

Camden County Board of Commissioners

Regular Meeting

May 1, 2006

7:00 P.M.

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

MINUTES

The regular meeting of the Camden County Board of Commissioners was held on Monday, May 1, 2006 at 7:00 p.m. in the Camden County upstairs courtroom of the Historic Courthouse, Courthouse Complex, Camden, North Carolina.

The following members were present:

Chairman Melvin J. Jeralds

Vice Chairman Clayton D. Riggs

Commissioners Jeffrey B. Jennings, Carolyn Riggs and Mike Andrews

Also attending was County Manager Randell Woodruff, Clerk to the Board Ava Murgia, County Attorney John S. Morrison, and various staff members.

Chairman Jeralds called the meeting to order. Commissioner Mike Andrews gave the invocation and led the Pledge of Allegiance.

Presentation by Lynne Bunch, President of College of the Albemarle (COA)

Mrs. Bunch updated the Board regarding the programs at COA and building expansion of labs. Mrs. Bunch stated COA operates the largest High School in the area for students to complete their General Education Diploma (GED) and explained the Bill and Linda Gates Foundation Grant called "Gateway to College". As of Fall 2005, there are one hundred fifty seven (157) Camden residents enrolled in COA. The COA Allied Health Programs has Associate Degrees in Nursing and Medical Assisting, Diplomas in Medical Assisting, Practical Nursing, Surgical Technology and Medical Lab Technician, and Certificates in Phlebotomy. There are eleven (11) Camden residents enrolled in Allied Health Programs.

Chairman Melvin Jeralds thanked Mrs. Bunch for the excellent job she is doing for COA and the citizens of Camden County.

Public Comments

Chairman Melvin Jeralds called for any comments from the public.

Buddy Tucker, 617 Trotman Road, stated that his tax statement of value and tax amount was incorrect.

Chairman Melvin Jeralds asked Tax Administrator Mary Rhodes to check into the matter.

Chairman Melvin Jeralds called for any other comments from the public.

Hearing no further comments, Chairman Melvin Jeralds proceeded with the meeting.

Consideration of Minutes - April 12, 2006 – Unified Government Public Meeting

Commissioner Carolyn Riggs made a motion to approve the minutes of the April 12, 2006 Unified Government Public Meeting subject to correction of technical and typographical errors. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Consideration of Agenda

County Manager Randell Woodruff asked that *Item XI. New Business, I. Legal Services Contract – Herbert T. Mullen, Jr., J. Resolution No. 2006-05-04 Relating to the 2006 Clean Water Bond Resolution, and K. Urgent Needs Grant – Grant Administrator Contract with Skip Green* be added to the agenda.

Chairman Melvin Jeralds added *Item XI. New Business, B.1. Revaluation Update from Bob Pearson of Pearson Appraisals.*

Commissioner Mike Andrews made a motion to approve the agenda as amended. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

BOARD OF EQUALIZATION AND REVIEW

Chairman Melvin Jeralds recessed the Board of Commissioner meeting and convened the Board of Equalization and Review.

There being no cases to be heard, Chairman Melvin Jeralds recessed the Board of Equalization and Review until May 15, 2006. The meeting recessed at 7:26 p.m.

Reconvene

Chairman Melvin Jeralds reconvened the Board of Commissioners meeting.

USDA Loan – Proposed Commitment of Rural Development Community Facility Funds to Camden County for Renovation of Grandy Primary School

Susan Christensen, USDA Rural Development Area Specialist, stated the purpose of the meeting tonight was to present the letter of conditions for the \$2,000,000.00 loan for the renovation of Grandy Primary School which replaces the QZAB monies that are not available at the present time. When the QZAB funds become available, then the loan with USDA could be paid off.

Commissioner Mike Andrews made a motion to accept the letter of conditions as presented by Susan Christensen and which includes approve Resolution No. 2006-05-03.

Approved Resolution No. 2006-05-03 reads as follows:

CAMDEN COUNTY
Resolution No: 2006-05-03

BE IT RESOLVED:

THAT Camden County accepts the conditions set forth in the Letter of Conditions dated May 1, 2006.

THAT Camden County approves the proposed budget as shown on Form RD 442-7, "Operating Budget".

THAT the Chairman and the Clerk be authorized to execute all forms necessary to obtain a loan from USDA Rural Development, including but not limited to the following forms:

Form RD-NC 1942-47-1	Loan Resolution (Public Bodies)
Form RD 1942-46	Letter of Intent to Meet Conditions
Form RD 442-7	Operating Budget
Form RD 400-4	Assurance Agreement
Form RD 400-1	Equal Opportunity Agreement
Form RD 1940-1	Request For Obligation of Funds
Form RD 1910-11	Applicant Certification - Federal Collection
	Policies For Consumer Or Commercial Debts
Form AD-1047	Certification Regarding Debarment
NC Guide 13	Installment Purchase Contract

This resolution to become a part of the official minutes of the Camden County Commissioners meeting held on May 1, 2006.

MOTION MADE BY Commissioner Mike Andrews

SECONDED BY Commissioner Jeffrey Jennings

TO ADOPT THE RESOLUTION,

MOTION PASSED (5) TO (0)

ATTEST: Ava Murgia
Ava Murgia, Clerk to the Board

BY: Melvin J. Jeralds
Melvin J. Jeralds, Chairman

(SEAL)

Ordinance No. 2006-01-02 - A Proposed Ordinance Amending Chapter 151 of the Camden County Code of Ordinances

Commissioner Jeffrey Jennings made a motion to approve Ordinance No. 2006-01-02. . The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Approved Ordinance No. 2006-01-02 reads as follows:

Ordinance No. 2006-01-02

**A Proposed Ordinance
Amending the Camden County
Code of Ordinances**

Camden County, North Carolina

BE IT ORDAINED BY THE CAMDEN COUNTY BOARD OF COMMISSIONERS as follows:

Article I: Purpose

The purpose of this Ordinance is to amend the Article 151 of the Camden County Code of Ordinances of Camden County, North Carolina, which was originally adopted by the County Commissioners on December 15, 1997, and subsequently amended and as otherwise incorporated into the Camden County Code.

Article II. Construction

For purposes of this Ordinance, underlined words (underline) shall be considered as additions to existing Ordinance language and strikethrough words (~~strikethrough~~) shall be considered deletions to existing language. New language of proposed ordinance shall be shown in italics (*italics*) and underlined.

Article III. Amend Section 151 as amended of the Camden County Code
which shall read as follows:

CHAPTER 151: UNIFIED DEVELOPMENT

§ 151.046 AMENDMENTS TO OFFICIAL ZONING MAP.

(A) Amendments to the official zoning map are accomplished using the same procedures that apply to other amendments to this chapter, as set forth in §§ 151.580 through 151.586.

(B) (1) The Administrator shall update the official zoning map as soon as possible after amendments to it are adopted by the Board. Upon entering the amendment on the map, the Administrator shall change the date of the map to indicate its latest revision. *Amendments to the official map shall also be maintained on the Camden County GIS database.*

§ 151.063 SETBACK REQUIREMENTS.

(G) A roof over a pre-existing stoop may encroach into required setbacks provided the roof does not cover more than 40 square feet in area.

§ 151.065 HEIGHT LIMITATIONS.

(A) No building or structure may exceed a height of 35 feet *as measured from the lowest adjacent grade to the highest eave.* Any applicant for a structure (such as a wireless telecommunications facility) with a height of 50 feet or more shall obtain written documentation from the manager of any airport which regularly handles commercial or military air traffic and is located within 15 miles of the proposed site that the structure will not interfere with air traffic or otherwise pose a risk to air traffic. The applicant may appeal to the Board of Adjustment if the manager of the airport does not provide the applicant with a statement as required by this section, and the Board may grant the permit if it makes written findings of fact that all other requirements under this chapter are met and if the proposed structure will not interfere or otherwise pose a risk to air traffic.

151.069 APPEARANCE DESIGN STANDARDS.

See §§ 151.380 through 151.387 of this chapter for further criteria for any development within a special flood hazard area.

(A) (4) Except as otherwise provided herein, the following ~~appearance~~ design standards shall apply to all site-built,

modular and mobile single-family and multi-family homes erected, constructed, installed, placed or otherwise located in the county but shall not apply to commercial structures.

~~_____ (2) There shall be a porch at each entrance to the structure having dimensions of not less than three feet wide and three feet deep. The sides of all porches and steps shall be constructed with wood, masonry or concrete, but no metal.~~

(B) In addition to the foregoing requirement in division (A) above, the following appearance *design* standards shall apply to all modular and site-built homes erected, constructed, installed, placed or otherwise located in the county but shall not apply to commercial structures:

- (1) The minimum vertical rise for a roof shall be 6 feet for each 12 feet of horizontal run.
- (2) Not less than 50% of the entire roof area of the house shall have a minimum vertical rise of 6 feet for each 12 feet of horizontal run.
- (3) The calculation of the minimum roof area required to meet the 50% threshold shall not include the roof area covering a dormer window.
- (4) The minimum vertical rise for a roof shall be 4 feet for each 12 feet of horizontal run over any style of dormer windows.
- (5) The minimum vertical rise for a roof shall be 3 feet for each 12 feet of horizontal run over non-heated space such as porches.

(D) The following appearance standards shall apply to all Class A, Class B and Class C mobile homes. No certificate of occupancy may be issued until the Administrator determines that the applicable appearance criteria have been met:

(1) Class A mobile homes may be installed in R-1 and R-2 zoning districts with at least the following appearance standards:

(a) The curtain wall or foundation shall have a visible exterior of one of the following: true brick or natural stone.

(b) 1. The mobile home is to be installed not less than the same distance from the right-of-way as any principle structure on an adjacent property on the same side of the roadway.

