

Resolution NO. 2009-09-05

WHEREAS, the County of Camden by Resolution No. 2009-09-04 adopted September 8, 2009, created the **Camden County Economic Development Commission**, ("CEDC");
and

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners for Camden County, North Carolina in open session duly convened, by the adoption and enactment of this resolution, adopt these By-Laws for the **Camden Economic Development Commission** as follows:

ARTICLE I

Name

The name of this organization shall be the **Camden Economic Development Commission**, hereinafter referred to as the Commission or the CEDC.

ARTICLE II

Service Area

The service area of the Commission shall be within the three Townships of Camden County.

ARTICLE III

Purpose and Objectives

Section 1. The purpose of this Commission (CEDC) is to assist the County in the area of economic development and recruitment.

Section 2. The Commission (CEDC) is to establish a framework for federal, state and local efforts to provide the basic resources needed to develop facilities and programs essential to promote economic growth. The Commission is to develop, operate, and coordinate these programs and activities to enhance economic growth within the entire County.

Section 3. Specific objectives of the Commission are, but not limited to:

- a. The fostering of growth---planned, diversified, and controlled---within the County.
- b. The promotion of activities aimed at providing quality land development, job opportunities, and an ever-increasing tax base throughout the County.
- c. The designing and implementation of programs to stimulate continued growth and prosperity of the existing business and industry community.

- d. The promotion of an improved general economic situation, by whatever means or measures are available, in order to insure the well-being of the County.
- e. The promotion and development of the Camden Eco-Industrial Park and the US17 Corridor located in the northern portion of the County. While the Commission (CEDC) will provide oversight for the development of the Park along with the Eco-Institute, the County Public Works Department will maintain the public areas as well as the wastewater system.
- f. The promotion and development of the US158 Business Corridor in the central portion of the County.
- g. The Commission (CEDC) will work closely with the Eco-Institute in the development of the County property. The Eco-Institute will report to the CEDC at its meetings as it works to recruit new tenants for the facility.
- h. The Commission (CEDC) will monitor the progress and compliance of the Eco-Institute to the provisions in the option and lease of the business incubator property.
- i. The Commission (CEDC) will interact with and provide quarterly reports to the Board of Commissioners as to the progress of the Eco-Institute and the development of the Camden Eco-Industrial Park.
- j. The Commission (CEDC) will assist in exploring various funding and grant opportunities which may assist in the economic development activities of the County which will entail the fostering of relationships with business organizations, state and federal officials/agencies.

ARTICLE IV

Offices

While there will be no full-time staff of the Commission (CEDC) the principal contact for the business community or the public to access will be the Chairperson of the Commission or the County Manager who will forward pertinent information to the other Board members upon receipt. Meetings shall be held at various locations within the County to include the County Government Complex, the Eco-Industrial Park or other suitable locations as determined by the Commission.

ARTICLE V

Membership

Section 1. The Commission membership shall be comprised of no more than nine (9) members with each having a vote.

● Of the nine (9) members of the Commission, two are the Chairperson of the Camden County Board of Commissioners or his/her designated Board representative and the County Manager. The remaining seven (7) are to be filled from the following professions or institutions, but not limited to:

- Medical
- Engineering
- Finance/Banking
- Local Educator
- University of North Carolina System — UNC or NCSU (Life Science or Environmental Science)
- Elizabeth City State University (Life Science or Environmental Science)
- UNC School of Government
- College of the Albemarle

Said members, with the exception of the UNC representative, will be required to reside within the County.

Section 2. Should there not be eligible individuals to serve representing some of the above professions or institutions, it will in the discretion of the Camden County Board of Commissioners to make appointments from the local business or non-profit community.

Section 3. Members so appointed shall be designated for a term of two (2) years to serve at the pleasure of the Camden County Board of Commissioners. In the event a Commission (CEDC) member ceases to represent one of the initial professions or institutions as at the time of their appointment, this change shall be reported to the Camden County Board of Commissioners for review and a determination as to whether or not the appointee shall continue to serve.

Section 4. In order to insure the terms are staggered, four of the initial appointees shall be appointed for two (2) year terms and the remaining positions shall be appointed for three (3) year terms. Thereafter all appointments shall be for two (2) years.

Section 5. The Camden Economic Development Commission shall have available for the public a roster of the current Commission members, as well as their terms of office.

ARTICLE VI

Organization

Section 1. The Officers of the Commission shall consist of a Chairman and a Vice Chairman both of whom shall be elected by the members of the Commission. The Commission Chairman and Vice-Chairman shall be chosen from the members appointed by the County of Camden Board of Commissioners.

Section 2. The officers shall be elected at the regular meeting of the Commission in January of each year, which meeting shall also be the annual meeting of the Commission.

Section 3. All officers shall be elected for a one (1) year term and assume office at the annual meeting. Officers may be elected to succeed themselves or be elected to any other office, but may not exceed two (2) consecutive terms in any position.

