Camden County Board of Commissioners  
January 3, 2017  
Regular Meeting - 7:00 PM  
Historic Courtroom, Courthouse Complex  
Camden, North Carolina  

MINUTES  
The regular meeting of the Camden County Board of Commissioners was held on January 3, 2017 in the Historic Courtroom, Camden, North Carolina. The following Commissioners were present:

<table>
<thead>
<tr>
<th>Board Member</th>
<th>Title</th>
<th>Status</th>
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<tr>
<td>Clayton Riggs</td>
<td>Chairman</td>
<td>Present</td>
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<tr>
<td>Tom White</td>
<td>Vice Chairman</td>
<td>Present</td>
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<tr>
<td>Garry Meiggs</td>
<td>Commissioner</td>
<td>Present</td>
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<tr>
<td>Randy Krainiak</td>
<td>Commissioner</td>
<td>Present</td>
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<tr>
<td>Ross Munro</td>
<td>Commissioner</td>
<td>Present</td>
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<tr>
<th>Staff Members</th>
<th>Title</th>
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<tr>
<td>Michael Brillhart</td>
<td>County Manager</td>
<td>Present</td>
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<tr>
<td>Stephanie Humphries</td>
<td>Finance Director</td>
<td>Present</td>
</tr>
<tr>
<td>John Morrison</td>
<td>County Attorney</td>
<td>Present</td>
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<tr>
<td>Angela Wooten</td>
<td>Clerk to the Board</td>
<td>Present</td>
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<tr>
<th>Other Staff Present</th>
<th>Title</th>
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<tr>
<td>Dave Parks</td>
<td>Planning</td>
<td>Present</td>
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<tr>
<td>Lisa Anderson</td>
<td>Tax Administrator</td>
<td>Present</td>
</tr>
<tr>
<td>Brian Lannon</td>
<td>Soil &amp; Water</td>
<td>Present</td>
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<tr>
<td>David Credle</td>
<td>Public Works</td>
<td>Present</td>
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7:00 PM OPEN SESSION  
Chairman Riggs called the Camden County Board of Commissioners meeting to order at 7:00 PM.

INVOCATION & PLEDGE OF ALLEGIANCE  
Chairman Clayton Riggs gave the invocation and led in the Pledge of Allegiance.
ITEM 1. PUBLIC COMMENTS

None.

ITEM 2. CONSIDERATION OF AGENDA

Manager Brillhart – Item 3.D.d. – There is no action necessary. It is recommended that Item 3.D.d be placed on the agenda for the February 6, 2017 meeting.

Item H – Item dealing with contract that was approved earlier in 2016 but was not formally signed of record. The item is on the agenda to have the current chair sign the approved document.

Chairman Riggs – Item 3.C., additional board appointments. The Trillium position still needs to be filled by a commissioner. Chairman Riggs has volunteered to serve in said capacity.

Item 8.E. – Commissioner Krainiak has volunteered to serve on the Albemarle Commission Board for the Community Services Block Grant.

Motion to approve the agenda as amended.

RESULT: PASSED [UNANIMOUS]
MOVER: Garry Meiggs, Commissioner
AYES: Meiggs, Riggs, White, Krainiak, Munro

ITEM 3. OLD BUSINESS

A. Voting Delegate Designation Form

Commissioner Randy Krainiak made a motion to send Chairman Riggs as the voting delegate to the State Legislative Goals Convention January 12-13, 2017.

RESULT: PASSED [UNANIMOUS]
MOVER: Randy Krainiak, Commissioner
AYES: Meiggs, Riggs, White, Krainiak, Munro

B. Commissioner Appointments – DSS

Commissioner Krainiak will replace Sandy Duckwall for the next six months on DSS Board, with his term to start at that time.
C. Additional Commissioner Appointments to Boards – Chairman Riggs has volunteered to fill the current Trillium vacancy.

D. JLL-Proposal for Land Sales and Marketing Services – Eco-Industrial Park

Manager Brillhart – Section 2.E. includes the registered prospects, the new information suggested for inclusion by the county attorney. Attorney Morrison – Has been advised that the language is agreeable with the real estate company.

Motion to approve the contract with JLL, proposal for Land Sales property at Eco Park as amended by the county attorney.

RESULT: PASSED [UNANIMOUS]
MOVER: Tom White, Vice Chairman
AYES: Meiggs, Riggs, White, Krainiak, Munro

E. Memorandum of Understanding Between BOC and School Board

Manager Brillhart has been in discussion with the Superintendent of Camden County schools in regard to the possibility of having more ongoing discussion with the Board of Commissioners. The county attorney was requested to review the Adequate Public Facilities Ordinance and the Memorandum of Understanding. The recommendation is that the Adequate Public Facilities is sufficient on its own merit and the Memorandum of Understanding could be adjusted accordingly as shown by the county attorney. It is suggested that the Memorandum of Understanding be adjusted accordingly within the agenda to allow the county manager and two county commissioners to serve on the Adequate Public Facilities Committee and this committee will transition to monthly meetings. This arrangement will be ongoing until both the Board of Education and commissioners agree that the discussion of budgetary concerns have been met.
AMENDMENT TO MEMORANDUM OF UNDERSTANDING BETWEEN
CAMDEN COUNTY AND THE CAMDEN COUNTY BOARD OF EDUCATION
UNDER DATE OF APRIL 16, 2007

This amendment to the above captioned memorandum of understanding (MOU) is entered by
the referenced governing boards effective on the dates hereafter appearing by the Chairpersons
signatures, in open session, as by law required.

RECATS

1. The parties entered into the recited MOU to promote cooperation in executing a County
Ordinance, No. 2007-02-01 entitled: AN ORDINANCE OF THE CAMDEN COUNTY BOARD OF
COMMISSIONERS REGARDING ADEQUATE PUBLIC FACILITIES.

2. The same, in section 1 and 2 thereof, provides for the establishment of a committee
composed of Board Members and their staff to meet quarterly to discuss issues associated
with the Adequate Public Facilities Ordinance.

3. Both parties have determined the public interest would be better served if meetings of
the established committees were held with more frequency, increased representation from
the Board of Commissioners, and the scope of discussions were expanded beyond the APFO
to include all topics regarding County public education, including but not limited to,
enrollment, growth, facilities, finance, budgets, Capital plan development and the like.

Now, therefore, it is agreed the MOU of April 16, 2007 shall be amended as follows and in no
other regard:

Section 1 D shall be altered to appear as:

The County Manager, and the Chairman, or the Chairman’s designee (from the Board of
Commissioner) and one other member of the Board of commissioners...

Section 2 shall be altered by deleting the word “quarterly” appearing in the first paragraph and
replacing it with the word “Monthly”

ADOPTED BY THE CAMDEN COUNTY BOARD OF COMMISSIONERS THIS THE __________
DAY OF __________________, 2017

By ________________________________

CLAYTON RIGGS
CHAIRMAN CAMDEN
COUNTY BOARD OF COMMISSIONERS

ATTEST: ____________________________

ANGEL MOLDEN
CLERK TO THE BOARD

ADOPTED BY CAMDEN COUNTY BOARD OF EDUCATION THIS THE __________
DAY OF __________________, 2017

By ________________________________

CHAIRMAN
CAMDEN COUNTY BOARD OF EDUCATION

ATTEST: ____________________________

SECRETARY TO THE BOARD
Motion to approve the Memorandum of Understanding as presented.

RESULT: PASSED [UNANIMOUS]
MOVER: Tom White, Vice Chairman
AYES: Meiggs, Riggs, White, Krainiak, Munro

ITEM 4. PUBLIC HEARINGS

The public hearing for UDO 2016-10-03 Shiloh Hwy 1108 Solar LLC – Solar Facility will be held first due to the fact that the representative of the application for the Mining Operation will be late due to his attendance in another meeting in Currituck County.

Attorney Morrison explained to those in attendance that the board is going into a quasi-judicial hearing and provided further explanation as to the legality and meaning of such.

Motion to open a public hearing for the application for Shiloh Hwy 1108 Solar LLC facility located on Sandy Hook Road and Sassafras Lane in Shiloh Township.

RESULT: PASSED [UNANIMOUS]
MOVER: Tom White, Vice Chairman
AYES: Meiggs, Riggs, White, Krainiak, Munro

Commissioner White: I just want to make it clear I have no interest in the property in question where the solar farm will be located; won’t receive any money. I have no ownership in it. However, I do own a farm on Trotman Road and the owner, Michael Riggs, farms that. So I just wanted to disclose that.

Attorney Morrison: All right, so the applicant rent lands from you. Is that correct?

Commissioner White: That’s correct.

Attorney Morrison: All right. But you have no…what the law requires before you’re allowed to recuse yourself is you have a direct pecuniary financial interest in this project. And if I'm understanding correctly you have no financial interest in this whatsoever. Your only correction to this, and I congratulate you for making this known, you simply have another business relationship with the applicant or the owner of this land, who will not actually be running the solar farm. That will be someone else. Is that correct?

Commissioner White: That’s correct.
Attorney Morrison: Okay. So the person who owns the land on which this project is proposed rents a farm from you.

Commissioner White: Correct.

Attorney Morrison: Okay.

Chairman Riggs: Mr. Attorney.

Attorney Morrison: Yes.

Chairman Riggs: So I have the same predicament ‘cause Mr. Riggs rents my farm also.

Attorney Morrison: Well I think like Mr. Trump said, we need to drain the swamp. (laughter)

Chairman Riggs: It could be.

Attorney Morrison: To the public and to the commissioners, we’ve got two competing interests here. The law does not lightly allow you to refuse to participate, okay. You asked for this job and they are frequently difficult decisions. The other competing interest is but it’s very narrowly defined. It is not proper for you to participate in this if you have a direct pecuniary interest. And your situation is identical to that of Commissioner White’s. You have no interest in this solar farm whatsoever. You would not make one penny out of it if it was approved. Is that correct?

Chairman Riggs: Correct.

Attorney Morrison: All right. Now we live in a small county and everybody knows what everybody else’s business is and we have problems like this all the time. So let me ask you one further question. Given that you know the applicant and have business relationships with him will that in any way influence your decision?

Chairman Riggs: No, sir.

Commissioner White: No.

Attorney Morrison: No, all right. And I would assume since you guys are land barons that you could easily rent your farm to someone else if the applicant/owner had a hissy fit. Yes. Okay, all right. Now other members of the board, before these people would be allowed to step down there would need to be a motion. They can’t recuse themselves on their own. They would have to
request to be recused and you could have to vote for the recusal or you on your motion could ask that they be recused. Is there a motion for recusal or does any other commissioner have any question they would like to put to the Chairman or Commissioner White? Hearing none, it is the opinion of the county attorney this does not amount to a legal conflict of interest and it has been publicly disclosed.

Chairman Riggs: All right, Mr. Parks. We’ve had a motion to open. We voted on it and now we’re ready to move forward.

Dave Parks: At this time I would like to have everybody that’s going to speak on this issue to please come up and get sworn in.

Clerk: Do you all swear to tell the truth, the whole truth and nothing but the truth?

All: Yes.

Dave Parks: Yes, Mr. Chairman, SunEnergy1 which will be represented by Ms. Linda Nwadike, got it right, she’ll be representing them tonight, has applied for a Special Use Permit application for a solar farm on property at the intersection of Sandy Hook Road and Sassafras Lane. The site plan is on the board for the audience to see. There are some posters back in the back. The property is located outside --- and at this time staff has…would like to submit as evidence the Special Use Permit application and all its supporting documents, which is included in your board packet.

Attorney Morrison: That would be Staff Exhibit 1, correct?

Dave Parks: Yes, sir.

Attorney Morrison: Mr. Chairman, it’s encumbered upon you to either accept that into evidence or not. I see no reason not to accept it.

Chairman Riggs: So we accept all documentation presented in the Special Use Permit as evidence now.

Attorney Morrison: That is correct.

Dave Parks: Thank you. I would like to state that all the requirements of Unified Development have been met as far as advertising, posting the property and letters to adjacent property owners. At this time staff would like to introduce Ms. Linda Nwadike and she will speak on the project
itself and then I’ll come back in and I’ll go over the staff Finding of Facts and then we’ll open it up for public comment. Ms. Nwadike.

Linda Nwadike: Good evening, everyone. My name is Linda Nwadike and I’m representing SunEnergy1 for the Special Use Permit.

Attorney Morrison: Can you get up to the mic just a little bit?

Linda Nwadike: Sure, sir. Can you hear me better now? I’m representing SunEnergy1 on the Special Use Application for a 5-megawatt solar facility for Sassafras Lane and South Sandy Hook Road, like Mr. Parks has mentioned. SunEnergy1 has been in business since 2010 and we have built various solar facilities over the state in North Carolina and also South Carolina and now going into Virginia. The --- in question, we have made the ordinance in regards to setbacks requirement; the buffer requirement. And we have also tried of course to work with the neighbors because wherever we go we like to be good neighbors and discuss items with the neighbors. We also like for you to…for anyone to construct a solar facility to meet the federal, state and of course the county requirements and this is one of the requirements; why we’re here today. If you can take a look at the maps on the television you can see we’re on the north side of the property. You can see the owners of the property, which is Mr. Michael and Mrs. Stacey Riggs. And also you can see the fence line, which is the blue lines going across the property. I don’t know if you guys can see that clearly on the television. And also we have two entrances on the south side, on Sassafras Lane. We also pushed back the 50 feet in, which meets the solar ordinance that the county has in place. We have listed…you know we did the storm water plan per the county requirement and -- per independent engineer that the county has provided to review that documentation. We have gone through the various requirements from the state and the state has reviewed the application and in regards to their review, they have sent it to various agencies from Wildlife to Historic Resources to groundwater personnel. It varies. Take a look at our application and the state has actually given all the certification to go ahead and build the solar facility as long as the county is in agreement with it. So this is just a brief summary of the solar facility and I’m here if you guys have any questions. Thank you.

Dave Parks: Yes, Mr. Chairman of the Board, like I said the property is approximately 90 acres in size. This will be the construction of a 5-megawatt solar facility. The staff would like to now go over the Finding of Facts on the property. Like I said, the property is about 90 acres. I think the use is about 50 acres for the facility itself. In the environmental assessments, there is no streams, creeks are major ditches on site. Infrastructure – there is currently no infrastructure on the property as the use is…like I said it is a solar facility so the entrance will be off Sassafras Lane and the applicant during the construction will be utilizing Port-a-Johns for their employees. Once the facility is completed there will be no employees on site unless in the case of an emergency and
maintaining of the property. The use does not require the use of any public water. The nearest water is on Sandy Hook Road, which the solar facility would not be using any water for the use. There’s no five-year plan for any water extension on Sassafras Lane. Landscaping required. Landscaping is indicated on the site plan and the maintenance of the property will be taken care of by the applicant. Findings regarding additional requirements—endangering the public health and safety: Staff feels that there is no danger to the public health and safety. That’s their opinion.

Injury to value of adjoining or abutting property: Staff’s opinion that the proposed use will not injure the value of abutting property. Is it in harmony with the areas they’re located? The property is zoned for the use pending the approval of a Special Use Permit application. Is it conforming with our land use plan? Areas consistent with the county’s future land use maps for --- use.

Thoroughfare plan: The only access on the site is off of Sassafras Lane. Like I said, the traffic generation will be increased during the construction phase. Once the facility has been completed there will be minimal increase in the traffic along Sassafras. It will not exceed the county’s ability to provide public facilities. As far as schools, there’s no impact on your schools. Fire and rescue; there is minimal impact. I’ll be reading the conditions here in a little bit which will address the sheriff’s office and fire department that the applicant will provide training if they should so need to get into the site. And other county facilities is not applicable.

The Planning Board at their November 16, 2016 meeting recommended approval of the Special Use Permit for the installation of the requested solar farm on a 6-0 vote with the following conditions:

1. The applicant must strictly abide by all requirements of the Unified Development Ordinance of Camden County, North Carolina, and must also strictly comply with all other local, state, and federal ordinances, laws, rules and regulations as one or more ordinances, laws, rules and regulations may apply to this development.

2. The applicant shall complete the development strictly in accordance with the approved plans contained in the file titled UDO 2016-10-03.

