

**Camden County Board of Commissioners  
September 8, 2020  
Closed Session – 6:00 PM  
Regular Meeting – 7:00 PM  
Historic Courtroom - Camden, North Carolina**

**MINUTES**

The regular meeting of the Camden County Board of Commissioners was held on September 8, 2020 in the Historic Courtroom, Camden, North Carolina.

**WELCOME & CALL TO ORDER**

The meeting was called to order by Chairman Tom White at 6:00 PM. Also Present: Vice Chairman Clayton Riggs, Commissioners Garry Meiggs and Randy Krainiak. Absent: Commissioner Ross Munro.

**CLOSED SESSION**

**Motion to go into Closed Session to discuss Economic Development.**

<b>RESULT:</b>	<b>PASSED [4-0]</b>
<b>MOVER:</b>	Garry Meiggs
<b>AYES:</b>	White, Krainiak, Riggs, Meiggs
<b>ABSENT:</b>	Munro

**Motion to come out of Closed Session.**

<b>RESULT:</b>	<b>PASSED [4-0]</b>
<b>MOVER:</b>	Randy Krainiak
<b>AYES:</b>	White, Krainiak, Riggs, Meiggs
<b>ABSENT:</b>	Munro

The Board of Commissioners recessed the meeting at 6:20 PM.

At 7:00 PM Chairman White reconvened the Regular Meeting of the Board of Commissioners. State Representative Ed Goodwin was in attendance and was recognized by Chairman White.

**INVOCATION & PLEDGE OF ALLEGIANCE**

Commissioner Randy Krainiak gave the invocation and led in the Pledge of Allegiance.

**ITEM 1. PUBLIC COMMENTS**

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Penny Royal, on behalf of Sanders Crossing Subdivision, addressed the Board. It is the request of the Sanders Crossing Subdivision community that the County assist them in getting the roads in the subdivision up to a standard that will be accepted into the NCDOT State Maintained Secondary Road System.

**ITEM 2. CONFLICT OF INTEREST DISCLOSURE STATEMENT**

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Clerk to the Board Karen Davis read the Conflict of Interest Disclosure Statement.

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**ITEM 3. CONSIDERATION OF THE AGENDA**

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The agenda was amended to add as Item 7.J. – Set Public Hearing for Sale of Property located within the Camden County Commerce Park.

**Motion to approve the agenda as amended.**

<b>RESULT:</b>	<b>PASSED [4-0]</b>
<b>MOVER:</b>	Clayton Riggs
<b>AYES:</b>	White, Krainiak, Riggs, Meiggs
<b>ABSENT:</b>	Munro

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**ITEM 4. PRESENTATIONS**

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A. Camden Tourism Development Authority – Donna Stewart

Camden TDA Director Donna Stewart announced the 2<sup>nd</sup> Annual Camden TDA Photo Contest to take place October 1, 2020 – November 1, 2020. This year's contest is sponsored by Towne Bank.

B. Broadband Update – Eastern Shore Communications

Ronald van Geijn of Eastern Shore Communications included the following in his report:

- As of Friday, September 4, 2020 ESC had received all but one of the necessary permits from NCDOT to continue its work.
- Next Steps – ESC will begin to build fiber from the area of the convenience site in South Mills at 17 & 343 into Camden and then north to 158 and continuing along 343 across the railroad tracks – approximately 26 miles of fiber.
- The materials needed for this portion of the project have been ordered and most of it is now in port and what has been received is in ESC's warehouse.
- The work of drilling under the railroad tracks is set to begin in about two weeks.
- The remaining permit to be obtained is for work to be done along Route 17/ Future I-87. ESC is working with the local division of the Department of Transportation to complete the application process requirements.

Several Commissioners expressed concern that the underserved and unserved households have an opportunity to connect as well.

**South Camden Water & Sewer District Board of Directors**

Chairman White recessed the meeting of the Board of Commissioners and called to order the South Camden Water & Sewer District Board of Directors Meeting.

Public Comments – None

Consideration of the Agenda

**Motion to approve the agenda as presented.**

**RESULT:** PASSED [4-0]  
**MOVER:** Clayton Riggs  
**AYES:** White, Krainiak, Riggs, Meiggs  
**ABSENT:** Munro

## New Business

### A. Monthly Report – David Credle

<p align="center"><b>South Camden Water &amp; Sewer Board</b>  <b>Monthly Work Order Statistics Report</b>  <b>Period: July 2020</b></p>				
	Submitted Work Orders	Completed Work Orders	Percentage Completed	Status of Uncompleted Work Orders
Water/Distribution	82	82	100%	0
Sewer/Collection	4	4	100%	0
Locates:				
Water Line: 69				
Sewer Line: 6				
Water & Sewer, same ticket: 2				
Public Works Director Notes/Comments: Ten work orders have been checked for accuracy.				
Water treated at the water treatment plant in July: 17,730,965 gallons				
Daily average water usage for April: 571,965 gallons per day.				
Current treatment capacity at the water treatment plant: 720,000 gallons per day.				

SOUTH CAMDEN WATER & SEWER BOARD									
MONTHLY WATER STATISTICS REPORT									
Date	Work Orders Submitted	Percentage Complete	Uncompleted	Water/Distribution	Sewer/Collection	Water Locates	Sewer Locates	Water/Sewer Locate	Hydrant Flow Test
2019									
July	112	100%	0%	109	3	63	5	0	57
August	104	100%	0%	102	2	131	21	1	27
Sept	82	100%	0%	80	2	131	20	4	0
Oct	99	100%	0%	97	2	257	10	5	0
Nov	144	100%	0%	143	1	275	6	2	0
Dec	80	100%	0%	80	0	106	7	1	0
2020									
Jan	111	100%	0%	110	1	47	8	9	0
Feb	48	100%	0%	47	1	92	6	0	0
March	41	100%	0%	39	2	51	18	4	0
April	51	100%	0%	49	2	89	8	17	0
May	48	100%	0%	46	2	88	15	2	0 flow/15 (painted)
June	71	100%	0%	69	2	55	7	1	0 flow/21 (painted)
July	86	100%	0%	82	4	69	6	2	0

**Motion to approve the monthly report as presented.**

**RESULT:** PASSED [4-0]  
**MOVER:** Garry Meiggs  
**AYES:** White, Krainiak, Riggs, Meiggs  
**ABSENT:** Munro

## Consent Agenda

### A. Bellwether Meter Reading Services

**THIRD ADDENDUM OF AGREEMENT BETWEEN SOUTH CAMDEN WATER  
AND SEWER DISTRICT AND BELLWETHER MANAGEMENT SOLUTIONS  
FOR METER READING SERVICES DATED JULY 22, 2003**

THIS ADDENDUM, made as of August 10, 2020, by and between the South Camden Water and Sewer District, a corporation organized and validly existing under laws of the State of North Carolina and Bellwether Management Solutions (Bellwether), a limited liability company organized and validly existing under the laws of the North Carolina.

WHEREAS, the South Camden Water and Sewer District and Bellwether entered into an Agreement on July 22, 2003 for Bellwether to perform contract meter reading for the South Camden Water and Sewer District at set per meter and hourly fees, as stated in Paragraph 18 of the Agreement. Under this paragraph, the fees were to be fixed for the initial term of twenty-four (24) months, after which fees were to be negotiated on an annual basis.

WHEREAS, it is agreed between the South Camden Water and Sewer District and Bellwether that effective with the date of this Addendum the base meter reading fee for reading the South Camden Water and Sewer District's water meters shall be increased from its current level of \$1.03 per meter to \$1.15 per meter.

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement as of the date first above.

SOUTH CAMDEN WATER & SEWER  
DISTRICT BOARD OF DIRECTORS  
COUNTY OF CAMDEN, NC

BELLWETHER MANAGEMENT  
SOLUTIONS

  
Signature

  
Terry A. Bergel, Member/Manager

  
Print Name, Title

Date: 9-8-20

Date: 8/25/2020

**B. Surplus Property**

Requested by:	David Credle / Public Works
Item:	2008 Chevy 2500 Pickup 4x4 with Service Bed; 245,222 miles
Reason for Surplus:	High mileage; replaced.
Suggested Value:	\$2,000

**Motion to approve the Consent Agenda as presented.**

<b>RESULT:</b>	<b>PASSED [4-0]</b>
<b>MOVER:</b>	Garry Meiggs
<b>AYES:</b>	White, Krainiak, Riggs, Meiggs
<b>ABSENT:</b>	Munro

**Motion to adjourn South Camden Water & Sewer Board of Directors.**

<b>RESULT:</b>	<b>PASSED [4-0]</b>
<b>MOVER:</b>	Clayton Riggs
<b>AYES:</b>	White, Krainiak, Riggs, Meiggs
<b>ABSENT:</b>	Munro

Chairman White reconvened the Board of Commissioners.

**ITEM 5. PUBLIC HEARINGS**

**A. South Mills Landing – Dan Porter**

**Motion to open the Public Hearing for South Mills Landing Development Agreement and Master Plan / Preliminary Plat.**

**RESULT:** PASSED [4-0]  
**MOVER:** Clayton Riggs  
**AYES:** White, Krainiak, Riggs, Meiggs  
**ABSENT:** Munro

Planning Director Dan Porter briefly described the project.

South Mills Landing LLC is requesting Master Plan/Preliminary Plan approval for South Mills Landing Planned Development. The development consists of 580 single-family and multi-family dwellings, commercial and recreational areas with club house, pool, and walking paths. The subdivision is located within the South Mills Core Village area on the north and south sides of Main Street. The phasing schedule anticipation is for build out within 6 to 10 years.

South Mills Water Association and South Camden Water & Sewer District have approved water and sewer capacity, respectively for Phase 1 of 129 units. Water and sewer for additional Phases are in the Development Agreement. The Technical Review Committee inputs are varied and are included in packet.

The existing Storm Water Model is complete and the post Storm Water Drainage Plan will require approval of the County storm water engineer.

Upon approval of the preliminary plat, construction plans will be completed and require approval of staff and state and local technical agencies prior to beginning construction.

The Planning Board voted to recommend approval on a 3-2 vote.

<p><b>UDO 2020-01-36</b>  <b>FINDINGS</b>  <b>South Mills Landing</b>  <b>Planned Development</b></p>			
<p><b>PROJECT INFORMATION</b></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 30%; vertical-align: top;"> <p><b>File Reference:</b> UDO 2020-01-36  <b>Project Name:</b> South Mills Landing  <b>Pin:</b> 01-7989-00-43-1290,  01-7988-01-49-2837</p> <p><b>Applicant:</b> South Mills Landing LLC  Reese Smith, Sr.  P.O. Box 9636  Chesapeake, VA  <b>Phone:</b> (757) 499-4772  <b>Email:</b> reese.sr@reese-smithassociates.com</p> <p><b>Agent for Applicant:</b> Bissell Professional Group  Mark Bissell</p> <p><b>Address:</b> 3512 N. Croatan Hwy  Kitty Hawk, NC 27949  <b>Phone:</b> (252) 261-3266  <b>Email:</b> mark@bissellprofessionalgroup.com  <b>Current Owner of Record:</b> Same as applicant</p> <p><b>Meeting Dates:</b>  Neighborhood Meeting: January 29, 2020  Technical Review: February 11, 2020  Planning Board: March 18, 2020</p> </td> <td style="width: 70%; vertical-align: top; border-left: 1px solid black; padding-left: 10px;"> <p><b>Application Received:</b> 1/30/2020  <b>By:</b> David Parks, Permit Officer  <b>Application Fee paid:</b> \$29,000 Check #1672  <b>Stormwater Review Fee:</b> \$6000 Check #1668  <b>Completeness of Application:</b> Application is generally complete</p> <p><b>Documents received upon filing of application or otherwise included:</b></p> <ul style="list-style-type: none"> <li>A. Land Use Application</li> <li>B. Master Plan South Mills Landing PD</li> <li>C. Developmental Impact Statement</li> <li>D. Traffic Impact Analysis</li> <li>E. Proposed Development Agreement</li> <li>F. Technical Review Committee inputs.</li> </ul> </td> </tr> </table> <p><b>REQUESTS:</b> Master Plan/Preliminary Plan South Mills Landing Planned Development for 580 (single and multi-family) units with commercial and recreational areas.</p>		<p><b>File Reference:</b> UDO 2020-01-36  <b>Project Name:</b> South Mills Landing  <b>Pin:</b> 01-7989-00-43-1290,  01-7988-01-49-2837</p> <p><b>Applicant:</b> South Mills Landing LLC  Reese Smith, Sr.  P.O. Box 9636  Chesapeake, VA  <b>Phone:</b> (757) 499-4772  <b>Email:</b> reese.sr@reese-smithassociates.com</p> <p><b>Agent for Applicant:</b> Bissell Professional Group  Mark Bissell</p> <p><b>Address:</b> 3512 N. Croatan Hwy  Kitty Hawk, NC 27949  <b>Phone:</b> (252) 261-3266  <b>Email:</b> mark@bissellprofessionalgroup.com  <b>Current Owner of Record:</b> Same as applicant</p> <p><b>Meeting Dates:</b>  Neighborhood Meeting: January 29, 2020  Technical Review: February 11, 2020  Planning Board: March 18, 2020</p>	<p><b>Application Received:</b> 1/30/2020  <b>By:</b> David Parks, Permit Officer  <b>Application Fee paid:</b> \$29,000 Check #1672  <b>Stormwater Review Fee:</b> \$6000 Check #1668  <b>Completeness of Application:</b> Application is generally complete</p> <p><b>Documents received upon filing of application or otherwise included:</b></p> <ul style="list-style-type: none"> <li>A. Land Use Application</li> <li>B. Master Plan South Mills Landing PD</li> <li>C. Developmental Impact Statement</li> <li>D. Traffic Impact Analysis</li> <li>E. Proposed Development Agreement</li> <li>F. Technical Review Committee inputs.</li> </ul>
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<p><b>PROJECT LOCATION:</b></p> <p><b>Street Address:</b> Parcels located off Main Street and Horseshoe Road  <b>Location Description:</b> South Mills Township</p> <p><b>SITE DATA</b></p> <p><b>Lot size:</b> Approximately 185 acres.  <b>Flood Zone:</b> Zone AE-X (Majority in AE Flood Zone)  <b>Zoning District(s):</b> Base Zoning: Planned Unit Development (PUD)  <b>Adjacent property uses:</b> Residential/Agriculture/Woodland  <b>Streets:</b> Shall be dedicated to public under control of NCDOT.  <b>Street name:</b> See Master Plan (Street Names approved by Central Communications)  <b>Open Space:</b> Provided: Approximately 65 acres  <b>Landscaping:</b> Landscaping Plan provided  <b>Buffering:</b> Per Article 151.5.5.4, a 50' landscaped vegetative buffer required along all property lines that abut agricultural uses.  <b>Recreational Land:</b> 383 Single Family Lots X 1452sf = 12.76 acres</p> <p><b>ENVIRONMENTAL ASSESSMENT</b></p> <p><b>Streams, Creeks, Major Ditches:</b></p> <p><b>Distance &amp; description of nearest outfall:</b> Outfall from North Tract is approximately 1800 feet. Outfall from South Tract is adjacent to property (wetlands).</p> <p><b>TECHNICAL REVIEW STAFF (SKETCH PLAN) COMMENTS</b></p> <ol style="list-style-type: none"> <li>1. <b>South Mills Water Association:</b> No written response.</li> <li>2. <b>Albemarle Regional Health Department:</b> N/A</li> <li>3. <b>South Camden Water &amp; Sewer District:</b> Approved. See attached.</li> <li>4. <b>South Mills Fire Department:</b> Disapproved. See attached</li> <li>5. <b>Postmaster Elizabeth City:</b> No response. Did not attend TRC meeting.</li> </ol>			

6. **Army Corps of Engineer.** There was a proposed canoe launch located on the North Tract adjacent to the canal, however was removed based on attached email from Army Corps.
7. **Superintendent Camden County Schools.** Approved with comments. See attached.
8. **Superintendent/Transportation Director of Schools.** Approved with following comment.
9. **Sheriff's Office.** Disapproved. See attached.
10. **Camden Soil & Water Conservationist.** Reviewed with comments/conditions. See attached.
11. **NCDDOT.** No response.
12. **Parks & Recreation.** No response.
13. **Mediacom.** No response.
14. **Albemarle EMC.** No response.
15. **Century Link.** No response.
16. **Pasquotunk EMS.** Street names approved.

#### PLANS CONSISTENCY

##### CAMA Land Use Plan Policies & Objectives:

Consistent ☒ Inconsistent ☐

CAMA Plan future land use maps has land identified as a Planned Unit Development.

##### 2035 Comprehensive Plan

Consistent ☒ Inconsistent ☐

Comprehensive Plan has North Tract designated as Village Mixed Use and South Tract as Village Residential (VR). Location of land is within the Core Village of South Mills.

#### PLANS CONSISTENCY – cont.

##### Comprehensive Transportation Plan

Consistent ☒ Inconsistent ☐

There will be two accesses with a third maintenance access for the North Tract. There will be two accesses off Main Street for the South Tract.

