

Camden County Board of Commissioners

Regular Meeting

April 18, 2005

7:00 P.M.

**Camden County Courthouse
Camden, North Carolina**

MINUTES

The regular meeting of the Camden County Board of Commissioners was held Monday, April 18, 2005 at 7:00 p.m. in the Camden County Courthouse, Courthouse Complex.

The following members were present:

Chairman Melvin J. Jeralds
Vice Chairman Clayton D. Riggs
Commissioners Jeffrey B. Jennings, Carolyn Riggs, and Mike Andrews
County Manager Randell Woodruff
Clerk to the Board Ava Murgia

Also attending was Attorney Herbert Mullen, Planning Director Dan Porter, Finance Officer Clarann Mansfield, James Bowen of Hobbs UpChurch, and Tax Administrator Mary Rhodes.

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

Public Comments

Chairman Jeralds called for any comments from the public.

John Thompson, 132 Country Meadows Drive, stated that the current Board of Commissioners is doing a fantastic job regarding the sewer treatment plant and spoke on the following issues: uncontrolled growth, impact fees, increase in taxes, building of the sewer plant and school, and balancing the budget. Mr. Thompson stated that the engineering firm that did the design and site suitability study for the Black Bear Landfill is no longer on the project.

There being no further comments from the public, Chairman Jeralds proceeded with the meeting.

Consideration of Minutes – March 28, 2005 Joint Meeting with the Jail Commission and April 4, 2005 Regular Meeting

Commissioner Carolyn Riggs made a motion to approve the minutes of the March 28, 2005 Joint Meeting with the Jail Commission and April 4, 2005 regular meeting, subject to correction of typographical and technical errors. The motion passed with Chairman Jeralds, Commissioners Jennings, Carolyn Riggs, Clayton Riggs and Andrews voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Consideration of Agenda

Chairman Jeralds called for any amendments to the agenda.

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

Public Hearing – Special Use Permit Application – UDO2003-02-37 – Tar Corner Village – Preliminary Plat

Commissioner Clayton Riggs made a motion to go into public hearing to receive comments from the public regarding UDO2003-02-37.

At the April 4, 2005 Commissioners meeting this matter was set for public hearing and advertised in the Daily Advance.

The Planning Board met on March 16, 2005 and voted 5-1 to recommend approval for this application, with conditions as recommended by staff.

Chairman Jeralds called for any comments from the public.

Ed Hyman and Kim Hamby, Hyman & Robey, were present to answer any questions.

Don Lee Keaton, 103 Conner Farm Road, spoke regarding drainage issues.

Hearing no objections, Chairman Jeralds so ordered Mr. Hyman to address the drainage issues and present the changes to the Board at a later date.

Hearing no further comments from the public, Commissioner Clayton Riggs made a motion to close public hearing regarding UDO2003-02-37. The motion passed with Chairman Jeralds, Commissioners Jennings, Carolyn Riggs, Clayton Riggs and Andrews voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Public Hearing – Ordinance No. 2005-04-01 – Subdivision Moratorium Extension

Commissioner Andrews made a motion to go into public hearing to receive comments from the public regarding Ordinance No. 2005-04-01. The motion passed with Chairman Jeralds, Commissioners Jennings, Carolyn Riggs, Clayton Riggs and Andrews voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Planning Director Dan Porter stated the current subdivision moratorium expires on May 12, 2005. The Planning Board recommended approval 6-1.

At the April 4, 2005 Commissioners meeting this matter was set for public hearing and advertised in the Daily Advance.

Chairman Jeralds called for any comments from the public.

John Thompson, 132 County Meadows Drive, spoke in favor of the subdivision moratorium extension.

Hearing no further comments from the public, Commissioner Andrews made a motion to close public hearing regarding Ordinance No. 2005-04-01. The motion passed with Chairman Jeralds, Commissioners Jennings, Carolyn Riggs, Clayton Riggs and Andrews voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Sewer Update

County Manager Randell Woodruff reviewed a power point presentation on current funding for the sewer system.

Following discussion, no action was taken.

Animal Ordinance

At the February 21, 2005 Commissioner's meeting, a citizen requested the county establish an ordinance requiring owners to provide water, food and shelter for animals.

At the March 21, 2005 Commissioner's meeting, Planning Director Dan Porter stated he had reviewed surrounding county's animal ordinances, and was directed to draft amendments to the existing Animal Control Ordinance for the Board's review.