3. Applicant shall provide Camden County Planning Office proof of the continuous operation annually (no later than January 30th) or upon request of the county which shall not be unreasonable in the form a letter from the facility owner stating the facility has been operational during the previous year.

4. Upon completion of the installation of the solar farm, SunEnergy shall provide training to Fire Marshall, South Camden Volunteer Fire Department and Sheriff’s Office personnel as to the potential risks involved in case of an emergency inside the facility.

5. Applicant shall provide the sheriff’s office with a key or combination to the entrance into the facility in case of an emergency. The sheriff’s office prior to entering shall contact owner to ensure all power has been secured. We don’t want nobody going in with it being operational. We’ll have the ability to secure power to the facility.

6. Place Type A—Opaque Landscape Buffer starting at the South East potion of the
property from Sassafras Lane to a point 10 feet past the out building of the property that abuts the solar farm. Actually they modified their site plan to include that condition.

7. Hours of operations during construction phase shall be Monday through Saturday, dawn to dusk.

8. Property shall be maintained throughout the solar farm’s lifetime to include maintenance of the buffer area and grass. Grass shall not exceed 24 inches in height.

9. Applicant shall provide Camden County with a third party estimate of the salvage value of all equipment related to the project.

10. The property owner shall sign a decommissioning plan/agreement that obligates either the facility or property owner to decommission the facility as required by Camden County.

11. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this approval in its entirety shall be void and have no effect.

Commissioners have any questions for staff? If not, staff would like to open it up to the public that would like to speak on this matter.

Attorney Morrison: I didn’t hear your last line.

Dave Parks: Staff would like to open it up to the public who got sworn in to speak on this matter.

Attorney Morrison: Excuse me, Mr. Chairman. May I ask a question of Mr. Parks? Mr. Parks, do you have an opinion as to whether the application is complete?

Dave Parks: The application is complete.

Attorney Morrison: Do you have an opinion whether the proposal complies with the Unified Development Ordinance?

Dave Parks: The application complies with the standards of the Camden County Unified Development Ordinance.

Attorney Morrison: All right, thank you.

Chairman Riggs: So now we need to open up for public comment.

Dave Parks: Those that got sworn in, yes sir.

Attorney Morrison: This would be public testimony, actually, would it not?

Chairman Riggs: Public testimony.
Attorney Morrison: Public testimony.

Dave Parks: Testimony.

Attorney Morrison: Yeah.

Chairman Riggs: So do we want to let Solar Farm go first or…

Commissioner Meiggs: That’s what we’re in now.

Dave Parks: That’s what we’re in. If anybody wanted to speak who was sworn in, if you come up and state your name and address for the record.

Faye Perry: I’m not scared of y’all. (laughter) My name is Faye Perry. I live at 948 South Sandy Hook Road. I also own 944 South Sandy Hook Road, which is on the north side of the adjoining property in question here. And I’m not sure if this is allowable or not but can I ask a question?

Attorney Morrison: No ma’am. You can’t…

Faye Perry: I can just state what I want to state.

Attorney Morrison: You can make a statement, yes ma’am.

Faye Perry: Okay, that was…I had asked Mr. Parks and Mr. Porter during the planning meeting if this was part of the economic development for Camden County and I was told at that time this is not part of your economic development plan for the county. So I just want to make sure that that is what it is. I’m not asking if it is or not but I’m just stating that that’s what we were told at the meeting; that it is not part of the economic development plan for the county. Also, the impervious nature of the solar farms I believe in my opinion and I may not be able to say this, but due to the impervious nature of the solar farm structure it could possibly, maybe, maybe not, I guess that’s okay to say; that the water would drain onto the property that I live on and that during heavy rains it does flood the area that I live on and it has come up part of the way in my house. I live 96 feet…my back door is 96 feet from the property line where this is going to be going. Her pictures show 250 but that’s not from my house. That’s from an adjoining house. But my property line is only 96 feet from this solar farm and I just wanted to make sure that on Item Number 6, Mr. Parks’ list, that it would have the opaque landscaping and I would like to ensure that that does include not only just Sassafras Lane but it does include along Sandy Hook Road. Can I say that?

Attorney Morrison: Yes, ma’am.

Faye Perry: Okay.
Attorney Morrison: May I ask the witness a question? Mrs. Perry, you have a concern about stormwater runoff given the opaque nature of the panels. Is that correct?

Faye Perry: Yes, sir.

Attorney Morrison: Okay. You are not aware of any engineering studies that would indicate…

Faye Perry: No, sir. I'm not aware of anything.

Attorney Morrison: Just your best guess.

Faye Perry: I can’t back it up. This is just an opinion.

Attorney Morrison: It’s a legitimate concern, all right.

Faye Perry: Yes, just a concern.

Attorney Morrison: Thank you very much.

Faye Perry: Thank you.

Attorney Morrison: Thank you.

Christina Barker: My name is Christina Barker. I currently reside at 108 Sassafras Lane in Shiloh. I’m here tonight on behalf of myself and my concerned neighbors, adjacent to the proposed solar farm of SunEnergy1 and landowners Mike and Stacey Riggs. I have some educational packets that I guess…will I be allowed to submit?

Attorney Morrison: Yes, ma’am.

Christina Barker: Okay.

Attorney Morrison: If I could see that first for a minute please. Thank you.

Christina Barker: ---. (too low)

Attorney Morrison: Okay. Commissioners, before you look at this document let me review it first. Commissioners, the first document I reviewed is on the letterhead of North Carolina State University North Carolina Cooperative Extension Service. It purports to be authored by Cameron Lowe, the interim County Extension Director and it contains a report to the effect that solar farms may not be a good idea. It would be my opinion, and this is…the report is by Dr. Ron Heiniger, Core Science Extension Specialist with North Carolina State. It will be my opinion that this hearsay. Dr. Heiniger is not here, would not be subject to cross-examination. Dr. Heiniger is not taking an oath as to the authenticity of this. Do you understand my point? So
respectfully…I mean it’s up to you to admit it but on advice of counsel I do not think you should consider this because it is hearsay. You can’t cross-examine a piece of paper. Ma’am, did you understand my concerns?

Christina Barker: Yes.

Attorney Morrison: Okay. I commend you for your work but this is…you’re the victim of a lawyer trick, okay. But it’s an important concept. Do not consider this, all right. Now the next document ma’am, that you have, is…

Chairman Riggs: So we can’t take those.

Attorney Morrison: That would be my recommendation. You need to rule on that commissioners; that you’re not going to consider it because it’s hearsay.

Chairman Riggs: So do I need to rule…we need to vote on it.

Attorney Morrison: You need to make a motion.

Chairman Riggs: Yeah, we need to make a motion. We need someone to make a motion that we do not accept those.

Commissioner White: I will make a motion that we do not accept that as evidence on the advice of our counsel.

Attorney Morrison: All right. And the advice is it’s hearsay.

Chairman Riggs: All in favor…you’ve heard the motion. Wait a minute, excuse me. You’ve heard the motion. We’re not going to accept the documentation on the advice of the counsel and not being able to cross-examine the author of that document.

Attorney Morrison: Yeah, it’s therefore hearsay, okay.

Chairman Riggs: So all in favor say aye. Against? Passed.

RESULT: PASSED [UNANIMOUS]
MOVER: Tom White, Vice Chairman
AYES: Meiggs, Riggs, White, Krainiak, Munro

Attorney Morrison: All right ma’am, the next document you wish the board to consider is a proposed ordinance on solar farms. Is that correct?
Christina Barker: Correct.

Attorney Morrison: Okay, that’s your recommendation. And I don’t know if it’s relevant but they can consider it. How would this be relevant?

Christina Barker: Um…

Attorney Morrison: You’re asking that the ordinance be changed?

Christina Barker: Yes.

Attorney Morrison: All right. Well the ordinance cannot be changed tonight. They may or may not wish to consider change in the future and this would be a wonderful resource for them to look at in that time. But I would say you not consider this tonight because it’s not relevant.

Chairman Riggs: Do we need to vote on that?

Attorney Morrison: Yes.

Chairman Riggs: So now we need a motion to decline or not accept the draft version of the UDO changes for Solar Farm regulations. One of you guys want to make a motion?

Commissioner Munro: Chair, I want to make a motion that…

Commissioner Krainiak: Whatever you just said.

Commissioner Munro: …we don’t accept it…

Attorney Morrison: In that it’s not relevant tonight.

Commissioner Munro: …it’s not relevant tonight.

Chairman Riggs: All in favor say aye. All against?

RESULT: PASSED [UNANIMOUS]
MOVER: Ross Munro, Vice Chairman
AYES: Meiggs, Riggs, White, Krainiak, Munro

Chairman Riggs: It passed. So we won’t be accepting that this evening.

Christina Barker: I think that cancels out…
Chairman Riggs: We’re almost a year late on getting an ordinance to the UDO into the cogs to be moving for tonight. It takes almost a year for us to change a document.

Christina Barker: Yes, I apologize. I did not hear of these meetings prior to November’s meetings. I was not made aware. That was most of the speech tonight. So I guess let me shorten it up by just saying in making your decision tonight I just want to make sure that you as county commissioners, that you have the community’s health, safety and welfare in place before making your decision tonight.

Chairman Riggs: All right, thank you. We do want to talk about the devalue of our homes with the property with SunEnergy1.

Attorney Morrison: You own a home nearby. Is that correct?

Christina Barker: I do own a home.

Attorney Morrison: The law is…even though she may not be a realtor you can always express an opinion as to the value of your own property so this would be competent. You may testify, ma’am.

Christina Barker: Okay. I would just like…I guess the homeowners would like to see something put in tonight that if SunEnergy’s Special Use Permit is approved, that the devalue of our home, that’s something that they’re held responsible for; for the difference in the devalue of our home.

Attorney Morrison: Well she can make the request but you don’t…there’s nothing in the ordinance that allows you to do that. So the way the law is written they don’t have the ability to do that. But ma’am, if you have any evidence…now you can’t talk about anybody else’s property; you can talk about yours. If you have any evidence that your property values of your home is going to be diminished that would be competent and the board can consider it. But you’ve got to have evidence that that is the case.

Christina Barker: Thank you for your time.

Attorney Morrison: Thank you.

Robert Williams: Hello, my name is Robert Williams. I live at 140 Sassafras Lane. And it was explained to me by the people at SunEnergy that they can’t modify what they’ve submitted at all. And I’d like to request that they do away with the tree line along my property you know on my personal regions. I don’t want it blocked in. I’d like to make that request.

Attorney Morrison: Excuse me, sir. Could you repeat that, please? You would like them to alter the tree line?
Robert Williams: Just do away with it along my property line for claustrophobic reasons you
know.

Attorney Morrison: Oh okay. All right.

Chairman Riggs: Can I ask him questions?

Attorney Morrison: Yes.

Chairman Riggs: Mr. Williams...

Robert Williams: Yes, sir.

Chairman Riggs: I'm gonna make sure I'm understanding you. You just want to do away with
the trees and have flat...that buffer just flat ground. So they just keep it mowed and it gives you
visibility.

Robert Williams: Thank you.

Chairman Riggs: I think that would save the builder money, myself.

Dave Parks: The ordinance does require the landscaping there. That’d be up to the board. I
don’t know if it would be legality-wise as far as modifying that requirement.

Attorney Morrison: You can modify it if it’s for health and safety reasons. The witness testified
he is claustrophobic. Did I understand that? Is that a medical condition or you just don’t want to
be boxed in?

Robert Williams: When they plant corn in front of my property and I’m sitting on my porch it
feels like we’re boxed in and I do feel claustrophobic. I’m afraid when they do plant the corn
they’re closing in that side also because I’m already on the left side; you know on the other side
that...

Attorney Morrison: Do you have an actual medical condition of claustrophobia?

Robert Williams: No, sir. No, sir.

Attorney Morrison: Okay. All right. Well I don’t think you can deviate from your ordinance
without...you can deviate from your ordinance to an extent for health and safety reasons but I
don’t believe that testimony would rise to that level.

Chairman Riggs: What if that trip was gonna clip the tip of his wing when he come to land?
Dave Parks: I’d like to ask the applicant a question. What type of vegetation do you have
planted up alongside there?

Chairman Riggs: You might have me in there.

Linda Nwadike: ---. (too low)

Dave Parks: To the height of how?

Linda Nwadike: When I plant it it would be about 4 feet but it grows up to about 20 or above
feet.

Dave Parks: The ordinance requires a vegetative buffer. The vegetative buffers, the trees can be
replaced with some other sort or type of buffer if that would satisfy the adjacent property owner.
Instead of trees they could plant other things.

Chairman Riggs: I got a question. I was getting ready to ask you that. Instead of planting 20-
foot tall trees, she could plant 3-foot tall shrubbery.

Linda Nwadike: We can definitely do that; whatever --- (too low) would like.

Attorney Morrison: All right, good.

Chairman Riggs: It’s still vegetation. We’re still fulfilling the…we’re still fulfilling the…

Dave Parks: Intent of the ordinance.

Chairman Riggs: …intent of making some kind of shrubbery.

Attorney Morrison: Okay, very good.

Commissioner Meiggs: --- the UDO. (too low, cross talk)

Dave Parks: Yes, it does.

Attorney Morrison: All right.

Chairman Riggs: Let’s go with that.

Attorney Morrison: I love it when government works.

Michael Riggs: My name is Michael Riggs. I live at 1442 South 343. Me and my wife own the
property. I discussed it with them before they bought their property a year ago; that we were
putting a solar farm there. And I discussed it when they were buying and I told him and my
brother-in-law, Bobby before I ever made the decision to go with SunEnergy. It was a business
decision for me. All I’ve done is farm all my life and I couldn’t raise a crop for what they pay
me. It was a business decision for me and that’s all I got to say.

Linda Nwadike: I just want to address their concerns because again, like said previously,
SunEnergy likes to be good neighbors and we always like to work with the neighbors. And
they do have some concerns which I definitely want to talk about. In regards to Mrs.
Barker’s…actually, I’m sorry…

Faye Perry: Perry.

Linda Nwadike: …Mrs. Perry’s runoffs and things of that nature and we do the stormwater plan.
‘Cause she’s talking about the drainage system on her property. There is a stormwater plan that
has been completed like I mentioned previously with the help of an independent engineer who
looked at it. It doesn’t really affect what we are doing. And in regards to Mrs. Barker’s
comment on the appraisal of her property, that’s a good concern to have, which I actually
understand where her concern is coming from. But as you can see in your package there was an
appraisal done on the solar facility in ---, North Carolina. And what happens with it is when they
looked the appraisal was completed, the conclusion was there isn’t any positively or negatively.
It doesn’t affect your property at all; positive or negative, it does not. However, the things that
affect your property value is if you have a subdivision you don’t know how is going to move in.
Drug use, your neighbors can affect your property value; the homes next door can affect your
property value. So I wanted to make sure she understands that, as well. And we have tried as a
company…I met up with the neighbors end of November; November 30th at the library here in
the county and we talked about the solar facility without any of the county personnel. And we
talked about the solar facility with them and they can testify to that. We spoke about it. They
asked questions, we answered all their questions at that time. And their major issues were
eyesore and property value and I did give them the appraisal reports for them to take home and
take a look at it. And in regards to eyesore, the ordinance states that we have vegetative buffer.
We talked them in regards…some of them were inclined to having a fence, a privacy fence. But
we came to a compromise I thought with it, to put it on their property. We are willing to pay for
the privacy fence if it makes them happy. And we came to that conclusion. If you want a
privacy fence, get the neighbors all together, which Mrs. Barker was supposed to have taken
charge of. Get them together, sign a document stating that this is the type of fence you want;
privacy fence that you want; the details of privacy fence, send it to us; let’s take a look at it. But
that never happened unfortunately. I called Mrs. Barker several times in regards to what are they
thinking and didn’t really get a response if the group had come to a consensus. So that’s kind of
where we are because I just want to make sure you understand that wherever we go we always
try to be good neighbors and work with the neighbor that we might affecting. Thank you.

Chairman Riggs: Excuse me, we have a couple of questions. Mr. Meiggs…
Linda Nwadike: Sure.