2. In those instances where an adjoining property has a principal structure located inside the required front setback area, and such principal structure is located within 150 feet of the proposed site for installation of the Class A mobile home, then the proposed Class A mobile home may be installed at a setback equal to the structure on the adjacent property or 25 feet from the right-of-way, whichever is greater.

(c) There shall be a *front* porch at each entrance to the mobile home having dimensions of not less than five feet wide and five feet deep. ~~The rear or side porch shall have dimensions of not less than three feet wide and three feet deep.~~ The front and sides of all porches and steps shall be constructed with wood, stone, masonry, concrete, or similar looking composite material.

(2) Class B and Class C mobile homes may be installed in the R-1 zoning district and within approved mobile home parks subject to the following appearance standards:

(a) The curtain wall shall be of all weather material covering all exposed underpinning.

(b) 1. The mobile home is to be installed not less than the same distance from the right-of-way as any principle structure on an adjacent property on the same side of the roadway.

2. In those instances where an adjoining property has a principal structure located inside the required front setback area, and such principal structure is located within 150 feet of the proposed site for installation of the Class B or C mobile home, then proposed Class B or C mobile home may be installed at a setback equal to the structure on the adjacent property or 25 feet from the right-of-way, whichever is greater.

(c) There shall be a porch at each entrance to the structure having dimensions of not less than three feet wide and three feet deep. The front and sides of all porches and steps shall be constructed with wood, stone, masonry, concrete, or similar looking composite material.

(3) Mobile homes that are installed as a change out to an existing mobile home must meet these appearance standards.

~~_____ (E) All new residential construction outside a floodplain must have a minimum elevation of the lowest floor (as defined in § 151.380) of at least 24 inches above grade, as grade existed prior to or at the time of construction.~~

~~_____ (1) The elevation shall be determined by the building inspector before the building inspector approves the floor inspection. Such elevation shall be of the first floor elevation. In lieu of determining the elevation himself, the building inspector may accept an elevation certificate signed and sealed by a North Carolina certified land surveyor or a North Carolina licensed engineer.~~

~~_____ (2) Additions to residential construction are exempt from this appearance criteria, but the lowest floor elevation shall be not less than the lowest floor elevation of the existing construction to which the addition is attached.~~

~~_____ (3) As used in this section "new residential construction" shall mean residential construction for which a building permit has been applied for on or after July 1, 2003.~~

§ 151.088 GENERAL LAYOUT OF STREETS.

(A) ~~Cul-de-sacs and loop streets are encouraged so that through traffic on residential streets is minimized. Similarly, To the extent practicable, driveway access to collector streets shall be minimized to facilitate the free flow of traffic and avoid traffic hazards.~~

(B ~~A~~) All permanent dead-end streets, as opposed to temporary dead-end streets, shall be developed as cul-de-sacs in accordance with the standards set forth in §§ 151.230 through 151.247, 151.260 through 151.263 and 151.275 through 151.278.

(C ~~B~~) Half streets (such as streets of less than the full required right-of-way and pavement width) shall not be permitted, except where the streets, when combined with a similar street, developed previously or simultaneously, on property adjacent to the subdivision, creates or comprises a street that meets the right-of-way and pavement requirements of this chapter.

(D ~~C~~) Except where no other alternative is reasonably practicable or when necessary to avoid direct access of lots onto arterial streets, streets shall be arranged to avoid double frontage.

§ 151.094 STREET NAMES AND HOUSE NUMBERS.

(C) Appropriate street name signs and stop signs ~~that meet county specifications~~ shall be placed at all intersections by and at the expense of the developer.

§ 151.140 DESCRIPTIONS OF LANDSCAPING.

(B) *Semi-Opaque Landscaping, Type "B."*

(1) Landscaping that is 50% opaque from the ground to a height of 3 feet, with intermittent visual obstruction from above the opaque portion to a height of at least 20 feet. The semi-opaque landscaping is intended to partially block visual contact between uses and to create a strong impression of the separation of spaces. The semi-opaque landscaping may be composed of a wall, fence, landscaped earth berm, planted vegetation or existing vegetation. Compliance of planted vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of foliage of the subject species, or field observation of existing vegetation.

(2) At maturity, the portion of intermittent visual obstructions should not contain any completely unobstructed openings more than 20 feet wide. The zone of intermittent visual obstruction may contain deciduous plants. ~~The following are suggested planting patterns which will achieve this standard.~~

(C) *Broken Landscaping, Type "C."* A landscaping composed of intermittent visual obstructions from the ground to a height of at least 20 feet. The broken landscaping is intended to create the impression of a separation of spaces without necessarily eliminating visual contact between the spaces. It may be composed of a wall, fence, landscaped earth berm, planted vegetation or existing vegetation. Compliance of planted vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of foliage of the subject species or field observation of existing vegetation. The screen may contain deciduous plants. ~~The following are suggested planting patterns which will achieve this standard.~~

§ 151.171 MAJOR SUBDIVISIONS TO INSTALL WATER LINES.

(G) All connection fees shall be paid by the developer for each lot required to be connected to the county water system prior to submission ~~as a condition of final plat approval.~~

OPEN SPACE AND SCHOOL SITES

§ 151.195 OPEN SPACE.

(A) All major residential subdivisions ~~consisting of 20 or more lots~~ shall provide open space in accordance with the provisions of this section unless otherwise provided.

~~(C) Subdivided residential developments of less than 20 dwelling units are exempt from the requirements of this section.~~

§ 151.215 MOBILE HOMES.

(B) Class "B" mobile homes may be located in all approved mobile home parks and mobile home park subdivisions with a zoning permit provided underpinning of all-weather base material is placed around the mobile home when located in a mobile home park subdivision. Further, Class "B" mobile homes may be located in accordance with the table of § 151.334 ~~and the provisions of §§ 151.345 through 151.347.~~

(C) (1) Class "C" mobile homes that were:

(a) Constructed prior to July 1, 1976 ~~1994~~; and

(b) Located within the boundaries of the county as of the effective date of this chapter, may only be relocated to approved mobile home parks and mobile home park subdivisions with a zoning permit.

(2) When located in a mobile home park subdivision, Class "C" mobile homes shall provide underpinning of all-weather base material around the mobile home. Class "C" mobile homes not located within the boundaries of the county as of the effective date of this chapter shall be prohibited from locating in the county.

(D) When land on which a Class "B" residential mobile home is located is acquired by a governmental agency for a public purpose and the remaining land is insufficient to support the mobile home, then the property owner may relocate the residential mobile home to any other area in the county zoned R-1 ~~with a special use permit. The government entity acquiring the property is responsible for the special use permit fee.~~

**MAJOR SUBDIVISION DESIGN REQUIREMENTS; REVIEW
PROCEDURES AND APPROVAL PROCESS**

§ 151.230 LANDS SUBJECT TO SUBDIVISION REGULATIONS WITHIN THIS CHAPTER.

(A) For the purpose of this subchapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

SUBDIVISION. All divisions of a tract or parcel of land into two or more lots, when any one or more of those divisions is created for building sites or other divisions for the purpose, whether immediate or in the future, of sale or building development and shall include all divisions of land involving the dedication of a new street or a change in existing streets; provided, that the following shall not be included within this definition nor be subject to the regulations prescribed by this chapter:

(a) The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the county as shown by the regulations prescribed by this chapter;

(b) The division of land into parcels greater than ten acres where no street right-of-way dedication is involved;

(c) The public acquisition by purchase of strips of land for the widening or opening of streets;

(d) The division of a tract in single ownership whose entire area is no greater than two acres into not more than three lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards of the county, as shown by the subdivision regulations contained in this chapter; or

(e) The gift by a property owner of a single lot to each of the property owner's children or parents provided that: ~~where the lot fronts upon a state-maintained road, and is large enough to meet all applicable state and local health codes and all other local ordinances.~~

1. Lots created under this section shall be titled in the name of the immediate family member for whom the subdivision is made for a period of no less than five (5) years or until their 18th birthday (whichever is greater), unless lots are subject to an involuntary transfer such as by foreclosure, death, judicial sale, condemnation, or bankruptcy.

2. If the original lot or parcel does not front on a publicly dedicated, recorded, and maintained street, or an easement recorded prior to January 1, 2006 it shall have a reasonable right-of-way not less than forty-five (45) feet in width providing ingress and egress to a dedicated, recorded public street.

3. The plat shall be signed by all persons having any real property interest in any land included within the subdivision, including required rights-of-way.

(B) Exemption of a partition of land from the definition of *SUBDIVISION* shall not exempt any resulting lots, tracts or parcels from meeting the requirements of this chapter for the granting of zoning, building or improvements permits.

(C) *Except as provided in subsection (e) above*, no structure may be erected, installed or otherwise placed on a lot created on or after June 3, 2002 where that lot is not either served by a state maintained road or is not served by a private road or right-of-way built and maintained to state road standards. Structures erected for use on a bona fide farm are exempt from this division.

§ 151.232 DESIGN STANDARDS AND CRITERIA.

All major subdivisions shall be designed to meet the following requirements:

(A) *Streets and roads.*

(7) *Through traffic discouraged on collector and minor streets.* Collector and minor streets shall be so laid out that their use by through traffic will be discouraged. Streets shall be designed or walkways dedicated to assure convenient access to parks, playgrounds, schools and other places of public assembly.

(I) *Dedication.* The developer of any subdivision having \$0 40 or more lots shall provide for land or improvements as authorized under G.S. § 153A-331.

(1) *Schools.* Where the County Commissioners and Board of Education have identified property for school sites pursuant to law, the developer shall set aside such property.

(2) *Community service facilities.* The county may require the donation of land and the construction of community service facilities in accordance with county policies, *plans*, and standards to assure compliance with these requirements. Any land to be donated (or community service facilities to be constructed) shall be completed prior to recording of the final plat. The amount of land to be donated shall not be less than one acre of community facility property per \$0 40 lots or fraction thereof. The decision as to which land shall be donated shall be the sole discretion of the county.

