see what the county really wanted. Boyd Homes had meetings with the government officials of Camden County, as well as the citizens of Camden County.
- Soon after the purchase, Boyd Homes did research on a golf course in the area. Looking at the local market perspectives, it was discovered that a golf course needs to be in a community of approximately 1800-2000 homes. Camden County wanted to know "what would this look like"
- Boyd Homes hired Kevin Tucker. Camden County then enacted a moratorium.
- By the fall of 2005, 1 section of Camden Plantation had begun construction, and Boyd Homes had bought property for a fire station in South Mills, as well as offering as well as offered financial help with the building of a new fire station.
- In 2007, with a continued 7% population increase in Camden County, the moratorium was lifted, and an Adequate Facilities Ordinance was enacted. With public and government input, Boyd Homes revised its plans for Camden Plantation. Boyd Homes enlisted the help of a new law firm to develop a new PUD ordinance; the applications were accepted, the new proposal was introduced, and new refinements were made.

- In June 2008, the Board of Commissioners approved the rezoning of property based on a conceptual plan approved by the Planning Board. Boyd Homes dealt with NCDOT, as well as various state and local representatives in order to gain access to US Hwy NC17.
- In the summer of 2010, based on the conceptual plan, Boyd Homes provided Camden County with its Master Plan. The Conditional Use Permit was also provided, which allowed the County to ask for specific conditions to the Master Plan. Camden County has recommended 47 conditions, and Boyd Homes has offered their own based public input (apartment locations, fencing, buffering from local residents).
- Boyd Homes is working with South Mills Water Association to provide water for Camden Plantation. Boyd Homes paid for the extension the water main to reach Macpherson Road and US17. The extension was not necessary for the development, but was necessary for citizens in North Camden.
- Boyd Homes continues to work with Camden County. North Carolina allows for a development agreement between a developer and a municipality for items that cannot be included in a conditional use permit. The agreement provides for an orderly means of property development, such as public water County-Developer cooperation, public sewer County-Developer cooperation with no cost to the county, public roads with guidelines, provides for groundbreaking agreement with three million dollars provided by Boyd Homes to Camden County Schools (because Adequate Facilities is declared unenforceable).
- The three million dollars will be paid in \$120,000 increments over 20 years.
- The developer cannot cause more runoff than there already is in the proposed development location and surrounding area. The development agreement provides for inspection and maintenance of storm water before and after building. It provides for vesting rights, and is mutually beneficial to both the County and the Developer.

Margaret Jean-Bell- 107 Macpherson Road. Mrs. Bell asked the County Commissioners to refrain from signing a development agreement. She was concerned that the closest Commissioner lives eight (8) miles from the development site. Mrs. Bell also voiced her concern over why fliers advertising the Public Hearing were not distributed.

The County Attorney commented that that particular Public Hearing was not a quasi-judicial proceeding.

Mike Andrews- 110 Culpepper Road. Mr. Andrews first thanked Boyd Homes for the offer of three million dollars to the Camden County Schools. Mr. Andrews expressed that he was in agreement with Camden Plantation, because it would offer a very upscale neighborhood that would showcase the county, and offer jobs to the community. He had initial reservations about the apartments; however he said that Mr. Rudiger had assured him otherwise. Mr. Andrews stated that he would like to see the strict guidelines in the development agreement followed, and that he feels comfortable with the jobs, companies and tax revenues offered through the development.