Commissioner Meiggs: Is Sun still willing to maintain that same attitude about the fence?

Linda Nwadike: Yes, sir. (short laugh) We always…again, we’re always willing…if they come back to me…because I know they have never responded to me in regards to that…

Commissioner Meiggs: ---. (too low) Is Sun still willing to negotiate --- concerning a fence?

Linda Nwadike: Yes, sir. I’m willing to work with them and if they can get me documentation and our engineer techs will look at it and if the fence can be on their property and not on our property, we are willing to do something in regards to that.

Commissioner Munro: I have a question I’d like to ask. Ma’am, the appraisal, Kirkland Appraisals, LLC…

Linda Nwadike: Yes, sir.

Commissioner Munro: Who hired them to do the appraisal and the study for this packet?

Linda Nwadike: This is an independent…it’s --- solar. It’s not even related to SunEnergy1. This is a different solar company that did the appraisal. We wanted to make sure…

Commissioner Munro: But it was a solar company that hired them?

Linda Nwadike: Correct.

Commissioner Munro: Okay.

Linda Nwadike: But it wasn’t SunEnergy1. We are not related anyhow with them.

Commissioner Munro: But it was a solar industry that paid for the appraisal report.

Linda Nwadike: It was an independent solar company that paid for the appraisal for…

Commissioner Munro: Independent solar company. I understand, thank you.

Chairman Riggs: We have some more. You’re gonna be busy. (laughter)

Attorney Morrison: If I may ask a question, to your point sir. This appraisal that was done was not done on Camden County property though.

Linda Nwadike: No, it was not.
Attorney Morrison: All right so you can treat that, give it such weight as you can. You could consider it relevant to be trends in the industry or you could consider it remote. It doesn’t deal with this land. Maybe that’s the case in Winston-Salem but doesn’t necessarily apply here. So you give it what weight you think it deserves.

Commissioner Munro: Understand.

Attorney Morrison: All right.

Commissioner Munro: Go ahead, Tom.

Commissioner White: I had a question about the appraisal, too. That was…I assume that was a certified appraiser ---. (too low)

Linda Nwadike: Yes, sir. Yes, sir.

Commissioner White: So supposedly whoever hired them, it doesn’t matter. They’re supposed to be independent and supposed to --- appraisal or they can get in big trouble.

Linda Nwadike: That is correct, sir.

Chairman Riggs: Mr. Meiggs.

Commissioner Meiggs: I was gonna say ---. (too low)

Linda Nwadike: Yes, sir. That’s correct.

Commissioner Munro: I do have a couple more questions.

Linda Nwadike: Sure.

Commissioner Munro: Let me see if I can phrase this correctly. How many solar farms has SunEnergy built to date?

Linda Nwadike: We have built about 400 megawatt-ac. The solar…depends on the capacity. It varies. But right to date, about 400 megawatt-ac.

Commissioner Munro: How many solar…independent solar farms, pieces of property is that?

Linda Nwadike: I can’t give you a number. If I give you a number it will be an inaccurate number.

Commissioner Munro: Okay. And how many of those does SunEnergy still own?
Linda Nwadike: We own various, as well. So it varies. I want to say we own probably...I want to say 5 to 10 of them independently and most of them are --- now.

Commissioner Munro: They have been resold?

Linda Nwadike: Some of them are sold, some of them utilities own them, correct.

Commissioner Munro: Thank you.

Linda Nwadike: Um hum.

Dave Parks: Board, if you don’t mind I would like to elaborate on their agreement with the property owners about a privacy on their agreement with the property owners about a privacy fence on their property. Correct me if I'm wrong, Mr. Morrison, is we can’t set a condition for the applicant to put structures put up on adjacent property. Special Use Permit applies to the property itself and not adjacent properties.

Chairman Riggs: That’s just out of the kindness of her heart if she does it. --- (cross talk)

Dave Parks: Yes, sir. Yes, sir.

Chairman Riggs: Here’s what I want you to address. I’d like for you to address the drainage plan.

Dave Parks: The applicant submitted a drainage plan to the county which was reviewed by Mr. Greg Johnson, our county engineer. He approved the drainage plan, stating that it meets the drainage requirements of the Unified Development Ordinance.

Attorney Morrison: That was done by an engineer ---. (cross talk)

Chairman Riggs: Where does it drain to and across Sandy Hook Road at?

Dave Parks: I'm not sure where it drains to. That would be...I'm not an engineer.

Chairman Riggs: The gentleman behind you raised his hand.

Dave Parks: Please state your name and address.

Eric Schudt: My name is Eric Schudt. I live in Greenville, North Carolina. I'm the civil engineer with SunEnergy. The drainage was done by an independent civil engineering company, Timmons, out of Raleigh and that was approved by the county. The water...the way we do it, we hardly do any kind of grading whatsoever. We don't change where the water’s gonna go. The water wants to go where it wants to go and we're just going to let it go there. So where it's
draining now is where it’s going to continue to drain. To answer the other lady’s question about impervious area, we’re very low impervious area. Like a normal residential subdivision will be like 60-70% paved surfaces or rooftops. We’re around 3% because the only thing that we have to count is the actual post that’s going into the ground and the pad that the inverters or transformers sit on ‘cause otherwise the water gets underneath the panels and meets the ground just like it would otherwise. So we…we have consulting engineers that put the plans together so we abide by all the stormwater ordinances and ---; the erosion control and all that stuff. So I’m available if there’s any other questions about the stormwater or even afterwards if you want to ask me something.

Attorney Morrison: Yes, may I ask a question? Mr. Chair, may I ask?

Chairman Riggs: Go ahead.

Attorney Morrison: You indicated you’re a licensed civil engineer?

Eric Schudt: I am a licensed civil engineer in the State of North Carolina.

Attorney Morrison: Okay. And when did you obtain your Engineering degree?

Eric Schudt: My undergrad was finished in December of ’91. I got my Master’s in technically ’95 and I’ve been licensed since ’99.

Attorney Morrison: In North Carolina.

Eric Schudt: Not in North Carolina. I just received my North Carolina license.

Attorney Morrison: All right, your license now. When were you licensed in North Carolina?

Eric Schudt: I just received it like last month.

Attorney Morrison: Okay. And where did you take your undergraduate and master’s degrees?

Eric Schudt: My undergraduate was at Perdue University in Indiana and my master’s was at the University of Notre Dame.

Attorney Morrison: And have you practiced engineering continuously since 1999?

Eric Schudt: In the 20 years since I graduated I’ve been practicing engineering for about 16 of those years.

Attorney Morrison: And how many of those drainage plans have you reviewed and created approximately? Hundreds?
Eric Schudt: I would have to go into the hundreds, yes.

Attorney Morrison: Okay. Mr. Chairman, my purpose for asking these questions would indicate that this witness is an expert and therefore capable of rendering an opinion. You do not have to believe the testimony of an expert simply because they are an expert. However, if you choose to believe the witness on normal issues of credibility and ability to understand what he’s talking about, he is capable of rendering an opinion where a lay witness would not be.

Eric Schudt: That’s all I had but I’m available for questions.

Chairman Riggs: Anybody have any more questions, Commissioners? Any more evidence you want to bring forward?

[?] Talk about the stormwater runoff. (laughter)

Michael Riggs: It’s a sandy ridge. The only time you have water standing if you have a six or eight-inch rain. If you have a two or three-inch rain the ground soaks it up. It is not…the only time if you have maybe a six or eight-inch rain that’s when you have water and then it drains off.

Chairman Riggs: Tell me somewhere in the county that a six or eight-inch rain doesn’t stand and that’s where we build the next project.

Faye Perry: It is sandy land but if you go into my yard any time that we have rain I own…if you look on the pictures you’ll see the two houses right there and the field between the other three houses; that whole front right there. The whole back of my property is all the ditch that that water that he’s talking runs through. And there’s a dip in between the two lots, between my house lot and my spare lot. And there’s a little…where we built up the property at, it does sit in there and you can go down there at any time that you want to and you can see water standing there because it does not flow across the church, which is across the street. On the other side, you can see where the church is over there and it does…it’s either clogged or whatever. So I can’t ask the county to dig out the ditch but if you could make the water flow away that would be wonderful.

Christina Barker: I want to add to the drainage. Per the Camden County Planning Department. When we built our home we were made to put 12-foot ditches in because of the drainage and the holding water.

Dave Parks: If I could answer the question, the house lot that you had purchased, there was a four-lot minor subdivision done a while ago by Mr. Riggs. Part of the ordinance requirement is they provide us a drainage plan for those four lots and the drainage was put in and was certified.

Michael Riggs: Talking about the drainage, Faye’s lot, on my property is three-foot higher. She graded her property so it cut her property down. That’s the reason the water stands. It’ll drain
but across 343 is where the swamp is stopped up or filled in. That’s what slows it up. That’s the reason the water lays.

Chairman Riggs: That’s not a job for…that drainage across 343 is not a job for this but it is…it is one that our soil and water guy takes care of.

Michael Riggs: That swamp there has filled in.

Eric Schudt: I would also like to say about the drainage thing, right now the site is fine. And I don’t know the specifics of his farming practices but one would presume that once the crops grow you harvest them and then we have bare ground. Once we have the solar farm in it’s essentially going to be like open grasslands. Once we get the grass established we’ll no longer be using fertilizer so we’ll have less of a nutrient load. But also the runoff will be slightly less because of the grass there. It won’t ever be bare ground, at least while the solar farm is there.

Chairman Riggs: Being you’re the expert, usually ground that has grass growing absorbs water faster than bare ground because bare soil, it runs off of it like running off of a 2 x 4. And the grass actually helps the absorption rate. True?

Eric Schudt: Correct. Yes, the grass will slow down the runoff, which will extend the amount of time it takes for the wire to reach one part of the property into the other to the ditch it drains out of, it also…the grass will absorb the water and the water will go out through transpiration. It’ll you know come out through the leaves and all that. So the grass does absorb some of the water and it also slows it down so the actual highest…I don’t want to say flood stage, but the highest level that the water gets after a storm event will be lower and it’ll be lengthened. But the only thing is that property is sort of at the local…I hate to say high because of the way this county is, but everything…nothing…we’re not gonna be blocking flow at all. I mean the water flows from our site out. So you know and we’re not gonna be adding any water to the flow and we’re also not gonna be blocking up any waterways.

Chairman Riggs: Right, it’s not like you’re building a development where you have retaining ponds or any of that kind of stuff. So whatever nature puts there, it’s gonna go somewhere in its natural flow.

Eric Schudt: Correct.

Chairman Riggs: I'm very familiar with that. Thank you.

Commissioner Krainiak: I’ve got one question.

Chairman Riggs: Mr. Krainiak has a question. I think it’s directed at you.
Commissioner Krainiak: Yes, ma’am. This is a high hunting area. Are you gonna have…there’s gonna be a fence around it?

Linda Nwadike: Yes, sir.

Chairman Riggs: Deer; do they affect the solar panels and by chance somebody hits it with a stray bullet what happens then?

Linda Nwadike: Okay. The panels…okay, first question. There will be a six-foot fence going around our perimeter; chain-link fence in addition to if we decide to go ahead and do their privacy fence. So what will happen in regards to the deer, the deer will move the pack. It’s like any other subdivision where you put a home in, wildlife will just move the area where they go because they can’t go through with the fences. And third question in regards to the bullet, hopefully that won’t happen but the panels are monitored…seriously, the panels are monitored 24 hours remotely. So if something happens someone in our office will see it and additionally it’s monitored by the utility as well. So someone will know there is a problem with the panel because a bullet went through it so that panel will probably not work anymore. So one our O&M personnel, our maintenance and operation personnel will come up and take a look at what has happened.

Chairman Riggs: I’m gonna ask you one question because I happen to know that many of their neighbors are bears. Has a bear had a negative effect on one of these panels? I mean they walk around. I’m sure they get in there and walk around them because they’re like kids. They will climb a fence or anything. We don’t have high-voltage accidents or anything like that with the animals.

Linda Nwadike: No, we haven’t heard anything about that. But again, it will just…the path that the bear goes through will just be a little different because of the fence going around it and it will be pushed back. But if they climb on top of it, again I hope not, but that’s something that we will mitigate. And if we see something that’s going on we’ll have somebody come out here and take a look.

Commissioner Munro: Ma’am, I have a question.

Linda Nwadike: Sure.

Commissioner Munro: Is this the first solar farm that you’ve built this close to the coast in North Carolina?

Linda Nwadike: Sir, no. We have one that we just completed in Currituck County this past December. We have various panels, various sites in Washington County and Bertie County. We’ve built a couple in this area.
Commissioner Munro: So being a coastal community, what wind force can the panels sustain?

Linda Nwadike: I think it’s 110 miles per hour. That’s what it is built to at this time.

Commissioner Munro: If by chance the winds exceed that, and the panels come off and a lot of the panels are damaged, what’s the plan for getting rid of the panels? Can they be taken to the local dump?

Linda Nwadike: Yeah, these panels are not hazardous at all. They can be you know recycled or they can be put in the landfill. There’s no hazardous materials associated with these panels at all. And like I said, the panels are monitored 24/7 in case that issue arises and the panels fall out somebody will notice if something is wrong and come out and pick up the panels and reinstall a new one if need be and recycle the others.

Commissioner Meiggs: Ma’am I got just two things. One, I think it’ll be safe to say that this array will be --- operate; remotely operated.

Linda Nwadike: That’s correct.

Commissioner Meiggs: Panels, if I’m not too far out, about 98-99% of these generation two panels are recycled.

Linda Nwadike: That’s correct.

Commissioner Meiggs: Is that correct?

Linda Nwadike: Yes, sir.

Commissioner Meiggs: Compared to the old panels which were probably what, 40-50%; something like this?

Linda Nwadike: No, the ones…

Commissioner Meiggs: The old ones.

Linda Nwadike: The panels that we use are actually the old type of panels made in the 1950’s; the technology done in the 1950’s. He has a sample of the panel. That’s what I'm showing.

Commissioner Meiggs: But these are rebuildable also.

Linda Nwadike: These are rebuildable panels that are made with silicon.

Chairman Riggs: Do we need to accept that as evidence?
Attorney Morrison: If they’re offering it. Are you offering that into evidence?

Linda Nwadike: Sure, I can put this…I just wanted you guys to take a look at it. I can…

Chairman Riggs: Well we need to accept it if you’re going to show it to us.

Linda Nwadike: Oh sorry. Do you want to accept it? (laughter)

Attorney Morrison: I don’t want it.

Chairman Riggs: Make a motion so we can accept to view them.

Attorney Morrison: If you would pass it up and let them look at it.

Linda Nwadike: These are the type of panels…these are panels…you have seen these panels all over even the highways and these panels are used on the rooftops. Actually I believe Mr. Williams has a set of panels on his property right now, as well; is used widely. It’s 1950’s technology. There’s no environmental impact of these panels. It’s actually the same technology…I don’t know if you guys know the little calculators that use the cells, solar cells. It’s the same technology as these panels. But of course the one we utilize is bigger than that. This is just a sample.

Commissioner Munro: One more question before you leave, ma’am.

Linda Nwadike: Sure.

Commissioner Munro: If I’m correct here, this is a 5 megawatt solar farm?

Linda Nwadike: Yes, sir.

Commissioner Munro: Why was the choice for a 5 megawatt farm made by SunEnergy?

Linda Nwadike: Because of the size of the property. We’re only using 50 acres. It was 90 acres in total. But if you look on the top those are wetlands and we cannot build on wetlands. I wish I had a pointer; on the north side. And so we couldn’t build it on wetlands. So we have to you know come down on it. So that’s why it’s a 5 megawatts. But if the property was larger it would have been a bigger capacity.

Commissioner Munro: Has SunEnergy built bigger?

Linda Nwadike: Oh yeah. We’ve built…

Commissioner Munro: In North Carolina?
Linda Nwadike: In Elizabeth City we have one of the biggest ones. Actually in Conetoe there’s an 80 megawatt AC.

Commissioner Meiggs: About 1800 acres thereabout?

Linda Nwadike: That is correct.

Commissioner Meiggs: That’s right.