Planning Director Dan Porter reviewed the draft of the amended animal ordinance.

Commissioner Carolyn Riggs stated that *Item E. Civil Penalties* should be higher, and to include not allowing dogs to run at large, day or night.

Commissioner Clayton Riggs made a motion to set A Proposed Ordinance Amending the Camden County Code of Ordinances Article 93 for public hearing on May 16, 2005 at 7:00 p.m. or as soon thereafter as the agenda allows. The motion passed with Chairman Jeralds, Commissioners Jennings, Carolyn Riggs, Clayton Riggs and Andrews voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Franchise Permit – Ambulance Service

On September 20, 2004 the Commissioners approved, per the recommendations of Dean Schaan, an Ambulance Service Franchise Permit with Harrell Medical Transport, Inc. to provide ambulance transports.

When the Pasquotank Board of Commissioners reviewed the Ambulance Service Franchise Permit several changes were noted.

According to G.S. 153A-46: *"No ordinance making a grant, renewal, extension, or amendment of any franchise may be finally adopted until it has been passed at two (2) regular meetings of the Board of Commissioners. No such grant, renewal, extension, or amendment may be made except by ordinance."*

Commissioner Clayton Riggs made a motion to approve the amendments made by Pasquotank County to the Ambulance Service Franchise Permit. The motion passed with Chairman Jeralds, Commissioners Jennings, Carolyn Riggs, Clayton Riggs and Andrews voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Carolyn Riggs made a motion to adopt the Ambulance Service Franchise Permit as the first adoption and set on the agenda for May 2, 2005 at 7:00 p.m. or as soon thereafter as the agenda allows for final adoption. The motion passed with Chairman Jeralds, Commissioners Jennings, Carolyn Riggs, Clayton Riggs and Andrews voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Code Enforcement

Code Enforcement Officer Kim Harris was present to answer any questions.

Commissioner Clayton Riggs questioned the status of Stanley Lane.

Ms. Harris reported that the owners are in the process of removing asbestos flooring and she is waiting to hear from Chief Robbie Tarkington as to when the fire department will proceed.

Consideration of Special Use Permit Application – UDO2003-02-37-Tar Corner Village

Commissioner Jennings stated for future protection of the residents, the drainage issues need to be addressed in writing on the special use permit.

Hearing no objections, Chairman Jeralds so ordered Mr. Ed Hyman to work with Mr. Keaton, Mr. Ray Albertson and Dave Parks to address the drainage issues, and bring the changes back to the Board for further review.

Consideration Of Ordinance No. 2005-04-01 – Subdivision Moratorium Extension

Commissioner Carolyn Riggs made a motion to approve Ordinance No. 2005-04-01 Subdivision Moratorium Extension. The motion passed with Chairman Jeralds, Commissioners Jennings, Carolyn Riggs, Clayton Riggs and Andrews voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Approve Ordinance No. 2005-04-01 reads as follows:

ORDINANCE NO. 2005- 04-01

**AN ORDINANCE OF THE CAMDEN COUNTY BOARD OF COMMISSIONERS
EXTENDING A MORATORIUM ON RESIDENTIAL SUBDIVISION
WITHIN CAMDEN COUNTY, NORTH CAROLINA**

WHEREAS, Camden County (the "County") has, and is experiencing a substantial and sustained growth in population, in significant part due to the proliferation of residential subdivision, and;

WHEREAS, such growth has exceeded the ability of the County to provide services and a studied and careful review of subdivision projects, and

WHEREAS, growth, as experienced by Camden County, has exceeded the ability of the County to provide for schools and utilities and other important, as well as essential, government services, and

WHEREAS, since implementation of the moratorium on residential subdivision within the County, the County Commissioners have exerted their best efforts to provide these services and have been unable to fund the essentials to provide for the citizens of Camden County in the following manner:

1. They have met with and received information and recommendations from the Camden County Public Schools and attempted to construct a public sewer system to provide for sewage from the public schools;

2. Camden County remains in the position of not being able to provide adequate school facilities for students generated by the creation of new residential developments. The Camden County School System has applied to the Board of Commissioners for funding to construct a new school. Such school, presently, would have an estimated cost of \$9,000,000.00 and would require the County to incur an indebtedness of \$9,000,000.00. The Board of Commissioners sought approval for the incurring of this indebtedness from the Local Government Commission of the State of North Carolina, a prerequisite to any debt of a unit of local government; which said request was denied.