(3) *Recreational land.* For recreational land, the developer shall at the county's option, make a payment to the county an amount of money equal to the value of one acre of land per \$0 30 lots or fraction thereof as it would be appraised following its subdivision. Otherwise the developer shall set aside one acre per \$0 30 lots or fraction thereof. Such land shall be in the name of the Homeowner's Association with the title recorded in the Camden County Registry prior to recording the final plat.

§ 151.233 REQUIRED MAJOR SUBDIVISION SUBMISSION DOCUMENTS AND INFORMATION.

	<i>Sketch Plat</i>	<i>Preliminary Plat</i>	<i>Final Plat</i>
Project; Plat Information:			
Name of subdivision, township, county, state	X	X	X
Name, signature, license number, seal and address of engineer, land surveyor, architect, planner and/or landscape architect involved in preparation of plat	X	X	X
Vicinity map: one inch equals 2,000 feet or larger	X	X	X
North arrow and scale			
Scale to be one inch equals 200 feet or larger	X		
Scale to be one inch equals 100 feet		X	X
Number of copies required:			
Ten black or blue line copies with one 8½ x 11-inch reduced copy	X	X	
Ten black or blue line copies, plus one copy suitable for reproduction (drawn in ink on mylar, vellum, film or a reverse sepiä); plus one 8½ x 11-inch reduced copy			X
Payment of application fees	X	X	X
Property information: location and general description of existing structures, property lines, paths, streets, roads, railroads, ditches, canals, streams, water courses, bridges, culverts, storm drainage pipes, utility lines and structures, water lines, septic systems, wells, easements, rights-of-way within the property to be subdivided and within 50 feet of the exterior property lines			
Approximate location	X		
Actual location		X	X

§ 151.234 CERTIFICATION BLOCKS REQUIRED FOR MAJOR SUBDIVISIONS.

(B) It is suggested in order to eliminate confusion that all certification blocks and other detail or design information be

grouped on a separate single sheet of the plat plans.

(1) *Certificate of Approval.*

I hereby certify that all streets shown on this plat are within Camden County, all streets and other improvements shown on this plat have been installed or completed or guaranteed to according to 151.243 and that the subdivision shown on this plat is in all respects in compliance with the Camden County Unified Development and, therefore, this plat has been approved by the Camden County Planning Board and signed by the Chairperson, Board of Commissioners, subject to its being recorded in the Camden County Registry within ninety (90) days of the date below.

Date

Chairperson, Board of Commissioners

§ 151.236 SKETCH DESIGN PLAN REVIEW PROCESS.

(A) The subdivider/developer shall submit a completed application form and all supplementary materials to the Planning Department no later than 20 (20) working days prior to the next regularly scheduled Planning Board meeting date. A fee shall be charged upon submission of the sketch design plans application as specified in the adopted fee schedule of the county.

(C) (1) The sketch plan shall be submitted to the Administrator prior to the Planning Board meeting at which time it will be reviewed. The staff shall review the sketch plan for general compliance with the requirements of this chapter and other official plans, ordinances and policies of the county.

(2) The technical review staff shall meet with the planning staff and other agencies as appropriate to make recommendations for the Planning Board and Board of Commissioners, ~~to the planning staff including any recommendations received from other public officials and agencies reviewing the proposal that is concerned with new development.~~

(D) The technical review staff at the sketch plan stage will generally consist of the County Water Department or water authority which is to service the proposed subdivision, local Health Department, local Volunteer Fire Department, Superintendent of Schools, State Department of Transportation, Sheriff, local cable television provider, United States Postal Service postmaster for the area encompassing the subdivision, Emergency Management Services (911), and local Soil Conservation Service.

(I) During the first regularly scheduled monthly meeting of the Board of Commissioners, following recommendation by the Planning Board, the Board of Commissioners will set a public hearing meeting date to hear any and all remarks presented by the subdivider/developer, staff comments and recommendations, technical staff comments and others.

(J) During the second regularly scheduled monthly meeting of the Board of Commissioners following recommendations by the Planning Board, the Board of Commissioners will hear any and all remarks presented by the subdivider/developer, staff comments and recommendations, technical staff comments and others.

(J ~~K~~) The subdivider/developer or his or her agent must attend the Board of Commissioners meeting and all subsequent Board meetings for presentation of the application and to answer any questions by Board members and others.

(K ~~L~~) The Board of Commissioners shall discuss with the subdivider/developer or his or her agent changes deemed advisable, if any, and the kind and extent of improvements to be made by him or her.

(L ~~M~~) (1) Upon conclusion of the public hearing meeting, the Board of Commissioners may approve, approve conditionally, disapprove or table the request as set forth in the Board of Commissioner's rules of procedures and by state law.

(2) Because of the conceptual presentation involved this shall not constitute an official action of approval of the subdivision for recordation nor does approval of sketch plan constitute a vesting or development rights.

(M ~~N~~) Receiving approval from the Board of Commissioners shall allow the subdivider/developer to proceed with submission of all materials and information required for the preliminary plat review process and to seek all permits as required under this subchapter, §§ 151.260 through 151.263 and 151.275 through 151.278.

§ 151.237 PRELIMINARY PLAT PROCEDURES.

(A) For every subdivision which does not qualify for the abbreviated procedure outlined in §§ 151.260 through 151.263 and 151.275 through 151.278, the subdivider shall submit to the Administrator a Special Use Permit Application for preliminary plat which must be reviewed by the technical review staff, county planning staff, the Planning Board and approved by the Board of Commissioners before any construction or installation of improvements can begin.

(B) The subdivider shall submit copies of the preliminary plat and any accompanying material to those public officials and agencies concerned with new development. The Administrator will help to advise the subdivider concerning which agencies are applicable for a given proposal, but it will ultimately be the subdivider's responsibility to obtain the required permits and approvals.

(C) The preliminary plat shall be submitted to the Administrator forty (40) days prior to the Planning Board meeting at which time it will be reviewed. The staff shall review the preliminary plat for general compliance with the requirements of this chapter and other official plans, ordinances and policies of the county. The technical review staff shall make recommendations to the planning staff and Planning Board including any recommendations received from other public officials and agencies reviewing the proposal that is concerned with new development.

(D) The technical review staff consists of: the County Water Department or water authority which is to service the proposed subdivision; local Health Department; local Volunteer Fire Department; Postal Service; Soil Conservation Service; Division of Coastal Management; U.S. Army Corps of Engineers; Superintendent of Schools; Department of Environment, Health and Natural Resources-Division of Land Resources-Land Quality Section; Division of Environmental Management-Groundwater Section, Air Quality Section; Division of Health Services (DHS); State Department of Transportation; Emergency Management Services (911); Eastern North Carolina Natural Gas, local power company; local phone company and local cable company, as applicable; and other agencies as needed or necessary.

§ 151.238 PRELIMINARY PLAT REVIEW PROCESS.

(A) The subdivider/developer shall submit all supplementary materials required under this subchapter, §§ 151.260 *et seq.* and 151.275 *et seq.* and a completed application form to the Planning Department at least 30 working days prior to the next scheduled Planning Board meeting at which it can be reviewed. A fee shall be charged upon submission of the preliminary plat application, as specified in the adopted fee schedule of the county.

(B) The subdivider/developer or his or her agent must attend the Planning Board and all subsequent Board meetings for presentation of the application to the appropriate boards and to answer any questions by Board members and others.

(C) The Planning Board shall discuss with the subdivider/developer or his or her agent changes deemed advisable, if any, and the kind and extent of improvements to be made by him or her.

(D) Upon hearing all remarks and recommendations by the subdivider/developer or his or her agent, county staff and technical review staff, the Planning Board shall recommend approval, approve conditionally, disapprove or table the application.

(E) Within 60 days from the date of its first review of the preliminary plat, the Planning Board will forward the plat along with its recommendations, including any conditions or modifications, to the Board of Commissioners. Failure to forward the plat within the allotted time shall have the same effect as a recommendation for approval.

(F) During the first regularly scheduled monthly meeting of the Board of Commissioners, following recommendations by the Planning Board, the Board of Commissioners will set a formal public hearing date to hear testimony and receive evidence presented by the subdivider/developer, staff, technical staff and others.

(F G) During the second regularly scheduled monthly meeting of the Board of Commissioners following recommendation by the Planning Board, the Board of Commissioners will hold a formal public hearing to hear testimony and receive evidence hear any and all remarks presented by the subdivider/developer, staff comments and recommendations, technical staff comments and others. Upon conclusion of the public hearing, the Board of Commissioners may approve, approve conditionally, disapprove or table the application as set forth in the Board of Commissioner's rules of procedures and by state law.

(G) If the preliminary plat is approved or approved conditionally, it shall be noted on two copies of the plat by the Board of Commissioners' Chairperson or his or her designee. One copy shall be returned to the subdivider/developer and one copy shall be retained by the Planning Department. If the preliminary plat is disapproved, the Board of Commissioners' Chairperson or his or her designee shall specify the reasons for the action in writing. One copy will then be attached and forwarded to the subdivider/developer and one copy will be retained by the Planning Department.

(H) (1) Upon receiving approval of the preliminary plat by the Board of Commissioners, the subdivider will receive a construction permit/letter from the Planning Department. Construction permits/letters must be issued prior to any land disturbing activities commencing on the development. Construction permits/letters can be obtained when all required permits have been obtained by the subdivider, reviewed by the Administrator and meets or exceeds all requirements of this chapter. Failure to obtain the construction permit/letter prior to any land disturbing activities may be cause for revocation of preliminary plat approval by the Board of Commissioners.

(2) If the proposed plans substantially change, at the direction of the Administrator, modifications shall be reviewed by the Planning Board and Board of Commissioners, as a regular agenda item. The Planning Board may recommend and the Board of Commissioners may determine that the change is of significant nature that requires the amendment unless determined to be and handled as a new application, which shall require a public hearing.