#### FINDINGS REGARDING ADDITIONAL REQUIREMENTS:

Yes ☒ No ☐

##### Endangering the public health and safety?

Based on TRC input from Sherriff and SM Fire, project could have impact on public safety based on manning and infrastructure concerns.

Yes ☐ No ☒

##### Injure the value of adjoining or abutting property.

Without any evidence to the contrary - staffs opinion is that application does not appear to injure the value of adjoining or abutting property.

Yes ☒ No ☐

##### Harmony with the area in which it is located.

2035 Comprehensive Plan Future Land Use Maps has land designated as Village Residential and Village Mixed Use. CAMA Future Land use Maps has land designated as Planned Unit Development (PUD).

#### EXCEED PUBLIC FACILITIES:

Yes ☒ No ☐

**Schools:** Proposed development will generate 301 students after build out (67 per SFD X 383 256.6) & (23 MFU X 197 units - 45.3). High School over capacity. (See breakdown next page.)

Yes ☒ No ☐

**Fire and rescue:** Denied based on lack of supporting infrastructure.

Yes ☒ No ☐

**Law Enforcement:** Denied. Manning equipment.

#### Student Generation Rates (Single Family Dwelling = .67 students) (Other = .23 students)

##### Single Family

Grandy Primary (.29) 383 lots X .29 = 111  
Grandy Intermediate (.18) 383 lots X .18 = 68.9  
Camden Middle (.07) 383 lots X .07 = 26.8  
Camden High School (.13) 383 lots X .13 = 49.7

Total students: 256.4

##### Other (Townhomes)

Grandy Primary (.08) 197 units X .08 = 15.7  
Grandy Intermediate (.08) 197 units X .08 = 15.7  
Camden Middle (.04) 197 units X .04 = 8  
Camden High School (.03) 197 units X .03 = 6

Total students: 45.4

Overall total students generated: 301.8 (over the life of the project.)

#### PLANNING STAFF RECOMMENDATION:

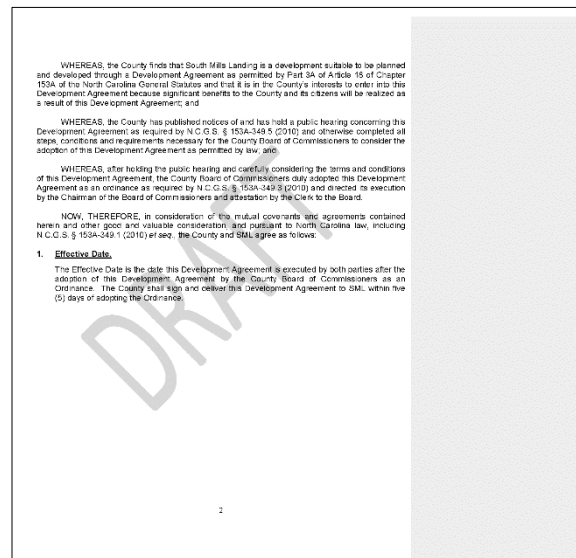
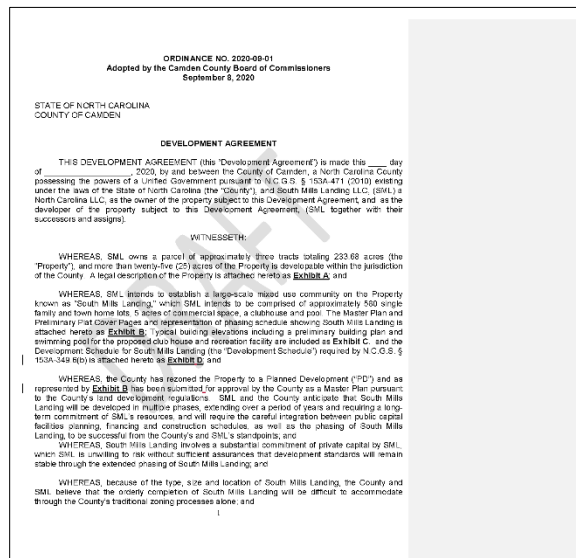
- Portion of Union Camp Road within the development from Camelia Drive to eastern property line shall be paved to NCDOT standards.
- Extend Phasing Schedule out 5 years.
- Fee in lieu of acreage for public park can be utilized for providing landscaping along Main Street
- Need to interconnect (sidewalk, crosswalk) North and South Tracts
- Provide sidewalk along Main Street for South Tract with trees.
- Landscaping around ponds (prevents alligator weed and stagnant water)
- Terms and Conditions reflect providing up to 50,000 sf of commercial yet Master Plan shows 35,000 sf?
- 

Applicant Mark Bissell of Bissell Professional Group addressed the board and included the following in his presentation:

- Key Elements of the Plan
  - Objective and Master Plan of Development
  - Phasing Plan
  - Utilities & Drainage
  - Summary of Zoning Commitments

- Compatibility & Consistency
- Economic Impact
- TRC Review – Concerns Addressed
  - Added bus stop signs and shelters to plan
  - Phasing/Spreading out development to address school capacity
  - Systems will be flood-proofed; fees will more than pay for expansion to address sewer capacity and design
  - Horseshoe Road to be improved/reworked; drainage to be improved
  - Looping water system to address fire protection
  - Development will provide additional funds to address Sheriff's Office funding
  - Street names to be updated and approved
- Neighborhood Meeting – Concerns Addressed
  - Modeling; storage and controlled release; downstream improvements to address stormwater issues
  - Connecting to County system; providing funds for expansion to address wastewater concerns
  - New line under canal; looping for flow & pressure; impact fees will address water concerns
  - Creating positive impact on the County Budget to address school concerns
  - Commercial Development will not take place until sufficient population is in place
  - Price range of homes – Expect \$240,000+
  - TIA completed; road improvements will be made accordingly to address traffic concerns
- Terms & Conditions

Mr. Porter reviewed portions of the Development Agreement and the Development Schedule Fiscal Years and Capacities.



2. **Definitions.**

2.1. Certain terms having specific definitions are used in this Agreement and these terms and definitions, unless the context clearly indicates to the contrary, are set forth in Section 2. Otherwise, the meaning shall be as used in the context of the sentence in which it appears and not necessarily that as defined herein.

2.2. "South Mills Landing" – means the Property, as it is intended to be developed, substantially in accordance with Exhibit B, as that may be amended from time to time in accordance with applicable County ordinances.

2.3. "Development Permit" – means a building permit, zoning permit, subdivision approval, site plan approval, special or conditional use permit, variance or any other official action by the County having the effect of permitting the development of property.

2.4. "Land Development Regulations" – means ordinances and regulations enacted by the County for the regulation of any aspect of development and includes zoning, subdivision or any other development ordinance.

2.5. "Laws" – means all ordinances, resolutions, regulations, comprehensive plans, land development regulations, policies, and rules adopted by the County affecting the development of property, and includes laws governing permitted uses of the property, density, design and environmental.

2.6. "Property" – means all real property owned by SML and described on Exhibit A that is subject to land-use regulation by the County and includes any improvements or structures customarily regarded as part of real property.

3. **Background**

3.1. South Mills Landing, LLC is the owner of 3 tracts of land as follows: The North Tract consisting of 124.63 acres, located off of Horsehoe Road, the South Tract consisting of 69.11 acres, located off of Maple Street, and an undeveloped tract adjacent to the South Tract consisting of 48.75 acres, referred to as the "undeveloped tract." Legal descriptions of these properties are attached as Exhibit A.

3.2. The Northland South Tracts were returned to PUD (Planned Unit Development) in 2004, now Planned Development (PD) under the current LDC. A Concept Plan for a Planned Development of 561 units was reviewed and approved administratively in 2019, and a Master Plan was submitted in January 2020 for a 560-unit Planned Development, which is in substantial compliance with the approved Concept Plan. A Preliminary Plat for the 560 units, approximately 5 acres, and clubhouse facilities has now also been submitted.

4. **Local Descriptions of Property**

The Property that is the subject of the Agreement consists of 3 tracts totaling 222.50 acres, as follows:

4.1. The North Tract located off of Horsehoe Road, PIN #01795004312000000 with acreage of 124.63 acres per plat, attached as Exhibit "A".

4.2. The South Tract located off Main Street, PIN #017880014826370000 consisting of 69.11 acres per plat, also attached as Exhibit "A".

4.3. The third, undeveloped, or environmental tract located adjacent to the South Tract, PIN #01794300473040000 consisting of 48.75 acres per plat, also attached as Exhibit "A". (The third tract is not part of the PD consent property, but is included in what is being offered as part of the Development Agreement)

5. **Description of Project**

5.1. The Development is shown on the Master Plan and the Preliminary Plat, now referred to as the "Plan". The Plan consists of the Master Plan prepared by Bissett Professional Group and dated revised 8-15-20, and the Preliminary Plat also prepared by Bissett Professional Group and dated revised 6-10-20. Typical building elevations including a preliminary building plan and swimming pool for the proposed clubhouse and recreation facility are included as Exhibit C. These plans and elevations show the concept but are subject to change during actual design based on market conditions.

5.2. The development is summarized in the following table:

DEVELOPMENT SUMMARY						
	AREA	S.F.	LOT/ACRE	UNITS	OPEN SPACE	
TRACT	(AC.)				(AC.)	
NORTH	124.63	285	6,003-11,073	31	324	80.61
SOUTH	69.11	33	6,003-11,731	167	245	23.31
TOTAL	263.84	318	6,003-11,873	197	569	103.92

5.3. The density/acre standards, dimensional standards and development standards for development of the Property shall be in accordance with the Master Plan and Schedule B, subject to the degree of flexibility provided in these conditions.

5.4. Community form and design for development of the Property shall conform generally to the sample building elevations attached in Exhibit C. Variations may be provided and approved by the Camden County Board of Commissioners, but shall be consistent with the design concept. The elevations are similar to, but do not represent exactly, the actual homes that will be constructed with South Mills Landing. The Developer reserves the right to modify the final building plans to fit owner preferences and market conditions.

6. **Dedication of Land for Public Use**

6.1. South Mills Landing proposes to dedicate the third tract (PIN #01795004312000000) consisting of approximately 48.75 acres per plat, also shown as the undeveloped tract, environmentally sensitive area, for public use.

6.2. South Mills Landing will also dedicate utility easements for the maintenance of the wastewater collection system, including sewer lines and lift stations.

7. **Public Facilities**

7.1. Subject to the approval of the NC Department of Environmental Quality, a new public waste water collection system including gravity lines, lift stations and force mains will be constructed to serve South Mills Landing and will connect to the County wastewater disposal system. All gravity sewer lines, force main, pump stations and appurtenances will be designed, permitted and constructed at the Developer's sole expense and then conveyed in fee simple to Camden County for ownership and maintenance.

7.2. The Developer will also install a new water main (size to be determined based on modeling) under the Daniel Swamp Canal from Millen Street on the East side of the canal for the purpose of providing the public water supply system to serve South Mills Landing only, including adequate flow for firefighting ability of the South Mills Volunteer Fire Department. Individual lots and dwellings shall be installed. The Developer shall make the water system and make any needed improvements to the system, including fire hydrants, to demonstrate adequate water flow and pressure for firefighting, which is meeting the maximum fire demand.

7.3. All water and sewer lines will be installed: 1) outside of the paved roadway; and 2) above the 100 year flood elevation or be completely waterpoored.

7.4. The Developer will contribute funds in the amount of \$92,722 to be used by Camden County in the following ways for Public Facilities:

A. Streetscape improvements along Main Street through the main business corridor of South Mills, such as sidewalks, street lights, landscape planting, and related improvements in general conformance with the Concept Plan prepared by Bissett Professional Group and attached hereto. South Mills Landing shall contribute, at least one community meeting prior to approval of Phase I construction plans to determine the layout, location, and details of improvements preferred by the current South Mills community.

B. Install sidewalk on the south side of US 17 Business (Main St.) from Jones Ave. to the entrance of the Southern Tract.

8. **South Mills Water Association, Inc. (Association).** is a private North Carolina Non-Profit Corporation. As such, County cannot control performance, acceptance, agreement, or cooperation with the corporation which will be necessary to carry out the terms of Section 7 and the following Section 8. The County does, however, commit to South Mills Association, if it will accept, at commercially reasonable rates, the time necessary to accomplish the terms of this Agreement and to use its good faith and best efforts to assist the Association to accomplish terms of Section 7 and 8 herein. However, if the sole responsibility of developer to negotiate and contract with Association, assuming all costs therein, to satisfy the terms of this Agreement.

8. **Obligations of South Mills Landing, LLC**

8.1. Install a wastewater collection system as approved by Camden County and the NC Department of Environmental Quality; pay for all normal costs associated with the preparation of the Engineering Plans, DWM permitting, and the collection system construction and dedication to Camden County. Upon completion and certification, the Developer will deed the wastewater collection system to Camden County.

8.2. Purchase capacity for 500 sewer connections in the Camden County Wastewater System to serve phases 1 through 5 of the development and clubhouse facilities through payment of a System Development Fee and Connection Fee for each of the County Sewer Connections per Section 10 and Exhibit D of this agreement.

8.3. Install a water main under the Daniel Swamp Canal as described in Section 7.2, and as approved by the South Mills Water Association and the NC Public Water Supply Section, and upon completion and certification, dedicate the water main for public use.

8.4. Pay water two fees to South Mills Water Association in advance of development of each phase as set forth in Development Schedule Exhibit D so that capacity fees can be paid by SML to Camden County.

8.5. Adhere to conditions of the Master Plan and Preliminary Plat approvals as approved by the Camden County Board of Commissioners.

8.6. Up to 50,000 square feet of commercial development will be constructed in the area set aside for commercial development on the Master Plan and sewer lines will be dedicated to the commercial area property line simultaneously with Phase 1 of the residential development.

8.7. Environmental Protection and Monitoring: Wetlands subject to the jurisdiction of the US Army Corps of Engineers have been delineated and confirmed by the Corps of Engineers. The Property Owners Association Documents (Declaration) will include provisions that protect the filling of wetlands and prohibit the clearing of any vegetation other than incidental tree cutting and/or removal, and its subsequent management.

9. **Obligations of the County**

9.1. Utility funds provided by South Mills Landing, LLC for the construction of community improvements as described in the Public Facilities section of the Agreement.

9.2. Make sewer taps available upon the payment of System Development Fees and Connection Fees by the Developer in accordance with Section 10 of this agreement and the Engineer Schedule Exhibit D provided and approved with the Master Plan and the Preliminary Plat.

9.3. Furnish a supply of water from the South Camden Water and Sewer District to South Mills Water Association as requested by South Mills Water Association.

A. The County will reserve water capacity for South Mills Landing based on providing 200 GPD per water connection for which the county has received the System Fee payment from Exhibit D of connection according to the Water Sales Agreement between Camden County and South Mills Water Association.

10. **Sewer System Development Fees**

10.1. In making plans for maintaining, upgrading and expanding the County's sewer systems in order to provide sufficient sewage treatment capacity for citizens of the County, the County shall take into account the homes and amenities planned for the South Mills Landing Subdivision above and approved by the County. The County shall not allocate and reserve sufficient sewer treatment capacity within its sewer systems to supply adequate quantities of sewer treatment services to the South Mills Landing Subdivision to construct and obtain certificates of occupancy for each of the homes, not residential buildings and amenities planned for the South Mills Landing Subdivision.

10.2. SML shall pay sewer system development fees to the County based upon the actual number of lots developed and permitted on the SML during each County fiscal year or based upon Exhibit C per County fiscal year. During each County fiscal year, sewer system development fees shall be fully paid for or approved lot areas at the time of the issuance of a building permit for each lot.

10.3. The County fiscal year runs from July 1 through June 30. Commencing with the County's fiscal year in accordance with its schedule set out below, South Mills Landing shall pay to the County the standard per lot Sewer System Development Fees charged by the County for each of the 560 residential lots (clubhouses/other commercial lots planned to be developed on the SML property as follows:

A. Allocation Payment: 25% per connection to be paid upon approval of Construction Drawings for each development phase.

B. Reservation Payment: 25% per connection as a condition of recording the Final Plat for each phase.

C. Release Payment: 50% per connection to be paid at the application for a building permit for each lot or unit. Connections to the system shall also require payment at building permit application of the Connection Fee per lot or unit.

10.4. Upon payment of the first 25% of the Sewer System Development Fee per lot, the county will allocate 200 GPD of capacity per each lot. This allocation is for planning purposes only and is not considered a reservation of capacity and is non-refundable.

10.5. Upon payment, an additional 25% of the sewer system development fee per lot, the county will release 200 GPD of sewer capacity per lot. Within fifteen (15) days of the end of each County fiscal year, South Mills Landing and the County shall reconcile their records to determine liability. If any fiscal activity extends beyond the County fiscal year, the county will require by Section 10.2 no actual building permits issued.

10.6. If South Mills Landing develops and permits more lots than required in Exhibit D in any County fiscal year, then the number of developed and permitted lots in excess of the number required shall be credited to the next County fiscal year for requirements.

