

**Camden County Board of Commissioners  
Regular Meeting  
February 18, 2013  
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, February 18, 2013 in the Historic Courtroom, Camden, North Carolina. The following Commissioners were present:

Vice Chairman Michael McLain  
Randy Krainiak, and Sandra Duckwall.

Absent: Chairman Garry Meiggs, Clayton Riggs

Also attending were County Manager Mike Renshaw, Assistant Clerk to the Board Amy Barnett, and County Attorney John Morrison. Present for purposes of providing supporting information for agenda items were the following persons: Steven Bradshaw (Avery Drive), Gary Brahn (Pudding Ridge Road), Greg Stuart (Pudding Ridge Road), Brian Shay (Taylor Leigh Road), and Keith Nowell (Green Meadows LLC-Applicant for Rezoning). Also present to present staff findings were Dave Parks (Planning Department-Zoning Officer), and Dan Porter (Director of Planning).

**Regular Session, 7:00 P.M.**

Vice Chairman Michael McLain called to order the February 18, 2013 meeting of the Camden County Board of Commissioners at 7:00 PM.

**Invocation and Pledge of Allegiance**

Commissioner Michael McLain gave the invocation, and led the Pledge of Allegiance.

**Public Comments**

Steven Bradshaw came before the board to express his concerns regarding the proposed boat ramp and playground to be located at the end of One Mill Road. His concerns are (1) cost of these improvements, (2) maintenance and upkeep of such property, and (3) security concerns after dark at such locations.

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**Consideration of Agenda**

Commissioner Sandra Duckwall made a motion to approve the agenda as presented. At 7:04 PM, the motion passed 3-0 with Vice Chairman Michael McLain, Commissioners Randy Krainiak, and Sandra Duckwall, voting aye; no Commissioner voting no; Chairman Garry Meiggs and Commissioner Clayton Riggs absent; and no Commissioner not voting.

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**Old Business**

*3.A - Loan Consolidation and Payment Agreement*

Clarann Mansfield came before the board to explain this agenda item. This is a rewording of the Loan Consolidation and Payment Agreement so that the agreement is in the format that the Local Government Commission is requiring.

Vice Chairman Michael McLain asked if there were any questions regarding this item. Hearing none, he called for a motion.

Commissioner Sandra Duckwall made a motion to approve the Loan Consolidation and Payment Agreement and to Authorize the Vice Chairman to sign it. At 7:05 PM, the motion passed 3-0 with Vice Chairman Michael McLain, Commissioners Randy Krainiak, and Sandra Duckwall, voting aye; no Commissioner voting no; Chairman Garry Meiggs and Commissioner Clayton Riggs absent; and no Commissioner not voting.

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### **Public Hearings**

Commissioner Randy Krainiak made a motion to go into public hearing. At 7:07 pm, the motion passed 3-0 with Vice Chairman Michael McLain, Commissioners Randy Krainiak, and Sandra Duckwall, voting aye; no Commissioner voting no; Chairman Garry Meiggs and Commissioner Clayton Riggs absent; and no Commissioner not voting.

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#### *4.A- Ordinance 2013-01-01 Rezoning Application (UDO 2012-12-16) Green Meadows LLC*

Dave Parks gave the board information regarding the rezoning application, and also stated that Dan Porter was present as well to answer any additional questions.

Information given by Dave Parks regarding the rezoning application:

- Mr. Keith Nowell (applicant) is present at meeting
- Mr. Nowell wants to rezone his property from R-3-2 to R-3-1
- All requirements of the UDO to effect this change have been followed
- Adjacent property owners were notified
- Total acreage of Green Meadows is 18.86 acres
  - In September 2012, Mr. Nowell sought to rezone entirety of his property
  - In October 2012, Mr. Nowell applied for and created a minor subdivision to create four 2 acre lots at the front of his property
- Perk tests were done on the four lots in the minor subdivision
- Drainage Plan was created by a land surveyor, was submitted and approved
- Drainage improvements have been put in place
- Mr. Nowell now wants to rezone the remainder of his property (11 acres) from R-3-2 (2 acre lot minimums) to R-3-1 (1 acre lot minimums)
- Subject property is outside the 100 Year Flood Zone (Flood Zone is Shaded X)
- There is property in the area (not his property) that is in the flood zone, and some in the flood way. (Mr. Parks showed a map to the commissioners depicting locations of such)
- CAMA Land Suitability Map shows the subject property as having adequate soils and being suitable for the uses Mr. Nowell proposes.
- Future Land Use Map shows the area as being planned for higher density residential (Rural Residential 1 to 2 acre lot sizes)
- Zoning is compatible with both the Future Land Use Map and the Camden County Comprehensive Plan
- This went before the Planning Board on January 23, 2013
  - Planning Board recommended approval on a 6-0 vote to rezone this property from R-3-2 to R-3-1 as it is compatible with both the Future Land Use Map and the Camden County Comprehensive Plan