Chairman Riggs: Okay. We will now close this public hearing. Anybody have anything further to discuss? Do I have a motion to close this public hearing?

Commissioner Meiggs: So moved.

Chairman Riggs: Mr. Meiggs made a motion we close this public hearing. All in favor say aye.

RESULT: PASSED [UNANIMOUS]
MOVER: Garry Meiggs, Commissioner
AYES: Meiggs, Riggs, White, Krainiak, Munro

Chairman Riggs: We need to take five minutes before we go into the next session.

Commissioner Meiggs: Mr. Chairman before you do…before you do I would like to ask the board that I be recused from the upcoming public hearing because I do have a financial interest in that one.

Attorney Morrison: All right so Mr. Chairman you would accept a motion that Commissioner Meiggs be allowed to recuse himself and that would require a vote.

Motion that Commissioner Meiggs be recused in the Mining Operation request since he has a financial interest in the property.

RESULT: PASSED [UNANIMOUS]
MOVER: Tom White, Vice Chairman
AYES: Riggs, White, Krainiak, Munro

Chairman Riggs declared a five-minute recess.
Chairman Riggs reconvened the Board of Commissioners meeting.

Motion to amend the agenda to add the Special Use Permit and finding of facts from staff as New Business Item 6.D.

RESULT: PASSED [UNANIMOUS]

MOVER: Garry Meiggs, Chairman

AYES: Riggs, White, Krainiak, Munro

Dave Parks: Mr. Chairman, the Planning Board at their November 16, 2016 meeting recommended approval of the Special Use Permit Application UDO 2016-10-03 for a five megawatt A/C solar facility located at the intersection of Sassafras and Sandy Hook Road with the conditions as stated in staff’s finding of facts. If the commissioners would like to consider either approval or denial we would recommend that they approve or deny the Special Use Permit Application UDO 2016-10-03 with the conditions as stated in the staff finding of facts.

Attorney Morrison: And I believe they have to consider each issue individually and vote upon that.

Dave Parks: They would consider the application as a whole.

Attorney Morrison: All right. They don’t have to consider number one, is the application complete; number two…? (cross talk)

Dave Parks: Yes, they would. They would have to consider based off what staff submitted…you would have to consider is the application.

Attorney Morrison: All right. Where is that in the application, Dave?

Dave Parks: It’s actually not in the application itself. It’s part of the ordinance; the very beginning of the ordinance; to consider the commissioners would have to state whether they believe that the application submitted by staff is complete.

Attorney Morrison: But they also have to consider other items, as well.

Dave Parks: With the supporting documents, sure.

Attorney Morrison: Do we have the ordinance?

Dave Parks: I do not have the ordinance with me, no sir.

Attorney Morrison: Can you pull it up for us?
Dave Parks: I don’t have it up here. ---.

Attorney Morrison: Commissioners, you have to consider I think there are five criteria and you have to find all five. One I know is the application complete; two, would it violate the health, safety, welfare; would it diminish property values, etc. We need to vote on each one of those I think.

Chairman Riggs: You’ve got the five questions?

Attorney Morrison: Mr. Chairman, I do and I will…unfortunately we don’t have them for you printed but I will suggest we need to have a motion of the five things and then a vote on each motion separately, okay. All right, number one: Do we have a motion to find that the application is complete? Someone needs to make that motion.

**Motion that the application is complete.**

RESULT: PASSED [UNANIMOUS]

MOVER: Garry Meiggs, Chairman

AYES: Meiggs, Riggs, White, Krainiak, Munro

Attorney Morrison: Number two: Does the proposed project comply with the Unified Development Ordinance?

**Motion that the proposed project complies with the Unified Development Ordinance.**

RESULT: PASSED [UNANIMOUS]

MOVER: Tom White, Vice Chairman

AYES: Meiggs, Riggs, White, Krainiak, Munro

Attorney Morrison: Number three: Will the proposed project at the current location endanger the public health and safety? And I think there’s no evidence that it will but that’s for you to decide. So do we have a motion that the proposed project will not endanger the public health and safety?

**Motion that the proposed project will not endanger public health and safety.**

RESULT: PASSED [UNANIMOUS]

MOVER: Randy Krainiak, Commissioner

AYES: Meiggs, Riggs, White, Krainiak, Munro

Attorney Morrison: All right the next would motion would be that the proposed project will not injure the value of adjoining or abutting property. There was no competent evidence introduced that it would.
Chairman Riggs: So we entertain a motion?

Attorney Morrison: That it will not injure the value of adjoining or abutting property.

**Motion that the proposed project will not injure the value of adjoining or abutting property.**

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Attorney Morrison: Is the proposed project in harmony with the area in which it is located? I believe, Dave, this property is zoned for this, right?

Dave Parks: The property is zoned for the use.

Attorney Morrison: Okay. So do we have a motion that this project is in harmony with the area in which it is located?

**Motion that this project is in harmony with the area in which it is located.**

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Attorney Morrison: Next we need a motion that it is in conformity with the Land Use Plan of the county – and it is. Is that correct?

Dave Parks: The current Land Use Plan does not address solar farms.

Attorney Morrison: All right. So it’s hard to say whether it is or is not consistent. This is not reviewable by a court. It’s a --- the General Assembly makes you vote on this. You could vote it’s not and still approve the project or you can vote that it is. We have no Land Use Plan that addresses solar farms. Is that correct?

Dave Parks: That is correct. The current Land Use Plan does not address solar farms.

Attorney Morrison: I would assume logic then is if we don’t have an ordinance on this it would have to be consistent.

Dave Parks: That is correct.
Attorney Morrison: All right. So is it consistent with the…
Chairman Riggs: It won’t have any effect…
Attorney Morrison: It won’t have any effect one way or the other. But so I would say that you have a motion…
Chairman Riggs: So the motion is it conforms to the Land Use Plan. Do we have a motion to that effect? So we have a motion that it conforms to the Land Use Plan as currently…(cross talk)
**Motion that the proposed project conforms to the Land Use Plan.**
Chairman Riggs: We’ve got one more to do, right?
Attorney Morrison: One last one. Did you vote on that one?
Commissioner Meiggs: What’s the motion?
Attorney Morrison: The motion is it’s in conformity with the Land Use Plan.
**RESULT:** FAILED.
**MOVER:** Ross Munro, Commissioner
**AYES:** None.
**NO:** White, Meiggs, Riggs, Krainiak, Munro

Attorney Morrison: The last is it will not exceed the county’s ability to provide public facilities.
**Motion that it will not exceed the county’s ability to provide public facilities.**
**RESULT:** PASSED [UNANIMOUS]
**MOVER:** Ross Munro, Commissioner
**AYES:** Meiggs, Riggs, White, Krainiak, Munro

Attorney Morrison: All right this having been taken you would not entertain a motion to approve the application with the staff findings. Is that correct?
Dave Parks: That’s correct.
**Motion to approve the application with all submitted evidence, including staff findings.**
RESULT: PASSED. [4-1]

MOVER: Garry Meiggs, Chairman
AYES: Meiggs, Riggs, White, Krainiak,
NO: Munro

The ordinance passes with a 4-1 vote.

Motion to go into Public Hearing for UDO 2016-08-10 B&M Investments of North Carolina – Mining Operation.

RESULT: PASSED
MOVER: Tom White, Vice Chairman
AYES: Riggs, White, Krainiak, Munro
RECUSED: Meiggs

Dave Parks: Yes, Mr. Chairman, at this time staff would invite all public entities to provide testimony in this matter to come up and get sworn in.

Clerk: Do you all swear to tell the truth, the whole truth and nothing but the truth?
All: Yes.

Dave Parks: Yes, Mr. Chairman and Board, B&M Investments of North Carolina, LLC, who will be represented by Mr. Garry Meiggs tonight has applied for a Special Use Permit application for a mining operation on property located at the end of Ponderosa Road in South Mills Township. The property is located at the northern border of Virginia and North Carolina. Give me a second here. All the people were sworn in. The Special Use Permit application, back in 2007 the county approved a Special Use Permit application for the same use on the same property. Due to the downturn in the economy the Special Use Permit had expired. The applicant is coming in with a whole new application for the same use, same conditions; same type plan and everything for the board to consider.

At this time staff would like to offer into evidence the Special Use Permit application, which was included in your board packet to include all of the supporting documents. Staff would also like to submit as evidence in the looking over the state discharge permit, the old permit had expired that was put in your packet. It was expired in 2014. The State Department of Environmental and Natural Resources renewed it in 2015 and it shall expire in 2020 with the actual general permit for the mining operation. Staff would like to submit as evidence A.

Attorney Morrison: Yes, exhibit A.
Chairman Riggs: You swung your head just a little bit, Mr. Parks. You said the current DENR application permit...

Dave Parks: Part of the mining operations with the state is what they call a discharge permit for water.

Chairman Riggs: That’s good until 2020?

Dave Parks: It is good through 2020. And it says that the certificate of coverage shall remain in effect for the duration of the general permit. General Permit expires in 2020.

Attorney Morrison: Mr. Chairman, just for the record you need to make a ruling. You may have and I could’ve missed it, but you accept into evidence Exhibit A, the application and Exhibit B, the Certificate of Coverage. Is that correct?

Dave Parks: That is correct, for the ---. (cross talk)

Attorney Morrison: So A and B, okay.

Chairman Riggs: Okay. So we need a motion to accept into evidence Item A, the application and Item B, this is a Certificate of Coverage.

Motion to accept Exhibit A and B.

Chairman Riggs: Mr. White has a made a motion that we accept Exhibits A and B.

RESULT: PASSED [UNANIMOUS]
MOVER: Tom White, Vice Chairman
AYES: Riggs, White, Krainiak, Munro
RECUSED: Meiggs

Dave Parks: Thank you. Again, the property is located at South Mills Township at the end of Ponderosa Road. All advertisements have been done and completed in accordance with the Camden County Unified Development Ordinance. At this time staff would like to turn it over to Mr. Meiggs if he would like to say anything about the project. After that, staff will read over the staff finding of facts and then we’ll open it up for any public to offer testimony in this matter.

Attorney Morrison: Before Mr. Meiggs speaks the record should reflect that Mr. Meiggs is the managing member of the LLC. Is that correct, Mr. Meiggs?

Garry Meiggs: Yes.
Attorney Morrison: Therefore, you always have the right to represent yourself and he can do that.

Dave Parks: Would you like to speak on it or let the application stand as is?

Garry Meiggs: To start with, I had no intention of being put in this situation tonight but because of issues going on in our adjoining county to the east, our engineer could not be with us tonight. I think it all stands on its own. Planning…the permits and things, it’s a reissuance and that’s really all I’ve got to say. Thank you.

Dave Parks: Yes, Mr. Chairman, the zoning on the property is light industrial, which allows the use of the mining operation. Property size is about 113 acres. It’s zoned light industrial. Properties adjoining to it to the North is the State of Virginia, to the south is woodlands and some farms, over 23 acres. To the east, some woodland and approximately 95 acres. And to the west there is a single-family dwelling on a 10-acre lot. The utilization of the access ingress and egress of the use will be off of Ponderosa Road. The nearest outfall is the Dismal Swamp Canal. There’s a lead ditch out there and everything drains into the Dismal Swamp. There are no service utilities servicing the property; no water, no bathroom facilities, no septic systems. Up on Ponderosa Road, there are actually two other mining operations up there. Mr. Williams owns a tract that the exit is off the northern portion of his property onto 17. That does not access Ponderosa Road. There is…Camden Yards Material has a Special Use Permit application for their mining operations which utilize Ponderosa Road as access for ingress and egress for their development.

- Under utilities, like I said under utilities there’s no utilities servicing the property at this time.
- Landscaping; is there any buffer required. Yes, there is buffering required and it is indicated on their site plan.
- Findings regarding additional requirements: Endangering the public health and safety. Like I said, these are staff opinions; we are not experts. If the ingress and egress is proposed off of Ponderosa Road, which is a private road, staff feels that with the width of Ponderosa Road and current road conditions proposed use will have an impact on the residents that utilize the road if not kept up to drivable standards.
- Injury to value of adjoining or abutting property: Staff feels that and is of the opinion that proposed use will not injure value of the adjoining properties. The whole area up there is zoned light industrial for commercial uses.
- It in harmony within the areas located? Yes, it is. The property is zoned I-1. Again, the proposed use is permissible in that zone with the approval of a Special Use Permit.
- Is it in conformity with county plans? Is it in conformity with the Land Use Plan? Area is consistent with the county’s Future Land Use map for the proposed use. Thoroughfare plan - only access to the site is off Ponderosa Road. Again, it is a private easement. It is not a state-maintained road. It is an unpaved road.
Will not exceed the county’s ability to provide public facilities: It will have no impact on your schools, little impact on your fire and rescue, little impact on your law enforcement.

At the November 16, 2016 Planning Board, Planning Board recommended approval to reissue a new Special Use Permit with the following conditions, which were taken from the previous permit.

1) The applicant must strictly abide by all the requirements of the Unified Development Ordinance of Camden County, North Carolina and must also strictly comply with all other local, state and federal ordinances, laws, rules and regulations as one or more ordinances, laws, rules and regulations may apply to this development.

2) The applicant shall complete the development strictly in accordance with the approved plans contained in the file title UDO 2016-08-10.

3) Applicant shall aid in maintaining the upkeep of Ponderosa Road to current conditions.

4) Applicant shall retain the cut over trees that lay within the buffer area indicated on the site plans.

5) The hours of operation shall be April 1-October 31, 7:00 a.m. to 6:00 p.m., Monday through Friday; and then from November 1-March 31, 7:00 a.m. to 5:00 p.m., Monday through Friday. This is to coincide with Daylight Savings.

6) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this approval in its entirety shall be void and have no effect.

At this time staff would entertain any public to offer testimony in this matter.

Attorney Morrison: Excuse me, Mr. Parks did you make a finding the application was complete?

Dave Parks: It is staff's opinion and findings that the application is complete.

Chairman Riggs: Anyone in the public wants to make a comment?

Jeremy Rosenberger: Jeremy Rosenberger, owner of 373 Ponderosa and 363. I do have a major concern. I have pictures that I’d like to present as evidence that I would like to ask…concern of there’s a picture of our road, picture of my car on the road. I would like to know where anybody sees it can facilitate two dump trucks side by side first off.

Attorney Morrison: All right, just a moment please, sir. You’ll get to make those remarks. What is your…what is your last name, sir? I'm sorry.

Jeremy Rosenberger: Rosenberger.

Attorney Morrison: Rosenberger?

Jeremy Rosenberger: Yes, sir.
Attorney Morrison: Mr. Chairman, I think you should receive this as Rosenberger Exhibits 1 and 2.

Chairman Riggs: All in favor of receiving Mr. Rosenberger’s Exhibits 1 and 2 say aye.

Commissioner White: Aye.

Commissioner Krainiak: Aye.

Commissioner Munro: Aye.

Chairman Riggs: She’s making us a copy.

Jeremy Rosenberger: Also I’ve got another one here showing my house as well for evidence, instead of just the road.

Attorney Morrison: Hand that up to Commissioner White and this would be Rosenberger Exhibit 3.

Chairman Riggs: We’ll accept Mr. Rosenberger’s Exhibit 3. If you’re in favor say aye.

Commissioner White: Aye.

Commissioner Krainiak: Aye.

Commissioner Munro: Aye.

Chairman Riggs: Any against? Passed.

Commissioner White: She’s working on it. [Clerk is making copies.]

Chairman Riggs: Is this your house, Mr. Rosenberger?

Jeremy Rosenberger: Yes, sir.

Chairman Riggs: You’re on the right-hand side as you’re progressing back towards 17.

Jeremy Rosenberger: Yes, sir.

Chairman Riggs: As we’re going out towards 17 you’re on the right-hand side.

Jeremy Rosenberger: Yes, sir. That is correct.
Commissioner Munro: North on Ponderosa; north side of Ponderosa?