10.7. If South Mills Landing does not develop and obtain a building permit for at least the number of lots set out in Exhibit D in any County fiscal year, then the County shall pay to the County the shortfall in Sewer System Development Fees within thirty (30) days after the end of the County fiscal year. Camden County will credit the amount

paid due to the shortfall toward System Development Fees and Connection Fees for future building permits requested by South Mills Landing, however the credit will not reduce the number of lots required to be developed according to Exhibit D in the following fiscal year. The obligation will terminate when South Mills Landing has paid cumulative fees (construction, system development fees, and connection fees) in the amount of \$3.5 million.

10.8. The initial per lot sewer capital fee shall be \$7,400. Sewer capital fee rates shall be subject to the sewer rate schedules adopted annually by the Board of Commissioners.

10.9. For the purpose of determining the amount of System Development Fee payments any, building permit issuance prior to June 30th of the relevant County fiscal year shall trigger the standard capital fee payments only if actual construction is begun within forty five (45) days. Requesting building permits for lots not ready for home construction for the purpose of acquiring more favorable System Development Fee rates shall be considered a material breach of the Agreement.

10.10. In the event that lots are developed within the South Mills Landing and homes are connected thereto and ready for occupancy per the Development Schedule set out prior to the Sewer Availability Date, then the County agrees, at its sole cost and expense, to pump and haul excess sewage from the treatment plant in order to maintain compliance with state and federal permits and continue serving the waste water needs of County citizens including those in SML.

10.11. Upon such time as public sewer is actually available, pump and haul arrangements shall be subject to all applicable state and federal laws and regulations. All required permits and approvals shall be the responsibility of the County to obtain and the County will diligently pursue the issuance of all required permits and approvals.

11. **Public Roads, Public Streets, and Private Streets to serve South Mills Landing.**

11.1. Connection to Existing Public Roads: SML will be responsible for securing appropriate permits from the North Carolina Department of Transportation ("NCDOT") for connecting South Mills Landing to the existing public road system, including NCDOT. To that end, SML agrees to make all improvements to the public road system required by NCDOT. SML and the County agree to cooperate and assist each other in connection with the planning of connections to the public road system as well as improvements to the public road system; however, the County shall have no duty to fund the construction of improvements to the public road system required by NCDOT in connection with South Mills Landing.

11.2. Public Streets within South Mills Landing: SML anticipates that there will be a number of streets built to NCDOT standards for public residential streets. SML will be solely responsible for the design and construction and cost of these streets. SML shall have a continuing obligation to repair and maintain these streets until the public assets are accepted by NCDOT for maintenance or SML transfers the obligations to repair and maintain these streets to the PCA until the County has reviewed and approved the documents



reducing the FICA \_\_\_\_\_

**12. Stormwater Management and Wetlands.**

12.1. **Stormwater Management.** SWL will be solely responsible for the design, permitting, construction, install and maintenance of the stormwater management system to serve South Mills Landing. SWL's Stormwater Management Plan for South Mills Landing will include stormwater management device which must exceed the minimum criteria of the North Carolina Department of Environmental and Natural Resources (NCEM), Camden County, and incorporate drainage ways, ponds and wetlands that treat and control stormwater passively by using avoidance of naturally occurring processes.

12.2. On-site stormwater will be managed by construction of a series of stormwater management ponds that will be interconnected and will retain and slow-release stormwater to existing drainage outlets both directly and indirectly.

A. In addition to modeling and retaining stormwater to the UDO and Stormwater Manual standard for the 100-year developed condition and runoff, stormwater will be retained for the 100-year storm event and property line terms constructed as necessary to manage the 100-year storm without adversely impacting neighboring properties.

B. Stormwater will be conveyed to on-site retention ponds through a combination of cuts-with inlets, stormwater pipes and open vegetated swales.

C. The improvements set forth in this section shall be maintained by the Developer, or a management association created by the Developer.

D. The Association, either itself or a management entity, will assume responsibility for ongoing inspection and maintenance of the stormwater management facilities in accordance with the Camden County MCO requirements and all MCDPTO permit requirements. The Association does not will be structured in a way that funds are provided for the upkeep of these facilities, as well as a contribution to off-site ditch maintenance.

12.3. Improve off-site drainage ways downstream of the Developer's stormwater discharge outlets by clearing and snagging as necessary to remove obstructions to flow, subject to gaining the right of access to make these improvements.

**13. Self-Contained Development.**

South Mills Landing will contain a network of pedestrian and bicycle paths according to the approved Master Plan which connect all residential neighborhoods with the amenities within South Mills Landing so that residents of South Mills Landing will have the option to make a bicycle to the passive and active recreational opportunities located in South Mills Landing.

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**14. Phasing and Development Schedule.**

14.1. The proposed schedule for completing the Development that is the subject of this Agreement is shown on Exhibit C.

**15. Vested Rights to Complete South Mills Landing as Approved; Application of Laws and Land Development Regulations.**

15.1. South Mills Landing shall be subject only to the Land and Development Regulations enacted and applicable to South Mills Landing at the time of the County's adoption of this Development Agreement as an ordinance and in accordance with the provisions of the Development Agreement (the "Existing South Mills Landing Development Law"). The parties agree that SWL needs to obtain the following permits or approvals:

A. Master Plan approval  
B. Preliminary Plat approval  
C. South Mills Water Association water system plans  
D. State Division and Conduit Permit  
E. County Sewer System Approval  
F. County Stormwater Plan Approval  
G. State Stormwater Fee Permit  
H. Construction Plans  
I. Connecting Site Plans for Clubhouse and Pool  
J. Final Plat approval  
K. Building Permit for all structures pursuant to the North Carolina State Building Code  
L. Copy with the Existing South Mills Landing Development Law in order to complete the development of South Mills Landing under local law. Subject for changes in the County's System Development Fee schedule.

M. Litter, rules, regulations or prices adopted by the County or any of its boards, officials or staff enacted, adopted, formed or administered after the adoption of this Development Agreement, including but not limited to land use, zoning, buffers, the division of land, grading, air/noise, water, sewer, stormwater, setbacks and signage, shall not directly or indirectly be applicable to any aspect of South Mills Landing, the Development of South Mills Landing as approved, the Existing South Mills Landing Development Law or the Property for a period of ten (10) years after the Effective Date.

15.2. The failure of this Development Agreement to identify a particular permit, condition, term or restriction does not relieve SWL of the necessity of complying with the law governing the permitting requirements, conditions, terms or restrictions of local development permits. However, the County represents to SWL that the above paragraph defines all permits or approvals which are required by the County prior to the County issuing certificates of occupancy for uses and improvements at South Mills Landing.

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10.3. In the event that State or federal law is changed after the Effective Date in such a way that prevents compliance with this Development Agreement by SWL, the County and SWL will review the terms of the aforementioned agreement and will work together in good faith to modify the affected provisions to the extent reasonable in order to achieve the intended purpose of said agreement and the therefore associated economic benefits foreseen by the parties.

**16. Review to Assess Compliance with this Development Agreement.**

From time to time, SWL and the County may review the good faith execution of the provisions of this Development Agreement by the parties to assure compliance with this Development Agreement and the accomplishment of the purposes originally intended by the parties. The failure of SWL to complete any phases of South Mills Landing within the time set forth in this Development Agreement shall not in and of itself constitute a material breach of said agreement and whether a material breach exists, must be judged based on the totality of the circumstances. The County and SWL agree that the development schedule may be adjusted by changing market conditions and that once the initial obligation outlined in paragraph 10.7 has been satisfied by SWL, a modified development schedule may be proposed that reflects then current market conditions. A County official designated by the Chairman of the County Commissioners shall conduct a progress review (review) every twelve (12) months to determine whether SWL remains in good faith compliance with this Development Agreement based upon the totality of the circumstances.

**17. Default.**

17.1. In the event the County determines in the course of a Review that SWL is in material breach of the Development Agreement the County shall, within a reasonable time after the Review, send notice to SWL, setting forth (a) with reasonable particularity the nature of the breach and the extent of breaching the County's findings and determination, and (b) a reasonable time in which SWL may cure the breach. If SWL fails to cure the breach within the time provided, the County may unilaterally terminate this Development Agreement by sending a termination notice to SWL; provided the termination notice may be appealed to the County's Board of Adjustment in the manner provided in N.C.G.S. § 153A.345(b) (2015).

17.2. For all other defaults and breaches of this Development Agreement by either the County or SWL, the non-defaulting Party shall notify the defaulting Party of the default, specifying the nature of the default and providing at least thirty (30) days for the defaulting party to cure the default. If the default at issue cannot be cured by the defaulting Party within thirty (30) days, then the notice shall specify a reasonable cure period in excess of thirty (30) days, but in no event more than ninety (90) days. If the defaulting Party fails to cure the default within the cure period provided in the notice, then the non-defaulting Party may terminate this Development Agreement or, in the alternative, seek to enforce this Development Agreement through any and all remedies available at law or in equity.

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**18. Recordation of Agreement.**

Pursuant to N.C.G.S. § 153A.348-1 (2015), within fourteen (14) days after the Effective Date, SWL shall record this Development Agreement with the register of deeds in Camden County, North Carolina.

**19. Term.**

Pursuant to N.C.G.S. § 153A-349.4 (2015), the term of this Development Agreement shall be a period of ten (10) years from the Effective Date.

**20. Miscellaneous.**

**20-1-20.2. Force Majeure.** The parties hereto shall not be liable for any failure to perform hereunder as a result of an external event or events beyond their respective control, including without limitation acts of the United States of America, acts of the State of North Carolina, embargoes, war, flood, drought, hurricanes, tornadoes, explosions, acts of God or a public enemy, strikes, labor disputes, vandalism or civil riots. However, if any such event interferes with the performance by a party hereunder, such party shall diligently and in good faith act to the extent within its power to remedy the circumstances affecting its performance or to complete performance in as timely a manner as is reasonably possible.

**20-2-20.3. Assignment and Cancellation.** This Development Agreement may be amended or canceled by mutual consent of the County and SWL, and their successors or assigns. Minor amendments will be processed administratively. Major amendments will require Public Hearing. No amendments to this Development Agreement shall be effective unless such amendment is reduced to a written agreement signed by the parties hereto.

**20-3-20.4. Recitals.** The recitals of this Development Agreement are material terms of this Development Agreement and shall be binding upon the parties.

**20-4-20.5. Severability.** If any section, subsection, sentence, clause, phrase or portion of this Development Agreement is for any reason held invalid or unconstitutional by a non-applicable law, held voidable in any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

**20-5-20.6. Notices.** All notices or other communications required or permitted to be served hereunder shall be deemed served in accordance with the Development Agreement if the notice is (a) mailed in a sealed envelope and deposited in the United States mail, certified mail, return receipt requested, postage prepaid; or (b) deposited with a national overnight courier service that retains receipts of its deliveries. Notices or other communications shall be properly addressed as follows:

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The County: County of Camden  
P.O. Box 100  
117 North MC-243  
Camden NC 27811  
Attn: County Manager

SWL: South Mills Landing LLC  
PO Box 5536  
Chimneyville VA 23027  
Attn: Reese Smith

The parties may, by written notice given to the other, designate any further or different addressees to which all notices or other communications shall be sent.

**20-6-20.7. Run with the Land.** This Development Agreement shall run with the Property and any portion hereof as it may be subdivided or recombined.

**20-7-20.8. Entire Agreement.** This Development Agreement contains the entire agreement between the parties. Any prior or contemporaneous oral or written agreements are merged into this Development Agreement.

**20-8-20.9. Multiple Counterparts.** This Development Agreement may be executed in any number of counterparts, each of which when so executed and delivered shall be deemed an original, and shall not be necessary in making proof of this Development Agreement to produce or account for more than one such fully executed counterpart.

**20-9-20.10. Assignment.** This Development Agreement is governed by, and shall be construed in accordance with, the laws of the State of North Carolina.

**20-10-20.11. Representations and Warranties of the Parties.** The County and SWL, and the persons executing this Development Agreement or their legal, personal and warrant, as applicable, that: (1) each party or person has the full power and authority to enter into this Development Agreement; (2) each party or person is duly qualified to enter into the agreement; and to perform the obligations hereunder; (3) each party is acting on its own behalf and in full compliance with the applicable law; (4) this Development Agreement is a valid and binding obligation, enforceable against the parties in accordance with its terms; (5) entering into this Development Agreement does not conflict with any other agreements entered into by either party; and (6) the execution, delivery and performance of this Development Agreement has been fully and lawfully authorized by all necessary corporate or governmental action on its part. Specifically (and not as a limitation), the County represents and warrants to SWL that this Development Agreement has been presented to ensure compliance with the applicable budgetary accounting requirements (if any). In the event that any of the obligations of the County in this Development Agreement constitute debt, the County has complied, at the time of the obligation to incur the debt and before the debt becomes enforceable against the County, with any applicable constitutional and statutory procedures for the approval of the debt.

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This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

By: \_\_\_\_\_  
Francine Jackson  
Finance Officer  
Camden County, North Carolina

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IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed on the day and year indicated below:

ATTEST: COUNTY OF CAMDEN

By \_\_\_\_\_ By \_\_\_\_\_

STATE OF NORTH CAROLINA  
COUNTY OF \_\_\_\_\_

This is to certify that on the \_\_\_\_\_ day of \_\_\_\_\_ in the year 2020, before me personally came \_\_\_\_\_ who, being by me duly sworn, has affirmed that she is the Clerk to the Camden County Board of Commissioners and that \_\_\_\_\_ is the Chairman of the Camden County Board of Commissioners, and that said county is a North Carolina County possessing powers of a United Government pursuant to N.C.G.S. § 153A-471 described in and which executed the foregoing, that she showed the Corporate Seal of said County, that the seal affixed to the foregoing instrument is said Corporate Seal, and the name of the United Government was subscribed thereto by the said \_\_\_\_\_ and that the said corporate seal was affixed by order of the governing body of said County, and that the said instrument is the act and deed of said County.

WITNESS my hand and official seal or stamp, this the \_\_\_\_\_ day of \_\_\_\_\_ 2020.

Printed Name \_\_\_\_\_ Signature \_\_\_\_\_  
Notary Public \_\_\_\_\_ Notary Public \_\_\_\_\_

My Commission Expires \_\_\_\_\_ Official Seal or Stamp \_\_\_\_\_

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ATTEST: SOUTH MILLS LANDING, LLC.

By \_\_\_\_\_ Managing Member By \_\_\_\_\_

STATE OF NORTH CAROLINA  
COUNTY OF \_\_\_\_\_

I, a Notary Public of \_\_\_\_\_ County, North Carolina, do hereby certify that \_\_\_\_\_ personally came before me this day and acknowledged that he/she is the \_\_\_\_\_ of South Mills Landing, LLC, a North Carolina LLC, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its \_\_\_\_\_, sealed with its corporate seal, and attested by (he/their) self as its \_\_\_\_\_.

WITNESS my hand and official seal or stamp, this the \_\_\_\_\_ day of \_\_\_\_\_ 2020.

Printed Name \_\_\_\_\_ Signature \_\_\_\_\_  
Notary Public \_\_\_\_\_ Notary Public \_\_\_\_\_

My Commission Expires \_\_\_\_\_ Official Seal or Stamp \_\_\_\_\_

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ATTEST: SOUTH MILLS LANDING, LLC.

By \_\_\_\_\_ By \_\_\_\_\_

STATE OF NORTH CAROLINA  
COUNTY OF \_\_\_\_\_

I, a Notary Public of \_\_\_\_\_ County, North Carolina, do hereby certify that \_\_\_\_\_ personally came before me this day and acknowledged that he/she is the \_\_\_\_\_ of South Mills Landing, LLC, a North Carolina, LLC and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its \_\_\_\_\_, sealed with its corporate seal, and attested by (he/their) self as its \_\_\_\_\_.

WITNESS my hand and official seal or stamp, this the \_\_\_\_\_ day of \_\_\_\_\_ 2020.

Printed Name \_\_\_\_\_ Signature \_\_\_\_\_  
Notary Public \_\_\_\_\_ Notary Public \_\_\_\_\_

My Commission Expires \_\_\_\_\_ Official Seal or Stamp \_\_\_\_\_

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NCCL 366761-11

**EXHIBIT D**  
**DEVELOPMENT SCHEDULE - Fiscal Years and Capacities**

	2020/21	Phase	2021/22	Phase	2022/23	Phase	2023/24	Phase	2024/25	Phase	2025/26	Phase	Total
Construction Plan Approval	129	1	178	2	233	3&4			40	5			580
Final Plat Recorded	129	1	178	2	134	3	99	4	40	5			580
Houses Completed per year			11		216		180		130		43		580
<b>Fee Breakdown 25/25/50</b>													
Cumulative Sewer Fees (\$1,000)	\$	239	\$	1,755	\$	3,989	\$	5,360	\$	6,322	\$	6,322	
Cumulative Water Fees to County	\$	323	\$	768	\$	1,350	\$	1,350	\$	1,450	\$	1,450	
	2020/21	Phase	2021/22	Phase	2022/23	Phase	2023/24	Phase	2024/25	Phase	2025/26	Phase	Total
<b>Water Capacity</b>													
50,000													
200													
360			50,000	46,040	(31,720)		(96,520)		(143,320)		(158,800)		
<b>Sewer Capacity</b>													
60000													
200													
360			60,000	56,040	(21,720)		(86,520)		(133,320)		(148,800)		

**Public Comments**

Due to attendance restrictions in regard to COVID-19, citizens were given the option to send comments via email. The following individuals sent comments via email, which were read aloud by the Clerk to the Board:

Kristen Higen, Horseshoe Road – Opposed

Summary of Concerns:

- Schools / Buses / Bus Drivers
- Post Office handling of mail/packages
- South Mills Water issues
- Internet availability
- Impacts to Sheriff's Office
- Volunteer Fire Department / EMS
- Flooding / Drainage
- Increased traffic

Crystal Creef, Main Street – Opposed

Summary of Concerns:

- Flooding / Drainage
- Increased traffic
- Water issues

Mary Cherry Tirak, Chamberlain Road – Opposed

Summary of Concerns:

- Increased burden to Law Enforcement / Fire Department / County Administration / Waste Management / Water and Schools
- Possible substantial taxation increases, increased crime and wildlife endangerment

Michale & Lorraine Mizells, Horseshoe Road – Opposed

Summary of Concerns:

- Increased burden to schools, fire and rescue departments, Sheriff's Office.
- Drainage / Flooding
- Loss of small community and rural feel of Camden County

Christine & Walter Erb, Pier Landing – Opposed

Summary of Concerns:

- Adequate support of public services such as police, fire, EMS, schools.