Dan Porter came before the board to present more information:

- Should this application be approved, there will be many more opportunities to review the project:
  - Sketch Plan
  - Technical Review Committee (at least 2 meetings during development)
  - Preliminary Plat (all state permits due by)
  - Final Plat (Roads and improvements in place before this)

- Flooding and Stormwater is a big issue
  - Stormwater requirements are same for 1 acre lots and for 2 acre lots
  - Post development runoff can't exceed pre development runoff
  - County's requirement is that property be built to withstand a 10-yr storm
    - State requirement is 100-year storm, so county requirements are stricter than state.
- Added Traffic to area once built out, will be looked at by Technical Review Committee

John Morrison spoke to the public present at meeting:

- There is no requirement for sworn testimony in this public hearing
- Request that same information not be repeated by public speakers
- 3 minute maximum or discretion of board.
- Can ask for show of hands of those who agree with your statements.
- It is not before the board this evening to approve / not approve any specific project.
- If this rezoning is approved (at a subsequent meeting), the developer will have to come back many times, including a quasi-judicial hearing which will include sworn testimony.
- Hearing tonight is not sworn, so you can say whatever is on your mind.

Gary Brahn of Pudding Ridge Road came before the Board to voice his concerns:

- Gave 4 packs of information to clerk for distribution to board
- Concerned with the direction that water / drainage flows
- Concerned with drainage swales / ditches not being maintained properly
- Concerned that there is not any erosion control on swales in area
- Concerned about the Taylor Leigh area's culverts - gets backed up and water stands
- Concerned with the Bunker Hill Road area - amount of drainage and color of water (pollutants); called culverts at Bunker Hill mediocre
- Concerned that added septic systems in area will affect drainage and ground water
  - Said developer has specified 'mound' systems
  - Concerned with effect of mound systems with regard to flooding
  - More impervious surfaces, more mounds, means more runoff
- Asked that 'best practices' be used
- Asked for the water / drainage direction of flow to be looked at

Greg Stewart of Pudding Ridge Road came before the board to express his concerns:

- Concerned that too many developments are being added in the area
- Concerned with the amount of flooding on Bunker Hill Road
- Worried that added development will increase the flooding
- Drainage in area is not very good

Brian Shay of Taylor Leigh Drive came before the board to express his concerns:

- Spoke about Greg Stewarts ditch
  - Full of debris after storms
  - Also concerned with direction of water flow
- Worried that drainage issue will flood out the wooded area where water drains to
- Concerned about FEMA Flood Insurance
- Has been in situations where he has been flooded-in on his property, in his neighborhood and could not get out to go to work.
- Whole subdivision where he lives has been flooded to where residents can not get out. Said he has had to use a canoe at times.
- Would have no problem with development utilizing 2 acre lot sizes, but not 1 acre
- Has seen developers come in, build, then leave... while leaving problems behind
- Water in culverts in his area always backed up causing flooding

Keith Nowell (rezoning applicant) came before the board to respond to some of the concerns expressed:

- Is the Property Owner of subject property
- Land is zoned R-3-2 right now
- If he developed at R-3-2, would be 4 long narrow lots

- Wants nine 1 acre lots
- There were no ditches on subject property to begin with, he added ditches and improvements in an effort to help with the drainage situation in the area
- His drainage / stormwater plan was designed by an engineer
- Heavy rains created situation where the water level / flooding is high

At this point, Vice Chairman Michael McLain asked if there were any further public comments regarding this public hearing. Hearing none, he addressed the public present:

- This will not be voted on tonight
- If there is any opposition expressed during the public hearing, the vote will be at the next commissioner meeting

Commissioner Sandra Duckwall added that all comments heard at this meeting in this public hearing will be taken under advisement.

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*4.B- Refinancing of SCWSD Loans*

Vice Chairman Michael McLain asked if there were any public comments for the public hearing with regard to Refinancing of SCWSD Loans.

Hearing none, he called for a motion to come out of public hearings.

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Commissioner Sandra Duckwall made a motion to come out of public hearing. At 7:44 pm, the motion passed 3-0 with Vice Chairman Michael McLain, Commissioners Randy Krainiak, and Sandra Duckwall, voting aye; no Commissioner voting no; Chairman Garry Meiggs and Commissioner Clayton Riggs absent; and no Commissioner not voting.