Jeremy Rosenberger: Yes, sir. That is correct. The concern is that’s a three-mile dirt road. It is a privately…private road. It’s a road that me and the residents maintain. It’s a big concern with the maintenance of it. When you’re talking…if I’m not mistaken, the permit is issued for 100 to 200 trucks a day. I want to make sure that me and my wife can get home. As far as my neighbor, Ms. Mary, and the other residents, I currently purchased another piece of property. It’s not all zoned industrial property back there. I have a residential, she has a residential. I just purchased another 15 acres back there. I’m currently getting rezoned in the process. I’ve got a final inspection. I’m rezoning that into residential, as well.

Chairman Riggs: We can’t accept what you’re going to do.

Jeremy Rosenberger: Okay, I own residential property.

Chairman Riggs: Okay, I understand that.

Jeremy Rosenberger: I own residential property, sir, yes. And I want to make sure that I can access my home and my wife can, as well. Another concern is you see that it is not paved. You run 100 trucks on that road, I just lost my freedom to open the windows in my house because you see I’m not far off the road. It’s dust. It is gonna be a dust field. I will have dust blown all in my house; brake dust coming off these dump trucks. Is that a…is that healthy for my children to be playing in the front yard, 15 feet off that road? I’m asking that the board does not issue a mining permit.

Chairman Riggs: Anybody else? Anything else?

Jeremy Rosenberger: Is there a permit…has there been a permit that’s already been issued for the clearing that’s already been done back there. Is there a valid permit for that?

Attorney Morrison: You cannot ask the board members questions. You can present evidence. You can ask questions.

Jeremy Rosenberger: I’m asking for evidence to be presented. It’s not…I’m asking evidence for work that’s already been done back there. Is there a permit that has been issued that can be cited?

Attorney Morrison: Who are you addressing that question to?

Jeremy Rosenberger: Anybody who can answer it.

Attorney Morrison: Okay, that’s a good idea. I have no idea one way or the other. Mr. Parks?
Dave Parks: The clearing of property greater than an acre requires an Erosion and Sedimentation Control Plan approved by the state. Part of the mining permit that was received by the state includes that Erosion and Sedimentation Control Plan for the clearing. The clearing, even without the mining permit the applicant could use the Erosion and Sedimentation Control Plan to clear-cut the property. And the other issue with the residential, if I can clarify that with the board while I'm up here; is the residential use is up there. They are classified as legal non-conforming uses; legal at the time they were created; just not conforming to current zoning; under current zoning. Like I said, if the…

Attorney Morrison: That’s commonly what’s referred to as being ‘grandfathered in’.

Dave Parks: I was doing the legal thing. So that would clarify as far as the…all residential uses up along there are classified as legal non-conforming.

Commissioner Krainiak: I’ve got one question, Mr. Chairman.

Jeremy Rosenberger: That’s all the evidence.

Chairman Riggs: Mr. Krainiak has a question for you.

Jeremy Rosenberger: Yes, sir.

Commissioner Krainiak: I don’t think it’s for you, I think it’s for Mr. Parks. This says the applicant shall aid and maintain the upkeep of Ponderosa Road in current conditions. They’ll maintain it so he can get home? Because with 100 trucks going up and down there I can see that might be a…if it’s nice and wet like it’s been today that might be a little issue for them. I don’t know if you’re gonna…

Jeremy Rosenberger: It’s muddy right…it’s got ruts in it now and that’s just from little POVs; not from 100 loaded dump trucks; 20, 50. It’s gonna be…it’s happened in the past.

Commissioner Krainiak: Were you living back there when they were doing it before?

Jeremy Rosenberger: No, sir. But I’ve heard nightmares of it and I’m just trying to prevent.

Commissioner Krainiak: I just didn’t know what the conditions were.

Chairman Riggs: You say it’s happened in the past. There’s already mining operations back there. Highway 17 was built by one of those sandpits that’s back there.

Jeremy Rosenberger: Okay so we need another one to open up?

Chairman Riggs: Well I mean this road survived that one.
Jeremy Rosenberger: Look, I'm protecting my home, my family.

Chairman Riggs: I understand.

Jeremy Rosenberger: I'm not trying to protect 17.

Chairman Riggs: I understand.

Jeremy Rosenberger: There's two pits that are already there; established.

Chairman Riggs: Is there trucks going in and out of those two pits?

Jeremy Rosenberger: No, sir.

Chairman Riggs: Okay.

Jeremy Rosenberger: And that's we can, as residents, maintain that property. We maintain the road with our farm tractors, our personal equipment. I can't...my question is you see the width. There is evidence proof width of the road. Let's start with width. Do you see where there is ample enough area for two dump trucks to be side by side? If I'm coming home I don't want to have to back up two and a half miles to get a dump truck around me. He's not gonna back up. My question is where is the room to facilitate two dump trucks side by side? I haven't even...let's just begin with that before we get into the ruts, the mud. There's not enough width. That's the bottom line. Evidence shows. That's all I have.

Commissioner Krainiak: Getting back to the question there, has that been addressed; the maintenance situation; rocks; whatever they agreed?

Dave Parks: I was not privy to be at the Planning Board meeting. The maintenance of the road, usually...Mr. Coleman has a similar...same operation to the west of the property. Part of his...correct me if I'm wrong, Mr. Coleman. Part of his requirements to maintain the road does require some of the watering when dust picks up. Is that correct? Part of it does require the watering of the property. The continued use, I agree with what Mr. Rosenberger earlier said; was it will kick up dust. The watering helps. The care and maintenance of the road is everybody's responsibility back there. Like I said it's...you know...I don't...you could ask...

Chairman Riggs: Being that you are a member of the staff, the current road that we're looking at, is that a legal right-of-way or is it just an easement?

Dave Parks: It is a private easement, private road; 30 feet. It does not meet any DOT requirements because it is private.
Chairman Riggs: I know but as I understand it there’s a difference between an easement and a right-of-way.

Dave Parks: If I'm correct the easements and right-of-way are allowable for ingress and egress. It’s just…

Attorney Morrison: There could be. Who owns this easement? Do we know?

Dave Parks: That’s the magical question. In the research it is there platted as an ingress/egress. It’s on some surveys we’ve seen as ingress and egress for the property owners to utilize.

Jeremy Rosenberger: The property owners, when we signed deeds we signed an easement right-of-way.

Attorney Morrison: Okay.

Jeremy Rosenberger: It’s almost like…

Attorney Morrison: Did you sign a road maintenance agreement, as well?

Chairman Riggs: How many feet was it? How many feet wide was the easement you signed?

Jeremy Rosenberger: I’d have to get the information on it. I think he’s got the survey on that if I'm not mistaken.

Attorney Morrison: Do we have the deed or easement or the deed of right-of-way saying who has the right to use that road?

Dave Parks: No, sir.

Attorney Morrison: All but this…

Dave Parks: It just reflects as an easement.

Attorney Morrison: All right this property has been zoned to permit sandpits. Is that correct?

Dave Parks: That is correct.

Attorney Morrison: All right. And this sandpit and this and other sandpits are in the area and are serviced by this road?
Dave Parks: There are two sandpits in the area; one, the northern side of Ponderosa; the Williams tract, which their ingress and egress is off a...their path to the north, they don’t access Ponderosa Road.

Attorney Morrison: All right. Is there any other sand mine serviced by this particular road?

Dave Parks: Yes, Camden Yard Materials ---. (cross talk)

Attorney Morrison: Okay. How long has that sandpit been there?

Dave Parks: To the best of my knowledge, since 2002.

Attorney Morrison: Okay. And the residents that built there, they are non-conforming. They were there first. Is that right?

Dave Parks: That is correct.

Attorney Morrison: Okay. But when the property was rezoned to allow sandpits...when was it rezoned to allow this?

Dave Parks: The rezoning...the county in 2004 did a major rezoning and the county was rezoned at that time.

Attorney Morrison: And it was rezoned in 2004.

Dave Parks: Correct, which changed that to a light industrial zone.

Attorney Morrison: All right so it’s a light...you have residences but they’re in light industrial zoned area.

Dave Parks: Which will classify them as a legal non-conforming...

Attorney Morrison: Okay, I understand.

Chairman Riggs: When you ponder that, Mr. Morrison, when Camden Yard applied for their permit quite some time ago, we had the same path that we’re looking at right here. Camden Yard operated for several years. Are they still in business?

Dave Parks: Yes, they are.

Chairman Riggs: They hauled sand out of there for several years. And they maintained the road while they were doing it. I mean you know they’d put a little sand in the holes. They drug it on a regular basis.
Attorney Morrison: I think this gentleman’s concern, in addition to road maintenance, is road width. Can vehicles headed in opposite directions pass each other? And if the road is (cross talk)…just a minute. The road width I’ve heard is 30 feet and I believe you’re contending it’s less than 30 feet?

Dave Parks: The plat easement is 30 feet.

Attorney Morrison: 30 feet, okay. All right so that would be 15 feet in either direction.

Jeremy Rosenberger: That 30 feet, though, is not…that 30 feet is on the other side of the ditch. On the south side is where that pin in that survey is from.

Attorney Morrison: So you’re saying it’s not actually 30 feet wide.

Jeremy Rosenberger: Absolutely not.

Dave Parks: The road itself…correct, it’s not 30 feet. The easement runs I think…

Attorney Morrison: What we’re interested in I guess more so than the easement is passable roadway. How wide is that?

Dave Parks: Well the road itself, you’re looking at about 20 feet maybe. It all depends on the width of the dump trucks; the way that the existing mining operations ingressed and egressed out; what if they would see another truck coming off the road; they would pull off to the side.

Attorney Morrison: Is there room to do that?

Dave Parks: The speed limit was restricted.

Attorney Morrison: Is there room for these vehicles to pull off to the side?

Dave Parks: We’ve had probably one incident I think with Camden Yard Materials where one of the trucks actually went in the ditch up there over since 2002.

Attorney Morrison: What would happen if the commissioners were so inclined to approve this to make a condition that the sand mine vehicles, the trucks, would have to yield to residential traffic coming in? Is that a possibility where they could…the truck could pull off to the side of the road to allow a residential vehicle to get in?

Dave Parks: I believe so.

Attorney Morrison: Wouldn’t that be within the authority of the commissioners to do that for the health, safety and welfare?
Dave Parks: Yes, sir.

Attorney Morrison: Okay.

Jeremy Rosenberger: I disagree with the width.

Attorney Morrison: I don’t have a vote; I'm just asking.

Jeremy Rosenberger: There’s pictures. I don’t…that’s evidence. It’s not an opinion. It’s a stated picture. His mining operation was...it is more off to the west, where this new one is, it’s further east down Ponderosa, which the road consistently gets narrower. That is where my home is located.

Commissioner Munro: Dave, I have a question for you. On page 81 of the application there’s a order to grant a Special Use Permit by the Board of Commissioners of Camden, North Carolina. It was written in July 16, 2007.

Dave Parks: That’s correct.

Commissioner Munro: Did you write this? Were you employed…

Dave Parks: I was part of the findings, yes sir.

Commissioner Munro: Okay. On Findings Regarding Additional Requirements, 24, Endangering the Public Health and Safety, did you write this?

Dave Parks: It was an opinion of the staff, yes.

Commissioner Munro: What’s that?

Dave Parks: It was opinion of staff, yes.

Commissioner Munro: Yeah. And nothing has changed to the status of that road?

Dave Parks: No, sir.

Commissioner Munro: Okay so this is still applicable today?

Dave Parks: Yes, sir.

Commissioner Munro: Okay. ‘Cause the findings…(cross talk)

Attorney Morrison: That’s not binding.
Dave Parks: It’s not binding because the permit expired.

Attorney Morrison: The permit expired.

Dave Parks: At that time, yes sir.

Commissioner Munro: At that time. And the road is still the same width?

Dave Parks: Yes, sir.

Commissioner Munro: Okay. So nothing’s changed.

Dave Parks: The misunderstanding is Mr. Rosenberger property, Camden Yard Materials, their mine pit is before Mr. Rosenberger’s property so they’re not actually going by his property. If you’re coming down Ponderosa…

Commissioner Munro: Explain that part.

Dave Parks: Okay. Camden Yard Materials’ mine is probably about two miles before the proposed applicant here. Mr. Rosenberger’s property is beyond Camden Yard so and there was no actual…there is no truck traffic from Camden Yard Materials impacting Mr. Rosenberger’s property.

Commissioner Munro: No, this is B&M investment.

Dave Parks: Right. But what I want to say is Camden Yard is coming up first, then you’ve got Mr. Rosenberger’s property and then you’ve got B&M. So Camden Yard does not impact Mr. Rosenberger’s property as far as truck traffic.

Commissioner Munro: Right. This wasn’t written for Camden Yard. This was written in 2007 for B&M.

Dave Parks: That was for B&M, yes sir.

Commissioner Munro: Yes. And it says on number 24, Findings Regarding Additional Requirements Endangering Public Health and Safety under Finding A, it says if ingress/egress is proposed off Ponderosa Road staff feels that the width of Ponderosa Road and current road conditions proposed use will have a severe impact on the public health and safety. That was written in 2007 for B&M.

Dave Parks: That is correct. It was in our opinion like I said with the dirt road condition during periods of rain…
Commissioner Munro: And you just stated the road conditions haven’t changed any.

Dave Parks: No, they haven’t changed.

Commissioner Munro: So wouldn’t it be the same finding today?

Dave Parks: That is correct.

Commissioner Munro: If the road conditions haven’t changed any…because you made this finding in 2007 and the road conditions have not changed any, so under findings today Regarding Additional Requirements…

Dave Parks: That they’re endangering the public health and safety?

Commissioner Munro: Yes.

Dave Parks: Yeah staff in the current…

Commissioner Munro: What page do you have that on?

Dave Parks: It’ll be under number three, Findings Regarding Additional Requirements. I don’t have the same page number you have in your packet since you’ve got multiple pages there. But it’ll be under the…let me see here, if you go to the fourth page of the application.

Commissioner Munro: Fourth page of the application, roger that.

Dave Parks: Under number three, Findings Regarding Additional Requirements.

Commissioner Munro: Okay so yeah, under three; number three.

Dave Parks: Correct. A is Endangering Public Health and Safety.

Commissioner Munro: Yeah.

Dave Parks: If the ingress and egress is proposed off Ponderosa Road, which is private, staff feels with the width of Ponderosa Road, like I say it’s a 30-foot easement and current conditions, proposed use will have an impact on the residents that utilize the road if not kept up to drivable standards.

Commissioner Munro: I lost my place here on that old one. Here it is. I got it, thank you. So in 2007 it was a severe impact and now it’s just an impact on the residents.

Dave Parks: Correct.
Commissioner Munro: But the road hasn’t changed any.

Attorney Morrison: I believe Mr. Meiggs wanted to make a statement.

Garry Meiggs: I do. Having just been shown a picture…of the picture that you were shown, I found it extremely interesting, gentlemen. In today’s technology and you gonna bring me a picture in here that’s just as black you can’t hardly see it? Let me assure you, that’s quite a skewed version of the way that path looks; quite skewed right by because you’ve got very little traffic, if any, that goes by Mr. Rosenberger’s…any. If you think that no traffic moving on the road don’t impact how wide that you’ll run it out, if it’s so narrow then how is Mr. Coleman with Camden Yard Materials passing? How are these people meeting those trucks up and down that path? It doesn’t seem to be an issue with that.

Commissioner Munro: Mr. Meiggs, can I ask you one more question please?

Garry Meiggs: Yes, sir.

Commissioner Munro: I didn’t see it in here. How many trucks are gonna be coming in and out on a daily basis?

Garry Meiggs: Commissioner, I don’t mean this ugly but you know that’s more than --- knows.

Commissioner Munro: Who?

Garry Meiggs: Because who knows? This man hadn’t hauled a load out of his pit up there in years. So how am I gonna sit here and tell you exactly how many loads I’m gonna move…

Commissioner Munro: I didn’t ask for an exact number.

Garry Meiggs: …when one pit up there is shut down and so is the other one?

Commissioner Munro: Mr. Meiggs…

Garry Meiggs: It might not be none, sir.

Commissioner Munro: Mr. Meiggs, I just asked you for an approximate number.

Garry Meiggs: And I just answered you; I don’t know.

Attorney Morrison: All right…

Commissioner Munro: And you don’t need to get cross with me, I’m just asking you a question.