(I) Upon approval of the preliminary plat by the Board of Commissioners, the subdivider may proceed with the preparation of the final plat and the installation of or arrangement for required improvements in accordance with the approved preliminary plat and the requirements of this subchapter, §§ 151.260 *et seq.* and 151.275 *et seq.* Prior to approval of a final plat, the subdivider shall have installed the improvements in accordance with the approved preliminary plat and the requirements of this chapter or guaranteed their installation as provided in § 151.244.

§ 151.242 PROTECTION AGAINST DEFECTS.

(A) Whenever, pursuant to § 151.246 243, occupancy, use or sale is allowed before the completion of all facilities or improvements intended for dedication, then the letter of credit or the surety that is posted, pursuant to § 151.246 243, shall guarantee that any defects in the improvements or facilities that appear within one year after the dedication of the facilities or improvements is accepted or within 18 months after the facilities are completed, whichever occurs first, shall be corrected by the developer. For purposes of this section, the Administrator shall determine the date of completion of the facilities.

§ 151.244 MAINTENANCE OF DEDICATED AREAS UNTIL ACCEPTANCE.

(A) All facilities and improvements with respect to which the owner makes an offer of dedication to public use shall be maintained by the owner until the offer of dedication is accepted by the appropriate public authority.

(B) The developer of any development containing streets intended for public dedication shall post a cash bond to guarantee that the streets will be properly maintained until the offer of dedication is accepted by the State Department of Transportation.

(1) This maintenance guarantee may be combined with any provided under § 151.244 242.

§ 151.245 ACCEPTABLE BOND TERMS AND METHODS.

The following types of bonds/guarantees will be acceptable to the Board for the purpose of satisfying maintenance (generally 45% 30%) and performance guarantees (generally 125%) prior to recording of the final plat:

(A) Surety bonds by a licensed surety bond company;

(B) Cash bond with the Finance Officer named as trustee; and

(C) Irrevocable letters of credit on forms approved by the County Attorney with a banking institution insured by the FDIC or other reputable institution to be renewed annually until released by the County.

COMMON OPEN SPACE SUBDIVISIONS

§ 151.293 DENSITY BONUS AND INCENTIVES FOR DEVELOPING A

COMMON OPEN SPACE SUBDIVISION.

(A) Fractional numbers shall be dropped when determining density bonuses under this section.

(B) A density bonus of 5% above what the yield plan will allow ~~of 5%~~ is permissible for subdivisions developing under common open space standards.

(C) A density bonus shall be allowed when an Open Space Endowment Fund is established in accordance with the provisions below.

(1) The county may allow a 5% density bonus above what the yield plan will allow, in addition to the open space density bonus, to generate additional income to the applicant for the express and sole purpose of endowing a permanent fund to offset continuing open space and recreation maintenance costs. Spending from this Fund should be restricted to expenditure of interest, in order that the principal may be preserved. Assuming an annual average interest rate of 5%, the amount designated for the Endowment Fund shall be at least 20 times the amount to maintain the open space and recreation. The amount used to determine the minimum costs of maintaining open space and recreation shall be calculated at \$50 per acre per year for the first 20 acres and \$25 per acre per year for each additional acre over 20. On the assumption that additional dwellings, over and above the maximum that would ordinarily be permitted on the site, are net of development costs and represent true profit, 25% of the net selling price of the additional lots may be retained by the developer and the remaining funds shall be donated to the Open Space Endowment Fund for the preserved lands within the subdivision. This Fund shall be transferred by the developer to the designated entity with ownership and maintenance responsibilities such as a Homeowner's Association or a land trust.

§ 151.298 PLANNED UNIT DEVELOPMENT.

(A) *General.*

(7) A special use permit may be approved showing the portion of the tract proposed for commercial uses reserved for future development. In such a case, no construction ~~on any land~~ may take place within the areas until the special use permit is amended to approve specific plans for the areas. An amendment shall be regarded as a major amendment and processed as provided in §§ 151.495 through 151.518.

(B) *Design standards and criteria.*

(1) This division excludes those dealing with signs.

(2) Instead of meeting the general zoning dimensional requirements and other standards, the planned unit development shall meet the following requirements:

(a) *Land area/density.*

1. Minimum parcel size shall be ten acres.

2. Permitted density shall be three dwelling units per net acre of those areas identified for residential uses only but the permitted density shall be four dwelling units per net acre of those areas identified for residential uses only when all of the residential and commercial structures within the PUD are connected to a public sewer system; density calculations will not include commercial areas. Net acreage shall be determined by on-site evaluation of technical staff, eliminating all areas, designated by CAMA as wetlands. Sketch plan approval shall be based upon a general inspection of the factors. Preliminary approval shall require net and gross acreages to be shown by actual survey based upon CAMA designated wetland perimeters.

3. Thirty-five percent of the non-CAMA area intended for residential development of the tract shall be common open space. Alternatives to common ownership may be considered such as open space easements across private land and third party ownership of facilities, golf courses and the like, so long as common accessibility is maintained. Open space in general shall be designed to provide visual relief to dense residential areas as well as recreation opportunities to be enjoyed in common by property owners including, but not limited to recreational buildings, tennis courts, swimming pools, jogging trails and related areas.

4. Fifty percent of open space must be designed for passive or active recreation, including, but not limited to walking, jogging, hiking, bicycling and other uses which involves general pedestrian access to residential areas. The remainder of the open space may include areas providing visual, relief, but not offering general pedestrian access such as wetlands. Portions of this open space may be dedicated to the county by the developer or property owner's association to provide for the location of public facilities now or in the future.

(c) *Streets and roads.*

1. Roads shall be constructed to meet state secondary road standards for design and construction as contained in the Subdivision Roads, Minimum Construction Standards Handbook, as revised, published by the State Department of Transportation in all respects, except width of pavement and right-of-way.

(l) *Drainage.* Each subdivision shall provide adequate storm drainage for all areas in the subdivision. A combination of storage and controlled release of stormwater run-off is required. The release rate of stormwater from all developments shall not exceed the 100-year stormwater run-off from the area in its natural state (post-development vs. pre-development). All free flowing storm drainage systems shall be designed to accommodate the run-off generated by a 100-year design storm or State Department of Transportation (NCDOT) standards if more restrictive and the system will be maintained by NCDOT.

1. Plans must be prepared and sealed by a registered engineer and show, at minimum, the following information:

- a. Elevation survey of entire tract with Topo, lines at one-foot intervals;
- b. All culvert inverts, including driveway culverts;
- c. Direction of flows;
- d. Upstream and Downstream analysis (cross-sections) of drainageway to outlet, creek, stream, river, sound;
- e. Stormwater storage analysis, storing the differential between the outlet ditch capacity at bank full and the 100-year storm event throughout the proposed development area;
- f. Drainage calculations for drainway design within boundaries of the proposed subdivision and off-site, if appropriate; and
- g. Show total pre-development and post-development run-off in CFS (cubic foot per second) volume leaving development area.

2. Plans must address maintenance of the drainage system and who will be the responsible party to ensure proper maintenance is performed on the drainage system. The plan will be reviewed and inspected by county technical staff

members.

(o) *Schools, fire and police and the like.*

1. For PUDs involving 100 or more lots, the developer shall set aside space for community facilities, namely one acre of land with soils suitable for development for each 400 50 lots.

2. This requirement shall be in excess of the required open space.

(p) *Fee in lieu of dedication.* In lieu of dedication of land for open space and/or dedication of land for community facilities, the developer may, at the county's option, make a payment to the county of an amount of money equal in value to the land as it would be appraised following its subdivision.

(C) *Required planned unit development submission documents and information.*

	<i>Sketch Plan</i>	<i>Preliminary Plat</i>	<i>Final Plat</i>
Development information: location, widths and purpose of any proposed natural buffers, pedestrian/ bicycle/jogging trails or courses, rights-of-way or other easements, location(s) of existing cemeteries, layout of any proposed utilities (sewer, water, drainage, gas, electricity or telephone lines) showing connections to existing systems or easements reserved for proposed or potential systems, location of community water or community sewage disposal systems, proposed buildings and location of any proposed ponds or other storm drainage features and any proposed modifications to existing topography			
Approximate location and area	X		
Actual location and area		X	X
Minimum building setback lines shall be shown on each individual lot		X	X

(D) *Certification blocks required for planned unit development.*

- (1) The appropriate certificate forms, as set forth below shall appear on all planned unit development plans submitted.
- (2) It is suggested in order to eliminate confusion that all certification blocks and other detail or design information be grouped on a separate single sheet of the plat plans.

(a) *Certificate of Approval.*

I hereby certify that all streets shown on this plat are within Camden County, all streets and other improvements shown on this plat have been installed or completed or guaranteed according to 151.243 and that the PUD shown on this plat is in all respects in compliance with the Camden County Unified Development, and therefore this plat has been approved by the Camden County Planning Board and signed by the Chairperson, Board of Commissioners, subject to its being recorded in the Camden County Registry within ninety (90) days of the date below.