Vice Chairman Michael McLain called for a motion to add item 4.B. to the agenda under new business, since there was no opposition to it.

*Commissioner Sandra Duckwall made a motion to amend the agenda to add Item 4.B (Refinancing of SCWSD Loans) to the New Business section as Item 5D. At 7:45 pm, the motion passed 3-0 with Vice Chairman Michael McLain, Commissioners Randy Krainiak, and Sandra Duckwall, voting aye; no Commissioner voting no; Chairman Garry Meiggs and Commissioner Clayton Riggs absent; and no Commissioner not voting.*

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### **New Business**

#### ***Item 5.A- JCPC Budget Revision for FY12-13 Grant***

Danielle Barco, Extension Agent with Camden County Cooperative Extension Service, came before the Board and gave a brief description detailing the requested JCPC Budget Revision for FY12-13 Grant.

The proposed budget revision would simply move money from a few budget line items to other budget accounts to cover future expenses as well as create a new line item for unemployment.

Vice Chairman Michael McLain asked if there were any questions regarding this item. Hearing none, he called for a motion.

Commissioner Randy Krainiak made a motion to approve JCPC Budget Revision for FY12-13 Grant. At 7:47 pm, the motion passed 3-0 with Vice Chairman Michael McLain, Randy Krainiak, and Sandra Duckwall voting aye; no Commissioner voting no; Chairman Garry Meiggs and Clayton Riggs absent; and no Commissioner not voting.

#### ***Item 5.B- Award CDBG Scattered Site Housing Contracts***

Dan Porter, Director of Planning, came before the Board and gave a brief description detailing the awarding of the CDBG Scattered Site Housing contracts.

- This is for replacement of 3 houses under the CDBG Scattered Site Housing program
- Bid tabulation sheets are in the board packets
- Notice to bidders was sent out on January 24, 2013
- Bid opening was held on February 7, 2013
- There were 8 contractors bidding
- Recommendation is to award the contracts to the low bidder

Commissioner Randy Krainiak asked where TR Holley's business (low bidder on 2 houses) was located. Mr. Porter responded that TR Holley was out of Edenton. Mr. Porter went on to describe TR Holley's work and reputation as very favorable. TR Holley has done CDBG work in Gates County and their work was very well done. References were obtained from the consultants and the building inspector in Gates county where that work was done.

Mr. Porter Then described Troy Williams Construction (low bidder on 1 house). Mr. Porter stated that Mr. Williams business is located in Camden, and that the Camden Building Inspector says that Mr. Williams is a very reputable contractor.

Commissioner Randy Krainiak asked if were permissible to award the contract in its entirety (all 3 houses) to a contractor whose business is out of Camden.

John Morrison, County Attorney for Camden County, stated that due to the Law of Public Bidding, it is not permissible to award contracts based on where a business is located. The lowest responsible bid is appropriate unless there is some reason to believe that the company offering such bid is not responsible or lacks the financial ability to complete the project.

Chairman Michael McLain asked if there were any further questions or comments regarding this item. Hearing none, he called for a motion.

Commissioner Sandra Duckwall made a motion to approve the awarding of the CDBG Scattered Site Housing Contract to the low bidder as recommended. At 7:50 pm, the motion passed 3-0 with Vice Chairman Michael McLain, Randy Krainiak, and Sandra Duckwall voting aye; no Commissioner voting no; Chairman Garry Meiggs and Clayton Riggs absent; and no Commissioner not voting.

***Item 5.C- Monthly Tax Report, Lisa Anderson, Camden County Tax Administrator***

Lisa Anderson, Camden County Tax Administrator, came before the Board and gave a brief presentation detailing the tax report for the month of January 2013.

Commissioner Randy Krainiak made a motion to approve the monthly tax report for the month of January 2013 as presented. At 7:53 pm, the motion passed 3-0 with Vice Chairman Michael McLain, Randy Krainiak, and Sandra Duckwall voting aye; no Commissioner voting no; Chairman Garry Meiggs and Clayton Riggs absent; and no Commissioner not voting.

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**Consent Agenda**

Commissioner Randy Krainiak made a motion to approve the consent agenda as presented. At 7:53 pm, the motion passed 3-0 with Vice Chairman Michael McLain, Randy Krainiak, and Sandra Duckwall voting aye; no Commissioner voting no; Chairman Garry Meiggs and Clayton Riggs absent; and no Commissioner not voting.