Garry Meiggs: I don’t know. I don’t know.
Attorney Morrison: All right, if I may, we’ve heard I believe from Mr. Rosenberger that there are
 gonna be hundreds of trucks heavily loaded and that just came in. We might want to ask…Mr.
 Parks, is there anything in the application or any evidence you have as to how many truckloads
 will be coming in and out a day?

Dave Parks: No, sir. Like I said with a mining operation the use is going to dictate on the
 contracts that they get to provide sand. Again, with Mr. Coleman’s pit it ran down a couple
 years because the downturn in the economy, there was no demand for it.

Attorney Morrison: All right so there’s… (cross talk) we have no scientific evidence of any kind
 as to how many trucks will be coming in and out during the day. Is that correct?

Dave Parks: That is correct.

Attorney Morrison: All right.

Chairman Riggs: The only one caveat that I have is…the only evidence we have is that there’s
 been times when he was hauling like crazy because he had a contract. Now his trucks have sat
 idle for quite some time because there’s not nobody mining that volume of sand. And like you
 say, it’s supply and demand. And the guy who has the sand on the day that it’s required then
 that’s the guy who’s going to do it.

Attorney Morrison: Well I’ve got no dog in this fight. Let me just explain though, you have to
 base your decision on competent evidence. There is no competent evidence at this point that
 there will be hundreds of trucks a day. I mean that was a surmise. There’s no evidence as to
 what it will be. This thought further occurs to me since this is so very important to the developer
 and to the homeowners, Mr. Meiggs your engineer, Mr. Bissell, was not able to be here because
 he’s got a conflict in Currituck. Is that correct?

Garry Meiggs: Correct.

Attorney Morrison: Is your engineer capable of addressing this; about the traffic?

Garry Meiggs: I would say no because he’s a lawyer.

Attorney Morrison: He’s an engineer, I’m a lawyer. (laughter)

Garry Meiggs: Well he’s not in the sand business.

Attorney Morrison: Okay. It is within your right certainly to go forward. People are here and
 they’re prepared to address this. If you think it would be of assistance you can recess the hearing
 and request the parties to bring you further information on the number of trucks, the width of the
 road and the condition of the road. Engineers frequently take into account traffic patterns and
traffic flow. I do not know as to whether Mr. Bissell has done that or not. But that’s usually within their expertise.

Chairman Riggs: I'm confused and I'm probably going to ask you a question...maybe I should keep my mouth shut. But why do we want to delay the process?

Attorney Morrison: You may not.

Chairman Riggs: We've already proven that them trucks that he owns can go in and out of there on a regular basis and haul sand.

Attorney Morrison: That is purely...(cross talk)

Jeremy Rosenberger: That one's further west down Ponderosa. That's not...his trucks were not coming from...(cross talk) where the photos were taken from.

Chairman Riggs: Just because you happen to move another few feet...

Attorney Morrison: Okay.

Chris Coleman: I can probably enlighten everybody.

Chairman Riggs: Did you swear in, sir?

Dave Parks: Can you come up? Yes, sir.

Chris Coleman: Yes.

Commissioner Munro: Please do.

Chairman Riggs: Please come help us.

Commissioner Krainiak: Enlighten us.

Chris Coleman: Good evening. My name is Chris Coleman. I am the managing member of Camden Yard Materials. I would be the pit approximately a mile and a half west of the applicant. I had my speech planned for when I got up here, but in listening to what everybody’s trying to understand about the easement, okay, there is a platted easement, 30-foot. That doesn’t mean the 30-foot is where the road is at. In fact, if you blow up their drawings you will see that the easement is on the other side of the canal. Therefore, the width of the road is reduced in half in some locations. In my case, years ago, back in 2001-2002, had the similar issue. I actually had to purchase an additional 30-foot right-of-way in order to facilitate two-way traffic. Now as you go along the existing Ponderosa Road, it’s a dirt road, but you compare that in an overlay on
the actually 30-foot easement and the preponderance of Ponderosa lies in the canal. Now when we got our permit we had stipulations, and I can enter this as evidence. It’s already in…should be in the package; where upfront we had to have a I believe it was a 25-foot paved entrance approximately 1300 feet built to NCDOT specifications. We also had to install a mile and a half of millings, wrap. Do we all know what that is?

Chairman Riggs: Right.

Chris Coleman: So basically a gravel road 20-feet wide to the entrance of my pit. So we improved two miles of roadway to the cost of almost $750,000 in order to operate. That’s what this gentleman is talking about; is you’ve got another mile and a half. Where’s the improvement coming from and where does that road lie within the layover of the easement? Does everybody understand?

Chairman Riggs: I’m with you.

Chris Coleman: That make sense now? I guess I’ll enter this as evidence. At the entranceway…I’m gonna jump back while she’s doing that. If you look at page 1 on the applicant, they’re designed by Bissell Group. On the left-hand side in the sequence of construction of the notes, and it states that the minimum low count is 100 loads a day, to a maximum of 200 loads a day. Now double that ‘cause that’s in and out, okay. I shouldn’t have to put that in as evidence; you’ve got that.

Attorney Morrison: It’s already been received.

Chris Coleman: Okay. So that answers the question. Everybody was saying does anybody know? Well the engineer already put that in there; 200 loads a day. Now if you go back to the meeting minutes, which you should have in your package that should be evidence, on the...I guess that would be the October meeting before the...

Dave Parks: Let me get some copies of this for you. These are the ---. (too low)

Chris Coleman: You messed up my speech up. I got to remember all this again; the whole packet. I guess this will be...he’s got two; we’ll call this three; this will be four.

Dave Parks: ---. (too low)

Attorney Morrison: How much of that do they need? Do they need the whole document, sir?

Chairman Riggs: It’s just a set of minutes from the Planning Board meeting.

Dave Parks: These are the Planning Board minutes of the October meeting, correct?
Chris Coleman: Uh huh.

Chairman Riggs: Can’t we pull them right up on the web site?

Dave Parks: You can pull it up on the web site.

Attorney Morrison: Sir, can you quote to the board the applicable provisions from the Planning Board minutes or do they need to look at the entire document?

Chris Coleman: I would need my document back.

Attorney Morrison: Yeah, yeah.

Dave Parks: ---. (too low) If you want to brief the commissioners as far as this goes and I will provide them copies. We can pass it around as far as any ---. (too low)

Chairman Riggs: October 19th? This right here?

Dave Parks: Okay what we got here, we’ve got the meetings on the screen here and we’ll have them up here. And I can always enlarge if you need to see it a little bit better.

Chris Coleman: I’ve got notes on several pages; 5 and 13.

Dave Parks: Page 5 and 13. Go to the middle of the page.

Chris Coleman: I’ll start with that. During the October meeting, and I would like to state for the record, the issue of traffic on Ponderosa Road and its easement and narrow ways of existing roadway and the issue of the overlay was brought up before the Planning Board by me. I requested a meeting, a deferral of the decision, I requested a meeting amongst the powers-that-be, the applicant and myself, so we can sit down and try to sort things out. I’m very disappointed to say that I was never contacted; not an email, not a phone call or anything. For the record I requested a meeting to resolve this. When you go into the aspect of endangering public life and you already pointed on that; you know staff recommended one thing before; they have a different opinion at this time. I made it very, very, very clear to the Planning Board in trying to get them to envision the worst-case scenario because that’s the way you’ve got to look at it. If the applicant is at full operation at 200 trucks, I'm at full operation at 200 trucks that’s 400 trucks times two; that’s 800 trips. That’s a truck every .6 of a minute.

Chairman Riggs: Ya’ll wish you were gonna be that busy.

Chris Coleman: I was that busy when things were good. It’ll come back, it always does. History repeats itself. But you have to look at the worst-case scenario. So my whole position was the only stipulation put on the applicant was help maintain the road and I said well wait a minute;
I’ve got three pages of stipulations when I got my permit that I have to follow. Mr. Porter said, “Well you know if anything happens trust me, I’m gonna come down there and we’re gonna get it right.” And you know I…and I told him, I said you know don’t take this the wrong way but you can’t come down and police this. You know 400 dump trucks rolling up and down a three and a half mile road and you’ve left open to the imagination who’s gonna take care of what. It’s gonna be a major finger-pointing campaign that I don’t want to be involved in. I requested that the county meet and let’s set up some rules. You know you got to have some rules to go forward. If you want to plan, if you want to bring in infrastructure, and I'm a business man, you’ve got to plan for this. You just can’t leave it wide open you know. This isn’t the Wild West anymore. Again, I'm discouraged I never got a phone call.

On page 6 of 13, item #3, it states the applicant…this is part of their rules that they need to follow. The applicant shall aid in maintaining the upkeep of Ponderosa Road to current conditions. That’s it.

Again, on page 7 of 13, Chairman Calvin Leary observed that condition #3 of the staff’s recommendations stipulate that B&M Investments shall be required to aid in the maintenance of the roadway. Well somebody needs to define what maintenance is.

On page 8 of 13, sixth bullet down, Mr. Meiggs promises that he will keep up the road as he is wanting to do business at that location. So here we go, we’ve got promises. That means nothing to me.

Mr. Rick McCall asked Mr. Meiggs how many trucks per week would be traveling the road if this project went forward. Mr. Meiggs replied that there would be 12-15 loads a day, which means anywhere between 84-105 truckloads a week. Now that’s totally different than what that permit says. It’s totally different than what I know as an expert in my field of what can happen. I believe Mr. Meiggs’ testimony induced that board to de-scope the magnitude of the impact. Why would he say that? That’s 3 trucks. That’s 3 trucks. If it’s gonna be 3 trucks I don’t have a problem; none at all. I do have a problem with 200 trucks running daily over the two miles that I'm required in writing, under a permit that I have to maintain. That’s the only thing we got in writing. I got to maintain it. So to have 200 trucks of a competitor running over my $750,000 worth of improvements, I’ve got a problem with that. And you know anybody would have a problem with that.

So again, I voiced you know my concerns and my opinions where you know I’ve seen firsthand what happens on that road with our own operations. It was all that we could do to keep up. It’s a job. You know I don’t want somebody’s life on my conscience. Something needs…there needs to be discussions on how this would be handled. And it also…you need to look at the overlay of the easement. You can’t fill the canal in to widen the road. Army Corps ain’t gonna let you do that. You’re not gonna move the culvert on 17 you know unless you want to spend a million bucks. You know my conditions as in what you would have as Exhibit 3, issued by the County of Camden, condition 6 and condition 7, that’s what I was made to do in order to provide access
for my operations and to make the road safe for everybody that bordered; owners of Ponderosa Road. Actually I brought in 10,000 tons of millings.

If you look on Exhibit 4, these are the conditions of the Special Use Permit for Camden Yard Materials and specifically in regards to the road would be item #6, permittee shall pave to NCDOT standards the right-of-way known as Ponderosa Drive from US 17 to a point…blah, blah, ya’ll can read that; a width of 22 feet with additional shoulders and drainage.

Item #7, permittee shall improve to NCDOT standards the roadway known as Ponderosa Drive from a point equal to the east end of Lot 12, that’s the subdivision that’s right there, to the entrance of the sand mine, which is another mile and a half with standard shoulders and drainage.

Item #8, this goes in and talks about the stop signs, etc., etc., etc.

Chairman Riggs: Let’s back up one second where you just said #8.

Chairman Riggs: It says in lieu of paving the road shall be improved to 18 feet width. You can pass two trucks on 18 feet?

Chris Coleman: Barely.

Chairman Riggs: Barely. That’s where you tear off mirrors and stuff. Okay. Who can answer, is this piece of road right here 18 feet wide?

Chris Coleman: There was a picture that I saw had a vehicle in it. And no, that’s not 18 feet.

Chairman Riggs: I know that, I saw that piece. But I’m looking…you know there’s grass on both sides. There may be 18 feet of usable road there that’s just not grassed up. And once the applicant goes and improves the road, his 18 feet wide and carries it back to his pit, then he’s got a road. The question comes to mind you know how do we make these two entities cooperate and do this. And then Mr. Rosenberger’s piece of property actually puts a floodgate in the middle of this thing if his property line goes all the way up and he says no, we’re not gonna let you go by there. It’s only gonna be one truck by his piece of property. I’m sure he’s got some amount of easement there.

Chris Coleman: I think where a lot of concern is unless I’m missing something that the county has not put any stipulations on what the road improvement needs to be like they did on me. You know I got forced to spend $750,000 to get the improvements to operate.

Chairman Riggs: I understand your plight. I was sitting on this board when you got those stipulations. I understand your plight.
Chris Coleman: You know in addition we put up 1200 foot of privacy fence as a barrier. That was item #9. You know in addition I put in 1200 foot of landscape buffer next to that fence. The list went on and on and on. And we complied and it was expensive. You know the question of whether or not they have enough is again by the overlay of the survey. And if you blow that up what this gentleman is saying is the pin is on the other side of the ditch and he doesn’t have enough room. I don’t know. All I can do is go by that. Again, we had the same scenario as is Exhibit 1, where I had to purchase 30 additional feet in order to get the roadway width to allow two vehicles to pass because the ditch or the canal is actually constructed in the easement. So there’s a big difference between 400 trucks a day and 3 trucks a day. You know personally I don’t see how it can be done; to have both operations running at the same time. If they’d like to buy mine I’ll sell it to them. (short laugh) And he’s got one to deal with. Does anybody have any other questions for me?

Chairman Riggs: No, sir.

Chairman Riggs: Thank you.

Chairman Riggs: Thank you.

Garry Meiggs: Is there any other questions for me? You’ve heard both sides of it. The best that I know the improvements that we done by Camden Yard, that’s what they are. I had nothing to do with that. The development of that road initially, I had a lot to do with it. I’m the man that basically got it so that it was…you were able to get up and down it. Isn’t that right? When I logged in there I cut every bit of that timber. I’ve hauled in excess of about 400-600 acres out of that road. It’s amazing how I did it and got by and made the improvements to the road. The first rockings that went on on that road, I believe if I'm not wrong was done by me and Union Camp Corporation. That’s where the first base of rock; not from Camden Yard Materials, gentlemen. It was a lot of work done on that road before anybody else showed up back there; anybody.

Commissioner Krainiak: I think we need to table it.

Chairman Riggs: Anybody else want to speak?

Mary Roberts: I’d like to ask something if I could.

Chairman Riggs: Let the lady speak.

Mary Roberts: I'm the last house on Ponderosa. What happens if we have an emergency? ‘Cause I’ve been having problems with my heart. So what do I do; just tell the ambulance they just have to wait till all these trucks go in and out?

Chairman Riggs: No ma’am. I can assure you that when that ambulance pulls in there with them lights on them trucks are gonna move away.
Mary Roberts: All right, I’ll keep you to that.

Chairman Riggs: Yes ma’am. They’re not gonna take your life…

Attorney Morrison: The last lady to speak needs to give her name and address for the record.

Mary Roberts: Mary Roberts, 370 Ponderosa Drive.

Chairman Riggs: Mr. Rosenberger, I want you to answer a couple of questions before you start.

Jeremy Rosenberger: Sure, sure.

Chairman Riggs: The lots that are in the development of Ponderosa, is the actual entrance from Deer Trail or do you guys…or do all of them come off of Ponderosa Drive?

Jeremy Rosenberger: Ponderosa Drive.

Dave Parks: Deer Trail is the road name to the subdivision.

Jeremy Rosenberger: Yes, sir. Off of 17 it’s straight onto Ponderosa. And then you…

Chairman Riggs: Correct, I understand that. And then you have to do that little hook and go into Heritage and then into the main subdivision part. But technically, are the houses supposed to come in from the subdivision side or from the Ponderosa side?

Commissioner Krainiak: It is a common driveway from Heritage and Ponderosa initially?

Jeremy Rosenberger: I'm still confused.

Chairman Riggs: Here’s what I'm getting at, Mr. Planning Department. Why do we have a road that doesn’t have the correct width easement on it and we’re calling it one of our roads?

Dave Parks: Deer Trail?

Chairman Riggs: Ponderosa Drive.

Commissioner White: That used to be a farm path.

Chairman Riggs: It was a farm path.