Date

Chairperson, Board of Commissioners

(F) *Sketch design plan review process.*

- (1) The purpose of the, sketch plan application is to give the developer the option of securing approval for the design concept before committing substantial funds to the development of engineering detail for the preliminary plat application. The developer shall submit the application to the Administrator. The application will address natural features, existing conditions and proposed development plan in terms of number and types of units and general location.
- (2) The Administrator shall request of the Planning Board a date for hearing and review. A minimum of 30 ~~40~~ working days shall be required between date of submission and the date of the hearing. A fee shall be charged upon submission of the sketch design plans application as specified in the adopted fee schedule of the county.
- (3) The subdivider must also submit a copy of the sketch plan and any accompanying material on the same date as the submittal date identified in division (F)(2) above to those public officials and agencies concerned with new development. Verification of meeting this requirement will be required. Review comments and recommendations from the technical review staff shall be submitted simultaneously with submittal to the Planning and Inspections Department. The Administrator will help to advise the subdivider concerning which agencies are applicable for a given proposal.
- (4) Technical review staff ~~shall meet with the planning staff and other agencies as appropriate to make recommendations for the Planning Board and Board of Commissioners.~~ the sketch plan shall be submitted to the Administrator prior to the Planning Board meeting at which time it will be reviewed. The staff shall review the sketch plan for general compliance with the requirements of this chapter and other official plans, ordinances and policies of the county. The technical review staff shall make recommendations to the Planning Staff including any recommendations received from other public officials and agencies reviewing the proposal that is concerned with new development.
- (5) The technical review staff at the sketch plan stage will generally consist of County Engineer, County Health Department, local VFD, ~~County Public Works Department,~~ County Water Department or water authority which is to service the proposed subdivision, Superintendent of Schools, State Department of Transportation, local power company, Sheriff's Office, Emergency Management Services (911), local Soil Conservation Service, and local phone company.
- (14) During the first regularly scheduled monthly meeting of the Board of Commissioners following recommendation by the Planning Board, the Board of Commissioners will set a public hearing meeting date to hear any and all remarks presented by the subdivider/developer, staff comments and recommendations, technical staff comments and others.
- (17) Upon conclusion of the public hearing, meeting, the Board of Commissioners may approve, approve conditionally, disapprove or table the request as set forth in the Board of Commissioner's rules of procedures and by state law. Because of the conceptual presentation involved, this shall not constitute an official action of approval of the subdivision for recordation ~~nor does approval of sketch plan constitute a vesting of development rights.~~ The reasons for a conditional approval or disapproval shall be placed in the record of the minutes of the proceedings.

(G) *Preliminary plat procedures.*

- (1) The purpose of the preliminary plat application is to provide the county with sufficient, detail information to indicate exactly what the developer intends to construct so that potential consequences can be predicted and evaluated. Following the determination of completeness of the information and the conference to consider alternative development plans (when necessary), the developer shall submit the required information, as listed in the chart on the preceding pages, along with a PUD review fee.
- (a) The subdivider shall submit copies of the preliminary plat and any accompanying material to those public officials and agencies concerned with new development a minimum of 30 ~~40~~ working days prior to submitting the preliminary plat application to the county. The Administrator will help to advise the subdivider concerning which agencies are applicable for a given proposal, but it will ultimately be the subdivider's responsibility to obtain the required permits and approvals
- (c) The technical review staff consists of County Engineer, County Health Department, local VFD, Fire Marshal, Soil Conservation Service, ~~County Public Works Department~~ Water Department or water authority which is to service the proposed subdivision, Coastal Management, U.S. Army Corps of Engineers, Superintendent of Schools, Department of Environment, Health and Natural Resources-Division of Land Resources-Land Quality Section, Division of Environmental Management-Groundwater Section, Division of Health Services (DHS), State Department of Transportation, Emergency Management Services (911), local power company, local phone company, as applicable, and other agencies as needed.
- (2) All construction permits and approvals must be obtained by the subdivider/ developer from all local, state and federal agencies requiring the approval of the development prior to submission of the preliminary plat for review by the Planning Board.
- (3) Upon submission of the required information, to be referred to as the preliminary plat application, the Administrator shall request of the Planning Board a date for hearing and review. A minimum of 30 ~~40~~ working days shall be required between date of submission and the date of the hearing. The Administrator shall review the application for completeness and indicate areas of insufficient information that shall be corrected. Nothing in this report shall constitute as acceptance of the plan of development. The developer shall cure any identified deficiencies in the report within 180 days of notice. Failure to correct identified deficiencies within the 180-day period shall render the application void. In the event that the developer does not accept the determination of insufficiency of information, appeal shall be to the Board of Commissioners for final decision.
- (7) During the first regularly scheduled monthly meeting of the Board of Commissioners following recommendation

by the Planning Board, the Board of Commissioners will set a formal public hearing date to hear testimony and receive evidence hear any and all remarks presented by the subdivider/developer, staff comments and recommendations, technical staff comments and others.

(8) During the second regularly scheduled monthly meeting of the Board of Commissioners following recommendation by the Planning Board, the Board of Commissioners will hold a formal public hearing to hear testimony and receive evidence presented by the subdivider/developer, staff, technical staff, and others. Upon conclusion of the public hearing, the Board of Commissioners may approve, approve conditionally, disapprove or table the application as set forth in the Board of Commissioner's rules of procedures and by state law.

(8 2) The Board of Commissioners shall review the same and approve, conditionally approve, disapprove or table the plan. The reasons for a conditional approval or disapproval shall be placed in the record of the minutes of the proceedings. Serious consideration shall be given not only to the design of the plat, but to the thoroughness with which the fiscal and environmental impact reports have identified and mitigated potential adverse effects.

(9 10) Upon receiving approval of the preliminary plat by the Board of Commissioners, the subdivider will receive a construction permit/letter from the Planning and Inspections Department. Construction permits/letters must be issued prior to any land disturbing activities commencing on the development. Construction permits/letters can be obtained when all required permits have been obtained by the subdivider, reviewed by the Administrator and meets or exceeds all requirements of this chapter. Failure to obtain the construction permit/letter prior to any land disturbing activities may be cause for revocation of preliminary plat approval by the Board of Commissioners. If the proposed plans substantially change, at the direction of the Administrator, modifications shall be reviewed by the Planning Board and Board of Commissioners, as a regular agenda item unless determined to be and handled as a new application; which shall require a public hearing.

(10 11) (A) Upon approval of the preliminary plat by the Board of Commissioners, the subdivider may proceed with the preparation of the final plat and the installation of or arrangement for required improvements in accordance with the approved preliminary plat and the requirements of this section. Prior to approval of a final plat, the subdivider shall have installed the improvements in accordance with the approved preliminary plat and the requirements of this chapter or guaranteed their installation as provided herein.

(B) If the proposed plans substantially change, at the direction of the Administrator, modifications shall be reviewed by the Planning Board and Board of Commissioners, as a regular agenda item. The Planning Board may recommend and the Board of Commissioners may determine that the change is of significant nature that requires the amendment to be and handled as a new application, which shall require a public hearing.

(11 12) Preliminary approval shall remain in force for two years following approval by the Board of Commissioners after which time it becomes null and void unless granted a written extension by the Board of Commissioners for a period not to exceed one year. The Board of Commissioners shall grant no more than one extension for a preliminary plat. No extension may be granted unless applied for before preliminary plat approval has expired. Renewal shall be in writing and at the option of the Board of Commissioners, with consideration given to any changes in conditions and regulations since the original approval was granted. Approval of the preliminary plat shall constitute authorization for the Administrator to issue a zoning permit to allow a temporary office trailer to be located within the PUD for the exclusive purpose of conducting the business of that development. The permit shall expire one year from the date of issuance, but may be renewed on an annual basis upon submission of evidence to the Administrator showing that the trailer is still being used as originally permitted. The unit shall be removed within 30 days of the expiration of the permit. The office trailer must not be an altered mobile or on-frame modular home.

(12 13) Preliminary plat approval shall in no way be construed as constituting an official action of approval for recording of the subdivision as required by this subchapter.

§ 151.312 COMMERCIAL SITE PLAN REQUIREMENTS.

(A) A site plan for all non-residential development shall be submitted to the county for review prior to issuance of required building permits.

§ 151.329 ACCESSORY USES.

(A) (1) The table of § 151.334 classifies different principal uses according to their different impacts. Whenever an activity is conducted in conjunction with another principal use and the former use:

- (a) Constitutes only an incidental or insubstantial part of the total activity that takes place on a lot; or
- (b) Is commonly associated with the principal use and integrally related to it, then the former use may be regarded as accessory to the principal use and may be carried on underneath the umbrella of the permit issued for the principal use.

(2) For example, a country club is customarily associated with and integrally related to a residential subdivision or multi-family development and would be regarded as accessory to the principal uses, even though the facilities, if developed apart from a residential development, would require a conditional special use permit (use classification 6.210).

§ 151.332 COMBINATION USES.

(C) Apartments, condominiums and townhouses are permitted in the CCD and MC districts pursuant to a special use permit. Dwelling units may only be located above spaces in the same building where the space below the dwelling unit is used for commercial purposes. In addition to any other requirements of law, such residential units are restricted as follows:

- (1) No part of the dwelling unit shall be less than 12 feet above grade;
- (2) No structure may be permitted where the space wholly or substantially in part underneath each and every dwelling unit is not designed and overtly intended to be used for commercial purposes.
- (3) Minimum parking standards shall apply, except that the total number of parking spaces may be reduced up to 25% upon acceptance by the approving authority that the structure does not lend itself to needing all of the commercial and residential parking spaces at most times during the day and night.
- (4) ~~There shall be no interior hallways serving more than a single, individual dwelling unit.~~

CONDITIONAL AND SPECIAL USES

§ 151.346 GENERAL STANDARDS.

(B) Even if the permit issuing board finds that the application complies with all other provisions of this chapter, it may still deny the permit if it concludes, based upon the information submitted at the hearing, that if completed as proposed, the development, more probably than not:

- (1) Will materially endanger the public health or safety;
- (2) Will substantially injure the value of adjoining or abutting property;
- (3) Will not be in harmony with the particular neighborhood or area in which it is to be located (even though the proposed use and surrounding uses are generally permissible in the same district and therefore usually compatible);
- (4) Will not be in general conformity with the land use plan, thoroughfare plan or other plan officially adopted by the board; or
- (5) Will 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. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate. The facilities must be in place or programmed to be in place within two years after the initial approval of the sketch plan. In the case of subdivision and multi-family development at the sketch plan/special-use, preliminary plat (*special use permit*) or final plat stage, the Board of Commissioners may establish time limits on the number of lots/units available for development to assure adequate public facilities are available in accordance with § 151.510.