Nancy Farmer, Horseshoe Road – Opposed

Summary of Concerns:

- School capacity
- Impact to Fire Protection and Sheriff's Office
- Increased Traffic
- Flooding
- Property taxes
- Support of local small businesses
- Loss of rural feel of the County

Amy Gillikin – Opposed to South Mills Landing.

Summary of Concerns:

- Flooding
- School capacity
- Internet availability
- Increased traffic

Mike & Joy Benton, Old Swamp Road – Opposed

Summary of Concerns:

- Close proximity of homes to other homes
- Volunteer Fire Department impact
- Water and Sewer Capacity
- Farmland protection

Val & Vivian Bridgers – Opposed

Summary of Concerns:

- Added stress to Volunteer Fire Department and Sheriff's Office
- Flooding
- School capacity
- Future I-87

The following comments were submitted by email to be included in the record.

Rebecca Farmer of Horseshoe Road – Opposed

Summary of Concerns:

- Flooding
- Traffic/Roads
- Light Pollution
- Mail Delivery
- County Resources / Tax Increases
- Loss of Rural Living
- Crime
- Strain on Local Small Businesses

Deborah Penwell – Opposed

Concern:

- Taxable business base not large enough to support additional needed county services.

Additional Public Comments (in-person)

Marshall Powell, Jr., Sawyer Creek Road – Opposed  
Concerns:

- Flooding / Drainage

Melissa Wright, Carolina Road – Opposed

- Flooding / Drainage

Herbert Mullen – Supported

- Mr. Mullen spoke in favor of the development. It is his opinion that it will be to the enhancement and betterment of the County and that new commercial development will also benefit the citizens.

Mr. Bissell again addressed the Board to speak to the concerns that were raised during the public comment period.

- Stormwater model analysis has been done and flooding and drainage issues will be addressed. Improvement of downstream drainage will also be offered. The goal is to make it better than it is currently.
- A new main water main under the canal will be put in to improve water pressure.
- This project will revitalize the downtown area of South Mills.

There being no further comments or questions, Chairman White to close the Public Hearing.

**Motion to close the Public Hearing.**

<b>RESULT:</b>	<b>PASSED [4-0]</b>
<b>MOVER:</b>	Garry Meiggs
<b>AYES:</b>	White, Krainiak, Riggs, Meiggs
<b>ABSENT:</b>	Munro

**Motion to table until the October meeting.**

<b>RESULT:</b>	<b>PASSED [4-0]</b>
<b>MOVER:</b>	Clayton Riggs
<b>AYES:</b>	White, Krainiak, Riggs, Meiggs
<b>ABSENT:</b>	Munro

**ITEM 6. NEW BUSINESS**

A. Tax Report – Ken Bowman

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

**OUTSTANDING TAX DELINQUENCIES BY YEAR**

<b><u>YEAR</u></b>	<b><u>REAL PROPERTY</u></b>	<b><u>PERSONAL PROPERTY</u></b>
2019	172,256.57	7,577.98
2018	53,084.40	2,544.01
2017	23,294.78	2,372.70
2016	12,411.52	1,548.60
2015	7,986.62	767.95
2014	11,028.92	1,095.92
2013	7,447.15	4,765.52
2012	5,778.79	7,485.57
2011	4,667.14	6,296.77
2010	4,149.58	4,642.02

TOTAL REAL PROPERTY TAX UNCOLLECTED	302,105.47
TOTAL PERSONAL PROPERTY UNCOLLECTED	39,097.04
TEN YEAR PERCENTAGE COLLECTION RATE	99.54%
COLLECTION FOR 2020 vs. 2019	19,290.95 vs. 9,449.69

**LAST 3 YEARS PERCENTAGE COLLECTION RATE**

2019	97.66%
2018	99.26%
2017	99.64%

EFFORTS AT COLLECTION IN THE LAST 30 DAYS	
ENDING	June 2020
BY TAX ADMINISTRATOR	
22	NUMBER DELINQUENCY NOTICES SENT
15	FOLLOWUP REQUESTS FOR PAYMENT SENT
0	NUMBER OF WAGE GARNISHMENTS ISSUED
0	NUMBER OF BANK GARNISHMENTS ISSUED
3	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 (I.D. AND STATUS)
0	REQUEST FOR EXECUTION FILES WITH CLERK OF COURTS
0	NUMBER OF JUDGMENTS FILED

### 30 Largest Unpaid – Real

Roll	Parcel Number	Unpaid Amount	YrsDlq	Taxpayer Name	City	Property Address
R	01-7989-00-01-1714.0000	7,411.65	10	CHARLES MILLER HEIRS	SOUTH MILLS	HORSESHOE RD
R	01-8929-00-34-2503.0000	7,166.08	1	STONEBRIAR COMMERCIAL FINANCE	SOUTH MILLS	
R	02-8934-01-17-4778.0000	5,094.04	3	LARRY G. LAMB SR	CAMDEN	152 158 US W
R	02-8934-01-18-6001.0000	4,506.18	1	LINDA SUE LAMB HINTON	CAMDEN	150 158 US W
R	03-8899-00-16-2671.2425	4,436.06	1	SPRING LOTUS LLC	SHILOH	141 EDGEWATER DR
R	02-8935-02-66-7093.0000	4,415.80	2	B. F. ETHERIDGE HEIRS	CAMDEN	158 US E
R	03-8899-00-45-2682.0000	3,839.99	10	SEAMARK INC.	SHILOH	HOLLY RD
R	02-8944-00-36-1417.0000	3,816.88	1	ROSA ALICE FEREBEE HEIRS	CAMDEN	165 IVY NECK RD
R	03-8972-00-54-4332.0000	3,764.55	1	GILBERT WAYNE OVERTON &	SHILOH	1330 343 HWY S
R	02-8944-00-75-7172.0000	3,376.93	1	KIM SAWYER	CAMDEN	110 MILL DAM RD N
R	02-8934-01-18-8072.0000	3,234.74	1	ARNOLD AND THORNLEY, INC.	CAMDEN	146 158 US W
R	02-8935-01-08-8786.0000	2,940.10	1	LINWOOD GREGORY	CAMDEN	253 SLEEPY HOLLOW RD
R	02-8934-01-29-4617.0000	2,923.24	1	JAMES B. SEYMOUR ETAL	CAMDEN	112 158 US W
R	02-8945-00-41-2060.0000	2,922.52	1	LASELLE ETHERIDGE SR. HEIRS	CAMDEN	168 BUSHELL RD
R	02-8943-01-17-4388.0000	2,909.12	1	THOMAS REESE	CAMDEN	301 JAPONICA DR
R	01-7081-00-52-7312.0000	2,805.98	1	WILLIAM K. COLONNA	SOUTH MILLS	256 CULPEPPER RD
R	02-8923-00-19-3774.0040	2,720.76	1	NMJ PROPERTIES LLC	CAMDEN	431 158 US W
R	02-8944-00-99-1027.0000	2,716.91	2	JOHNNIE MERCER HEIRS	CAMDEN	MCKIMMEY RD
R	03-7809-00-23-8838.0000	2,631.32	1	WILLIAM DAVID BYRUM	SHILOH	112 HIGH RD
R	01-7999-00-62-3898.0000	2,568.65	1	MICHAEL ASKEW	SOUTH MILLS	257 A OLD SWAMP RD
R	03-8962-00-67-1021.0000	2,509.41	3	Cecil BARNARD HEIRS	SHILOH	WICKHAM RD
R	02-8943-01-06-9013.0000	2,459.32	1	JEWEL H. DAVENPORT	CAMDEN	WINDY HEIGHTS DR
R	03-7809-00-24-8236.0000	2,401.72	1	GENE W IRBY	SHILOH	503 SAILBOAT RD
R	02-8934-03-31-9750.0000	2,341.25	1	CAROLYN MCDANIEL	CAMDEN	195 COUNTRY CLUB RD
R	03-8962-00-05-0472.0000	2,335.19	1	FRANK MCWILLIAN HEIRS	SHILOH	172 NECK RD
R	02-8934-01-29-4776.5853	2,234.11	1	C. RUSSELL HASTINGS JR.	CAMDEN	110 158 US W
R	01-7090-00-70-3221.0000	2,209.29	1	LONZO FISHER GREGORY	SOUTH MILLS	406 OLD SWAMP RD
R	03-8943-02-75-4196.0000	2,142.76	2	SHERRILL M PRICE JR	SHILOH	115 COOKS LANDING RD
R	03-8965-00-37-4242.0000	2,099.04	2	DORA EVANS FORBES	SHILOH	352 SANDY HOOK RD
R	01-7080-00-62-1977.0000	2,034.38	10	SANDERS CROSSING OF CAMDEN CO	SOUTH MILLS	117 OTTERS PL

### 30 Oldest Unpaid - Real

Roll	Parcel Number	YrsDlq	Unpaid Amount	Taxpayer Name	City	Property Address
R	01-7989-00-01-1714.0000	10	7,411.65	CHARLES MILLER HEIRS	SOUTH MILLS	HORSESHOE RD
R	03-8899-00-45-2682.0000	10	3,839.99	SEAMARK INC.	SHILOH	HOLLY RD
R	01-7080-00-62-1977.0000	10	2,034.38	SANDERS CROSSING OF CAMDEN CO	SOUTH MILLS	117 OTTERS PL
R	03-8952-00-95-8737.0000	10	2,032.30	AUDREY TILLET	SHILOH	171 NECK RD
R	03-8943-04-93-8214.0000	10	1,987.78	L. P. JORDAN HEIRS	SHILOH	108 CAMDEN AVE
R	01-7988-00-91-0179.0001	10	1,929.64	THOMAS L. BROTHERS HEIRS	SOUTH MILLS	
R	01-7999-00-32-3510.0000	10	1,856.74	LEAH BARCO	SOUTH MILLS	195 BUNKER HILL RD
R	01-7999-00-12-8596.0000	10	1,787.55	MOSES MITCHELL HEIRS	SOUTH MILLS	165 BUNKER HILL RD
R	01-7989-04-60-1568.0000	10	945.00	EMMA BRITE HEIRS	SOUTH MILLS	116 BLOODFIELD RD
R	01-7989-04-60-1954.0000	10	922.16	CHRISTINE RIDDICK	SOUTH MILLS	105 BLOODFIELD RD
R	01-7090-00-60-5052.0000	10	777.91	JOB GRIFFIN HEIRS	SOUTH MILLS	117 GRIFFIN RD
R	02-8936-00-24-7426.0000	10	670.53	BERNICE PUGH	CAMDEN	113 BOURN ST
R	03-9809-00-17-2462.0000	10	636.33	DAVID B. KIRBY	SHILOH	499 SAILBOAT RD
R	02-8955-00-13-7846.0000	10	583.82	MARIE MERCER	CAMDEN	IVY NECK RD
R	03-8980-00-61-1968.0000	10	313.93	WILLIAMSBURG VACATION	SHILOH	CAMDEN POINT RD
R	01-7090-00-95-5262.0000	10	253.12	JOHN F. SAWYER HEIRS	SOUTH MILLS	OLD SWAMP RD
R	03-8980-00-84-0931.0000	10	252.86	CARL TEUSCHER	SHILOH	218 BROAD CREEK RD
R	03-9809-00-45-1097.0000	10	201.43	MICHAEL OBER	SHILOH	CENTERPOINT RD
R	03-8899-00-37-0046.0000	10	152.13	ELIZABETH LONG	SHILOH	HIBISCUS
R	03-8962-00-04-9097.0000	9	2,509.41	DODD ALLEN RIGGS	SHILOH	LITTLE CREEK RD
R	03-8990-00-64-8379.0000	9	1,088.57	Cecil BARNARD HEIRS	SHILOH	NECK RD
R	02-8935-01-07-0916.0000	9	846.93	CHRISTOPHER FROST-JOHNSON	SHILOH	LITTLE CREEK RD
R	03-8962-00-70-7529.0000	9	674.58	ROSETTA MERCER INGRAM	CAMDEN	227 SLEEPY HOLLOW RD
R	01-7989-04-90-0938.0000	9	623.75	MARY SNOWDEN	SHILOH	WICKHAM RD
R	03-8962-00-60-7648.0000	9	281.11	DORIS EASON	SOUTH MILLS	1352 343 HWY N
R	03-8965-00-37-4242.0000	8	2,099.04	FRANK WRIGHT ETAL	SHILOH	WICKHAM RD
R	01-7091-00-64-6569.0000	8	1,385.62	DORA EVANS FORBES	SHILOH	352 SANDY HOOK RD
R	03-8962-00-55-5300.0000	8	427.31	CLARENCE D. TURNER JR.	SOUTH MILLS	STINGY LN
R	03-8899-00-36-1568.0000	8	400.52	OCTAVIA COPELAND HEIRS	SHILOH	457 NECK RD
				PETER BUTSAVAGE	SHILOH	HIBISCUS RD

### 30 Largest Unpaid – Personal

Roll	Parcel Number	Unpaid Amount	YrsDlq	Taxpayer Name	City	Property Address
P	0001709	1,934.38	10	JOHN MATTHEW CARTE	CAMDEN	150 158 HWY
P	0001591	859.53	1	HERBERT LEE BYRUM	CAMDEN	BILLETTS BRIDGE RD
P	0000295	792.09	1	HENDERSON AUDIOMETRICS, INC.	CAMDEN	330 158 HWY E
P	0001104	673.59	3	MICHAEL & MICHELLE STONE	CAMDEN	107 RIDGE ROAD
P	0001046	663.65	8	THIEN VAN NGUYEN	SHILOH	133 EDGEWATER DR
P	0001538	653.15	10	JEFFREY EDWIN DAVIS	CAMDEN	431 158 US W
P	0000738	618.22	9	LESLIE ETHERIDGE JR	CAMDEN	431 158 US W
P	0001072	569.40	10	PAM BUNDY	SHILOH	105 AARON DR
P	0000297	517.95	3	ADAM D. & TRACY J.W. JONES	CAMDEN	133 WALSTON LN
P	0002924	497.77	2	PAUL BEAUMONT	SHAWBORO	106 DEERFIELD TRL
P	0001827	483.28	8	KAREN BUNDY	CAMDEN	431 158 US W
P	0002941	453.90	2	BARKER'S TRUCKING, INC	SHILOH	108 SASSAFRAS LN
P	0001681	414.72	8	STEVE WILLIAMS	CAMDEN	150 158 HWY W
P	0001230	411.11	8	JAMES NYE	SOUTH MILLS	101 ROBIN CT W
P	0000846	403.85	1	TOAN TRINH	SHILOH	229 SAILBOAT RD
P	0003399	302.87	1	JAIME ARMANDO ARIZAGA	SOUTH MILLS	182 CULPEPPER RD
P	0001694	288.99	8	THOMAS B. THOMAS HEIRS	CAMDEN	150 158 HWY W
P	0000772	288.86	5	COSBY BAKER	SOUTH MILLS	114 BINGHAM RD
P	0002106	285.52	2	JAMI ELIZABETH WHITE	SHILOH	849 SANDY HOOK RD S
P	0001106	242.94	10	JAMI ELIZABETH VANHORN	SOUTH MILLS	612 MAIN ST
P	0002525	239.04	1	JOSEPH VINCENT CARDYN	SHILOH	260 ONE MILL RD
P	0001952	238.91	8	SANDY BOTTOM MATERIALS, INC	SOUTH MILLS	319 PONDEROSA RD
P	0001976	205.03	2	ANA ALICIA MARTINEZ LOPEZ	SHILOH	110 AARON DR
P	0002442	200.37	3	GERALD WHITE STALLS JR	SOUTH MILLS	116 CHRISTOPHERS WAY
P	0001408	193.32	2	SHELLY MARIE AMMON	SOUTH MILLS	612 MAIN STREET
P	0001693	161.46	10	ALLIANCE NISSAN	CAMDEN	158 HWY W
P	0001639	148.83	1	DONALD SIMMONS PORTER JR	CAMDEN	163 SANDHILLS RD
P	0000945	145.18	2	RAMONA F. TAZEWEILL	CAMDEN	239 SLEEPY HOLLOW RD
P	0001150	136.45	3	WILLIAM MICHAEL STONE	CAMDEN	130 MILL DAM RD S
P	0003405	126.72	1	JOHN R BARKER	SHILOH	108 SASSAFRAS LN

