

Camden County Board of Commissioners

**Regular Meeting
February 16, 2009
7:00 P.M.**

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

MINUTES

The regular meeting of the Camden County Board of Commissioners was held on Monday, February 16, 2009 at 7:00 p.m. in the Historic Courtroom, Camden, North Carolina. The following members were present:

Chairman Philip S. Faison
Vice Chairman Melvin J. Jeralds,
Commissioners Sandy Duckwall, Garry Meiggs and Michael McLain

Also attending was County Manager Randell Woodruff, Clerk to the Board Ava Gurganus and Attorney John Morrison.

Chairman Philip Faison called the meeting to order and called upon Commissioner Garry Meiggs to give the invocation.

The Pledge of Allegiance was lead by Girl Scout Troop #970.

Public Comments

Richard Dibella, 164 Trafton Road, requested a refund for the application fee for a building permit to erect a storage shed in his back yard. Mr. Dibella received active duty change and will not be able to build the storage shed at this time.

Permit Officer Dave Parks stated the amount of the building fee is \$132.60.

Chairman Philip Faison stated that the Board will take his request under advisement.

Consideration of Agenda

Chairman Philip Faison removed *Item 6. New Business, F. Request for Donation – Tourism & Development Authority* and added *Item 6. New Business, G. Request for Refund.*

Commissioner Melvin Jeralds requested *Item 6. New Business, F. Board Appoint – Albemarle Regional Health Services* be added to the agenda.

Chairman Philip Faison added *Item 6. New Business, G. Request for Refund – Dibella.*

The Clerk asked that the agenda be amended to add *Item 4. Old Business, Surplus Property Bid Results – GovDeals.*

Chairman Philip Faison stated that he thought this item was in the agenda package already, and asked if this was additional surplus items, to which the Clerk replied that it was the bid results from previous surplus items. County Manager Randell Woodruff stated that this is the result of surplus bids that came in today from GovDeals.

Chairman Philip Faison stated it is already listed under agenda item *Declaration of Surplus* and added *Surplus Property Bid Results – GovDeals* to *Item 6. D.*

Commissioner Michael McLain made a motion to approve the agenda as amended. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Consent Agenda

Commissioner Garry Meiggs made a motion to approve the consent agenda as presented. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

• **Consent Agenda**

Tax Releases, Pick Up and Refunds

| <u>Name</u> | <u>Amount</u> | <u>Type</u> | <u>Reason</u> | <u>No.</u> |
|-----------------|---------------|-------------|------------------|------------|
| Trace Davis | \$133.14 | Release | Wrong County | 10794 |
| Jose Alfaro Jr. | \$116.16 | Release | Military Exempt | 10793 |
| Jared Dalton | \$125.88 | Release | Military Exempt | 10785 |
| John Hyatt Jr. | \$129.42 | Release | Military Exempt | 10763 |
| Jonathan Brooks | \$101.87 | Pick Up | Retired Military | 10834 |

Tax Collection Report – January 2009 in the amount of \$459,029.37.

Refunds to be Issued by Finance Office in the amount of \$1,276.35.

Authorization to Collect – August and September 2008

**STATE OF NORTH CAROLINA
COUNTY OF CAMDEN**

TO: The Tax Administrator of Camden County (Aug. Ren.) Due 12/01/08

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 |
|--------------------|-------------------|------------------|------------------|
| 20,084.50 | 21,170.78 | 12,409.94 | 53,665.22 |

Witness my hand and official seal this 16th day of February, 2009.

Chairman, Camden County Board of Commissioners

Attest:

Clerk to the Board of Commissioners of Camden County

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

Tax Administrator of Camden County

**STATE OF NORTH CAROLINA
COUNTY OF CAMDEN**

TO: The Tax Administrator of Camden County (Sept. Ren.) Due 1/01/09

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

| | | | |
|--------------------|-------------------|-----------------|------------------|
| SOUTH MILLS | COURTHOUSE | SHILOH | TOTAL |
| 14,319.98 | 16,873.58 | 9,255.28 | 40,448.84 |

Witness my hand and official seal this 16th day of February, 2009.

Chairman, Camden County Board of Commissioners

Attest:

Clerk to the Board of Commissioners of Camden County

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

Tax Administrator of Camden County

Budget Amendments 2008-09-BA034 and 2008-09-BA035

2008-09-BA034
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, 2009.

Section 1. To amend the General Fund as follows:

| ACCT NUMBER | DESCRIPTION OF ACCT | AMOUNT | |
|------------------|---------------------|------------|----------|
| | | INCREASE | DECREASE |
| Expenses: | | | |
| 105100-565000 | Christmas Fund | \$4,946.00 | |
| 106120-559000 | Sponsorship | \$ 100.00 | |
| Revenues: | | | |
| 10385510-434865 | Christmas Fund | \$4,946.00 | |
| 10390612-434883 | Sponsorship | \$ 100.00 | |

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

Balance in Contingency \$2,725.00 in General Fund

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 February, 2009.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

2008-09-BA035
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, 2009.