Section 4. Any vacancy shall be filled by the Board of Commissioners within sixty (60) days after they occur.

Section 5. In addition to the Commission officers above named, in the future an Economic Developer (Developer) may be employed upon the affirmative vote of a majority of the CEDC Board as well as adequate funding availability. Once on staff the Economic Developer shall conduct the business and activities of the Commission in strict compliance with the rules and policies adopted by the said Commission.

Section 6. All employees of the CEDC shall be at-will local government employees of the Commission.

Section 7. When necessary the County Manager will provide assistance and access to needed support from County staff for the activities of the Commission. The Clerk to the Board of Commissioners will provide clerical support and attend the meetings to keep and maintain the officials records of the CEDC until such time as there is a staff person of the Commission to assume this responsibility.

Section 8. As the General Statutes do not give economic development commissions the authority to acquire an industrial or commercial site, to acquire land for an industrial park or to construct a shell building, or borrow money, these type activities shall be conducted by the Camden County Board of Commissioners.

Section 9. The Camden Economic Development Commission will be a part of the County Government and shall be subject to the Local Government Budget and Fiscal Control Act. All moneys received by the Commission must be run through the County Finance Department and all expenditures must be authorized in the County's annual budget ordinance or in a separate capital project or grant project ordinance adopted by the Commissioners.

Section 10. As part of the County Government the Commission (CEDC) will enjoy the same tax advantages. Its income is not subject to federal or state income tax and any real property owned by the Commission for administrative purposes is exempt from property tax. Individuals making gifts to the Commission may deduct the payments as charitable contributions.

Section 11. The Commission (CEDC) is subject to the open meetings and the public records law.

Section 12. An orientation shall be held for all new members appointed to the Commission.

Section 13. Within the limits of appropriated funds, the Commission (CEDC) may hire and fix the compensation of any personnel necessary to its operations, contract with consultants for such services as it may require, and contract with the State of North Carolina or the federal government, or any agency or department thereof, for such services as may be provided of such contracts as it may enter.

Section 14. Within the limits of appropriated funds, the Commission (CEDC) may lease or purchase, or otherwise obtain suitable quarters and office space for its staff, and lease, rent or purchase necessary furniture, fixtures and other equipment.

Section 15. The Commission (CEDC) may accept, receive, and disburse in furtherance of its functions any funds, grants and services made available by the federal government and its agencies, the state government, and its agencies, Camden County and by private and civic sources. Camden County shall have authority to appropriate funds to the CEDC which it created.

Section 16. The Commission (CEDC) shall have access to the county website in the conduct of marketing and economic development activities.

Duties & Responsibilities

Section 1. The duties of the Chairman of the Commission are as follows:

- a. To appoint such committees as may be appropriate in the discharge of the Commission's functions. The Bylaws, Personnel, Finance, Legislative and Marketing Committees shall contain representation from the County and various professions specified previously in the by-laws. Other Committees as may be appropriate in the discharge of the Commission's functions shall be chaired by a member of the Commission.
- b. To promulgate and publish such orders and directives as will promote the purposes of the Commission, providing the same are first approved by the Commission.
- c. To authorize the disbursement of funds in conformance with established policies of the Commission and in compliance with the general and special terms and conditions of any grant offers and such other agreements as may be entered into. To perform such other duties as the Commission has approved and that will promote the purposes of the Commission of which are required by the Commission.
- d. To preside at all meetings of the Commission.
- e. The Commission Chairman shall be the chief officer of the Commission. The Chairman shall function directly under the overall supervision of the full Commission.

Section 2. The Vice-Chairman of the Commission shall perform the duties of the Chairman in his/her absence.

Section 3. The Secretary shall perform as follows:

- a. To verify and authenticate the records of meetings of the Commission.
- b. To function as the accountable officer for all property and equipment owned or leased or contracted for by the Commission.

c. To perform such other duties as shall be assigned by the Commission.

Section 4. Initially there will be no paid staff positions for the Commission (CEDC). It is anticipated within a few years there will be adequate funding to allow for the creation of a full-time Economic Developer position. This position shall function as an employee of the Commission (CEDC) being supervised on a day to day basis by the Chairperson of the Commission. He/She shall be directly responsible for the following:

a. The implementation of administrative policies and procedures concerning the staff and staff functions as established by the Commission. Maintain the necessary records to satisfy the Commission requirements, and those of such other agencies as may be involved.

b. Appropriate records shall be maintained of all property and equipment purchased as authorized by the Commission.

c. The discharge of functional and operational requirements as set forth by the Commission.

d. The establishment of liaisons with the agencies of the local, state and federal governments and allies. This will include the necessary reports, requests, and studies which may be required in the normal conduct of business.

e. Maintain appropriate fiscal and financial records as required by the Commission and other authorities for a period as designated in the general and special terms and conditions of the grant and in accordance with the laws of the State of North Carolina.