Dave Parks: There are a lot of named private roads out in the county.
Chairman Riggs: But how did we let a development build without building a road to meet DOT standards? I mean we could’ve stopped them at the --- of the development. But this man just said when he started Camden Yard he built that road in there. You see what I’m getting at?

Dave Parks: No, sir.

Chairman Riggs: We let somebody build a development without having the proper roads.

Dave Parks: When you’re talking development are you talking the sand pit or are you talking the residential development there?

Chairman Riggs: I'm talking all these houses right there.

Dave Parks: Those were houses exempt subdivisions and you’re building a lot; or existing lots. You can build a house on existing lots when they were put in there. I do not know what the requirements were back there when they were put in.

Commissioner White: Well I can tell you I remember Ralph Sawyer was the one that developed that…

Dave Parks: That little subdivision, yes.

Commissioner White: …(cross talk) And he just came off of Ponderosa Road, which was really a farm path and a lot of people logged up and down there and came off that. (cross talk)

Dave Parks: In your current county ordinance it does allow…

Chairman Riggs: That gets me back to where I was though.

Dave Parks: Your current ordinance does allow private access subdivisions.

Chairman Riggs: Right.

Dave Parks: And like I said, I do not know what the standards were when they were done. That was…

Chairman Riggs: It’s too long ago to have had to match the UDO.

Dave Parks: At that time we would classify them as legal ‘cause they are there.

Chairman Riggs: Okay.

Commissioner Krainiak: Can we table this?
Chairman Riggs: Mr. Rosenberger’s standing up. We’re gonna give you one minute, Mr. Rosenberger. Is that what you need?

Jeremy Rosenberger: Yes, sir.

Chairman Riggs: We’re gonna give you one minute.

Jeremy Rosenberger: Excuse me?

Chairman Riggs: I saw you stand up. I thought you wanted to say something.

Jeremy Rosenberger: I was just wanting to refer to Mrs. Mary’s statement here. That is one of the biggest concerns. I have three children. She is my neighbor and we can sit here and say that yes, I’m gonna maintain. Equipment fails, machines fail. If a machine goes down they can’t maintain that road. Trucks get stuck on that road. It is nothing but mud. I don’t know where that rock is. I haven’t seen it. It’s mud. Trucks get stuck. It’s one way in, one way out. How is an ambulance gonna get back there? And as a father and as a neighbor that’s a huge concern of ours.

Chairman Riggs: But she’s still on the paved though, right?

Jeremy Rosenberger: She’s right beside me.

Chairman Riggs: Oh she’s way back where you’re at.

Jeremy Rosenberger: She’s right beside the development that’s trying to get past. She’s adjacent to that. I’m beside her.

Chairman Riggs: Okay.

Jeremy Rosenberger: It’s a one-way in, one-way out. It’s a major, major concern. Not only ambulance; what about a fire? If that road is tore slam up because equipment’s broke down; oh I can’t do nothing, my equipment’s broke down, how’s a fire truck supposed to get back there? And that’s a heavy machine itself if it’s full of water ‘cause there is no fire hydrants back there. So in your decisions I ask that ya’ll just take that…lives into consideration.

Chairman Riggs: All right, Mr. Parks.

Dave Parks: Mr. Chairman, if I may make a recommendation, I was not privy to the Planning Board meeting to where Mr. Coleman had stated some statements of fact there. And basically the main concern again, is those roads; that Mr. Coleman is held to a higher standard than what is in our condition. In consulting with Mr. Meiggs that he be privy to a condition on the permit to improve those roads to unpaved standards, which would be the asphalt millings underneath and
possibly maybe if it would be okay to get an agreement with the property owners and developers and everything on a more itemized description as far the maintenance; how that maintenance is going to occur on those roads.

Chairman Riggs: Okay.

Garry Meiggs: I don’t have any problems with that. I don’t know about Mr. Coleman. I’ve cut over 600-700 acres of timber out of there. Mrs. Mary, ya’ll know that. I never let that path get out of shape no kind of way. ‘Cause let’s think about this, fellows. I’m not interested in tearing equipment all to pieces. I’m not interested in these people having issues either; none. I don’t know how these other facilities have been existing up and down. That’s amazing to me a little bit. But I assure you we don’t have any problems with what Mr. Parks has just said about paving so that Mr. Rosenberger doesn’t have the issues with brake dust or dust or by Mrs. Mary’s house either. I’ve known this lady ever since she moved back there. I’m the guy that got that path so you could get back there.

Chairman Riggs: I can address one of those points for you because I am in the automotive business. There’s no asbestos in those brakes anymore. It’s Kevlar and metal. All right.

Dave Parks: Well that would be a recommendation from staff…

Chairman Riggs: Here’s the question I have for you, Mr. Staff. Do we take this back to the Planning Board and let you put the conditional uses on it and get the two parties to agree, get everything aligned and then you bring it back?

Dave Parks: We can actually sit down with the property owners and both Mr. Coleman and Mr. Meiggs to go over a maintenance agreement on that road which will be satisfactory to all. Once it’s satisfactory then we’ll bring that back to the commissioners.

Chairman Riggs: We’re just not gonna vote on it. We’re gonna allow them to go back and work on it with the Planning Department and finalize the plan.

Attorney Morrison: All right then you would need to recess this hearing.

Chairman Riggs: All right we’re gonna recess this part.

Attorney Morrison: And you need to recess it to a time and date certain.

Chairman Riggs: Can we do February?

Attorney Morrison: How much time will you need?

Chairman Riggs: Can we do that in February; if we recess this public hearing until February?
Garry Meiggs: Personally I'm not so sure that it bothers us any, Mr. Chair. My only concern would be I guess that there’s so much concern with this that any and all ingress and egress whether it’s my mine or Mr. Coleman’s or whoever’s, maybe it all just needs to stop until we’ve had adequate time to sit down and talk to people.

Dave Parks: I think 60 days.

Chairman Riggs: So we’re going to recess this public hearing until such time that the conditions can be finalized and the Planning Department brings it back to us.

Attorney Morrison: I think if you’re gonna recess it, one of the advantages of recessing is you don’t have to re-advertise and so forth.

Dave Parks: That’s correct.

Attorney Morrison: So you need to recess it to February or March or whenever. And if they’re not ready then you can recess it again. But you need to give notice tonight this is gonna be recessed to…what’s our first meeting in February? Recessed to February 6th.

Dave Parks: March.

Attorney Morrison: March.

Commissioner Munro: Chairman, I make a motion that we recess it till March.

Chairman Riggs: Okay what’s the date in March? 6 March.

Attorney Morrison: The first Monday in March is the 6th; so to the March 6th meeting.

Chairman Riggs: Okay. We have a motion on the floor to recess this public hearing...

Attorney Morrison: Quasi-judicial hearing.

Chairman Riggs: …quasi-judicial hearing until March 6th. All in favor?

Motion to recess the hearing until March 6th.

RESULT: PASSED [UNANIMOUS]
MOVER: Ross Munro, Commissioner
AYES: Riggs, White, Krainiak, Munro
RECUSED: Meiggs
ITEM 5. PUBLIC MEETING

Public Meeting – Sandy Hook Crossing Major Subdivision

Dave Parks presented to the board Staff Findings regarding plans for Sandy Hook Crossing. Steve Bradshaw is developer/co-owner of property. Sketch plan is for a 16-lot major subdivision. Sketch plan to determine what the applicant can get as far as a yield off the property without going into engineering work. Property is located off of Sandy Hook and Bartlett Road in Shiloh Township. Property was rezoned several to R3-1 which does allow one-acre lot subdivisions. Neighborhood meeting was held on October 25, 2016, a requirement of the ordinance. Two adjacent property owners attended the meeting in support. Staff is recommending approval of the sketch plan for the 16 lots.

Steve Bradshaw addressed the board and described the property in further detail. The property is outside of the flood plain. His plan is to provide single-family quality-built homes. Planned square footage of the homes will be between 1500-1800 square feet.

Mr. Parks added that the plan is inconsistent with the county’s comprehensive plan. However, the property is zoned for the proposed use.

Motion to amend the agenda to add consideration UDO 2016-09-14 Sandy Hook Crossing Major Subdivision to New Business 6.E.

RESULT: PASSED [UNANIMOUS]
MOVER: Garry Meiggs, Chairman
AYES: Meiggs, Riggs, White, Krainiak, Munro

ITEM 6. PUBLIC MEETING

6.E. Motion to approve site plan as presented for UDO 2016-09-14 Sandy Hook Crossing Major Subdivision.

RESULT: PASSED [UNANIMOUS]
MOVER: Tom White, Vice Chairman
AYES: Meiggs, Riggs, White, Krainiak, Munro
6.A. November Monthly Tax Report

Lisa Anderson presented the tax report for November 2016.

MONTHLY REPORT OF THE TAX ADMINISTRATOR TO THE
CAMDEN COUNTY BOARD OF COMMISSIONERS

OUTSTANDING TAX DELINQUENCIES BY YEAR

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**Camden County Board of Commissioners**
**January 3, 2017**

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**Collection for 2016 vs. 2015**

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**Last 3 Years Percentage Collection Rate**

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EFFECTS AT COLLECTION IN THE LAST 30 DAYS
ENDING December 2016
BY TAX ADMINISTRATOR

27 NUMBER DELINQUENCY NOTICES SENT
21 FOLLOWUP REQUESTS FOR PAYMENT SENT
7 NUMBER OF WAGE GARNISHMENTS ISSUED
8 NUMBER OF BANK GARNISHMENTS ISSUED

2 NUMBER OF PERSONAL PHONE CALLS MADE BY TAX ADMINISTRATOR TO DELINQUENT TAXPAYER

0 NUMBER OF PERSONAL VISITS CONDUCTED (COUNTY OFFICES)
0 PAYMENT AGREEMENTS PREPARED UNDER AUTHORITY OF TAX ADMINISTRATOR
0 NUMBER OF PAYMENT AGREEMENTS RECOMMENDED TO COUNTY ATTORNEY
0 NUMBER OF CASES TURNED OVER TO COUNTY ATTORNEY FOR COLLECTION (LD. AND STATUS)
1 REQUEST FOR EXECUTION FILES WITH CLERK OF COURTS

1 NUMBER OF JUDGMENTS FILED

<table>
<thead>
<tr>
<th>Roll</th>
<th>Parcel Number</th>
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### CAMDEN COUNTY BOARD OF COMMISSIONERS
#### JANUARY 3, 2017

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</table>
Motion to approve the November tax report as presented.

RESULT: PASSED [UNANIMOUS]
MOVER: Garry Meiggs, Chairman
AYES: Meiggs, Riggs, White, Krainiak, Munro

B. Albemarle Commission Area Agency on Aging

Report was reviewed by the board.

C. Records Retention Schedule Amendment

Motion to approve the Records Retention Schedule Amendment as provided by NC state mandate.

RESULT: PASSED [UNANIMOUS]
MOVER: Tom White, Vice Chairman
AYES: Meiggs, Riggs, White, Krainiak, Munro

ITEM 7. BOARD APPOINTMENTS

1. Parks and Recreation Advisory Board – Rhiana Srebro
Motion to appoint Rhiana Srebro to the Parks and Recreation Advisory Board.

RESULT: PASSED [UNANIMOUS]
MOVER: Garry Meiggs, Chairman
AYES: Meiggs, Riggs, White, Krainiak, Munro

ITEM 8. CONSENT AGENDA

Motion to approve the consent agenda as presented.

RESULT: PASSED [UNANIMOUS]
MOVER: Tom White, Vice Chairman
AYES: Meiggs, Riggs, White, Krainiak, Munro

A. Budget Amendments
2016-17-BA008
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, 2017.

Section 1. To amend the General Fund as follows:

<table>
<thead>
<tr>
<th>ACCT NUMBER</th>
<th>DESCRIPTION OF ACCT</th>
<th>AMOUNT</th>
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</thead>
<tbody>
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<td>10399610-439900</td>
<td>Fund Balance (15-16 Fund Raisers)</td>
<td>$3,431</td>
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<tr>
<td>106210-566000</td>
<td>Capital Outlay-Inventory</td>
<td>$3,431</td>
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</table>

This Budget Amendment is made to increase revenue and expenditures for donations received last fiscal year for Sr. Center Equipment.

This will result in no change to the Contingency of the General Fund.

Balance in Contingency $40,000.00

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board and to the Budget Officer and the Finance Officer for their direction. Adopted this 3rd day of January, 2017.

__________________________________________  __________________________________________
Clerk to Board of Commissioners            Chairman, Board of Commissioners
2016-17-BA010
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, 2017.

Section 1. To amend the DSS Trust Fund as follows:

<table>
<thead>
<tr>
<th>ACCT NUMBER</th>
<th>DESCRIPTION OF ACCT</th>
<th>AMOUNT</th>
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<td>51330800-437800</td>
<td>Trust Account</td>
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<tr>
<td>518000-537800</td>
<td>Trust Account</td>
<td>$7,200</td>
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</table>

This Budget Amendment is made to increase appropriations in Trust Account for new Trust Account recipient.

This will result in no change to the Contingency of the General Fund.

Balance in Contingency $40,000.00

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board and to the Budget Officer and the Finance Officer for their direction.
Adopted this 3rd day of January, 2017.

____________________________  ______________________________
Clerk to Board of Commissioners   Chairman, Board of Commissioners
2016-17-BA011
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, 2017.

Section 1. To amend the General Fund as follows:

<table>
<thead>
<tr>
<th>ACCT NUMBER</th>
<th>DESCRIPTION OF ACCT</th>
<th>AMOUNT</th>
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<tr>
<td></td>
<td>Revenues</td>
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<tr>
<td>10-6200</td>
<td>Grant Revenue</td>
<td>$1,800</td>
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<td>Expenses</td>
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<tr>
<td>10-6200</td>
<td>Grant Expense</td>
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</table>

This Budget Amendment is made to increase appropriations for grant funds awarded.

This will result in no change to the Contingency of the General Fund.

Balance in Contingency $40,000.00

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board and to the Budget Officer and the Finance Officer for their direction. Adopted this 3rd day of January, 2017.

_________________________  ___________________________
Clerk to Board of Commissioners  Chairman, Board of Commissioners
2016-17-BA009
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, 2017.

Section 1. To amend the General Fund as follows:

<table>
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<th>DESCRIPTION OF ACCT</th>
<th>INCREASE</th>
<th>DECREASE</th>
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<td>Revenues</td>
<td>Taser Grant</td>
<td>$4,389</td>
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<tr>
<td>10360510-434701</td>
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<td></td>
<td></td>
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Expenses
108100-543701  Tasers  $4,389

This Budget Amendment is made appropriate revenue and expenditures for Taser Grant.

This will result in no change to the Contingency of the General Fund.

Balance in Contingency  $40,000.00

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board and to the Budget Officer and the Finance Officer for their direction. Adopted this 3rd day of January, 2017.

__________________________________  _______________________________________
Clerk to Board of Commissioners        Chairman, Board of Commissioners

Budget Amendment
Camden County Schools Administrative Unit
Other Local Current Expense Fund

The Camden County Board of Education at a meeting on the 5th day of December, 2016 passed the following resolution.

Be it resolved that the following amendments be made to the Budget Resolution for the fiscal year ending June 30, 2017.

<table>
<thead>
<tr>
<th>Code Number</th>
<th>Description of Code</th>
<th>Increase</th>
<th>Decrease</th>
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<td>Regular Instructional Programs</td>
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<td>6100</td>
<td>Reg Curricular Prog Support</td>
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<td>183.00</td>
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<tr>
<td>6500</td>
<td>Operational Support Services</td>
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<tr>
<td>6900</td>
<td>Policy, Leadership, Pub Relation</td>
<td>1,186.00</td>
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Explanation:
Total Appropriation in Current Budget $873,732.27
Amount of Increase/Decrease of Above Amendment .00
Total Appropriation in Current Amended Budget $873,732.27

Passed by majority vote of the Board of Education of Camden County on the 5th day of December 2016.

Chairman, Board of Education

Secretary, Board of Education

We the Board of County Commissioners of Camden County hereby approve the changes in the County School Funds Budget as indicated above, and have made entry of these changes on the minutes of said Board, this ___ day of _______ 20__.