§ 151.347 SPECIFIC STANDARDS.

- (C) Recreation grounds, but not a recreation campground may be permitted provided that the following conditions are met:
 - (1) Minimum area for creation of a recreation ground shall be 20 acres under single ownership or control.
 - (2) Recreation grounds must be operated by a non-profit group.
 - (3) Cottages, cabins or dormitory buildings must be constructed of such a nature that they will not be feasibly adaptable for year round occupancy.
 - (4) The minimum size of cottage, cabin or dormitory building shall be not less than 640 square feet.
 - (5) There shall be a buffer of not less than 100 feet between all building and the nearest property line.
 - (6) The facilities shall not accommodate more than ten persons per acre for overnight occupancy.
 - (7) A site plan drawn to scale shall be presented to the Board of Adjustment Commissioners with other supporting materials for approval.
- (D) Recreation campgrounds:
 - (1) Recreation campgrounds are permitted only with a special use permit in accordance with § 151.334 GUD districts. The following uses are permitted:
- (E) Conditional and special use standards for light industrial zoned districts.
 - (1) A 20-foot buffer, in addition to the side and rear setbacks, shall be required where the use abuts residential use or a residential zone. The buffer may be reduced to ten feet where substantial vegetation or opaque fencing at least six feet high is present.
 - (2) Buffer and setback areas in the side and rear may not be used for parking.
 - (3) No open storage shall be permitted. All materials, supplies or products shall be stored under roof or shall be screened from view with opaque fencing. This shall not apply to finished products presented in the open for display and sale.
 - (4) Light industrial use must include retail sales on the premises.
 - (5) The use shall not generate more noise, smoke, odor, fumes, vibrations or other disturbance than is characteristic of permitted business uses located within 1,000 feet in any direction when observed, measured or monitored from the closest property line. In cases where the monitoring, measuring or observation is required, it shall be the responsibility of the applicant to provide adequate information to the Board of Adjustment Commissioner
 - (6) In no case shall any use listed in the table set forth in § 151.334, as permissible only within the I-2 zoning district, be permissible within any commercial zoning district.
- (H) Bed and Breakfast Located Within a Residential District.
 - (1) The building that houses the dwelling unit may not be expanded by more than 10% of its original floor area, nor may rooms for rent be added onto or created within accessory buildings.
- (J) ~~Class B manufactured homes may be placed temporarily on a lot upon which a permanent single-family dwelling is to be built in the R-1 district. No manufactured home shall remain on the lot for more than five years with an allowance of 2 one-year extensions upon annual approval by the Board of Adjustments. All property owners within 500 feet of the lot, as shown on the county tax records, must give approval of the initial temporary use request. Reserved for future use.~~
- (P) Flea Markets
 - (1) Off-street parking shall be provided with a minimum of three spaces per stand or rented space.
 - (2) Sanitary facilities shall be provided with facilities for both the male and female gender.
 - (3) There shall be provisions for garbage or trash removal for each day the flea market is open to the public.
 - (4) Hours of operation shall be determined by the Board of Adjustment Commissioners.
 - (5) All rental spaces and buildings shall maintain a 50-foot setback from all residentially used property lines and meet the setbacks for principle uses along all other property lines.
- (Q) Land application of commercial sludge and commercial septage is permitted only with a special use permit in GUD I-1 and I-2 districts provided the following conditions are met.
 - (1) A permit must be obtained by the applicant from the appropriate county or state agency which has authority to issue required permits prior to land application of sludge or septage.

- (2) All conditions stated in the appropriate county or state permit shall be strictly adhered to.
- (3) The special use permit may or may not be issued by the Board of Adjustment Commissioners after conducting an advertised public hearing to hear all matters regarding this application.
- (4) This special use permit requirement shall be limited to commercial operations of land application of sludge and septage.
- (5) The site shall be inspected by the local Health Department every two months. Further, septage operations shall have soil tested annually. Soil shall be tested semi-annually if lime is used for stabilization.
- (6) "No Trespassing" signs shall be posted at access roads or paths crossing or leading to the disposal area and a legible sign of at least two feet by two feet stating, "Septage" or "Sludge Disposal Area" shall be posted at the entrance to the disposal area.
- (7) Land application of sludge shall occur only during daylight hours. Septage shall be applied so as to have no standing surface collection of liquid within 24 hours after application.
- (13) In addition to the setbacks required by the appropriate state agency, the following setbacks and other standards are required:
 - (a) For commercial sludge:
 - 1. Within 1,000 feet to 1,500 feet of an existing residential or commercial structure: 1,000 feet setback with appropriate vegetated/woodland buffer as deemed suitable by the Board of Adjustments Commissioners.
 - 2. Within 1,500 feet to 2,000 feet of an existing residential or commercial structure: vegetated/woodland buffer may be required by the Board of Adjustments Commissioners.
- (S) The following minimum development standards shall apply to all shooting ranges which utilize firearms:
 - (1) Use is only permitted with the issuance of a special use permit.
 - (2) The use is allowed within the HC, GUD, I-1 and I-2 districts with the issuance of a special use permit.

~~(T) Home-based commercial fishing.~~

§ 151.363 EXTENSION OR ENLARGEMENT OF NONCONFORMING SITUATIONS.

- (E) Notwithstanding division (A) above:
 - (1) Any structure used for single-family residential purposes (other than a Class "B" or "C" mobile home) may be enlarged or replaced with a similar structure so long as the enlargement or replacement does not create new nonconformities or increase the extent of existing nonconformities with respect to such matters as setback and parking requirements.
 - (2) A nonconforming Class "B" or "C" mobile home (located outside a mobile home park) may be replaced with a Class "B" mobile home that was manufactured in the same year or later than the home being replaced and is as large or larger than the home being replaced, so long as:

BUILDING INSPECTIONS AND PERMITS

§ 151.431 INSPECTION PROCEDURE.

The inspection procedure is as follows:

- (A) Excavation for footing: request inspection after footing has been dug, grade stakes have been installed and before foundation is poured;
- (B) Foundation: foundation/piers must be visible and free from all dirt and debris;
- (C) Floor joist: call before concealment; (elevation certificate required if in flood zone within 10 days of inspection.)
- (D) Nailing/sheathing: nailing pattern: 6" vertical seams, 3" horizontal, blocking and gable seams, 12" field, 3" stitch pattern if wall sheathing is used as structural tie.
- ~~(D E)~~ Rough in: includes framing, electrical, plumbing and mechanical; request inspection before concealment; (The air/water tests must be active for this inspection.)
- ~~(E F)~~ Insulation: after all rough-ins have been inspected and approved, insulate and request inspection before concealment;
- ~~(F G)~~ Pre-final: all work complete, ready for permanent power, elevation certificate required if in a flood zone prior to inspection; and
- ~~(G H)~~ Final: inspector will test all electrical circuits and issue certificate of occupancy.

§ 151.432 ADMINISTRATIVE.

- (A) A building permit may be purchased after:

- (1) Septic approval permit has been obtained from the local Health Department;
- (2) All taxes on the property due have been paid;
- (3) Zoning approval has been obtained from the County Planning Department; and
- (4) Plan approval acceptance.

§ 151.463 VOTING.

(G) For the purposes of this section, vacant positions on the board and members who are disqualified from voting on a quasi-judicial matter shall not be considered members of the board for calculation of the requisite supermajority if there are no qualified alternates available to take the place of such members.

§ 151.496 NO OCCUPANCY, USE OR SALE OF LOTS UNTIL REQUIREMENTS FULFILLED.

(A) (1) Issuance of a conditional use, special use or zoning permit authorizes the recipient to commence the activity resulting in a change in use of the land or, subject to obtaining a building permit, to commence work designed to construct, erect, move or substantially alter buildings or other substantial structures or to make necessary improvements to a subdivision.

(2) However, except as provided in this subchapter, the intended use may not be commenced, no building may be occupied, and no streets may be paved, and ~~in the case of subdivisions, no lots may be sold~~ until all of the requirements of this chapter and all additional requirements imposed pursuant to the issuance of a conditional use or special use permit have been complied with.

(3) In the case of subdivisions, no lots may be sold until all of the requirements of this chapter and all additional requirements imposed pursuant to the issuance of a conditional or special use permit have been complied with, except as in accordance with G.S. 153A-334.

(B) For purposes of this section, a lot is sold when title is transferred.

§ 151.498 APPLICATIONS TO BE COMPLETE.

(A) All applications for zoning, special use, conditional use, or sign permits must be complete before the permit issuing authority is required to consider the application. All special use permit applications, with the exception of a SUP for a major subdivision, and all conditional use permit applications shall be submitted no later than ~~15~~ 20 working days prior to the scheduled meeting at which they are to be heard.

§ 151.499 STAFF CONSULTATION BEFORE FORMAL APPLICATION.

(C) Following submittal of the sketch plan and other materials to the Administrator, the Administrator shall meet with the developer to review the sketch plan. The application ~~for a special use permit~~ for a project requiring sketch plan review may not be submitted until after the meeting.

§ 151.509 ADDITIONAL REQUIREMENTS ON SPECIAL USE AND CONDITIONAL USE PERMITS.

(D) In the case of subdivision and multifamily development at the sketch plan/~~special use~~, preliminary plat/special use, or final plat stage, the Board of Commissioners may establish time limits on the number of lots/units available for development to assure adequate public facilities are available.

§ 151.513 ZONING VESTED RIGHT.

(B) For purposes of these regulations, a site specific development plan shall constitute any one of the following approvals:

- (1) Conditional use permit granted by the Board of Adjustment;
- (2) Special use permit granted by the Board of Commissioners, except for subdivisions;
- (3) For subdivisions requiring approval by the Board of Commissioners, a preliminary plat ~~or final plat when a sketch plan is not required~~; and
- (4) Approval of a commercial site plan by the Board of Commissioners.