3. To construct a new school, the County must have in place an adequate sewage collection and treatment facility to serve the schools of the County. The system must be in place and operational prior to the opening of a new school. As of this date, such a system is not anticipated to be completed until April, 2007, at the earliest date.

4. The Board of Commissioners has sought the authority from the General Assembly from the State of North Carolina to impose an impact fee on new construction in the County to finance facilities for new subdivision. Presently, the Board of Commissioners has been advised that the likelihood of passage of such legislation by the General Assembly of North Carolina authorizing the County to impose impact fees is extremely slight.

5. Presently, the County does not have sufficient financial resources as determined by the Local Government Commission to provide for the schools, the sewage collection and treatment facility and the other needs of the citizens of Camden County.

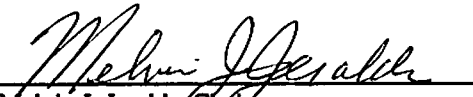
WHEREAS, all of the above are of high concern to the people of Camden County and their elected Commissioners, who desire to thoughtfully review legal and equitable facts of growth management and control and to fund the same with the appropriate regard for private property rights and the general health, safety, education and welfare of all citizens of Camden County.

NOW, THEREFORE, BE IT ORDAINED, effective from the date this ordinance is adopted and for a period of three hundred sixty five (365) days thereafter, from said date, a moratorium shall exist on the approval of any residential subdivision consisting of the creation of two (2) lots, plus residual or more, which had not received sketch plan approval prior to November 17, 2003. During the period of this

moratorium, the staff of this County is directed to study, review and attempt to find adequate financing and recommend to the Board of Commissioners such procedures as will ensure a responsible, safe and healthy pattern of growth for the County, and the funding of the same. Such recommendations shall include, but not be limited to, the funding for adequate infrastructure to serve growth, appropriate new or amended ordinances, the deletion of existing ordinances, current and projected growth patterns, the funding of schools and sewer system, traffic impacts arising from subdivision development, water availability and sewage availability, and any other related topics which may assist in the preservation and protection of health, safety and welfare of the citizens of Camden County.


All reasonable efforts should be made by the staff and Board of Commissioners to limit the duration of this moratorium, while at the same time, allowing for the proper review and funding of infrastructure of the County, so as to limit the necessity for a future moratorium.

ADOPTED this 18th day of April, 2005.


Melvin J. Jeralds, Chairman
Camden County Board of Commissioners

(SEAL)

ATTEST:


Ava Murgia
Clerk to the Board

North Carolina Cooperative Extension Service – 4-H Family and Consumer Sciences Program Assistant

Interim County Extension Director Travis Burke requested that the county approve a 4-H Family and Consumer Sciences Program Assistant. Mr. Burke stated that the state is funding eighty percent (80%) of the position, which will include state benefits, leave and retirement package. The Program Assistant will work in both 4-H and Family and Consumer Sciences. Camden County will be responsible for \$4,780.00 annually - twenty percent (20%) of the salary.

Commissioner Andrews made a motion to approve the 4-H Family and Consumer Sciences Program Assistant at \$4,780.00 annually - twenty percent (20%). The motion passed with Chairman Jeralds, Commissioners Jennings, Carolyn Riggs, Clayton Riggs and Andrews voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Pearson Appraisal Services – Presentation by Bob Pearson

Mr. Bob Pearson presented a proposal for furnishing labor, materials, supplies and the performance of all work required for the completion and delivery of a computer assisted property revaluation of all real property within Camden County, assistance to the Camden County Tax Administrator and staff, the Board of Commissioners and the Camden County Board of Equalization and Review. The revaluation services provided by qualified and certified appraisers includes: visiting each property, measure and listing all improvements, interviewing property owners if possible, and other services as specified in the proposal. The total cost per parcel is \$36.90 at an estimated cost of \$295,200.00. The contract is based on a per parcel cost, and upon completion of the property revaluation, an exact count will be made and the final billing will reflect the total number of parcels appraised.

Hearing no objections, Chairman Jeralds thanked Mr. Pearson for his presentation and stated the Board would consider the contract and make a decision at the May 2, 2005 Commissioners meeting.