Chairman, Board of County Commissioners

Clerk, Board of County Commissioners
BUDGET AMENDMENT
December 5, 2016

8. Other Local Current Expense Fund

A. We have reviewed this area of the budget and find that we must transfer
funds to cover salaries, benefits and substitutes within this program area.
We request your approval of the following amendment.

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<th>Description</th>
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<td>Emp Retirement Costs</td>
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<td>Salary – Teacher</td>
<td>+ 2,562.00</td>
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<tr>
<td>5120.841.211</td>
<td>Emp Soc Sec Costs</td>
<td>+ 197.00</td>
</tr>
<tr>
<td>5120.841.221</td>
<td>Emp Retirement Costs</td>
<td>+ 408.00</td>
</tr>
<tr>
<td>5120.841.231</td>
<td>Emp Hosp Ins Costs</td>
<td>+ 228.00</td>
</tr>
</tbody>
</table>

Total – Classroom Teacher $ + 1,173.00

B. We have must transfer funds from this program area to cover the cost of a
classroom teacher. We request your approval of the following amendment.

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>6910.860.192</td>
<td>Salary – BOE Member</td>
<td>$ - 1,173.00</td>
</tr>
</tbody>
</table>

Total – Children with Special Needs $ - 1,173.00

C. We have reviewed this area of the budget and must transfer funds within
the program area for computer related purchases. We request your
approval of the following amendment.

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>5110.905.461</td>
<td>Pur of Non-Cap Comp Equipment</td>
<td>$ + 183.00</td>
</tr>
<tr>
<td>6110.905.418</td>
<td>Computer Software &amp; Supplies</td>
<td>- 183.00</td>
</tr>
<tr>
<td>6510.905.341</td>
<td>Telephone for Telecommunications</td>
<td>+ 13.00</td>
</tr>
<tr>
<td>6940.905.341</td>
<td>Telephone for Telecommunications</td>
<td>- 13.00</td>
</tr>
</tbody>
</table>

Total – Computer Tech $ + .00

Passed by majority vote of the Board of
Education of Camden County on the 5th
day of December, 2016.

Chairman, Board of Education

Secretary, Board of Education
Budget Amendment

Camden County Schools Administrative Unit
Capital Outlay Fund

The Camden County Board of Education at a meeting on the 5th day of December, 2016, passed the following resolution.

Be it resolved that the following amendments be made to the Budget Resolution for the fiscal year ending June 30, 2017.

<table>
<thead>
<tr>
<th>Code Number</th>
<th>Description of Code</th>
<th>Amount</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>6550</td>
<td>Category III Projects</td>
<td>$3,698.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Explanation:
- Total Appropriation in Current Budget $391,453.72
- Amount of Increase / (Decrease) of Above Amendment $3,698.00

Total Appropriation in Current Amended Budget $475,151.72

Passed by majority vote of the Board of Education of Camden County Schools on the 5th day of December 2016.

Chairman, Board of Education

Secretary, Board of Education

We the Board of County Commissioners of Camden County hereby approve the changes in the County School Funds Budget as indicated above, and have made entry of these changes in the minutes of said Board, this ___ day of ___, 20__.

Chairman, Board of County Commissioners

Clerk, Board of County Commissioners
4. Capital Outlay Fund

A. We must adjust our budget to reflect the purchase of a yellow school bus that will be provided by NCDPI. We will receive funding as the installments are paid and recorded by NCDPI during the term of the lease. We request your approval of the following amendment.

**Category III Projects**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>6550.120.551 Pur of School Bus</td>
<td>$ + 83,698.00</td>
</tr>
<tr>
<td>Total – Category III Projects</td>
<td>$ + 83,698.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>3430.120 Revenue – State Public School Fund</td>
<td>$ - 83,698.00</td>
</tr>
</tbody>
</table>

Passed by majority vote of the Board of Education of Camden County on the 5th day of December, 2016.

Chairman, Board of Education

Secretary, Board of Education
Budget Amendment

Camden County Schools Administrative Unit

Local Current Expense Fund

The Camden County Board of Education at a meeting on the 5th day of December, 2016 passed the following resolution.

Be it resolved that the following amendments be made to the Budget Resolution for the fiscal year ending June 30, 2017.

<table>
<thead>
<tr>
<th>Code Number</th>
<th>Description of Code</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>5200</td>
<td>Special Instructional Programs</td>
<td>5,156.00</td>
</tr>
<tr>
<td>5400</td>
<td>School Leadership Services</td>
<td>101.00</td>
</tr>
<tr>
<td>5800</td>
<td>Alternative Programs</td>
<td>430.00</td>
</tr>
<tr>
<td>6300</td>
<td>Alternative Prog. Support Serv</td>
<td>430.00</td>
</tr>
<tr>
<td>6500</td>
<td>Operational Support Services</td>
<td>1,956.00</td>
</tr>
<tr>
<td>6600</td>
<td>Financial &amp; Hum Resources</td>
<td>215.00</td>
</tr>
<tr>
<td>6900</td>
<td>Policy, Ldshp, &amp; Pub Relations</td>
<td>416.00</td>
</tr>
<tr>
<td>7100</td>
<td>Reg Community Services</td>
<td>1,608.00</td>
</tr>
</tbody>
</table>

Explanation:

Total Appropriation in Current Budget $2,385,686.00
Amount of Increase/Decrease of Above Amendment $0.00
Total Appropriation in Current Amended Budget $2,385,686.00

Passed by majority vote of the Board of Education of Camden County on the 5th day of December 2016.

Chairman, Board of Education

Secretary, Board of Education

We the Board of County Commissioners of Camden County hereby approve the changes in the County School Funds Budget as indicated above, and have made entry of these changes on the minutes of said Board, this day of , 20_._

Chairman, Board of County Commissioners

Clerk, Board of County Commissioners
BUDGET AMENDMENT  
December 5, 2016

2. Local Current Expense Fund

A. We have reviewed this area of the budget and must transfer funds to cover merit pay for locally paid employees within the program area. We request your approval of the following amendment.

<table>
<thead>
<tr>
<th>Additional Pay</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>5210.911.181 Supplementary Pay</td>
<td>-</td>
<td>3,300.00</td>
</tr>
<tr>
<td>5240.911.181 Supplementary Pay</td>
<td>-</td>
<td>1,856.00</td>
</tr>
<tr>
<td>5400.911.231 Emp Hosp Ins Costs</td>
<td>+</td>
<td>101.00</td>
</tr>
<tr>
<td>5840.911.180 Bonus Pay</td>
<td>+</td>
<td>430.00</td>
</tr>
<tr>
<td>6300.911.180 Bonus Pay</td>
<td>+</td>
<td>430.00</td>
</tr>
<tr>
<td>6540.911.180 Bonus Pay</td>
<td>+</td>
<td>108.00</td>
</tr>
<tr>
<td>6540.911.211 Emp Soc Sec Costs</td>
<td>+</td>
<td>8.00</td>
</tr>
<tr>
<td>6580.911.180 Bonus Pay</td>
<td>+</td>
<td>1,717.00</td>
</tr>
<tr>
<td>6580.911.211 Emp Soc Sec Costs</td>
<td>+</td>
<td>123.00</td>
</tr>
<tr>
<td>6620.911.180 Bonus Pay</td>
<td>+</td>
<td>215.00</td>
</tr>
<tr>
<td>6940.911.180 Bonus Pay</td>
<td>+</td>
<td>386.00</td>
</tr>
<tr>
<td>6940.911.211 Emp Soc Sec Costs</td>
<td>+</td>
<td>30.00</td>
</tr>
<tr>
<td>7100.911.180 Bonus Pay</td>
<td>+</td>
<td>1,503.00</td>
</tr>
<tr>
<td>7100.911.211 Emp Soc Sec Costs</td>
<td>+</td>
<td>105.00</td>
</tr>
</tbody>
</table>

Total – Additional Pay $\quad + \quad .00

Passed by majority vote of the Board of Education of Camden County on the 5th day of December, 2016.

Chairman, Board of Education

Secretary, Board of Education
## CAMDEN COUNTY BOARD OF COMMISSIONERS
### JANUARY 3, 2017


### Tax Collection Report
#### Nov. 2016

<table>
<thead>
<tr>
<th>Day</th>
<th>Amount</th>
<th>Name of Account</th>
<th>Deposits</th>
<th>Internet</th>
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<tr>
<td>1</td>
<td>16,162.58</td>
<td></td>
<td>16,162.58</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>28,612.97</td>
<td>6,473.39</td>
<td>33,086.36</td>
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<tr>
<td>3</td>
<td>300,152.86</td>
<td>8,962.83</td>
<td>309,115.49</td>
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</tr>
<tr>
<td>4</td>
<td>9,436.43</td>
<td>$14.01 - Refund</td>
<td>9,436.43</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>5,063.24</td>
<td></td>
<td>5,063.24</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>12,929.53</td>
<td></td>
<td>12,929.53</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>40,903.68</td>
<td></td>
<td>40,903.68</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>16,335.52</td>
<td>$118.00 - Refund</td>
<td>16,335.52</td>
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</tr>
<tr>
<td>9</td>
<td>18,753.27</td>
<td>$155.74 - Refund</td>
<td>18,753.27</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>18,006.17</td>
<td></td>
<td>18,006.17</td>
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</tr>
<tr>
<td>11</td>
<td>5,351.54</td>
<td>$36.09 - Refund</td>
<td>5,351.54</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>512,560.41</td>
<td>$1,409.78 - Refund</td>
<td>512,559.41</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>33,247.50</td>
<td>2,373.35</td>
<td>35,620.85</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>25,420.42</td>
<td>$9.10 - short</td>
<td>25,420.42</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>28,163.29</td>
<td>$1.62 - Refund</td>
<td>28,163.29</td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>81,432.70</td>
<td></td>
<td>81,432.70</td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>23,115.44</td>
<td></td>
<td>23,115.44</td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>36,000.48</td>
<td>1,337.77</td>
<td>36,338.23</td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>6,322.02</td>
<td></td>
<td>6,322.02</td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>27,502.44</td>
<td></td>
<td>27,502.44</td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>.00</td>
<td></td>
<td>.00</td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>3,640.03</td>
<td></td>
<td>3,640.03</td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>31,730.43</td>
<td>8,950.02</td>
<td>40,680.45</td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>35,874.50</td>
<td>$36.83 - Refund/6.01 short</td>
<td>35,874.50</td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>125,073.30</td>
<td></td>
<td>125,073.30</td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>17,148.51</td>
<td>$197.61 - Refund</td>
<td>17,148.51</td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>.48</td>
<td></td>
<td>.48</td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>3,045.76</td>
<td></td>
<td>3,045.76</td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>.00</td>
<td></td>
<td>.00</td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>.00</td>
<td></td>
<td>.00</td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>.00</td>
<td></td>
<td>.00</td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>.00</td>
<td></td>
<td>.00</td>
<td></td>
</tr>
<tr>
<td>33</td>
<td>.00</td>
<td></td>
<td>.00</td>
<td></td>
</tr>
<tr>
<td>34</td>
<td>.00</td>
<td></td>
<td>.00</td>
<td></td>
</tr>
<tr>
<td>35</td>
<td>.00</td>
<td></td>
<td>.00</td>
<td></td>
</tr>
</tbody>
</table>

$1,538,876.06  $28,097.36  $1,557,973.37  $9,000.05

$1,566,973.42  $1,566,973.42

-3.00
-2,059.68 Refund
$0.00 Over
$0.11 Shortage
$0.00

$1,554,910.86

Submitted by: [Signature]
Date: 12-7-14

Approved by: [Signature]
Date: 

2526  2527  2528  2529  2530  2531
D. Tax Pick-Ups, Releases and Refunds

<table>
<thead>
<tr>
<th>NAME</th>
<th>REASON</th>
<th>TYPE NO.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dave Silva</td>
<td>$171.66 Release - Listed in Pecos Co.</td>
<td>Pick-Up/19734 P-0403-10</td>
</tr>
<tr>
<td>Dave Silva</td>
<td>$123.42 Release - Listed in Pecos Co.</td>
<td>Pick-Up/19735 P-5542-06</td>
</tr>
<tr>
<td>Richard S. &amp; Royce S. Macken, Sr.</td>
<td>$606.52 Value Correction</td>
<td>Pick-Up/19758 R-100230-15</td>
</tr>
<tr>
<td>Trevor John Wendt</td>
<td>$1,402.60 Correction, house was not picked up.</td>
<td>Pick-Up/19759 R-69062-16</td>
</tr>
<tr>
<td>Abner Wayne Staples</td>
<td>$117.29 Value Correction - Refund</td>
<td>Pick-Up/19761 R-109099-16</td>
</tr>
<tr>
<td>Minnie Blackwell</td>
<td>$143.32 Value Correction</td>
<td>Pick-Up/19762 R-99253-16</td>
</tr>
<tr>
<td>Besse P. Jackson</td>
<td>$489.52 Foreclosure Fee</td>
<td>Pick-Up/19757 R-88175-15</td>
</tr>
</tbody>
</table>

E. Community Services Block Grant

F. Surplus Property

G. Volunteer Forms

H. Contact: East Carolina Engineering for WWTP

ITEM 9. COMMISSIONERS’ REPORTS

Commissioner White reported from the Parks and Recreation Board the following statistics from 2016 regarding the number of children that participated in various sports events sponsored by Parks and Recreation:

- Camden Youth League Basketball Teams – 523 participants
- Soccer – 179 participants
- Camden Youth Football/Cheering – 120 participants
- Girls’ Volleyball – 80 participants
- Youth Basketball – 248 participants
- Total of 1150 sign-ups

Chairman Riggs reported from the Albemarle District Jail board.

- Flooring is being recoated with sealer.
- There is sufficient funds in the General Fund and are no longer operating in the red.
ITEM 10. COUNTY MANAGER’S REPORT

None.

SOUTH CAMDEN WATER AND SEWER DISTRICT BOARD OF DIRECTORS

Chairman Riggs recessed the Camden County Board of Commissioners and called to order the South Camden Water and Sewer District Board of Directors.

Agenda

Camden County Board of Commissioners
SCWSD - Regular Meeting
January 03, 2017
7:00 PM
Historic Courtroom, Courthouse Complex

CALL TO ORDER

ITEM 1. PUBLIC COMMENTS

It is requested that comments be limited to (2-3) minutes. The length and number of comments may be limited upon the Chairman’s discretion due to scheduling and other issues.

ITEM 2. CONSIDERATION OF THE AGENDA

ITEM 3. NEW BUSINESS (For discussion and possible action)

A. Monthly Update

ITEM 4. CONSENT AGENDA

ITEM 5. OTHER

ITEM 6. ADJOURN

South Camden Water & Sewer Board

Monthly Work Order Statistics Report

Period: November 2016

<table>
<thead>
<tr>
<th></th>
<th>Submitted Work Orders</th>
<th>Completed Work Orders</th>
<th>Percentage Completed</th>
<th>Status of Uncompleted Work Orders</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Collection/Distribution Sewer</td>
<td>42</td>
<td>42</td>
<td>100%</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>2</td>
<td>100%</td>
<td>0</td>
</tr>
</tbody>
</table>

Locates:

Water Line: 37
Sewer Line: 9
Water & Sewer, same ticket: 14

Public Works Director Notes/Comments:

Ten work orders have been reviewed for accuracy.

11/24 Water main leak @ Burnt Mills on 343 North, staff repaired the break.
David Credle presented the South Camden Water and Sewer District report for March 2016.

Chairman Riggs adjourned the South Camden Water and Sewer District Board of Directors and reconvened the Board of Commissioners Meeting.

ITEM 11. INFORMATION, REPORTS & MINUTES FROM OTHER AGENCIES

A. DMV Monthly Report
B. 2017 Parks and Recreation Advisory Board Meeting Schedule
C. Letter from Twiford Law – Regular Joint Meetings with School Board

ITEM 12. OTHER MATTERS

A. Camden County’s Code of Ethics
B. Clerk of Superior Court – Office Space Request

There being no further business Chairman Riggs adjourned the meeting of the Camden County Board of Commissioners.

Chairman Clayton Riggs

ATTEST:

Clerk to the Board of Commissioners