§ 151.531 VARIANCES.

(A) An application for a variance shall be submitted to the Board of Adjustment by filing a copy of the application in the office of the Administrator. Applications shall be handled in the same manner as applications for conditional use permits.

(B) A variance may be granted by the Board of Adjustment if it concludes that strict enforcement of this chapter would result in practical difficulties or unnecessary hardships for the applicant and that, by granting the variance, the spirit of the chapter will be observed, public safety and welfare secured and substantial justice done. It may reach these conclusions if it makes detailed written findings that:

- (1) If the applicant complies strictly with the provisions of this chapter, he or she can make no reasonable use of his or her property;
- (2) The hardship of which the applicant complains is one suffered by the applicant rather than by neighbors or the general public;
- (3) The hardship relates to the applicant's land, rather than personal circumstances;
- (4) The hardship is unique, or nearly so, rather than one shared by many surrounding properties;
- (5) The hardship is not the result of the applicant's own actions; and

(6) ~~The variance will neither result in the extension of a nonconforming situation in violation of §§ 151.360 through 151.368 nor authorize the initiation of a nonconforming use of land. The variance will not result in the initiation of a nonconforming use of land.~~

§ 151.536 BOARD ACTION ON APPEALS AND VARIANCES.

(B) Before granting a variance, the Board must take a separate vote and vote affirmatively, by a four-fifths majority, on ~~each of the six required~~ findings stated in § 151.531(B). A motion to make an affirmative finding on ~~each of the~~ requirements set forth in § 151.531(B) shall include a statement of the specific reasons or findings of fact supporting the motion. In granting a variance, the Board shall make detailed written affirmative findings ~~for each of the~~ requirements set forth in § 151.531(B), which written findings shall be incorporated into the minutes of the meeting during which the variance was granted.

(C) A motion to deny a variance may be made on the basis that any one or more of the six criteria set forth in § 151.531(B) are not satisfied or that the application is incomplete. A motion shall include a statement of the specific reasons or findings of fact that support it. This motion is adopted as the Board's decision if supported by more than one member, which is one regular member or alternate sitting in lieu thereof.

§ 151.550 HEARING REQUIRED ON APPEALS AND APPLICATIONS.

(B) Subject to division (C) below, the hearing shall be open to the public and all persons interested in the outcome of the appeal or application shall be given an opportunity to present evidence, offer testimony and arguments and ask questions of persons who testify.

(C) The Board of Adjustment or Board of Commissioners may place reasonable and equitable limitations on the presentation of evidence and arguments and the cross examination of witnesses so that the matter at issue may be heard and decided without undue delay.

§ 151.552 EVIDENCE.

(A) The provisions of this section apply to all hearings for which a notice is required by § 151.550.

(B) All persons who intend to present evidence to the permit issuing board, ~~rather than arguments only,~~ shall be sworn.

(C) All findings and conclusions necessary to the issuance or denial of the requested permit or appeal (crucial findings) shall be based upon reliable, relevant, and competent evidence. Competent evidence (evidence admissible in a court of law) shall be preferred whenever reasonably available, but in no case may crucial findings be based solely upon incompetent evidence unless competent evidence is not reasonably available, the evidence in question appears to be particularly reliable and the matter at issue is not seriously disputed.

§ 151.585 ULTIMATE ISSUE BEFORE BOARD ON AMENDMENTS.

(C) In particular, when considering proposed map amendments:

(1) The Board shall not rely upon any representations made by the petitioner that, if the change is granted, the rezoned property will be used for only one of the possible range of uses permitted in the requested classification. Rather, the Board shall consider whether the entire range of permitted uses in the requested classification is more appropriate than the range of uses in the existing classification.

(2) The Board shall not regard as controlling any advantages or disadvantages to the individual requesting the change, but shall consider the impact of the proposed change on the public at-large.

(3) Prior to adopting or rejecting any zoning amendment, the governing board shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the board considers the action taken to be reasonable and in the public interest. That statement is not subject to judicial review.

§ 151.600 DEFINITIONS OF BASIC TERMS.

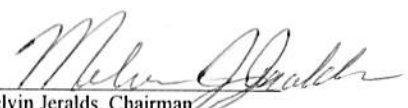
For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

MOBILE HOME, CLASS B. A mobile home constructed after July 1, 1976 ~~1994~~ that meets or exceeds the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction, but that does not satisfy the criteria necessary to qualify the house as a Class A mobile home. For floodplain management, see the definition for "manufactured homes" in lieu of this definition.


MOBILE HOME, CLASS C. Any mobile home that does not meet the definitional criteria of a Class A or Class B mobile home. Class C mobile homes are mobile homes constructed prior to July 1, 1976 ~~1994~~, and may not be relocated within any zoning district, but may be relocated to an established mobile home park or mobile home subdivision within the county. **CLASS C MOBILE HOMES** are further defined as including only those mobile homes located within the boundaries of the county as of January 1, 1998. No **CLASS C MOBILE HOME** from an area outside the county shall be permitted in the county after the effective date of this chapter. For floodplain management, see the definition for "manufactured homes" in lieu of this definition.

Adopted by the Board of Commissioners for the County of Camden this 1st day of May, 2006.

(SEAL)


Melvin Jeralds, Chairman
Board of Commissioners

ATTEST:


Ava Murgia
Clerk to the Board

Ordinance No. 2006-04-01 – Rezoning Application – E & J Holdings – UDO 2006-01-49

Commissioner Clayton Riggs made a motion to approve Ordinance No. 2006-04-01. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Approved Ordinance No. 2006-04-01 reads as follows:

Ordinance No. 2006-04-01

**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 properties currently shown in the Camden County Tax Assessor's Office as PIN's 02-8929-00-71-3189 is hereby rezoned from General Use District (GUD) to Light Industrial (I-1).

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 1st day of May, 2006.

(SEAL)


Melvin Jeralds, Chairman
Camden County Board of Commissioners

ATTEST:


Ava Murgia
Clerk to the Board

Ordinance No. 2006-04-02 – Proposed Ordinance Amending Chapter 51 of the Camden County Code of Ordinances

Commissioner Jeffrey Jennings made a motion to approve Ordinance No. 2006-04-02. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Ordinance No. 2006-04-02

**A Proposed Ordinance
Amending the Camden County**

Code of Ordinances

Camden County, North Carolina

BE IT ORDAINED BY THE CAMDEN COUNTY BOARD OF COMMISSIONERS as follows:

Article I: Purpose

The purpose of this Ordinance is to amend the Chapter 51 of the Camden County Code of Ordinances of Camden County, North Carolina, which was originally adopted by the County Commissioners on July 20, 1992, and subsequently amended and as otherwise incorporated into the Camden County Code.

Article II. Construction

For purposes of this Ordinance, underlined words (underline) shall be considered as additions to existing Ordinance language and strikethrough words (~~strikethrough~~) shall be considered deletions to existing language. New language of proposed ordinance shall be shown in italics (*italics*) and underlined.

Article III. Amend Chapter 51 as amended of the Camden County Code
which shall read as follows:

§ 51.03 STORAGE AND DISPOSAL.

(K) *All construction sites shall have an approved construction debris container on site, with a means of covering openings to keep debris from falling or blowing out of container. All construction debris shall be placed in container at the end of each work day.* Construction waste must be disposed of at disposal sites approved and permitted by the Department.

Adopted by the Board of Commissioners for the County of Camden this 1st day of May, 2006.

(SEAL)


Melvin Jeralds, Chairman
Board of Commissioners

ATTEST:


Ava Murgia
Clerk to the Board

Christy Saunders - Resolution No. 2006-05-01 A Resolution For The Adoption of the National Incident Management System

Emergency Management coordinator Christy Saunders stated Resolution No. 2006-05-01 is due to past disasters and 9-11, directed from the President and Governor for adoption, and is a standardized procedure for managing personnel, communications, facilities and resources to utilize federal funding to enhance local and state readiness.

Mrs. Saunders invited the Board to the 2006 Emergency Officials Preparedness Conference on May 12, 2006 at the Corinth Baptist Church in Elizabeth City.

Commissioner Mike Andrews made a motion to approve Resolution No. 2006-05-01. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Approved Resolution No. 2006-05-01 reads as follows:

Resolution No. 2006-05-01

**A RESOLUTION OF THE CAMDEN COUNTY BOARD OF COMMISSIONERS
FOR THE ADOPTION OF THE
NATIONAL INCIDENT MANAGEMENT SYSTEM**

WHEREAS, the President of the United States in Homeland Security Directive (HSPD)-5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State, local, and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity;

WHEREAS, the collective input and guidance from all Federal, State, local, and tribal homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS;

WHEREAS, it is necessary and desirable that all Federal, State, local and tribal emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management;

WHEREAS, to facilitate the most efficient and effective incident management it is critical that Federal, State, local, and tribal organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters;

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the County's ability to utilize federal funding to enhance local and state agency readiness, maintain first responder safety, and streamline incident management processes;

WHEREAS, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the County as required by the Pasquotank-Camden-Elizabeth City Emergency Operations Plan;

WHEREAS, the National Commission on Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System;

NOW, THEREFORE BE IT FUTHER RESOLVED, that the Camden County Board of Commissioners, on May 1, 2006, hereby establishes the National Incident Management System as the local standard for the management of routine and catastrophic emergencies.