### 30 Oldest Unpaid – Personal

Roll	Parcel Number	YrsDlq	Unpaid Amount	Taxpayer Name	City	Property Address
P	0001709	10	1,934.38	JOHN MATTHEW CARTE	CAMDEN	150 158 HWY
P	0001046	10	663.65	THIEN VAN NGUYEN	SHILOH	133 EDGEWATER DR
P	0001538	10	653.15	JEFFREY EDWIN DAVIS	CAMDEN	431 158 US W
P	0000738	10	618.22	LESLIE ETHERIDGE JR	CAMDEN	431 158 US W
P	0001072	10	569.40	PAM BUNDY	SHILOH	105 AARON DR
P	0001827	10	483.28	KAREN BUNDY	CAMDEN	431 158 US W
P	0001106	10	242.94	JAMI ELIZABETH VANHORN	SOUTH MILLS	612 MAIN ST
P	0001693	10	161.46	ALLIANCE NISSAN	CAMDEN	158 HWY W
P	0001639	9	123.29	CAREY FARMS, INCORPORATED	SOUTH MILLS	202 SHARON CHURCH
P	0001681	8	414.72	STEVE WILLIAMS	CAMDEN	150 158 HWY W
P	0001230	8	411.11	JAMES NYE	SOUTH MILLS	101 ROBIN CT W
P	0001694	8	288.99	THOMAS B. THOMAS HEIRS	CAMDEN	150 158 HWY W
P	0001952	8	238.91	SANDY BOTTOM MATERIALS, INC	SOUTH MILLS	319 PONDEROSA RD
P	0000772	7	288.86	COSBY BAKER	SOUTH MILLS	114 BINGHAM RD
P	0000295	4	792.09	HENDERSON AUDIOMETRICS, INC.	CAMDEN	330 158 HWY E
P	0000846	4	403.85	TOAN TRINH	SHILOH	229 SAILBOAT RD
P	0000385	4	121.17	MARK SANDERS OVERMAN	SHAWBORO	116 GARRINGTON ISLAND
P	0002921	4	120.68	CYNTHIA MAE BLAIN	SOUTH MILLS	122 DOCK LANDING LOOP
P	0000770	4	108.00	MARSHA GAIL BOGUES	CAMDEN	276 BELCROSS RD
P	0002079	4	106.35	OCTAVIUS BANKS III	SOUTH MILLS	262 OLD SWAMP RD
P	0001104	3	673.59	MICHAEL & MICHELLE STONE	CAMDEN	107 RIDGE ROAD
P	0000297	3	517.95	ADAM D. & TRACY J.W. JONES	CAMDEN	133 WALSTON LN
P	0001976	3	205.03	ANA ALICIA MARTINEZ LOPEZ	SHILOH	110 AARON DR
P	0002442	3	200.37	GERALD WHITE STALLS JR	SOUTH MILLS	116 CHRISTOPHERS WAY
P	0001408	3	193.32	SHELLY MARIE AMMON	SOUTH MILLS	612 MAIN STREET
P	0000945	3	145.18	RAMONA F. TAZEWEILL	CAMDEN	239 SLEEPY HOLLOW RD
P	0001150	3	136.45	WILLIAM MICHAEL STONE	CAMDEN	130 MILL DAM RD S
P	0001689	3	125.28	MICHAEL WAYNE MYERS	SOUTH MILLS	107 ROBIN DR
P	0002468	2	106.72	WANDA HERNANDEZ WELLS	SHILOH	104 HIGH RD
P	0002924	2	497.77	PAUL BEAUMONT	SHAWBORO	106 DEERFIELD TRL

### Motion to approve the tax report as presented.

**RESULT:** PASSED [4-0]  
**MOVER:** Randy Krainiak  
**AYES:** White, Krainiak, Riggs, Meiggs  
**ABSENT:** Munro

#### B. Golf Cart Ordinance – Danson’s Grant HOA

Chairman Tom White requested to be recused in that he is a resident of the Danson’s Grant Subdivision. It is his request that Vice Chairman Clayton Riggs handle this item.

### Motion to recuse Chairman White from participating in the discussion and voting on this item.




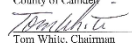


**RESULT:** PASSED [4-0]  
**MOVER:** Clayton Riggs  
**AYES:** White, Krainiak, Riggs, Meiggs  
**ABSENT:** Munro

Amber Stone-Aguirre, representing the Danson's Grant HOA, addressed the Board to request that the subdivision be included in the Golf Cart Ordinance for the County to include the streets of Billetts Bridge Road and South Mill Dam Road. Ms. Stone-Aguirre also expressed appreciation to the Board for its service to the community.

Vice Chairman Riggs suggested that both sides of Billetts Bridge Road and South Mill Dam Road be included for all the residents whose property adjoin the subdivision.

**Motion to approve the amendment of Chapter 70 of the Camden County, NC Code of Ordinances to include Danson's Grant Subdivision and both sides of Billet's Bridge Road and South Mill Dam Road.**

**RESULT:** PASSED [3-0]  
**MOVER:** Garry Meiggs  
**AYES:** Krainiak, Riggs, Meiggs  
**ABSENT:** Munro  
**RECUSED:** White

<p style="text-align: center;"> Ordinance No. 2020-09-01 An Ordinance Amending the Camden County Code of Ordinances Camden County, North Carolina</p> <p>BE IT ORDAINED BY THE CAMDEN COUNTY BOARD OF COMMISSIONERS as follows:</p> <p><b>Article I. Purpose</b></p> <p>The purpose of this Ordinance is to amend Chapter 70 of the Camden County Code of Ordinances of Camden County, North Carolina, which was originally adopted by the County Commissioners on December 7, 2009, and subsequently amended and as otherwise incorporated into the Camden County Code.</p> <p><b>Article II. Construction</b></p> <p>For purposes of this Ordinance, underlined words (<u>underline</u>) shall be considered as additions to existing Ordinance language and strikethrough words (<del>strikethrough</del>) shall be considered deletions to existing language. New language of proposed ordinance shall be shown in italics (<i>italics</i>) and underlined.</p> <p><b>Article III. Amend Chapter 70 as amended of the Camden County Code which shall read as follows:</b></p> <p style="text-align: center;"><b>CHAPTER 70: REGULATING THE USE OF GOLF CARTS ON PUBLIC STREETS</b></p> <p><b>§ 70.01 PURPOSE, INTENT AND FINDINGS.</b></p> <p>(A) Pursuant to G.S. § 153A-245, Camden County may by ordinance regulate the operation of golf carts as defined in G.S. § 20-4.01(12a) on any public street, road or highway where the speed limit is 35 miles per hour or less within the county that is located in any unincorporated areas of the county or on any property owned or leased by the county.</p> <p>(B) Further pursuant to G.S. § 153A-245, Camden County may by ordinance require the registration of golf carts, charge a fee for the registration, specify who is authorized to operate golf carts, and specify the required equipment, load limits, and the hours and methods of operation of golf carts.</p> <p>(C) The Camden County Board of Commissioners desires to allow the use of golf carts within the county in accordance with state law and local law while at the same time preserve and address the interest of public safety associated with such use.</p>	<p>(D) Camden County finds that unregulated use of golf carts on public streets and roads is detrimental to the safety of the citizens of Camden County. This chapter is intended to apply only to the Taylor's Beach, Eddie's Acres, and Danson's Grant Subdivision (including both sides of Billetts Bridge Road and S. Mill Dam Road) Area of Camden. The chapter may be expanded to other areas of the county at a later date or to the entire county.</p> <p>Adopted by the Board of Commissioners for the County of Camden this 8th day of September, 2020.</p> <p style="text-align: right;">County of Camden  Tom White, Chairman Board of Commissioners</p> <p>ATTEST:</p> <p> Karen Davis Clerk to the Board</p> <p style="text-align: center;"></p>
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C. Appeal of Demolition Orders (Hearing & Decision) – Keith Truman

**Motion to open the hearing for appeal of demolition orders.**

<b>RESULT:</b>	<b>PASSED [4-0]</b>
<b>MOVER:</b>	Clayton Riggs
<b>AYES:</b>	White, Krainiak, Riggs, Meiggs
<b>ABSENT:</b>	Munro

The Clerk to the Board administered the oath to the witnesses.

Attorney Morrison: Mr. Chairman, I am requesting to be able to sit up here so I can...

Chairman White: Yes, sir. Yes, sir.

Attorney Morrison: Ladies and Gentlemen, this is what's known as a quasi-judicial...this is known as a quasi-judicial hearing. This means that the Board of Commissioners sits as a court. You can only base your decision on evidence that you hear tonight that is sworn or exhibits that you receive into evidence. You cannot consider anything you've learned outside of this room. If any of you think you have a conflict of interest or you know something about this matter that you cannot put out of your mind before tonight now is the time to come forward. All right. It is very important that we have due process. There are property rights that apply. That means the testimony will be sworn. I will elicit direct testimony from both. I have to be very careful in avoiding conflict of interest. I am the attorney to the Board; not to the Planning Department or the Building Department. But to facilitate the information I've got it organized for them to present. They'll be permitted to testify to whoever they want but it must be relevant and it must be evidence that would normally be admissible in a court of law, with certain exceptions but we're not quite that formal. But I will advise you if that should become an issue.

The commissioners have the right to ask questions, in additions to the questions that I've asked and the opposing party...Mr. Overton, you will have right to cross-examine anybody that testifies for the Planning Department and the Planning Department has the right to cross-examine you. [To the Commissioners] You must deliberate on this. A majority vote one way or the other is sufficient, but your deliberations must be in public. All right, everybody understand what we're doing?

Okay, I will begin with the Building Inspector. You can have a seat if you want, Mr. Overton. You get to go next.

Gary Overton: I'll sit down.

Attorney Morrison: Okay. The burden of proof is on the county. They must convince you that they have met the obligations of your ordinance. Mr. Overton does not have to prove anything. You must be convinced that the evidence is here. All right, with that said, Sir, would you give us your name please.

Keith Truman: Keith Truman.

Attorney Morrison: And Mr. Truman, what is your position with the County?

Keith Truman: I was hired to be the County Code Enforcement Officer and also the Assistant Building Inspector.

Attorney Morrison: And how long have you held that position?

Keith Truman: It'll be two years in October.

Attorney Morrison: And do you have any certifications relative to that job?

Keith Truman: I have Level III Standard Inspection Certificates that are issued by the Department of Insurance with the State of North Carolina.

Attorney Morrison: Now explain levels if you would to us please. Level III, is that high or low?

Keith Truman: Level III is the higher level.

Attorney Morrison: And what are your certifications in?

Keith Truman: Building, Plumbing, Electrical and Mechanical, which is the heating and air conditioning.

Attorney Morrison: All right. Now, did you have to take any training and pass any tests in order to get those certifications?

Keith Truman: Yes, you have to complete courses that are designed by Department of Insurance in Raleigh and pass the tests and have so many years of experience to move up through the Level I, II, and III.

Attorney Morrison: And so you have obtained the highest level and you've passed all of the tests, is that correct?

Keith Truman: Yes.

Attorney Morrison: Do you have any continuing educational requirements to maintain these certifications?

Keith Truman: We have to do six hours of continuing ed in each trade every year, which is 24 hours a year. They try to keep us up with the code changes, etc.

Attorney Morrison: Now when you say each trade, you mean what you previously enunciated – building, fire, electrical, mechanical?

Keith Truman: Building, plumbing, electrical and mechanical – six hours in each trade annually.

Attorney Morrison: Now, prior to assuming this position, did you have any experience in construction of houses?

Keith Truman: I've been either a building inspector or a contractor for the last 30+ years.

Attorney Morrison: All right and were you a licensed general contractor at one time?

Keith Truman: I was in North Carolina and Virginia. I have my plumbing license and my electrical license also.

Attorney Morrison: All right let's move along then. Are you familiar with the Camden County Ordinance 150.23?

Keith Truman: Yes.

Attorney Morrison: And what is that relative to?

Keith Truman: It's actually 150.22 I believe.

Attorney Morrison: Yeah excuse me, you're right. I'm on the wrong page.

Keith Truman: It's the process of procedure for violations. If you have violations to the Minimum Housing Ordinance or to the Housing Ordinance, as it says, that's a due process have the property repaired or brought up to

what it needs to be for proper living conditions and if you're unsuccessful in that then it continues on, lays out the steps that must be completed to have a piece of property repaired or demolished.

Attorney Morrison: All right. Now do you have copies of this code ordinance for the commissioners?

Keith Truman: Yes.

Attorney Morrison: All right, this does not have to be introduced in evidence. This is just for your convenience. It's part of our code already. If you would give those to the Clerk to hand out and also be sure and give a copy to Mr. Overton. All right, commissioners I would direct your attention to this statute, this 150.22. That's on page 25. And let's talk about paragraph A. Now Mr. Truman, I see in paragraph A it says, "If the inspector declares a residential or nonresidential building or structure to be unsafe the inspector must affix a notice of the unsafe character of the structure to a conspicuous place on the exterior wall of the building." And then most important, it's what I direct everyone's attention to, the next sentence, "For the purposes of this section unsafe means dangerous to life because of liability to fire, bad conditions of walls, overloaded floors, defective construction, decay, unsafe wiring or heating system, inadequate means of egress or other causes." So that's what we're working with here, is that correct?

Keith Truman: Yes.

Attorney Morrison: All right now do you know property owners in Camden County...one is a corporate citizen, Abode of Camden; A-b-o-d-e of Camden Inc. and Geraldine and Gary Overton.

Keith Truman: Yes.

Attorney Morrison: When did you become involved with those two or those property owners?

Keith Truman: After I was hired in October of 2018 I have had contact with them in starting this procedure again to complete the condemnation of these properties. This was an ongoing thing before I started.

Attorney Morrison: All right. What properties do they own that were of concern to you?

Keith Truman: There's three locations; one is 1275 NC 343 South. It's right before you get to Alder Branch Road; on the north end of Alder Branch.

Attorney Morrison: And who owns that property?

Keith Truman: That's Abode of Camden, Inc.

Attorney Morrison: All right, continue. What is the next property?

Keith Truman: There's two houses – 165 & 167 Alder Branch Road.

Attorney Morrison: And who do they belong to?

Keith Truman: Mrs. Overton.

Attorney Morrison: That's Geraldine Overton?

Keith Truman: Yes.

Attorney Morrison: All right. And then are there any other properties?

Keith Truman: There's a 1330 NC 343 South, which is actually between Alder Branch north end and Alder Branch south end. There's a farm property there and some warehouses.

Attorney Morrison: And who does that belong to?

Keith Truman: Geraldine Overton.

Attorney Morrison: Now so we're talking about 1275 NC 343, 1330 343 South, 165 & 167 Alder Branch Road. We're talking about four properties. Is that correct?

Keith Truman: Yes.

Attorney Morrison: Now did you examine these properties in the course of your duty?

Keith Truman: I have. I have not been inside the structures.

Attorney Morrison: Did you examine these properties as a result of complaints from the community?

Keith Truman: Yes.

Attorney Morrison: All right. Now is it true that Camden County, because we're small and we have a small Planning Department and Code Enforcement, that we are primarily complaint driven on examinations like this?

Keith Truman: Yes.

Attorney Morrison: That's correct, all right. So tell me with regard to each property how recently you examined it and what you saw at the time of your examination.

Keith Truman: Initially started this year, in April of this year, and went to the properties and looked at the outside condition of the buildings, the way they're supported and not supported; the condition of water entering the buildings and the damage that water does when it enters buildings and any failures that there may be; any temporary support of these structures; and just thinking about what their condition's going to continue to deteriorate to be.

Attorney Morrison: And was this examination personal? You went to the properties?

Keith Truman: Yes.

Attorney Morrison: But you said you could not go inside of some of them, is that correct?

Keith Truman: I have not been inside. I've looked in the doorway of one that has no door on it.

Attorney Morrison: All right.

Keith Truman: 165 I believe Alder Branch. I have not been inside the other buildings.

Attorney Morrison: As to all the properties, I believe you formed the same opinion and so I going to ask you, keeping in mind the definition I previously read from our ordinance as to what is unsafe meaning dangerous to life because of liability to fire, bad conditions of walls, overloaded floors, defective construction, decay, unsafe wiring or heating system, inadequate means of egress or other causes, did you form an opinion as to whether or not based on that, these properties were unsafe?

Keith Truman: Yes.

Attorney Morrison: What was that opinion?

Keith Truman: That they would continue to deteriorate and possibly fall on a surrounding property or necessarily if somebody was around the property that shouldn't be that there could be a problem with somebody getting hurt if you had children trying to get inside the properties or is this property being used for illegal drugs; things of that nature that would be a hazard to the community and to anybody who might be up there that doesn't need to be up there.