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

| ACCT NUMBER | DESCRIPTION OF ACCT | AMOUNT | |
|------------------|---------------------|------------|----------|
| | | INCREASE | DECREASE |
| Expenses: | | | |
| 415300-534000 | New Equipment | \$5,000.00 | |

Revenues:

41380530-433500 Miscellaneous \$5,000.00

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

Balance in Contingency \$2,725.00 in General Fund

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 February, 2009.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

Resolution No. 2009-02-03 – A Resolution Adopting a Policy for Mutual Assistance with Other Law Enforcement Agencies

Resolution No. 2009-02-03

RESOLUTION ADOPTING A POLICY FOR MUTUAL ASSISTANCE WITH OTHER LAW ENFORCEMENT AGENCIES

WHEREAS, pursuant to North Carolina General Statutes § 160A-288, the governing body of a county may adopt appropriate guidelines for the purpose of mutual assistance with other municipal and county law enforcement agencies; and

WHEREAS, pursuant to said laws, the law enforcement assistance to be rendered authorizes lending officers to work temporarily with officers of the requesting agencies, including in an undercover capacity, and lending equipment and supplies; and

WHEREAS, it is deemed to be in the best interests of the citizens of Camden County to adopt a reasonable policy and guidelines whereby reciprocal law enforcement assistance can be both rendered to and obtained from other governmental jurisdictions; and

WHEREAS, such reciprocal assistance is necessary for effective law enforcement for the protection of the citizens of Camden County;

NOW, THEREFORE, BE IT RESOLVED BY THE CAMDEN COUNTY BOARD OF COMMISSIONERS THAT:

1. The Sheriff is hereby authorized to enter into mutual assistance arrangements with other municipal and county law enforcement agencies, provided that the head of the requesting law enforcement agency makes such a request in writing.

2. The Sheriff is hereby authorized to permit officers of the Camden County Sheriff's Office to work temporarily with officers of the requesting agency, including in an undercover capacity, and the Sheriff may lend such equipment and supplies to requesting agencies as he deems advisable.

3. All such request and authorizations shall be in accordance with North Carolina General Statutes § 160A-288, as applicable.

4. While working with a requesting agency, an officer shall have the same jurisdiction, powers, rights, privileges and immunities (including those relating to the defense of civil actions and payment of judgments) as the officers of the requesting agency in addition to those the officer normally possesses.

5. While on duty with the requesting agency, an officer shall be subject to the lawful operational commands of the officer's superior officers in the requesting agency, but the officer shall for personnel and administrative purposes, remain under the control of the officer's own agency, including for purposes of pay. An officer shall furthermore be entitled to worker's compensation and the same benefits to the extent as though he were functioning within the normal scope of the officer's duties.

6. The Sheriff is hereby authorized to enter into mutual assistance agreements with other law enforcement agencies in accordance with such reasonable arrangements, terms and conditions as may be agreed upon between the respective heads of the law enforcement agencies.

Adopted this the 16th day of February, 2009.

Philip S. Faison, Chairman
Camden County Board of Commissioners

ATTEST:

Ava J. Gurganus
Clerk to the Board

(SEAL)

Distribution Data Verification for Beer, Unfortified Wine & Fortified Wine Excise Tax – 04/01/08 – 03/31/09

Old Business - Memorandum of Understanding between Camden County and Board of Education – Noblitt Property

Following a presentation from School Superintendent Ron Melchiorre, Commissioner Garry Meiggs made a motion to table the matter for further discussion.

Agreement for Engineering Services – Water Treatment Plant Expansion – McGill Associates

Following discussion with Bill Cowen and Todd Trippe, Commissioner Michael McLain made a motion for the County Attorney to negotiate documents pursuant to the discussion; McGill and Associates are to move forward with applying for the stimulus money; monies expended will be capped at \$35,000.00; funding will be paid from the Water Tap Funds and the product McGill and Associates present in the report would be for the utility of Camden obtaining the stimulus money but it would also have utility beyond that or some modest period of time, with a application deadline of February 27, 2009 and authorize the Chairman to sign the necessary documents, subject to the County Attorney's approval of the content of the contract.

The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Public Hearings - Ordinance No. 2009-01-01 – An Ordinance of Camden County – Homeowner Certification

Commissioner Melvin Jeralds made a motion to go into public hearing to receive comments from the public regarding Ordinance No. 2009-01-01. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Building Inspector Larry Payne explained Ordinance No. 2009-01-01.