Jason Barlow- 257 Culpepper Road. Mr. Barlow expressed that there had been a rash of break-ins in his neighborhood, and that people do not want to leave their homes in South Mills because of the distance and because of the break-ins. He complained that the Sheriff's office took their time responding to calls about the break-ins. At the report of two break-ins, a narcotics detective's team responded. Mr. Barlow stated that he was happy with the effort; however, there are not enough resources to help the situation. He questioned what would happen when there were 300-500 more homes available to break-in to, with no more law enforcement help. He stated that schools were currently at capacity, so what would the value of \$120,000 over 20 years accomplish. He stated that land and a new firehouse were no good if there was not adequate equipment for a fire department. Mr. Barlow pointed out that if the sheriff's office was on one end of the county, and the development was on the other end of the county, that time limits would be a problem in response. Mr. Barlow asked for a meeting in South Mills with no time limit on presentations

Marcella Whitson- 222 Culpepper Road. Mrs. Whitson states that she had been with this process since 1999 with the Tanglewood Development. She stated the following

- There have been 4 sets of conditions offered to the Board. The first on October 20, with changes having been made by the next meeting, as well as on November 24, and December 22. It seems as though they were becoming more favorable to the Developer. She wants what is good for the county, tax payers, and so that the developer makes money.
- The development agreement should be delayed. Storm water is a big problem, and to her knowledge, the County had not offered a scientific study of the area.
- Kerr assisted in the workup of the Master Plan, but no one has hard data to show.
- Page 6 of the master plan- 10 Year Storm Criteria: "Paragraph 3.4B(1)- onsite storm water devices with be designed to handle 10 year storm events." Her question was which 10 years was the average followed.
- Currently, the mitigation is only requiring 1:1 mitigation on the PUD; Mrs. Whitson states that because of wetlands, a 1:2 is required to keep the land from becoming unworkable. Is the county planning on compensating the citizens for loss of property due to flooding of storm water runoff?
- No drainage easement agreement has been made by the developer for using the local drainage ditches.
- Concerned that the development agreement was put together rather hastily, and that it violates numerous statutes outlined in Article 18 part 3.A of chapter 153.A of the North Carolina Code. Under 153.A-349.1B, local Government may enter into a development agreement, but, "may not impose any tax or fee not authorized by otherwise applicable law". Section 3.3 of the agreement, on Page 5, imposes a fee on the developer.
- Because of agreement, adjacent land owners would have to pay a tax to the local school district in order to develop their own land, which is unlawful.
- Considers the agreement too vague, and does not set forth the requirement in 153.A-349.6.
- 153.A-349.6.A(3), requires the agreement include "the development uses permitted on the property including population density, building types and design. This agreement allows the developer to alter the development based on market conditions and the product he believes to be most desired". This allows the developer to come back before the Board to change the agreement. In her opinion, the Board is being too accommodating.
- The agreement cannot exceed 20 years; it has already been 6 years, which would make it 26 years from today. The agreement states a payment to the schools must be made 1 year after signing making it 21 years, not 20, allowing for the last payment to not be lawfully enforced.
- There should be a land donation for law enforcement.

William Stafford- 102 Lake Drive. Mr. Stafford is a firefighter, and has seen developments before during and after 10-20 years burn down and kill people. He states the following:

- He is not against development, but development and progress are not the same thing.
- The county has the opportunity to advertise in more than 10 days, but the last two public hearing advertisements have been exactly 10 days- people in South Mills did not know about the public hearings.
- The development agreement is very one-sided, listing terms mostly helping the developer.
- There is no mention to utilize local builders, material, or labor during construction.
- Perpetual maintenance not mentions in agreement or by developer.
- Worried about apartments being section 8 housing.
- Worried those businesses within the development will not be upstanding.
- Asked that written assurance be given for single family zoning.
- Worried that land will lay vacant in tough economy.
- The Planning Board has not approved the Conditional Use Permit as it was amended. Ground water removal went from zero (0), to the equivalent of the family unit usage, which is approximately 15-400 gallons per day per unit.

- Land zoning conditions could not be confirmed.
- Moving the South Mills fire station simply puts Camden Plantation in the lowest insurance zone.
- Under Article 19, Chapter 160A, 153A-323: Commissioners must provide written notice of proposed zoning changes to the Commander of any military base within 5 miles of rezoning within 25 days of the public hearing. Do we want to send a message to the Navy that we do not follow our own ordinances?
- Section 3.1 states that the area will be serviced by the South Mills Water Association. Contrary to local paper reports, that does not exist.
- Asked Commissioners to read Ordinance No. 2006-02-02, and heed the warning that financial troubles are at the county's doorstep again.
- Future encroachment that might interfere with the project; the project being the Joyce Creek Project, the BOC agreed in 1974 with a contract to follow the 1948 flood control act which the Joyce' Creek Project was built under. Part of that agreement states that the County would control encroachment on the project which would affect the proper functioning of the project.