Attorney Morrison: I specifically ask you did you form an opinion as whether these properties were in a state of decay?

Keith Truman: Yes.

Attorney Morrison: And what was that opinion?

Keith Truman: The ones that are having a problem with water coming in them and the others that are structurally starting to fail because they have not been supported properly or the framing was not completed property at the times that they were...construction began, or that have failed because they were not supported properly on a permanent foundation at the time that they were located there.

Attorney Morrison: All right now did you, as a result of that, take any action in terms of posting?

Keith Truman: Yes, I posted a 'Condemned Building: Keep Out by Order of the Camden County Building Inspector' notice on all four of the properties.

Attorney Morrison: Now you're holding a document in your hand. Is that what you posted?

Keith Truman: Yes.

Attorney Morrison: May I see that please?

Chairman White: Mr. Morrison, can we take a five-minute recess just for a second?

Attorney Morrison: Sure.

Chairman White: Is that allowed?

Attorney Morrison: Yes.

Chairman White: So five minutes.

[Five-minute recess]

Chairman White: Okay, we're going to resume our meeting.

Attorney Morrison: All right Mr. Truman, when we left you had a placard you were showing us.

Keith Truman: Yes, this is just an example of the placard that the County uses to post on property if they're trying to do something with that property if it's been condemned, it's unsafe, etc.

Attorney Morrison: All right now under our ordinance are you required to affix a notice of condemnation when you find a premises in these conditions?

Keith Truman: Yes, when we start the process I'm required to post that notice and send an accompanying letter, both regular mail and...

Attorney Morrison: All right well before we get to the letter, I would draw the Commissioners' attention, and Mr. Overton's attention, to 150.22, paragraph A. "If the inspector declares a residential or nonresidential building or a structure to be unsafe, the inspector must affix a notice." All right so and is your testimony you did that?

Keith Truman: Yes, I have.

Attorney Morrison: All right now can I see that placard, please? All right now as this is printed, is this the standard that the County uses?

Keith Truman: Yes.

Attorney Morrison: I think you'll want to introduce this into evidence. Where is Mr. Overton. Madam Clerk, this needs to be marked as an Exhibit and I would show the commissioners. I believe Mr. Truman is offering to introduce that into evidence, Mr. Chairman. The Board must either accept that as evidence or not.

Chairman White: Does the Board accept that as evidence? Yes, we do.

Attorney Morrison: All right, the Inspector's Exhibit I then. All right now let's go to...these properties, did you form an opinion as to how old they were; the structures?

Keith Truman: At least 40 years to 50 years minimum. Not sure about the ones at 1330. But the tax card on 165 & 167 goes back...I don't have that in front of me but at least 40 years old. And the house that's at 1275 that used to be where Hardee's is easily is that old.

Attorney Morrison: Were any of these structures occupied?

Keith Truman: No sir, not to my knowledge.

Attorney Morrison: To your knowledge since they have been on the Abode of Camden property and on the Overton property, have they ever been occupied?

Keith Truman: Not that I'm aware of. Bear in mind I've been here almost two years but...

Attorney Morrison: Did you do an investigation to learn the source of where these properties came from; the structures?

Keith Truman: As I said, the one at 1275, it's my understanding and I've been told it used to sit on the corner where Hardee's restaurant now is.

Attorney Morrison: Okay.

Keith Truman: And the three beach cottages that are at 1330...

Attorney Morrison: Now wait a minute, you're saying beach cottages. We haven't talked about beach cottages. Are the other properties beach cottages?

Keith Truman: The ones on Alder Branch I don't believe are, I'm not sure. They've been there a long time and I don't know the history of them. I don't know if they were built on the site or if they were located to that property. I'm not aware of...

Attorney Morrison: All right where were the beach cottages and why do you say they're beach cottages?

Keith Truman: I've been told that the three structures at 1330 343 South were beach cottages that were relocated from the beach, I'm assuming Nags Head area, to that area where they presently sit.

Attorney Morrison: All right there are three structures on 1330 343 South. Is that correct?

Keith Truman: Yes.

Attorney Morrison: All right. And on 165 & 167 Alder Branch how many structures are there?

Keith Truman: There's one house on each lot.

Attorney Morrison: So that's two. All right on 1275 NC 343 South how many structures are there?

Keith Truman: There's one house there.

Attorney Morrison: All right so they've got a total of six structures?

Keith Truman: Yes.

Attorney Morrison: Okay, all right. Now did you take photographs of these structures?

Keith Truman: Yes.

Attorney Morrison: Do you have those with you?

Keith Truman: Yes.

Attorney Morrison: All right and do these photographs accurately depict the structures?

Keith Truman: I don't have a good picture of the 1275 one. The others, yes.

Attorney Morrison: All right, can you give me those photographs, please?

Keith Truman: I know they have them already.

Attorney Morrison: They're in your packet?

Commissioner Riggs: They're in these packets.

Attorney Morrison: They're in your package but they're not in evidence. I believe Mr. Truman is now offering these photographs into evidence. We'll need a ruling if the Board is going to accept it.

Chairman White: The Board accepts the pictures as evidence that he's presented? Yes, we accept it.

Attorney Morrison: Thank you. Madam Clerk, for your file on this, you'll need to get those pictures out of the packet and enter them collectively as Building Department's Exhibits II, I believe. All right now will you describe those...what you saw with regard to each or those structures that led you to conclude it was unsafe and make reference to what the commissioners have in their packet.

Keith Truman: The one that says 1330 NC Highway 343 South, that's the beach cottages. It has the cedar siding type. The last page is dated April 17, 2020. That's two of the beach cottages. This is the one I'm looking at if



you're not sure what I'm talking about. That shows two of the beach cottages. They have been there since they were moved there a long time ago is my understanding. You can see the second one in the background behind the one up at the highway is failing in some way. Either the shoring that hasn't shored up or the actual framing of the structure is failing and is dropped and is laying on the ground. The other one was better supported when it was put there. It appears to be in a little better condition. That one is very close to the street driveway. And there's a third one that's north of these two that is grown up to where you can't hardly see it. I could not get up to that structure to examine it in any way. There's a rental house in this same picture, you can see the handrails coming down. I believe it's a rental house. There's one big piece of property there on both sides of the road and I'm guessing that that house is a rental house. It's very close to the one that's collapsing and falling on the ground. I don't know who lives there, I have seen cars there. The structures are very close to where people are inhabiting and living.

The other one would be the 165 & 167 Alder Branch, two individual houses. There's a school bus in one of the pictures. It shows the two houses. These are the oldest ones of the bunch, I believe, in my opinion. Don't know that to be exactly true. But if you look carefully at the top of the picture at the top of the houses you can see where the ridgeline is starting to sag in the middle and more than likely that's being caused because the front and rear exterior walls are probably separating and pushing out. Not sure why that's happening other than just deterioration and it was...the work was never completed to finish these houses to make them livable and they are deteriorating as such. They're both in similar condition. The one on the bottom fixture by the school bus, their door is open. You can see inside to the kitchen area there I believe it is? The ceilings are falling in, a lot of growth of weeds, etc. inside the building.

The other picture is the probably located at 1275 NC 343 South, which is right across...a little bit to the north of where Alder Branch runs into 343 South, just north. That's the house that was moved from where Hardee's is to where it is now. It still is being supported by the steel I-beams that it was moved on I believe. There is no foundation of any kind. It's been sitting there all this time. On the east side of the house, which is towards the road, on the one corner section...maybe a fifth of the front of the house, if that much, the shingles and tar paper have blown off and every time it rains, water is going into the garage area and possibly into the house part. I don't know that because I have not been inside. But the rain is going to deteriorate the rafters and the ceiling joists and it's already working on the ceiling board in the garage. It's going to continue to deteriorate. The walls are tongue-and-groove, probably yellow pine boards. I believe it was a brick house. I don't know that, my gut is telling me that. And probably when the brick was removed the wood is exposed to the moisture and there's probably insulation in the walls which may be getting wet, depending on if rainwater is getting through those boards into the insulation. Well then you have new problems starting if that is happening. And that's basically the three properties.

Attorney Morrison: Now the photographs also show where you affixed the condemnation notice, do they not?

Keith Truman: Yes.

Attorney Morrison: Okay. All right now after you affixed that notice, and I would direct the Board's attention to again 150.22, C. This requires immediately upon affixing the notice upon the structure, the inspector shall send notice in writing by certified or registered mail to the owner of and parties in interest in the structure of the unsafe character of the structure and requests the owner to take prompt corrective action to repair, alter and improve the dwelling. Did you do that?

Keith Truman: Yes.

Attorney Morrison: And when did you do that?

Keith Truman: The first letter was sent on April 21<sup>st</sup>. That was sent by first-class mail.

Attorney Morrison: And what was the date that you posted the property?

Keith Truman: The same day.

Attorney Morrison: All right do you have copies of that correspondence?

Keith Truman: Yes.

Attorney Morrison: The first one. Is this in your packet?

Vice Chairman Riggs: Yes, sir.

Attorney Morrison: Okay. And you would want to introduce it into evidence, correspondence from the County under the date of April 21, 2020 and Madam Clerk this will be Inspector's Exhibit III, okay.

Chairman White: Okay does the Board have any opposition with entering that letter as evidence?

Keith Truman: There's three of those.

Chairman White: Okay, no opposition.

Keith Truman: Three different properties.

Attorney Morrison: Three different properties. Well let's do all of them together. There's three of the properties so you sent one for each of the properties?

Keith Truman: Yes.

Attorney Morrison: When you say properties you mean tracts of land, not structures.

Keith Truman: Yes.

Attorney Morrison: Okay. So that would be April 21, 2020. There's one for Geraldine Overton for 1330 NC Highway 343 South, Shiloh. There's one to Abode of Camden for 1275 NC Highway 343 South and another to Geraldine Overton, 165 & 167 Alder Branch Road. All of them are dated April 21<sup>st</sup>.

Keith Truman: Yes.

Attorney Morrison: All right. And were these sent by registered certified mail with return receipt?

Keith Truman: Yes, as well as first class.

Attorney Morrison: Okay. So I think we'll do these instead of three separate exhibits, Madam Clerk, these will be collectively one exhibit.

Keith Truman: Here's the second and third one also.

Attorney Morrison: After you did this...and what was the purpose of sending these letters?

Keith Truman: It's primarily a notice of violation to let the property owner know that there is a problem with their property and they need to do something for it.

Attorney Morrison: Is it specified where the problem is?

Keith Truman: 30 days...the Camden County Building Inspector has determined the unsafe character of your building is as follows: decay, bad conditions of walls, is likely to cause or contribute to blight, disease, vagrancy or danger to children.

Attorney Morrison: All right, I'm just trying to make certain that we followed or that you followed Section C, which it's your testimony that you did. Okay now after sending this notice, did you get any response from either Mr. Overton or Abode or from Ms. Geraldine Overton?

Keith Truman: Yes, I talked to Mr. Overton on the phone. I'm not sure if it was that day or the next day. He just called to...I guess just to let me know that he was aware of it. We talked briefly.

Attorney Morrison: Okay and did he commit to make any repairs?

Keith Truman: Not at that time, no sir.

Attorney Morrison: Okay. What about Ms. Overton, did you ever hear from her?

Keith Truman: I had not talked to her at that time, no.

Attorney Morrison: And Mr. Overton is the registered agent for the Abode of Camden. Is that correct?

Keith Truman: He's Ms. Overton's son. I'm not sure of the...

Attorney Morrison: Okay. But you sent it to him as Abode of Camden. (talking) Wait a minute, you can't have conversation.

Keith Truman: I sent 1275 to Abode of Camden, which is a corporation. And I sent the other two to Ms. Geraldine Overton.

Attorney Morrison: How did you get the address for Abode of Camden?

Keith Truman: Off the tax card.

Attorney Morrison: All right. That's good. Now so the only person you heard from was Mr. Gary Overton, right?

Keith Truman: Correct.

Attorney Morrison: All right. And you had given everybody 30 days to bring this property into compliance, correct?

Keith Truman: Yes, as stated in the letter they had 30 days.

Attorney Morrison: All right what happened after the expiration of 30 days?

Keith Truman: Following the procedure that's laid out in our Chapter 150, I mailed a second letter which was called a Notice of Hearing.

Attorney Morrison: All right, do you have that and is that in the Commissioners' packets?

Keith Truman: Yes, that's the second page.

Attorney Morrison: All right and how many of those letters did you mail?

Keith Truman: To each of the three properties, I mailed one letter first class and also one letter registered mail with return receipt.

Attorney Morrison: To each property?

Keith Truman: To each property.

Attorney Morrison: So you served them both by registered mail and by regular United States mail.

Keith Truman: Yes.

Attorney Morrison: Okay. And that was entitled Notice of Hearing?

Keith Truman: Notice of Hearing and it listed the address on each property on each letter; three separate letters.

Attorney Morrison: All right and that would be in compliance with Section D, would it not? If the owner fails to make prompt corrective action within 30 days, the inspector shall by certified or registered mail to the last known address give written notice, and then on to the next page, that the building or structure is in a condition that appears to meet one or more of the following conditions: constitutes a fire or safe hazard, is dangerous to life, health or other property, is likely to cause or contribute to blight, disease, vagrancy or danger to children, has a tendency to attract persons intent on criminal activities, or other activities that would constitute a public nuisance. Did you do that?

Keith Truman: Yes.

Attorney Morrison: All right. Now Madam Clerk, we would introduce that, I believe the inspector will collectively all of those. This would be Exhibit IV. Is that correct?

Clerk: Yes, sir.

Attorney Morrison: All right. Do you receive those?

Chairman White: Yes, we did. Anyone have any objection entering that as evidence? No objections.

Attorney Morrison: All right now did you in fact subsequently conduct a hearing as specified in your notice?

Keith Truman: We did and it took place July 30 or was it July 1?

Attorney Morrison: Whatever is specified in the notice I think. What does the notice say?

Keith Truman: A hearing will be held in front of the Camden County Building Inspector on June 1, 2020. So we had the hearing that day.

Attorney Morrison: All right who attended the hearing?

Keith Truman: Mr. Gary Overton and Ms. Geraldine Overton and myself and Dan Porter.

Attorney Morrison: All right and at that hearing did you lay out what you contended needed to be done and why you had found the property to be unsafe pursuant to the ordinance?

Keith Truman: Yes.

Attorney Morrison: And what response did either of the Overtons make?

Keith Truman: They were in the process of trying to alleviate some of the problems. The one property I believe on 1275, someone was interested in buying that whole piece of property. I'm not sure how many acres it is, maybe 10 acres or something. Not sure if he was going to fix the house up. That wasn't clear. And he didn't know for sure if he was going to be able to sell it and that he wanted to...would like to fix up the other houses and do something with them. It seemed to me that the finances was a challenge to accomplish that. And that was primarily what we discussed.

Attorney Morrison: All right after that, did you then make a ruling?

Keith Truman: We did. I issued them a third letter. It's an Order to Demolish and proper disposal of the two single family dwellings at 165 & 167 and then also the same for the other properties in question at 1275 and then also at 1330.

Attorney Morrison: All right and is that order also in the Commissioners' packets?

Keith Truman: Yes.

Attorney Morrison: All right. And did you send that by...as to each property by registered mail and by regular United States postage prepaid?

Keith Truman: Yes.

Attorney Morrison: And you sent it to the addresses that you previously did?

Keith Truman: Yes.

Attorney Morrison: All right. Now did you also advise these folks that they have the right to appeal to the Board of Commissioners where we are tonight?

Keith Truman: Yes, at that same meeting.

Attorney Morrison: All right and did they in fact note an appeal within that 10-day parameter?

Keith Truman: It's my understanding that they contacted the Clerk I believe on the 10<sup>th</sup> day, I'm not sure.

Attorney Morrison: All right so there's no contention that they didn't meet the deadline for this appeal.

Keith Truman: Not that I'm aware of.

Attorney Morrison: All right, sir. Have you changed your opinion in any way since you issued that order?

Keith Truman: No.

Attorney Morrison: Has anything happened to the properties since that order?

Keith Truman: No, I've been by them, all of them, several different times and nothing has changed.

Attorney Morrison: All right. Now tell the commissioners why you think the property needs to be demolished. That's a pretty big remedy.

Keith Truman: From a financial standpoint, the likelihood of being able to make the repairs needed to the properties just is...probably would not be feasible in the condition and the age that they are. They're just too far gone.

Attorney Morrison: And did you form that opinion in part based upon your experiences as a general contractor?

Keith Truman: Yes.

Attorney Morrison: Okay. All right, now is there anything further you would like to testify about?

Keith Truman: No.

Attorney Morrison: At this point Commissioners, you may ask Mr. Truman questions if you have any.

Chairman White: Any of the Commissioners have any questions?

Vice Chairman Riggs: Did Mr. Truman ascertain how long those buildings had been sitting on the property with no one in them?

Attorney Morrison: I believe he said for a lengthy period of time. He has only been here two years. But I'll let him readdress it. I believe you did testify that some of them had been sitting there for decades.

Keith Truman: Dan Porter said they were there when he started for the County, which was approximately 2003, 2004. They have changed in that time.