Resolution No. 2005-04-01 Relating to Request for Additions to the State Maintained Secondary Road System – Mitchell Drive, Amy Drive, Margaret Drive – Bell Farm Estates – Courthouse Township

Commissioner Andrews made a motion to approve Resolution No. 2005-04-01. The motion passed with Chairman Jeralds, Commissioners Jennings, Carolyn Riggs, Clayton Riggs and Andrews voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Approved Resolution No. 2005-04-01 reads as follows:

Resolution No. 2005-04-01

**NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION REQUEST FOR
ADDITIONS
TO STATE MAINTAINED SECONDARY ROAD SYSTEM**

North Carolina
County of Camden
Road Descriptions:

Mitchell Drive, Amy Drive, Margaret Drive,
Bell Farm Estates, Courthouse Township

WHEREAS, the attached petition has been filed with the Board of County Commissioners of the County of Camden requesting that the above described roads, the location of which has been indicated in red on the attached map, be added to the Secondary Road system; and

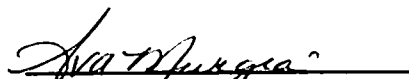
WHEREAS, the Board of County Commissioners is of the opinion that the above described roads should be added to the Secondary Road System, if the roads meet minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads to the System.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of the County of Camden that the Division of Highways is hereby requested to review the above described roads, and to take over the roads for maintenance if they meet established standards and criteria.


Melvin J. Jeralds, Chairman
Camden County Board of Commissioners

CERTIFICATE

The foregoing resolution was duly adopted by the Board of Commissioners of the County of Camden at a meeting on the 18th day of April, 2005.


Ava Murgia, Clerk to the Board of Commissioners,
County of Camden

SEAL

Planning Department – Proposed Planning Office Building

Planning Director Dan Porter presented proposals and floor plans for a modular office building for the Planning Office in the amount of approximately \$103,000.00 - \$108,000.00.

Chairman Jeralds stated the Board would take his request under advisement.

Juvenile Crime Prevention County (JCPC) – (2) Budget Revisions

Danelle Barco requested approval of revisions to the FY2004-05 budget to expend all grant monies.

Commissioner Andrews made a motion to approve the two budget revisions as submitted by Program Manager Danelle Barco. The motion passed with Chairman Jeralds, Commissioners Jennings, Carolyn Riggs, Clayton Riggs and Andrews voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

County Manager's Report

County Manager Randell Woodruff stated that the county is involved in litigation regarding the construction of the historic Courthouse and is presently working with the bonding company to reach a settlement.

County Manager Randell Woodruff reminded the Board of the joint meeting with the Board of Education on Tuesday, April 19, 2005 at 7:00 p.m. in the Grandy Primary Board Room. Mr. Woodruff also reminded the Board of the NCACC meeting in Greenville on April 26, 2005.

Reports from Commissioners Serving on Other Boards

Commissioner Carolyn Riggs stated the Department of Social Service Building is infested with termites.

Chairman Jeralds stated it was discussed at the EMS meeting that house numbers are not displayed as required.

Recess

Commissioner Clayton Riggs made a motion to recess the Board of Commissioners meeting and reconvene the Board of Equalization and Review. The motion passed with Chairman Jeralds, Commissioners Jennings, Carolyn Riggs, Clayton Riggs and Andrews voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The Commissioners recessed at 8:59 p.m.

Board of Equalization and Review – Recommendations from Tax Administrator

Chairman Jeralds reconvened the Board of Equalization and Review and stated that General Statutes requires a separate motion for each appeal.

Tax Administrator Mary Rhodes was present to answer any questions.

Commissioner Clayton Riggs made a motion to approve the recommendations of the Tax Administrator for no change to PIN 02-8934-03-32-0690. The motion passed with Chairman Jeralds, Commissioners Jennings, Carolyn Riggs, Clayton Riggs and Andrews voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Clayton Riggs made a motion to approve the recommendations of the Tax Administrator for no change to PIN 02-8934-03-32-3479. The motion passed with Chairman Jeralds, Commissioners Jennings, Carolyn Riggs, Clayton Riggs and Andrews voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Andrews made a motion to approve the recommendations of the Tax Administrator for no change to PIN 02-8934-03-22-9345. The motion passed with Chairman Jeralds, Commissioners Jennings, Carolyn Riggs, Clayton Riggs and Andrews voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Clayton Riggs made a motion to approve the recommendations of the Tax Administrator for no change to PIN 02-8934-03-22-8117. The motion passed with Chairman Jeralds, Commissioners Jennings, Carolyn Riggs, Clayton Riggs and Andrews voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Clayton Riggs made a motion to approve the recommendations of the Tax Administrator for no change to PIN 02-8934-03-21-0686. The motion passed with