(SEAL)


Melvin J. Jeralds, Chairman
Camden County Board of Commissioners

ATTEST:


Aya Murgia
Clerk to the Board

Tax Office - Tax Releases, Refunds, Refunds and Pick Ups

Commissioner Clayton Riggs made a motion to approve the following tax releases, refunds and pick ups as submitted by the Tax Administrator. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

David Kight	126.42	Release	Turned in Plates
Fredrick Higginbotham	107.13	Release	Turned in Plates
Kenneth Southern	228.83	Release	Military Exempt
Mark Baylis	231.23	Pick Up	Listed in Wrong County
Robert Duncan	210.88	Pick Up	Listed in Wrong County
Robert Duncan	33.31	Release	Listed in Wrong County
	210.88	Pick Up	
Christopher Andrews	76.12	Release	Listed in Wrong County
	197.20	Pick Up	
Earl Bass II	143.44	Refund	Commercial Plates

Revaluation Update – Bob Pearson – Pearson Appraisals

Mr. Pearson introduced Markham Wheatley who will be reviewing all parcels, is responsible for collection of data, and will be sitting through any hearing. Mr. Pearson stated they are on schedule and will complete the initial phase of going out to the properties to measure and do digital pictures by next week. The next step is data entry. Neighborhoods have been broken down. Mr. Pearson stated that the Schedule of Values would be presented in July for the Board to adopt. All market value appraisals will be posted on the internet.

Commissioner Clayton Riggs asked when the data could be seen on the website.

Mr. Pearson stated that by the first of 2007 after the notices are mailed to the property owners the information will be on the website.

Commissioner Clayton Riggs asked if a FROG is included in the estimate of the house.

Mr. Pearson stated yes.

Commissioner Clayton Riggs asked who takes the picture of the property and when is it taken.

Mr. Pearson stated when his personnel measure the property pictures are taken at that time or when Mr. Wheatley reviews the data and there is not a picture of the property, then Mr. Wheatley will go out and take a picture at that time.

Commissioner Mike Andrews questioned if Mr. Pearson did back ups of the information in another location.

Mr. Pearson stated that the computer system does a back up and Tax Administrator Mary Rhodes stated there is a back up in Minnesota with the software company.

Commissioner Mike Andrews asked if they do a whole neighborhood or a few houses and then come back.

Mr. Pearson stated the whole neighborhood but some surveys were done on property sales.

Finance Office - Budget Amendment – 2005-06-BA034

Commissioner Carolyn Riggs made a motion to approve budget amendment 2005-06-BA034. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

2005-06-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, 2006.

Section 1. To amend the General Fund, the expenditures are to be changed as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
105150-574000	Capital Outlay	\$2,000.00	
109990-500000	Contingency		\$2,000.00
	Law Library Bookshelves		

This will result in a decrease of \$2,000.00 in the Contingency of the General Fund.

Balance in Contingency \$17,717.

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 May, 2006.


Clerk to the Board of Commissioners


Chairman, Board of Commissioners

Set Public Hearing – Hazard Mitigation Plan

Commissioner Clayton Riggs made a motion to set public hearing for the Hazard Mitigation Plan on Monday, May 15, 2006 at 7:00 p.m. or as soon thereafter as the agenda allows. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Set Public Hearing – FY2006-2007 Budget Hearing

Commissioner Carolyn Riggs made a motion to set public hearing for the FY2006-2007 Budget on Monday, May 22, 2006 at 7:00 p.m. or as soon thereafter as the agenda allows. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Set Public Hearing – Special Use Permit Application – UDO 2006-03-48 Home Occupation – Shawna Robertson

Commissioner Mike Andrews made a motion to set public hearing on UDO 2006-03-48 Home Occupation – Shawna Robertson on Monday, May 15, 2006 at 7:00 p.m. or as soon thereafter as the agenda allows. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Set Public Hearing – Special Use Permit Application – UDO 2006-03-59 – Private Airport – E & J Holdings

Commissioner Mike Andrews made a motion to set public hearing on UDO 2006-03-59 Private Airport – E & J Holdings, on Monday, May 15, 2006 at 7:00 p.m. or as soon thereafter as the agenda allows. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Board Appointment – South Mills Fire Commission

On March 21, 2006 Pam Boyd tendered her resignation, effective immediately, as Fire Commissioner. Ms. Boyd plans to continue as a volunteer firefighter.

Fire Chief Kenny Swinson recommended Mr. Robert Morgan to fill the unexpired term of Pam Boyd, which will expire on 12-01-2006.

Commissioner Clayton Riggs made a motion to appoint Robert Morgan as Fire Commissioner to fill the un-expired term of Pam Boyd which will expire on December 1, 2006. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Legal Services Contract – Herbert T. Mullen, Jr.

Commissioner Jeffrey Jennings made a motion to approve the legal services contract with Herbert T. Mullen Jr. for services performed on the USDA Rural Development loan, at \$125.00 an hour, not to exceed \$5,000.00 and to be billed monthly. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Resolution No. 2006-05-04 Relating to the 2006 Clean Water Bond Resolution

The Albemarle Commission requested approval of a resolution by May 10 so that they can submit the resolutions together to show regional support.

Commissioner Mike Andrews made a motion to approve Resolution No. 2006-05-04. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Approved Resolution No. 2006-05-04 reads as follows:

Resolution No. 2006-05-04

**A RESOLUTION OF THE CAMDEN COUNTY BOARD OF COMMISSIONERS
RELATING TO THE 2006 CLEAN WATER BOND RESOLUTION**

WHEREAS, North Carolina's continued prosperity depends on protecting the state's water resources for current use and future generations; and

WHEREAS, North Carolina is expected to grow by 3.5 million people to exceed 12 million by the year 2030, placing pressures on the state's water resources and local water providers; and

WHEREAS, the 1998 Clean Water Bonds delivered significant benefits to North Carolina communities and citizens, supporting 1,103 projects in 97 counties, which

- helped create or retain 42,000 jobs
- corrected major regulatory violations in 97 communities
- addressed failing septic systems and contaminated wells in 59 counties
- resulted in 50 communities receiving sewer service for the first time
- encouraged regional efficiencies, sound planning and conservation practices; and

WHEREAS, North Carolina's public water, sewer and stormwater utilities will require investments totaling \$16.63 billion to keep pace with necessary improvements and population growth over the next 25 years, including \$6.85 billion in investments within the next five (5) years.

NOW, THEREFORE BE IT RESOLVED, that the Camden County Board of Commissioners urges the North Carolina General Assembly to enact a \$1 billion bond bill in the 2006 session to fund construction and repair of urgently needed water, sewer and stormwater facilities.

BE IT FURTHER RESOLVED, this the 1st day of May, 2006, that the Camden County Board of Commissioners calls upon the Governor and the General Assembly to activate the State Water Infrastructure Commission to address the state's long-term water infrastructure needs with a visionary plan for sustained funding of water, sewer and stormwater system improvements.

(SEAL)


Melvin J. Jeralds, Chairman
Camden County Board of Commissioners

ATTEST:


Ava Murgia
Clerk to the Board

Urgent Needs Grant – Grant Administrator Contract with Skip Green

The South Camden Water and Sewer District received a \$600,000.00 Urgent Needs Grant from the Division of Community Assistance. A grant administrator is required and Skip Green has submitted a contract to provide CDBG project administration services for \$10,000.00, paid on a monthly basis, using local funds.

Commissioner Clayton Riggs made a motion to approve the grant administrator contract for the CDBG Urgent Needs contract with Skip Green. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

County Manager's Report

The County Manager reported on upcoming events and on past events, proposals were received for the work to create a parking lot on the Morrisette property and proposals for the addition to the Register of Deeds office will be presented to the Board at the May 15, 2006 meeting.

Amendment to Agenda – South Camden Water & Sewer District Board of Directors

Chairman Jeralds amended the agenda to add South Camden Water and Sewer District Board of Directors meeting in order to hear a report from the County Manager regarding the sewer project permit update and to compliment the Water Department for their hard work to repair the water main on Seymour Road on Wednesday, April 28, 2006.

Member Mike Andrews made a motion to go into the South Camden Water and Sewer District Board of Directors meeting. The motion passed with Members Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Member voting no; no Member absent; and no Member not voting.

The County Manager stated that the sewer project permits will be issued May 5, 2006 and the project will be sent out for bids the second week of May.

The County Manager publicly complimented the Water Department for their hard work to repair a break in the water main line on Seymour Road on Wednesday, April 28, 2006.

No other business was discussed.

Adjournment

Member Mike Andrews made a motion to adjourn the South Camden Water and Sewer District Board of Directors meeting. The motion passed with Members Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Member voting no; no Member absent; and no Member not voting.

The meeting adjourned at 8:24 p.m.

Closed Session

Commissioner Jeffrey Jennings made a motion to go into closed session pursuant to G.S. 143-318.11(a)(3) to consult with the attorney regarding the suit brought by the City of Chesapeake, the Lewis Family Ltd. Partnership, Camden County Action League, William Bland and wife Tracy Bland, Mike Elliot and wife Mary Lu Elliot, Lokie Flythe Jr. and wife Dawn Flythe, Marvin Myers, Robert E. Nobles, David Kravhak, and Richard Light Jr. against Camden County, the Camden County Board of Commissioner individually, and the County Manager. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The Commissioners entered closed session at 8:25 p.m.

Commissioner Clayton Riggs made a motion to come out of closed session and back into regular session. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The Commissioners re-entered regular session at 9:24 p.m.

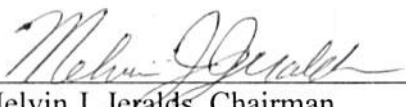
Upon entering regular session, Chairman Melvin Jeralds called for any motions.

Hearing no motions, Chairman Melvin Jeralds proceeded with the meeting.

Adjourn

Commissioner Jeffrey Jennings made a motion to adjourn the meeting. The motion passed with Commissioners Jeffrey Jennings, Carolyn Riggs, Clayton Riggs, Mike Andrews and Chairman Jeralds voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The meeting adjourned at 9:24 p.m.



Melvin J. Jeralds, Chairman
Camden County Board of Commissioners

ATTEST:



Ava Murgia, Clerk to the Board