Chairman Philip Faison called for any comments from the public.

H. P. Cole, spoke in opposition of Ordinance No. 2009-01-01.

Commissioner Sandy Duckwall made a motion to go out of public hearing. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Public Hearing - Ordinance No. 2009-02-01 – An Ordinance Amending the Camden County Code of Ordinances – Business License Ordinance

Commissioner Melvin Jeralds made a motion to go into public hearing to receive comments from the public regarding Ordinance No. 2009-02-01 The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Planning Director Dan Porter explained Ordinance No. 2009-02-01.

Chairman Philip Faison called for any comments from the public.

Frank Eason, 916 North 343, asked if anyone who is in any kind of business have to have a privilege license; will everyone will be held accountable; should be across the board, one license, one flat fee; and that this will require an additional county employee. Mr. Eason referred to the usefulness of the Camden County Business Directory that it is no longer in publication, and that the county needs a data base so citizens know who to go to.

Commissioner Garry Meiggs made a motion to go out of public hearing. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Public Hearing - Ordinance No. 2009-02-02 – Amendment to Article 151.231 (Duplication of Subdivision Names) and Article 151.400 Drainage – Unified Development Ordinance of the Camden County Code of Ordinances

Commissioner Michael McLain made a motion to go into public hearing to receive comments from the public regarding Ordinance No. 2009-02-02. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Planning Director Dan Porter explained Ordinance No. 2009-02-02.

Chairman Philip Faison called for any comments from the public.

Gloria Rogers, registered land surveyor, stated that she agreed that land surveyors should be able to do drainage plans. Mrs. Rogers stated that land surveyors are tested and licensed by the state to do drainage incidental to subdivisions and is in favor of seeing that change made in the ordinance. Mrs. Rogers stated that her only question was where it said “*or a North Carolina Licensed Surveyor with proven experience in stormwater drainage*” and questioned “proven experience in stormwater drainage” because she is licensed by the state, tested and certified to do drainage and is not sure what the Planning Department is wanting to see regarding the proven experience statement. Mrs. Rogers stated she would like to see the Ordinance passed where a North Carolina Land Surveyor can do the stormwater drainage plans incidental to a subdivision, and that is all a licensed surveyor is allowed to do by state law what is incidental to a subdivision and it should be read that way.

Planning Director Dan Porter responded to Gloria Rogers concerns.

Commissioner Sandy Duckwall made a motion to go out of public hearing. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Public Hearing - Ordinance No. 2009-02-03 – Rezoning – UDO 2009-01-03 – For Camden County Board of Commissioners

Commissioner Sandy Duckwall made a motion to go into public hearing to receive comments from the public regarding Ordinance No. 2009-02-03. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Permit Officer Dave Parks explained Ordinance No. 2009-02-03.

Chairman Philip Faison called for any comments from the public.

Robert Perry, 1433 South 343, submitted a petition to rezone the petitioned properties to R2.

Commissioner Garry Meiggs made a motion to go out of public hearing. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Amendment to Agenda

Chairman Philip Faison moved *Item 5. D. Public Hearing – Ordinance No. 2009-02-03* to *Item 6. H.*

Chairman Philip Faison stated that *Item 5. A. Pubic Hearing – Ordinance No. 2009-01-01* and, *Item 5. B. Public Hearing- Ordinance No. 2009-02-01* will be on the March 16, 2009 agenda for consideration.

Commissioner Michael McLain made a motion to approve the agenda as amended. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

New Business - Consulting Services Agreement – Water & Sewer Long Range Master Plan – Rural Center Contract #2009-123-40101-112 – McGill Associates

Todd Trippe, McGill & Associates, explained the Rural Center Contract.

Commissioner Sandy Duckwall made a motion to approve the consulting service agreement with McGill Associates. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

New Business - Request to Fill Vacant Position – Parks & Rec

Parks & Rec Director Tim White asked to fill a full time vacant position with a part time employee to work thirty (30) hours a week at \$8.00 an hour for approximately seventeen (17) weeks to help maintain and prepare the Community Park as well as the Dismal Swamp Trail. Parks & Rec Director Tim White is working on a proposal for the 2009-2010 Fiscal Budget Year that is related to this request and will share this with the Board for future consideration.

The total cost to the county including workers compensation, and FICA will be approximately \$4,700. This position will allow the Parks & Rec department to perform essential duties throughout the remainder of this budget year without accumulating additional compensation hours for existing full time staff.

Commissioner Melvin Jeralds made a motion to approve the filling of the Parks & Rec vacant position with a part time employee as requested. Commissioner Melvin Jeralds, Michael McLain, Garry Meiggs and Chairman Philip Faison voted aye; Commissioner Sandy Duckwall voted no; no Commissioner absent; and no Commissioner not voting.