Section 5. The Commission shall carry out such functions as the Commission may be authorized or directed to perform by the County of Camden.

Section 6. The Commission shall assist in the creation of and make recommendations to the Board of Commissioners on the following issues: Setting of guidelines for recruitment of businesses, negotiation & approval of businesses applications, lease or purchase conditions, publicity & program development, restrictive covenants for the Eco-Industrial Park and creation of the County Business Incentive Program.

Section 7. The Commission (CEDC) shall formulate projects for carrying out such economic development programs through the attraction of new industries, encouragement of existing industries, encouragement of agricultural development, encouragement of new business and ventures by local as well foreign capital, and other activities of a similar nature.

Section 8. The Commission (CEDC) shall conduct industrial surveys as needed, advertise in periodicals, or other communications media, furnish advice and assistance to existing businesses and industries, furnish advice and assistance to persons seeking to establish new businesses or industries and engage in related activities.

Section 9. The Commission (CEDC) shall encourage the formation of private business development corporations or associations which may carry out such projects as securing and preparing sites for industrial development, constructing industrial buildings, or rendering

financial or managerial assistance to businesses and industries; furnish advice to and assistance to such corporations or associations.

Section 10. The Commission shall have the authority to use grant funds to make loans for purposes permitted by the federal government, by the grant agreement and in furtherance of economic development. The Commission shall have authority to delegate to another organization or agency the implementation of the grant's purposes, subject to approval by the federal agency involved and the Commission Board.

ARTICLE VIII

Compensation

The nine (9) Commission members with the exception of the County Manager and the Chair of the Camden County Board of Commissioners shall receive a stipend of \$30 for each regular monthly meeting they attend to cover their cost of attendance. Should members be required to make recruiting trips or participate in training activities they shall be reimbursed for their official expenses at the current rate used by the County. Commission members will be expected to carpool or use a County vehicle on such trips. Commission members who travel from outside of the region to participate in the meetings will receive additional reimbursement for their travel or overnight expenses. All expenditures shall be in conformity with an approved budget allocation from the Board of Commissioners.

ARTICLE IX

Meetings

Section 1. The annual meeting of the Commission shall be held in such places designated by the Commission.

Section 2. Regular meetings of the Commission shall be held on the 2nd Tuesday of each month or at least quarterly or as otherwise directed by the Chair. All Commission meetings shall be properly advertised in advance to allow for public participation.

Section 3. Special meetings may be called by the Chairman or by any two (2) Commission members at any time or place, provided that notice is given in accordance with North Carolina's Open Meeting laws.

Section 4. A Commission quorum shall consist of five (5) voting members present.

Section 5. At Commission meetings, each of the Commission members present shall have one (1) vote and all Commission actions shall be by majority vote, except any actions dealing with the sale, acquisition, leasing or auctioning of real estate, or the expenditure of funds in excess of \$5,000.00, shall require an affirmative vote of six (6) voting members present.

Section 6. Upon a Commission member reaching three consecutive absences, the Commission shall notify the Board of Commissioners.

ARTICLE X

Budgets

Section 1. The Commission shall prepare an annual budget for presentation to the County Manager's Office and for approval by the Board of Commissioners. The Chair of the CEDC will participate in the County Budget process to present recommended budget and provide any desired information to the Board of Commissioners.

Section 2. The annual budget shall show proposed cash outlays for all operating expenses and capital equipment and improvements. Each item of expenditure shall be justified and explained in appropriate detail. Such budget shall also show any equipment and facilities provided in kind. A breakdown of the source of funds shall indicate amounts to be appropriated by the County, and any amounts to be provided in kind and the amount to be obtained from Federal or State grants.

Section 3. The Commission shall operate on a fiscal year beginning July 1st through June 30th of each year.

ARTICLE XI

Funding of Commission Activities

If at any time the Commission shall receive funds derived from the sale, lease or optioning of any parcel or parcels of real estate purchased by the County for or on behalf of the Commission then the said funds so received, after deducting the expenses of sale, shall be returned on an equal basis to the County until such time as all funds which have been contributed by the said County are returned to them and the Commission is operating on its own funds or funds derived from the sale, lease or optioning of real estate, or on State or Federal grants which the Commission has received in its own right.

ARTICLE XII

These By-Laws shall only be amended by resolution of the County of Camden Board of Commissioners. The Board of Commissioners may at the request of the CEDC Board consider making such amendment.

ARTICLE XIII

This resolution becomes effective September 8, 2009.

ARTICLE XIV

These By-Laws are adopted pursuant to Chapter 158 of the North Carolina General Statutes and the said Commission derived its authority from the said Chapter 158 and all things inconsistent therewith are deemed stricken and modified herein.

ADOPTED the 7th day of January, 2013 by the Camden County Board of Commissioners in Camden, North Carolina.

ATTEST:

Ashley Honaker
Clerk to the Board
Camden County, NC

Garry Meiggs- Chairman
Board of Commissioners
Camden County, NC

(SEAL)