Sam Davis- Elizabeth City. Mr. Davis expresses sympathy for Commissioners in this controversial debate, having been a Commissioner himself at one time. Mr. Davis voiced a positive opinion of Camden Plantation, Boyd Homes, and David Rudiger.

- Important to look at Camden Plantation as a positive compliment to Eco-Park, Dismal Swamp State Park and Welcome Center.
- Known David Rudiger for 5 years, and can without any hesitation state that he is a man of his word, of high character, and an astute business man.
- Worked with Boyd Homes to develop a Hotel near recently developed, upscale, Rivermont Station. Mr. Davis recommended to the audience that they research the development.
- Cited Albemarle Plantation in Perquimans County as a comparative for future Camden Plantation.
- Golf Courses appeal to retirees, which do not burden school systems, fire stations, and law enforcement.
- Hopes that one day our generation, our children, or our grandchildren can say "I live, work, and play, in Camden County".

Kimberly Kinney- 164 Macpherson Road. She lives in the first initial development of Camden Plantation. There are currently about 25 homes built, and all the front porches of the homes were built with untreated wood. Princess Anne Builders bought the right to build the homes, and the developer cannot be held liable for any misgivings. She warns the Board to look at who will be building the homes, and asks to look at local companies, and reputable companies. She asked the board to think about safety issues post building.

Kenny Walsh- 150 Culpepper Road. Mr. Walsh expressed that the development could be a great thing, but how many jobs would be produced from this development? He asked how many businesses from North Carolina would be hired on for the building of the development. Mr. Walsh asked the Board and the developer to please look at local businesses when hiring construction companies.

Sheena Whitehurst- 136 Sharon Church Road. She expressed that she was very uninformed about the development, but was open-minded, and simply had concerns about flooding, ditch management, erosion, emergency workers, and adequate personnel. Mrs. Whitehurst said that she had moved here from Virginia, and had seen this type of development before, and only wished for the county to develop the agreement as well as possible with the people in mind, and also was worried that the apartments would be an eyesore.

Jeff Bundy- 316 Macpherson Road. His land backs up to the development property, and he has not been talked to by the developer. He stated that he had walked around the land. He stated that he has been in construction, as a certified construction inspector, and certified with the Department of Conservation and Recreation as an environmentalist. He stated simply that the land is inadequate to develop. Mr. Bundy said that soil is classified as either suitable or unsuitable, and asked if a soil test had even been done. He stated that

all of the land is wetlands, and will not accommodate the infrastructure that Boyd Homes wants to build on it.

Vicki Stafford- 102 Lake Drive. Mrs. Stafford stepped forward to address comments from Mr. Sam Davis, and stated that Camden plantation is No Albemarle Plantation; there are no apartments in Albemarle Plantation, and it is not high density.

Chairman Sandra Duckwall asked for any other comments. Hearing none, she asked for a motion to come out of Public Hearing.

Commissioner Michael McLain made a motion to come out of Public Hearing. The motion passed 5-0 with Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; No Commissioners absent; and no Commissioner not voting.

Consent Agenda

Item 5. (A-J)

Commissioner Michael McLain made a motion to *approve the Consent Agenda*. The motion passed 5-0 with Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; No Commissioners absent; and no Commissioner not voting.