Attorney Morrison: Okay.

Chairman White: Any other questions?

Commissioner Krainiak: Mr. Chairman.

Chairman White: Yes, sir.

Commissioner Krainiak: Has there been any children on that property that you know of?

Keith Truman: Not that I'm aware of, unless...I don't know who lives in the house.

Commissioner Krainiak: Has there been any reports of vagrancy on that property?

Keith Truman: No, sir.

Commissioner Krainiak: And no sickness or disease on that property?

Keith Truman: I'm sorry?

Commissioner Krainiak: Have you noticed any...it says disease, blight...disease, vagrancy, danger to children.

Keith Truman: No. Dangerous to children if they were to try to get inside the property. One the one property there's no door; it's not there. Anybody could climb inside of there.

Commissioner Krainiak: And did you notice any reports from the Sheriff's Department if they've had problems with children or any problems with anybody being hurt on that property in the last few years it's been sitting there?

Keith Truman: Not that I'm aware of.

Chairman White: Any other questions?

Attorney Morrison: All right, Mr. Overton, at this time you may ask Mr. Truman questions, not make a statement. But if you have questions of him you may do so at this time. And if you would come up please to the microphone.

Gary Overton: I would just like to ask you, these...

Attorney Morrison: Wait a minute. You have to stand there, you have to answer questions.

Gary Overton: He's made the statement about the outside of the buildings but he has not looked at the inside of the buildings.

Attorney Morrison: All right well you can't make the statement, you can ask. I think he said he had not gone inside.

Gary Overton: Okay, that's what I want to ascertain; he has not been inside the building.

Attorney Morrison: All right. Do you have...

Gary Overton: I have some pictures of evidence. I have no way of...

Attorney Morrison: We'll tend to that. But you'll get to put on your case in just a moment. Right now is your opportunity to cross-examine him. Do you have any other questions you would like to ask him?

Gary Overton: Okay. Have you done any figures on what it would actually cost to fix these houses? You made a statement that the economics would be too great. Have you actually figured that out? That's...you've got to figure paper and pen before you actually make that kind of statement. I have done the figures.

Attorney Morrison: You can't make a statement, just ask questions. Your question to him was has he done a computation, okay.

Gary Overton: Yes.

Keith Truman: Without examining the insides of any of the properties I don't know the extent of what would have to be done in order for it to be a viable house for someone to live in.

Gary Overton: So you're making a statement that you...it being cost prohibitive without doing a comprehensive study of the whole place.

Keith Truman: In the condition that I see the houses in from the outside, I don't see where anyone would take on that venture in my opinion.

Gary Overton: Is it true that the outside not always tells the story of the inside? I know lots of houses...

Vice Chairman Riggs: I'm not hearing...

Attorney Morrison: Just a moment...The question was to the effect is it true that the outside of a house does not always tell the condition of the inside of the house and therefore the whole value of what would have to be done. Is that correct?

Gary Overton: Yes.

Attorney Morrison: All right, you may answer that question now.

Keith Truman: As I said, I have not gone inside the home so I have no way to base the exact amount it would take to make the house livable; the conditions of the insides of the house. The ones on Alder Branch apparently has structural problems and the ones at 1330, the one that is failing and falling on the ground is bound to structural problems of some type just because of the twist and the bind it's in.

Gary Overton: So you're making a statement of recommendation to demolish without a full assessment inside and out of the structure. Is that what you're saying?

Keith Truman: Possibly, yes.

Gary Overton: Thank you.

Attorney Morrison: Any other questions, sir?

Gary Overton: No.

Attorney Morrison: All right. And the Commissioners have no further questions based on that?

Chairman White: Any further questions?

Attorney Morrison: All right you may have a seat, Mr. Truman. Now Mr. Overton, if you would come up, sir. Mr. Overton, you heard my explanation. I'm actually the attorney to the Board; not to the Building Inspector.

Gary Overton: Yes, sir.

Attorney Morrison: But I'm asking these questions not because I have an opinion one way or the other, but because this is what I do for a living and I can move the evidence along. If you do not wish me to ask you questions, I will not. I'm not going to cross-examine you. I'm just going to try to get the basic evidence out with fewer contentions. So it is your option. You may answer my questions or you may make a presentation on your own.

Gary Overton: Can I retain that right on each individual question?

Attorney Morrison: Yes, sir.

Gary Overton: Okay.

Attorney Morrison: For the record, give us your name please sir.

Gary Overton: Gary Wayne Overton.

Attorney Morrison: And Mr. Overton, what is your relationship to Geraldine Overton?

Gary Overton: She's my mother.

Attorney Morrison: And are you familiar with the property that's been discussed here and is in fact owned by the Abode of Camden and the other...I believe it was your father's estate that your mother inherited? Is that correct?

Gary Overton: Yes, sir.

Attorney Morrison: Okay. All right are you familiar with the conditions of this property?

Gary Overton: Yes, sir.



Attorney Morrison: All right. How long have these properties been there, do you know; these structures?

Gary Overton: We've been moving houses since 1984, well before the ordinances. And some of them have been there from pretty near the beginning.

Attorney Morrison: Okay.

Gary Overton: I don't have an exact age on all of them. The only one that's even close would be 1275 that was moved from Hardee's and ya'll have the records on that.

Attorney Morrison: Okay and that was before Hardee's was actually built and that was about 5, 6 years ago?

Gary Overton: Yes, sir.

Attorney Morrison: And that would be the youngest one.

Gary Overton: Yes.

Attorney Morrison: Okay. And that was an older house before...it was a store, was it not?

Gary Overton: It was a house.

Attorney Morrison: No? It was a house. Excuse me, okay. And do you know approximately how old that house was at the time you moved it?

Gary Overton: The best estimate we made was about 1959 because it was a great uncle of mine.

Attorney Morrison: Okay, all right. Now the question obviously would arise why you move properties, I mean structures, to these properties and I believe it's because you do this for a living. Is that correct?

Gary Overton: Yes.

Attorney Morrison: Okay, so this is part of how you would earn your income.

Gary Overton: Yes.

Attorney Morrison: All right now you heard Mr. Truman testify as to the condition he found these properties. What is your opinion? Do you agree or disagree with what he said?

Gary Overton: I disagree.

Attorney Morrison: All right tell us specifically and could you go property by property?

Gary Overton: Okay. 1275, I've got pictures completely inside. She had no way of taking them off my phone and putting them on the screen so ya'll could see.

Attorney Morrison: Okay, let's do this. Madam Clerk is there a way...what we've got to do, Mr. Overton, is we have to make a record because either side's got the right of appealing this. Do you have some way you can text these to the clerk and then she make a file out of them?

Gary Overton: I can text her, possibly email.

Attorney Morrison: All right. If you would do that, it's very important because otherwise it's not going to be in the record and I don't know if there's going to be an appeal beyond this or not. But like I told you, this is kind of like a court. Okay so if you will promise that you will text these pictures you may now...Mr. Chairman, if the Board would permit he can step up and if you all could kind of gather around and he can show you the pictures and explain to you what they are.

Chairman White: You can just have the Madam Clerk bring it forward or whatever you know.

Attorney Morrison: Well I think he's got them on his phone.

Chairman White: Okay.

Attorney Morrison: All right now Mr. Truman, you also have the right to be up here and look at these pictures as they are shown. Okay so you can step up right there in the well and if everybody would kind of gather around and take a look at it. All right you've got to speak up so everybody can hear you, including Mr. Truman.

Gary Overton: All right, this is the 1330 properties, beach houses. They are knotty pine paneling inside. And I just want to show the condition of them. Yes they've got some trash and stuff but that come from the beach that way. But they're in good condition overall. That's bed slats. I don't see where these houses are all that...this house here is 1275. It come from right over here. And I'm not seeing the structural issues or even you know you've got a little bit of paint peeling right there. But we've got carpet, we've got fresh paint. It's not that bad inside. I'm not sure where we're seeing the house is about to fall in at. So you're talking about me destroying a lot of money here. I'd really like to put them on the tax rolls, as well as ya'll and rent them out. There's people begging for houses every day. I'm looking for an investor. The last one I talked to is full of projects and it's just a matter of time. We need to turn this around and make it happen but I don't see where these need to be torn down. I can't tell you I'm going to start on them tomorrow because I've got to find an investor. This is what these houses look like inside. Can everybody see pretty good? You know that's just...that's the end of what I've got right there.

Attorney Morrison: Okay now in order for us to make that part of the record you're going to have to text that to the clerk so get that information from her. All right sir, now is there anything I haven't asked you that you would like to tell the Board to put into evidence. Do you have any other exhibits or photographs or any other statements you want to make?

Gary Overton: That's the big thing right there; that they're not in as bad condition as what they're being made out to be. Yes, they look a little bit rough on some of the siding and some of the exterior things, but that's part of fixing them up and getting them squared away. And like I say, I have people begging for me to fix them up and rent them to them. I've just got to find a financier. Since my dad passed I've taken on a lot, a lot of responsibility. I've got all this, plus I have a job that right now I'm working six and seven days a week, 12 hours a day. It's just a lot for one person to do. I can't give you a timeline and say they're going to be done tomorrow because I've got ten of them all together actually and it's just...it's a lot to do. If I get someone to come in, a private investor, yeah my target...I'd love to have one every six months; possibly speed up quicker after I get rolling with them. But I've got to find the money man.

Attorney Morrison: All right sir, anything else you would like to say?

Gary Overton: That's about it. I just...please give me your consideration in this. I know it's been a while since Dad passed but I'm working diligently all I can and work with me the best you can. Let's get them on the tax rolls and get some income coming in for everybody.

Attorney Morrison: Anything else, sir?

Gary Overton: That's it, thank you.

Attorney Morrison: Thank you very much. Now just a moment please. Mr. Truman, you may cross-examine. You do not have to, but if you have any questions about his testimony you may ask.

Keith Truman: Basically...

Attorney Morrison: Come forward please, sir.

Chairman White: Yeah you'll need to come to the microphone.

Attorney Morrison: Yeah and this is your opportunity to ask him questions; so only questions at this point.

Keith Truman: Looking at the pictures that we all looked at, I mean obviously like the one at 1275 appears to be in fairly good condition. It's hard to tell from the picture. My question would be what I see through the doorway at 165 Alder Branch you know is not a good scenario. And I also would question the...

Attorney Morrison: You're making a statement. Do you have a question? You'll get to make a statement in a minute. But do you have a question?

Keith Truman: My question would be what do the houses look like at 165 & 167 on the inside? And then also what does the house look like that's sitting down on the ground sideways where it's settled? I'd be curious to see what those looked like in comparison to your pictures of the other two.

Gary Overton: The one with the knotty pine was one of those three. There is one floor joist on that corner. We have put together houses in a whole lot worst shape. Dad and I jacked houses back together and put them together. It's one floor joist on that corner. --- holds it up.

Attorney Morrison: All right sir, do you have any other questions?

Keith Truman: No.

Attorney Morrison: All right, thank you. Mr. Overton, you may have your seat now. It is now under procedure since the County has the burden of proof, they get to offer rebuttal evidence, which they may or may not have. Now Mr. Truman at this point you can, if you have it, but you're not required, to offer any testimony or any documents to contradict anything he said. You can't go into a new topic but if you have anything regarding his testimony that you want to contradict by testimony or exhibits you can do it. That's call rebuttal. Do you have any such rebuttal?

Keith Truman: No, not other than the questions I just asked.

Attorney Morrison: All right, fine. Then the evidentiary is concluded. If you would please, Commissioners, let's go to...if you'll go to page 26 of the ordinance, paragraph H: *The Board of Commissioners shall hear their appeal within a reasonable time*, which you have done. *The Notice of Hearing shall be sent to the owner in writing certified or registered and posted on the outside of the structure in question*. That was done. *The hearing conducted shall be quasi-judicial*. We have met that standard. The Board of Commissioners...all right, so this is where we are now. *The Board of Commissioners may affirm*, that means you can uphold what the Building Inspector did, *modify and affirm*, that would mean okay, I'm going to affirm that the County takes action but I'm going to do something different than what you did, or you can revoke the Inspector's order. You can no, we're not going to do anything. Okay, so those are your options and that is what is before you now. And at this point you can discuss it and you can deliberate on it but the deliberations must be in public. If you wanted to recess, you can do that but you can't talk about it amongst yourselves. So I assume you want to go ahead and do it tonight.

Chairman White: Does anybody want to ask any questions of Mr. Truman or Mr. Overton? Does anybody want to deliberate and discuss it?

Commissioner Krainiak: I want to ask Mr. Overton one question.

Chairman White: Otherwise we can close this hearing.

Commissioner Krainiak: I want to ask Mr. Overton one question.

Chairman White: Sure.

Attorney Morrison: You're still under oath.

Gary Overton: Okay.

Commissioner Krainiak: The back page of these pictures shows that the two houses...the school bus and the other one.

Gary Overton: Yes, sir.

Commissioner Krainiak: From this picture it doesn't look like it's salvageable.

Gary Overton: It is.

Commissioner Krainiak: It is?

Gary Overton: I know exactly why the roof is doing that. It was doing that day one, when he brought it in. It's a very simple fix. I could probably fix it in about a day, day and a half worth of labor. It's very simple.

Commissioner Krainiak: Okay. From this picture it doesn't look too good.

Gary Overton: No, it doesn't, it doesn't. It's covered in vines.

Commissioner Krainiak: Because I was thinking the other ones look like...the ones you showed me pictures of, it looked like they were salvageable houses; still functioning, you just put them someplace.

Gary Overton: Yes.

Commissioner Krainiak: And I know what you're talking about; moving houses and stuff like that. I'm familiar with that, as well. But the other ones look like they're goners. So if you were to say you were going to take those houses down, I think that would be a good step forward. But if you think they're salvageable the question is...

Gary Overton: Yes.

Commissioner Krainiak: ...my question is...I know you're looking for an investor but we need to know when.

Gary Overton: I'm talking with Mr. Chuck Hodge out in Arizona. He's a friend of Mr. Randy Williams. I know ya'll are familiar with...people local here are familiar with Mr. Randy Williams, now lives at the beach. He said he'd come before ya'll and beg for some time. He didn't give me a timeframe. He's got all his money tied up right now but he's willing to work with me and either invest himself or find a friend of his to invest. That's not saying 100% that's going to happen because we're people and talks may break down amongst anybody. But I feel like I got a good start and I have another option, someone that might be interested.

Commissioner Krainiak: That's all I have.

Chairman White: Anyone else have any questions they'd like to ask? Okay if not, do we have a motion to close the hearing?

**Motion to close the hearing.**

<b>RESULT:</b>	<b>PASSED [4-0]</b>
<b>MOVER:</b>	Garry Meiggs
<b>AYES:</b>	White, Krainiak, Riggs, Meiggs
<b>ABSENT:</b>	Munro

Chairman White: We're now out of public hearing. So now we need to take each property separately and the first one is 165 & 167 Alder Branch Road in Shiloh. So we either need to affirm, deny or modify.

Vice Chairman Riggs: Mr. Chairman.

Chairman White: Yes, sir.

Vice Chairman Riggs: I would like the attorney to clarify the modify. If we were to modify the order and say that he has a certain period of time to make a measurable improvement...

Attorney Morrison: You'll need to define measurable improvement.

Vice Chairman Riggs: Right. Like I mean you say...

Attorney Morrison: Yes, you've got great latitude.

Vice Chairman Riggs: Right. You can say we're going to give you 90 days to make this building waterproof and not covered in vines. That's two measurable pieces. That was an example of the one that's covered in vines. If you remove the vines and make it waterproof in a period of time that's a measurable...that's what I'm talking about when I say a measurable improvement.

Attorney Morrison: Okay. Yeah, you could do that. I would think if you want to do that you would also want to have it inspected to come back before you and the property would have been inspected by Mr. Truman and Mr. Truman would give a report of what he finds.

Vice Chairman Riggs: Well I don't have the same opinion of all of the property but I did with his...one of them he had pictures.

Attorney Morrison: The Chairman is doing this correctly. You're going property by property. So you can do that.

Vice Chairman Riggs: So we can modify on any one of them. As we go through them one by one we can modify one.

Attorney Morrison: You could do something like this, Commissioner Riggs. I think this is what you meant. Okay, we're going to uphold the demolition order of the inspector unless within 90 days or thereabouts as set by the Board, but not sooner than 90 days, you can come in and show us proof that you've done A, B, C, D. And that will be confirmed by the Building Inspector. And if you can't do that, then the demolition order will stand. If that's what you're thinking about that's the kind of thing that you have the option to do.

Commissioner Krainiak: Mr. Chairman...

Chairman White: So the first one we're talking about is the 165 & 167 Alder Branch Road.

Commissioner Krainiak: He knows...Mr. Overton knows his budget, knows what he can do. I would like to suggest that we give him 30 days to come up with a plan of which ones he can start improving on first and complete first. And then you know if he says that one house can be completed with \$2000 or \$20,000 or whatever it may be, complete the job. And let him come up with a plan that says this house will be completed by this; this house will be completed by this and this and this. You know because we...if we start putting the little constraints on each of those pieces of property we don't know what his budget is going to be. Like he did say he was working 12 hours a day just to maintain a business his daddy...