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*A. Draft Minutes- February 4, 2013*

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*B. Budget Amendments - 2012-13-BA018*

**2012-13-BA018  
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, 2013.

**Section 1. To amend the Revaluation Fund as follows:**

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
<b>Expenses:</b>			
704200-511000	Telephone & Postage	\$ 150.00	
704200-533000	Supplies	\$ 250.00	
704200-545000	Contracted Services	\$17,500.00	
704200-566000	Capital Outlay Inventory	\$ 2,500.00	
704200-599900	Fund Reserves		\$20,400.00

**Cost of modification of loans.**

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

Balance in Contingency \$39,928.00.

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 18<sup>th</sup> day of February, 2013.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

C. Tax Collection Report

Tax Collection Report  
 January 2013

Day	Amount	Amount	Name of Account
2	23,390.41	19,067.65	\$0.02 – Refund
	20,715.45	29,842.11	
	16,131.99		\$6.41 – Refund
3	43,605.54		
	24,805.52		\$7.85 – Refund
4	624.01		
			\$954.25 – Refund
	18,670.83	28,174.82	\$6.01 – Over
7	17,958.05	33,864.95	
	59,352.41		\$4.91 – Refund
8	8,760.09		
	14,644.20		\$0.11 – Refund
9	10,785.13		\$383.81 – Refund
10	3,480.07		\$16.93 – Refund
11	5,138.18		\$2.40 – Refund
14	7,763.25		\$1.51 – Refund
15	3,975.80		
	4,495.07		\$1.00 – short
16	2,757.49		\$32.39 – Refund
17	10,541.51		
18	4,238.52		\$2.00 – Refund
22	2,209.62	4,612.32	\$0.10 – Refund
	209.93		
23	1,986.01	9,506.16	\$0.61 – Refund / \$0.99 – short
24	4,567.87		
25	5,383.62		
	271.18		
28	3,492.41	6,456.19	\$0.27 – Refund
29	6,361.10	3,320.00	
30	5,459.33	930.00	
31	564.04		\$3.80 – Refund
	4,935.07	2,784.95	\$65.64 – Refund
	1,210.98		
	\$338,484.68	\$138,559.15	
	\$477,043.83		
	-\$1,483.01	Refund	
	-\$6.01	Over	
	\$1.99	Shortage	
	\$0.00	Adjustment	
	\$475,556.80		

Draft Minutes

Submitted by: Risa S. Anderson  
 Approved by: \_\_\_\_\_

Date: 2-5-13  
 Date: \_\_\_\_\_

*D. Tax Refunds, Pickups, & Releases*

<u>Name</u>	<u>Amount</u>	<u>Type</u>	<u>Reason</u>
Vanderbilt Mortgage & Finance	\$383.81	Refund	Overpayment Christopher Hughes

*E. Tax Authorization to Collect*

**STATE OF NORTH CAROLINA**

**COUNTY OF CAMDEN**

**TO:** The Tax Administrator of Camden County (Nov. Ren.) Due 03/01/13

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.

<b>SOUTH MILLS</b>	<b>COURTHOUSE</b>	<b>SHILOH</b>	<b>TOTAL</b>
13,250.27	14,959.17	7,250.09	35,459.53

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.

\_\_\_\_\_  
Tax Administrator of Camden County

*F. Volunteer Forms*

<u>Name</u>	<u>Township</u>	<u>Board Interested in Serving</u>
Mrs. Brenda F. Sawyer	Shiloh Township	Adult Care Home Community Advisory Committee

*G. Camden County Library By-Laws*

**Commissioner's Report**

There were no commissioner's reports.

**County Managers Report**

County Manager Mike Renshaw gave the following report:

- There is an online survey for public input regarding the Camden County Public Library at the following web address: [www.camdencountync.gov](http://www.camdencountync.gov)
    - This survey is an important tool to staff in that it gives information on what types of services are needed for the library.
    - Hard copies of the survey are also available at the courthouse complex.
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At 7:55 pm, the Regular meeting of the Camden County Board of Commissioners was recessed, and entered into the South Camden Water and Sewer District meeting.

At 7:57 pm, the SCWSD meeting was adjourned, and the regular meeting of the Camden County Board of Commissioners was reconvened.

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**Other Matters**

At 7:58 pm, Vice Chairman Michael McLain asked if there were any other matters to come before the Board of Commissioners.

There were no other matters to be brought before the board.

**Adjournment**

Hearing no other matters, at 7:58 pm, Vice Chairman Michael McLain declared the meeting adjourned.

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Vice Chairman Michael McLain  
Camden County Board of Commissioners

ATTEST:

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Amy D. Barnett  
Assistant Clerk to the Board