New Business - Annual Agreement for OS & DA Support for Munis

Commissioner Michael McLain made a motion to approve the annual service agreement. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Chairman Philip Faison asked that this matter be put on the consent agenda next year.

New Business - Declaration of Surplus Property & Advertisement for Sale on GovDeals

A 1997 Mercury Marquis, VIN 2MELM74W6VX619931, Mileage: 182,949 miles, Color: White was forfeited by the Courts to the Camden County Sheriff's Department for their use. The Sheriff's Department has no further use of this vehicle and the Board needs to declare it surplus.

Commissioner Gary Meiggs made a motion to declare the 1997 Mercury Marquis surplus. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Sandy Duckwall made a motion to approve sale of the 1997 Mercury Marquis on GovDeals. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Surplus Property Bid Results – GovDeals – OLD BUSINESS

Commissioner Garry Meiggs made a motion to accept the highest bidder for the 2004 Ford Crown Victoria, two (2) 2003 Ford Crown Victoria, 1999 Ford Taurus LX and the brick house located at 118 North 343, and in the event that the highest bid is not consummated in a timely fashion, the second highest bidder can be accepted. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Emergency Management - Local Emergency Planning Committee (LEPC) Recommendations

Commissioner Sandy Duckwall made a motion to approve the recommendations Emergency Management Director Christy Saunders for the LEPC with the additions of the Philip Faison as Elected Official representative and Randell Woodruff as Local Official representative. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Request for Donation – Tourism Development Authority

This matter was removed from the agenda.

Board Appointment – Albemarle Regional Health Service (ARHS)

Commissioner Melvin Jeralds recommended William E. Meiggs to serve on the ARHS Board.

Commissioner Garry Meiggs asked to be recused. The request to recuse Commissioner Garry Meiggs passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Michael McLain made a motion to appoint William E. Meiggs to serve on the ARHS board upon approval from the Bank of Currituck Board, where Mr. Meiggs is employed, approves the appointment. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; Commissioner Garry Meiggs recused, and no Commissioner not voting.

Request Refund - Dibella

Commissioner Garry Meiggs made a motion to approve the refund request in the amount of \$132.60 for the building fee. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Amendment to Agenda

County Manager stated that he reported to the Board in error that *Item 6. New Business, F. Request for Donation* should be removed from the agenda.

Chairman Philip Faison called for a motion to put this matter back on the agenda under *Item 6. I.*

Commissioner Sandy Duckwall made a motion to amend the agenda to place the removed item back on the agenda. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Sandy Duckwall made a motion to donate \$500.00 to Tourism Development Authority for 4th of July fireworks. Commissioners Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voted aye; Commission Melvin Jeralds voted no; no Commissioner absent; and no Commissioner not voting.

Consideration of Ordinance No. 2009-02-03

Commissioner Melvin Jeralds made a motion to approved Ordinance No. 2009-02-03. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Ordinance No. 2009-02-03

**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 properties currently shown in the Camden County Tax Assessor's Office as PIN's 03-8971-00-69-3597, 03-8971-00-69-5216, 03-8971-00-69-4121, 03-8971-00-69-5041, 03-8971-00-68-6716, 03-8971-00-68-6537, 03-8971-00-68-9537, 03-8971-00-68-8965, 03-8971-00-69-7153, 03-8971-00-69-4354, 03-8971-00-69-7787 are hereby re-zoned from Neighborhood Commercial (NC) to Mixed Single Family Residential (R2).

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 16th day of February, 2009.

County of Camden

Philip S. Faison, Chairman
Camden County Board of Commissioners

ATTEST:

Ava Gurganus
Clerk to the Board

(SEAL)

County Manager's Report

County Manager Randell Woodruff reported on the following:

- Golden Leaf Foundation meeting in Rocky Mount.
- Will be meeting with Rural Center and Clean Water Management to discuss grants that have been applied for.

Closed Session

Commissioner Melvin Jeralds made a motion to go into closed session pursuant to G.S. 143-318.11(a)(3) for the purpose of consulting with the County Attorney, pursuant to G.S. 143-318.11(a)(4) for the purpose of discussing Industrial Recruitment, and pursuant to G.S. 143-318.11(a)(6) for the purpose of discussing Personnel. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The Board entered closed session at 8:26 p.m.

Commissioner Garry Meiggs made a motion to come out of closed session and back into regular session. The motion passed with Commissioners Melvin Jeralds, Sandy

Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The Board re-entered regular session at 9:57 p.m.

Adjournment

Commissioner Garry Meiggs made a motion to adjourn the meeting. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The meeting adjourned at 10:07 p.m.

Philip S. Faison, Chairman
Camden County Board of Directors

ATTEST:

Ava J. Gurganus
Clerk to the Board