Consent Agenda

A. Draft Minutes – December 6, 2010

B. Budget Amendments - 2010-11-BA022 through 2010-11-BA024 (PG 47-50)

**2010-11-BA022
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, 2011

Section 1. To amend South Mills Fire Commission Fund as Follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
Expenses:			
415300-574099	Site Prep	\$10,000.00	
415300-599900	Fund Reserves		\$10,000.00

Additional site work needed at sire of new station

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 1st day of November, 2010.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

2010-11-BA023
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, 2011

Section 1. To amend the General Fund as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
Expenses:			
105100-517000	Maintenance		\$9,623.73
Revenues:			
10330510-402002	Insurance Proceeds	\$9,623.73	

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

Balance in the Contingency is \$71,466.00

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 15th day of November, 2010.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

**2010-11-BA024
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, 2011

Section 1. To amend the CH & S Fire Commission Fund as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
Expenses:			
405300-574099	Site Prep	\$6,225.00	
405300-599900	Fund Reserve		\$6,225.00

Additional sire work needed at site of Shiloh Site.

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 15th day of November, 2010.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

C. Tax Collection Report- November 2010 in the amount of \$2,590,574.49

D. Tax Refunds, Pick-ups, and Releases

<u>Name</u>	<u>Amount</u>	<u>Type</u>	<u>Reason</u>	<u>No.</u>
J.W. Jones Lumber Co	\$1,635.57	Pickup	Roll Back Tax,	13035
Barry Kirkman	\$101.44	Pickup	Discovery	13085
Barry Kirkman	\$133.87	Pickup	Discovery	13084
Karen Bundy	\$129.80	Pickup		13058
AAR Corp. Etal	\$360,893.76	Pickup	Discovery	13125
Gary Partain	\$128.89	Pickup	Discovery	13104
AAR Corp. Etal.	\$555,723.03	Pickup		13098
AAR Corp. Etal	\$454,014.03	Pickup		13097
AAR Corp. Etal	\$258,931.52	Pickup		13096
AAR Corp. Etal	\$437,406.34	Pickup		13094
AAR Corp. Etal	\$468,998.76	Pickup		13093
Kerry Krauss	+\$199.58	Adjustment	Acreage Correction, Portion added	13087
Michael & Michelle Stone	-\$352.57	Adjustment	Military	13065
Michael & Michelle Stone	-\$131.27	Adjustment	Discovery	13068
Michael & Michelle Stone	-\$211.01	Adjustment	Military	13067
Michael & Michelle Stone	-\$276.77	Adjustment	Military	13066

E. Tax Authorization to Collect:

SOUTH MILLS	COURTHOUSE	SHILOH	TOTAL
\$14,915.26	\$16,036.45	\$9,116.35	\$40,068.06

F. Annual Statement of Expenditures- Secondary Council Construction.

G. NCDOT- Camden Eco Park Access Road

H. Resolution of Support- Camden County Commissioners support of Albemarle RC&D

I. Grant Application packets and Senior Center General Purpose Funding

J. Volunteer Forms- Phil Faison, Tourism Board & Planning Board.

New Business

New Business

Item 6. A-F. Presentation: Todd Tripp of McGill Associates; Penny Leary-Smith with the Dismal Swamp Welcome Center. Monthly Tax Report, November 2010, Mary Gaskins, Tax Administrator. Tax Appeal by Karin Morehart Funk. Refund Request by Corelogic Tax Services, LLC. Set Public Hearing: Ordinance No. 2011-01-02- Rezoning Application Camden County, Eco Business park.

Todd Trip and Bill Cowan presented an update to the Board of Commissioners on the proposed Eco-Park. Bill Cowan stated the following:

- Through to phase 2, up to letter D, consisting of:
 - Interim Services (Phase 1)
 - Site inventory of surrounding area
 - Economic development organization and agency involvement
 - Planning elements
 - Ecotourism elements
- New logo and graphics have been discussed with French West Vaughn.
- McGill is at the minimum phase of funding, with \$106,000 from the rural center. They will need 1.1 million dollars for amenities.
- They are currently planning the corridor to the state park.
- There will be approximately 7.200 acres, with the expectation of putting grass up front,, in specific areas, and in the back of the development.
- There will be approximately 100 acres of infrastructure; lodging, restaurants, etc., with an oversight group.
- McGill met with NCDENR to look at the Onsite Lake and local storm water runoff.
- They plan on expanding the current waste water facility or add a new one at a new site to accommodate the infrastructure.