Chairman Jeralds, Commissioners Jennings, Carolyn Riggs, Clayton Riggs and Andrews voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Andrews made a motion to approve the recommendations of the Tax Administrator for no change to PIN 02-8934-03-21-5761. The motion passed with Chairman Jeralds, Commissioners Jennings, Carolyn Riggs, Clayton Riggs and Andrews voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Andrews made a motion to approve the recommendations of the Tax Administrator for no change to PIN 02-8944-00-360-0596. The motion passed with Chairman Jeralds, Commissioners Jennings, Carolyn Riggs, Clayton Riggs and Andrews voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Andrews made a motion to approve the recommendations of the Tax Administrator for no change to PIN 02-8934-01-05-4888. The motion passed with Chairman Jeralds, Commissioners Jennings, Carolyn Riggs, Clayton Riggs and Andrews voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Clayton Riggs made a motion to approve the recommendations of the Tax Administrator for no change to PIN 03-8953-03-02-1728. The motion passed with Chairman Jeralds, Commissioners Jennings, Carolyn Riggs, Clayton Riggs and Andrews voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Clayton Riggs made a motion to approve the recommendations of the Tax Administrator to change the building classification to commercial building on PIN 02-8935-02-99-8197. The motion passed with Chairman Jeralds, Commissioners Jennings, Carolyn Riggs, Clayton Riggs and Andrews voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Clayton Riggs made a motion to approve the recommendations of the Tax Administrator for no change to PIN 01-7090-00-80-2257. The motion passed with Chairman Jeralds, Commissioners Jennings, Carolyn Riggs, Clayton Riggs and Andrews voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Clayton Riggs made a motion to approve the recommendations of the Tax Administrator for no change to PIN 01-7999-00-59-8277. The motion passed with Chairman Jeralds, Commissioners Jennings, Carolyn Riggs, Clayton Riggs and Andrews voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Andrews made a motion to approve the recommendations of the Tax Administrator for no change to PIN 03-8990-00-47-2552. The motion passed with Chairman Jeralds, Commissioners Jennings, Carolyn Riggs, Clayton Riggs and Andrews voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Andrews made a motion to approve the recommendations of the Tax Administrator for no change to PIN 03-8899-00-94-5973. The motion passed with Chairman Jeralds, Commissioners Jennings, Carolyn Riggs, Clayton Riggs and Andrews voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Adjournment of Board of Equalization and Review

Commissioner Clayton Riggs made a motion to adjourn the Board of Equalization and Review. The motion passed with Chairman Jeralds, Commissioners Jennings, Carolyn

Riggs, Clayton Riggs and Andrews voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Closed Session

Commissioner Carolyn Riggs made a motion to go into closed session pursuant to G.S. 143-318.11(a)(3) for the purpose of consultation with the county attorney, and pursuant to G.S. 143-318.11(a)(5) for the purpose of discussing acquisition of property. The motion passed with Chairman Jeralds, Commissioners Jennings, Carolyn Riggs, Clayton Riggs and Andrews voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The Commissioners entered closed session at 9:04 p.m.

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

The Commissioners re-entered regular session at 10:08 p.m.

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

Commissioner Clayton Riggs made a motion to proceed with a 100,000 gpd waste water treatment plant and update the plant drawings using a force main, not gravity feed, collection system. The motion passed with Chairman Jeralds, Commissioners Jennings, Carolyn Riggs, Clayton Riggs and Andrews voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Hearing no further motions, Chairman Jeralds continued with the meeting.

Other Matters


Commissioner Carolyn Riggs stated the county should look into implementing a business license program as soon as possible.

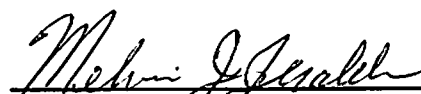
Adjournment

There being no further business to come before the Commissioners, Commissioner Carolyn Riggs made a motion to adjourn the meeting. The motion passed with Chairman Jeralds, Commissioners Jennings, Carolyn Riggs, Clayton Riggs and Andrews voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The meeting adjourned at 10:14 p.m.

ATTEST:


Ava Murgia
Clerk to the Board


Melvin J. Jeralds, Chairman
Camden County Board of Commissioners