Todd Tripp said the following:

- McGill is planning the entire corridor from the VA state line to Keeter barn road.
- Currently the project is in phase 1 of the 100 acre Eco Park, with funding provided by the Golden Leaf Foundation.
- The project is currently on schedule, with 805 of a wet well for a pump station to be completed by 3/10/11. They are currently on budget as well at \$1.360 Million.
- A portion of the funding has been set aside for improvements.
- The next project is the South Camden Water Plant. McGill wants to add reliability to the water treatment plant. The treatment unit has been set in place, and the large pump is in place. The aerator needs work though. They also need chemicals and feed pumps. The project was scheduled to be completed on 12/27/10, to which they are behind schedule.

County Manager Randell Woodruff added that there was funding from a request for stimulus funding from the ARRA, however, following criteria, we are about 5th on the list in line for the stimulus. Even if the project is completed before the stimulus money comes, if we are awarded the stimulus it would still pay for the project.

Todd Tripp mentioned the North River Camp Ground, and stated the following:

- The park is recognized as a top park in the nation
- The owner is looking to expand and add lodging onsite.
- The current public water supply will not be adequate. A new well will need ot be drilled, and is looking for a contract for Camden County.
- Problems with water piping include swamp land, very near a water source, and NCDOT requires piping to be 5-7 feet from the water main to the road, as long as the end of the trench does not reach 3 feet to pavement.
- The land is currently categorized as unsustainable. The state wants the land to naturalize, not allowing construction.
- The owner is investigating an easement on the adjacent property to make the lines shorter (4 inch main to serve property).

- The next project will be the South Mills waste water collection. Currently been working on it for over 1 year. The septic tanks in South Mills have been failing for a long time. The rural center has agreed to provide funding at 864,000 dollars, totaling 1.51 million dollars.

Mr. Tripp asked for a resolution to get waste water treatment compliance.

At 9:30 Commissioner Clayton Riggs made a motion to move forward with the extension, and approve the request for a resolution. The motion passed 4-0 with Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; No Commissioners absent; and 1 Commissioner not voting- Commissioner Michael McLain. Commissioner McLain asked for a motion to rescue himself. The motion passed.

Item 6.B

Presentation by Penny Leary-Smith of the Dismal Swamp Welcome Center. Mrs. Leary-Smith presented recent statistics from the Welcome Center to the two new Commissioners, Randy Krainiak, and Clayton Riggs.

Item 6.C

Mary Gaskins presented the monthly tax report for November, with a list of the 30 largest payment agreements or garnishes that had been sent to the County Attorney.

Commissioner Michael McLain made a motion to accept the monthly tax report. The motion passed 5-0 with Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; No Commissioners absent; and no Commissioner not voting.

Item 6.D

Tax appeal by Karen M. Morehart Funk, for a 2005 vehicle tax value. Mrs. Funk has a delinquent car tax. The car was totaled in 2005; afterwards she received a car tax certificate. When she went to pay, the clerk told her she did not have to pay it due to the car being totaled. A letter was received by Mrs. Funk on 10-19-10 saying that she was delinquent on her taxes. The tax office is stating that there is nothing to be done on their part.

County Attorney John Morrison stated that there is a 1 year limitation on taxing, and that you cannot tax property that does not exist.

Commissioner McLain asked if there was any physical evidence that the car was owned and totaled. Mrs. Funk stated that all evidence had been destroyed do to time limitations.

Mrs. Funk stated that from the 2005 wreck until now, nothing was received from the tax office.

At 9:55, Commissioner Michael McLain made a motion that providing Mrs. Funk could provide Mary Gaskins proof of totality, the interest on the tax could be waved, with the tax itself being paid. The motion passed 5-0 with Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; No Commissioners absent; and no Commissioner not voting.

Item 6.E

Mary Gaskins reported that the mortgage company Corelogic requested a refund because a parcel number was incorrect. 105.381. Meeting with the School of Government recommends denial due to the payment placement on the correct parcel.

Commissioner Clayton Riggs made a motion to deny the refund to Corelogic. The motion passed 5-0 with Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; No Commissioners absent; and no Commissioner not voting.

Item 6.F

A Public Hearing was requested by Planning Director Dan Porter.

Commissioner Michael McLain made a motion to approve the public hearing for February 7, 2011. The motion passed 5-0 with Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; No Commissioners absent; and no Commissioner not voting.

Commissioner's Report

Michael McLain reported that the East Carolina Behavioral Health Board in Williamston went well, and reported that there is currently a \$2.79 per capita fee for mental health services; it was moved to keep the fee the same as the previous year at \$2.00 because a minimum of \$2.00 must be maintained.

Chairman Sandra Duckwall Announced the Board Appointments for the 2011 year.

County Manager's Report

County Manager, Randell Woodruff had the following items to report:

- School Foundation play, 3/11-12-13/11
- List of new articles generated by FVW, that will help with the fight against OLF.
- The NC 20 organization will be having a meeting in New Bern on January 24 (Clayton Riggs)
- The Commissioners retreat is tentatively scheduled for March 24/25, half a day Thursday, and all day Friday.
- The County received the Homeland Security Grant.
- The next Board of Commissioners meeting will be February 7, 2011.

Chairman recessed the Regular meeting for 5 minutes at 10:05PM.

South Camden Water & Sewer District Board of Directors

Commissioner Meiggs made the motion to recess the Board of Commissioners meeting and go into the SCWD Board of Directors Meeting at 10:15PM. The motion passed 5-0 with Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; No Commissioners absent; and no Commissioner not voting.

Commissioner McLain made the motion to approve the consideration of Agenda Amendments. The motion passed 5-0 with Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; No Commissioners absent; and no Commissioner not voting.

Commissioner Meiggs made the motion to approve the consent agenda. The motion passed 5-0 with Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; No Commissioners absent; and no Commissioner not voting.

Old Business

Item 5.A. - Agreement of Engineering Service with McGill Associates.

County Manager Randell Woodruff reported that this was for the consideration of a formal agreement of engineering services for a waste water treatment lines design and waste water collection, and to continue with the two grants. A full design was never adopted for completion, and County Attorney John Morrison has reviewed it with Todd Tripp.

Vice Chairman Garry Meiggs made a motion to approve the Agreement. The motion passed 5-0 with Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; No Commissioners absent; and no Commissioner not voting.

Item 5.B- NCDENR Consent Agreement- EMC SOC S10-001

Randell Woodruff reported that the agreement was mentioned in Todd Tripp's report. There is a special consent from NC Environmental community, due to problems with the waste water treatment plant in South Mills

Todd Tripp stated that the permit application is in front of the state right now. Things are slow due to the holiday season, but he would get back to the Board. The Department of Water Quality said that as long as we are working to meet deadlines that they would work with us.

No New Business.

No Other Comments.

Commissioner McLain made the motion to adjourn the SCWSD Board of Directors meeting and re-convene the Camden Board of Commissioners meeting. The motion passed 5-0 at 10:25PM with Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; No Commissioners absent; and no Commissioner not voting.

Re-convene Commissioners meeting

No other Questions or Comments

Meeting Adjourned

At 10:25 P.M., Chairman Sandra Duckwall asked if there were any other matters to come before the Board of Commissioners, hearing none, she called for a motion to adjourn the meeting.

Commissioner Michael McLain made a motion to adjourn the January 3, 2011 Board of Commissioners meeting. The motion passed 5-0 with Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Michael McLain, Randy Krainiak, and Clayton Riggs voting aye; no Commissioner voting no; No Commissioners absent; and no Commissioner not voting.

The meeting was adjourned at 10:25 P.M.

Chairman Sandra Duckwall
Camden County Board of Commissioners

ATTEST:

Ashley Honaker
Clerk to the Board