Chairman White: Okay we're just discussing right now.

Attorney Morrison: All right discussing options. Let me put my lawyer hat back on. It would be something like this I think that...you're going to uphold the demolition order unless within 30 days he comes back with a plan, a written plan, containing like how much it's going to cost and when he's going to start construction and so forth, on each of these properties or whatever properties you tell him to. And if he doesn't come back with that plan that meets your satisfaction then the demolition order will stand.

Commissioner Krainiak: That sounds fair and just.

Attorney Morrison: Okay. All right but you can do it as to all properties or you can do it as to individual properties. You can go ahead and say the order stands as to this or it doesn't stand as to any of them or we're going to modify it and do something like Commissioner Krainiak is talking on all of them or one of them or however you want to do it.

Chairman White: Okay. What is your pleasure? Right now we're talking about 165 & 167 Alder Branch.

Attorney Morrison: Maybe the best way to do it, is there any property that the Commissioners think they want to revoke the demolition order period?

Vice Chairman Riggs: The only one that I'm sitting here right this moment considering would be the 1275.

Chairman White: That's the one that's in the better shape; pictures.

Vice Chairman Riggs: That's the newest-moved piece of property.

Attorney Morrison: Now what you can do is...and I don't have any opinion what the rest of you feel, but you could move to revoke the demolition order as to that property, okay, and then that's off the table and we're not dealing with that anymore.

Vice Chairman Riggs: So the way you worded it, we're going to stand with the demolition order unless he can come back with a plan of execution and a timeline in which it can done in a safe and productive manner.

Attorney Morrison: In your discretion. It's got to be presented to you that you would approve that. But what I am suggesting is there may be a property which you don't think anything needs to be done to it right now. Again, I have no opinion. If there is a property that you don't think bears demolition under any circumstances, now is the time to go ahead and identify that and take it off the table. If on the other hand, you think all of them are subject to demolition then the plan we're talking about would be for all the properties. You need to address each property specifically or say all.

Chairman White: Okay.

Vice Chairman Riggs: I'm waiting on ya'll.

Commissioner Krainiak: I'd rather just put a stay on it and give it a 30-day plan and see what he can start contributing to get it complete.

Attorney Morrison: But that would be as to all properties, right; all structures?

Commissioner Krainiak: All the properties, and you're talking about 30 days.

Attorney Morrison: All right then this is what I think is what the Commissioner's motion would be; you are going to amend the revocation order, modify it, that the demolition will stand unless within 30 days...or we need to give him a date specific, but we'll pick a date that we'll meet. He comes back with a specific plan of what he's going to do to the property to make it safe, that's the definition, with a budget and a timeline as to when that construction will be completed satisfactory to the Commissioners.

Commissioner Krainiak: Correct.

Attorney Morrison: Okay, and that would be with regard to all properties. And if he does not do that and he does not satisfy you in 30 days then the demolition will proceed. Is that what you want to do?

Commissioner Krainiak: Sounds fair. I make that motion. Whatever all that he just said, I make that motion.

Chairman White: Randy has made a motion basically that...

Commissioner Krainiak: That was a mouthful.

Chairman White: ...that the demolition will not take place but within 30 days he's got to come back with a written plan and basically state how he's going to make these properties safe...

Attorney Morrison: I think we need to specific, Mr. Chairman, that he will come back to a Board of Commissioners meeting; that we're going to recess the deliberation, then he has to come back on a time and date certain.

Vice Chairman Riggs: Our next meeting is on the 5<sup>th</sup>.

Chairman White: I'd put it in November because the 5<sup>th</sup> is not really 30 days.

Attorney Morrison: All right so you can put it to November 5<sup>th</sup>. That's give him the better part of 60 days.

Chairman White: Which gives you more than 30 days. So...

Attorney Morrison: November 2<sup>nd</sup>, okay.

Vice Chairman Riggs: The 2<sup>nd</sup> of November.

Attorney Morrison: The 2<sup>nd</sup> of November, 7:00. And he's got to...so he doesn't have to have the repairs made so therefore the inspector doesn't need to go out and confirm anything. But he's got to come back and...Mr. Overton, as I understand this motion, you're going to need in writing this is what I'm going to do to each one of these properties. You're going to need to say this is the budget that it will take to do this and you've got to say I can have it done by this time.

Chairman White: Yeah I'd say a timeframe you know. It needs to be realistic.

Attorney Morrison: Then the Commissioners can agree to that, and if you carry that out there will be no demolition. But if the Commissioners do not agree to what you come in with, the demolition will take place forthwith, correct?

Chairman White: Correct. Everybody understand the motion?

Attorney Morrison: Do you understand that, sir?

Gary Overton: Yes.

Chairman White: Any discussion? And this is on all properties so can we lump it together?

Attorney Morrison: All properties. And if you don't come back with anything then the properties are going to be demolished. Okay.

Chairman White: So we have the motion. All in favor of the motion say aye.

**RESULT:** PASSED [4-0]  
**MOVER:** Randy Krainiak  
**AYES:** White, Krainiak, Riggs, Meiggs  
**ABSENT:** Munro

## ITEM 7. CONSENT AGENDA

- A. BOC Meeting Minutes – August 3, 2020
- B. Closed Session Minutes
- C. Budget Amendments

2020-21-BA001  
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, 2021.

Section 1. To amend the General Fund as follows:

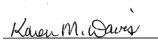
ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
<b>Revenues</b>			
10330510-402003	LESO Disposal Revenue	\$34,232.28	
<b>Expenses</b>			
105100-557003	LESO Property Expense	\$34,232.28	

This Budget Amendment is made to appropriate funds to increase LESO revenue & expenses which were received last fiscal year and need to be moved to this fiscal year.

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 8<sup>th</sup> day of September, 2020.

  
Clerk to Board of Commissioners

  
Chairman, Board of Commissioners



2020-21-BA002  
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, 2021.

Section 1. To amend the General Fund as follows:

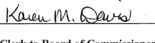
ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
<b>Revenues</b>			
19380400-433500	Cares Act Funds	\$426,810	
<b>Expenses</b>			
194200-502000	Cares Act Salaries	\$ 75,000	
194200-533000	Cares Act Supplies	101,810	
194200-533100	Cares Act Grant Funds	150,000	
194200-557000	Cares Act Miscellaneous	100,000	

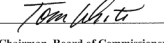
This Budget Amendment is made to appropriate funds to increase CARES ACT revenue & expenses which were received last fiscal year and need to be moved to this fiscal year.


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 8<sup>th</sup> day of September, 2020.

  
Clerk to Board of Commissioners

  
Chairman, Board of Commissioners





## D. DMV Monthly Report

STATE OF NORTH CAROLINA  
COUNTY OF CAMDEN

TO: The Tax Administrator of Camden County October Renewals Due 11/15/20

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the office of the Tax Administrator and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon personal property of the respective taxpayers in the County of Camden, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell personal property of such taxpayers for and on account thereof, in accordance with the law.

SOUTH MILLS	COURTHOUSE	SHILOH	TOTAL
20,479.57	22,515.70	11,635.08	54,630.35

Witness my hand and official seal this 6<sup>th</sup> day of September 2020

*Tom White*  
Chairman, Camden County Board of Commissioners

Attest:  
*Karen M. Davis*  
Clerk to the Board of Commissioners of Camden County

This is to certify that I have received the tax receipts and duplicates for collection in the amounts as listed herein.

*Risa S. Anderson*  
Tax Administrator of Camden County

## E. Tax Collection Report

**Tax Collection Report**  
JULY 2020

Day	Amount	Amount	Name of Account	Deposits	Internet
	\$	\$		\$	\$
1	9,909.50			9,909.50	
2	7,269.60			7,269.60	
6	6,050.22		Refund - \$94.52	6,050.22	
7	2,959.00		Refund - \$0.65	2,959.00	
8	7,793.50			7,793.50	
9	7,946.40			7,946.40	
10	2,051.00			2,051.00	
13	11,580.94		Refund - \$8.29	11,580.94	
14	2,348.03			2,348.03	
15	15,597.54			15,597.54	
16	703.09			703.09	
17	7,088.36		Refund - \$2,148.95	7,088.36	
20	2,773.00			2,773.00	
21	1,489.07				1,489.07
	12,484.91			12,484.91	
24	15,577.12			15,577.12	
27	556.43			556.43	
28	11,465.13		Interest Adjustment - \$ 11.67	11,465.13	
29	4,506.38			4,506.38	
30	224.45			224.45	
31	18,663.23		Refund - \$0.30	18,663.23	
	21,264.84				19,845.99
	3,977.90			3,977.90	
			Adjusted Interest - Craig Scott Camp		
			Pick-up 2/18/1 - P-34179-49 - \$31.47		
			Adjustment- PSN collection on 7/31/2020		
			In the amount of \$1,418.85		
	\$ 174,279.64	\$ -		\$ 151,525.73	21,335.06
Total Deposits and PSN	\$ 174,279.64			\$ 172,860.79	
			PSN Checks - \$3.00 - for info only, fees were paid to PSN		
	\$ (2,252.71)	Refund			
	\$ -	Over			
	\$ -	Shortage			
	\$ (1,430.32)	Adjustment			
Grand Total	\$ 170,596.61				

Submitted by: *Risa S. Anderson* Date: 8-27-2020

Approved by: *Tom White* Date: 9-8-20

## F. Vehicle Refunds Over \$100

REFUNDS OVER \$100.00

North Carolina Vehicle Tax System

NCVTS Pending Refund report

JULY, 2020 REFUNDS OVER \$100.00

Payee Name	Primary Owner	Secondary Owner	Address 1	Address 2	Refund Type	Bill #	Plate Number	Status	Transaction #	Refund Description	Refund Reason	Create Date	Authorization Date	Tax Jurisdiction	Levy Type	Change	Interest	Total Change
DECOTEAU, EDGAR NORMAN	DECOTEAU, EDGAR NORMAN		180 BILLETTS BRIDGE RD	CAMDEN, NC 27821	Proration	0051849892	RAH9346	AUTHORIZED	129580624	Refund Generated due to proration on Bill #0051849892-2019-2019-0000-00	Tag Surrender	07/28/2020	7/31/2020 8:15:24 AM	1843	Tax	(\$117.07)	\$0.00	(\$117.07)
														2	Tax	(\$1.58)	\$0.00	(\$1.58)
																		Refund: \$118.65
HARTUNG, MAX LORRAINE JR	HARTUNG, MAX LORRAINE JR		18579 HOBBLER LN	LORE CITY, OH 43755	Proration	0051436178	HEA8028	AUTHORIZED	129174682	Refund Generated due to proration on Bill #0051436178-2019-2019-0000-00	Tag Surrender	07/21/2020	7/28/2020 4:37:46 PM	1843	Tax	(\$133.45)	\$0.00	(\$133.45)
														2	Tax	(\$1.80)	\$0.00	(\$1.80)
																		Refund: \$135.25
JAMES, DONALD RAY	JAMES, DONALD RAY	JAMES, B LINDSEY	116 MARLAS WAY	CAMDEN, NC 27821	Proration	0051616086	HPX2018	AUTHORIZED	129174972	Refund Generated due to proration on Bill #0051616086-2019-2019-0000-00	Tag Surrender	07/21/2020	7/28/2020 4:37:46 PM	1843	Tax	(\$143.70)	\$0.00	(\$143.70)
														3	Tax	(\$1.94)	\$0.00	(\$1.94)
																		Refund: \$145.64
MENKING, JOSIAH JAMES	MENKING, JOSIAH JAMES		137 MILL RUN LOOP	SOUTH MILLS, NC 27976	Proration	0052158874	GBX0006A	AUTHORIZED	128763454	Refund Generated due to proration on Bill #0052158874-2019-2019-0000-00	Tag Surrender	07/14/2020	7/16/2020 8:37:18 AM	1843	Tax	(\$226.09)	\$0.00	(\$226.09)
														1	Tax	(\$3.05)	\$0.00	(\$3.05)
																		Refund: \$229.14

Submitted by Ria S. Anderson Date 8-6-2020  
 Lisa S. Anderson, Tax Administrator Camden County

Approved by G. Tom White Date 9-8-2020  
 G. Tom White, Chairman Camden County Board of Commissioners

## G. Pickups, Releases & Refunds

NAME	REASON	NO.
Jerry Adam Stevenson	Code enforcement - grass cutting - pick-up	Pick-up/21846
	\$250.00	R-118182-2019
John Matthew Carte	Double listed, new owner- as John Fischman purchased in 2018 auction - for release	Pick-up/21842
	\$274.06	P-16702-2019
Craig Scott Carey	No longer in Camden - for refund	Pick-up/21841
	\$210.93	P-16179-2019
George Rowland	Not in Camden - for release	Pick-up/21837
	\$182.96	P-17711-2019
George Rowland	Not in Camden - for release	Pick-up/21836
	\$195.35	P-16084-2018
Keeter Barn LLC	Roll Back Taxes - for pick-up	Pick-up/21847
	\$13,446.11	R-102742-2017
		R-110004-2018
		R-117333-2019
Colby William Gray	Turned in plates - Refund	54912343
	\$108.21	Year - 2020
Nicholas Lawrence Baker	Turned in plates - Refund	52796346
	\$142.54	years - 2019
Sandra B. Rowe	Roll back taxes - 4.33 acres- Pick-up	Pick-up/21868
	\$251.36	R-105698-2017
		R-112976-2018
		R-120326*2019

## H. Authorization for CARES Act Disbursements

Authorization to increase the COVID-19 Small Business and Non-Profit Relief Fund program amount and approve disbursement of remaining funds.

### REQUEST:

Board of Commissioners authorization to increase the grant program amount to provide relief to the remaining small businesses and non-profits impacted by the COVID-19 pandemic. The program is being funded through an allocation of the Coronavirus Relief Funds provided through the federal CARES Act.

Board of Commissioners authorization to disburse \$460K between Emergency Management, Camden County Schools, Payroll expenses for those that are substantially dedicated to mitigating or responding to the COVID-19 public health emergency, expenses for PPE supplies, as well as technology and facility updates for the Sheriff's Office, Fire Department, and Courthouse.

### BACKGROUND:

During a meeting between staff and with the NC Pandemic Recovery Office (NCPRO) on May 6, 2020 a plan was discussed for the County Distribution of the Coronavirus Relief Fund in the amount of \$426,810, with a second allotment being awarded in August 2020 of \$210,906; a total Coronavirus Relief Fund Program amount of \$637,716.

The original plan was completed and submitted to NCPRO for review on May 27, 2020. The revised plan includes a number of areas where the funds can be spent, including grant funding to assist small businesses and non-profits negatively affected by the COVID-19 pandemic, facility and technology updates for County Departments, supplies, funding for Camden County Schools, Emergency Management, and payroll for those directly responding to the public health emergency. Staff have developed this program to provide grant funds to eligible entities which would not need to be repaid by the selected awardees. One of the objectives of the Grant Program is to support eligible small businesses, including non-profit organizations in Camden County, through grants to address costs of business interruptions caused by required closures.

### TIMING:

Board action is requested on September 8, 2020 in order to complete the grant program by November 1, 2020.

### RECOMMENDATION:

The County Manager recommends the Board of Commissioners approve an increase in the previously approved \$80K-\$100K for small businesses and non-profits affected by the COVID-19 pandemic to \$150K in order to continue approving the remaining applicants, as well as authorize the County Manager to continue to administer the Grant Program to meet program objectives as outlined in the above request.

## I. Resolution 2020-09-04 NCDOT Request



### Resolution No. 2020-09-04

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

North Carolina  
County of Camden

Road Descriptions: Mill Run Loop in Mill Run Subdivision  
South Mills Township

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

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

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Camden that the Division of Highways is hereby requested to review the above described road(s) and to take over the roads for maintenance if they meet established standards and the criteria.

  
Tom White, Chairman  
Camden County Board of Commissioners

### CERTIFICATE

The foregoing resolution was duly adopted by the Board of Commissioners of the County of Camden at a meeting on the 8<sup>th</sup> day of September, 2020.

  
Karen M. Davis  
Clerk to the Board of Commissioners  
County of Camden, NC



- J. Set Public Hearing - Set Public Hearing for Sale of Property located within the Camden County Commerce Park.

**Motion to approve the Consent Agenda as presented.**

<b>RESULT:</b>	<b>PASSED [4-0]</b>
<b>MOVER:</b>	Clayton Riggs
<b>AYES:</b>	White, Krainiak, Riggs, Meiggs
<b>ABSENT:</b>	Munro

**ITEM 8. COUNTY MANAGER'S REPORT**

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County Manager Ken Bowman included the following in his report:

- A COVID-19 test site was established at the New Sawyer's Creek Baptist Church on August 24<sup>th</sup>. Approximately 60 people participated.
- CARES Act Funding – To date over 70 small businesses in Camden County have participated and submitted applications for grant funding. Over \$100k has been disbursed to these small businesses. The next phase of the program will soon be implemented which focuses on upgrades and improvements within the departments, schools and partnerships. Appreciation to Alexandra Lekki for her excellent work in meeting with the local business owners and getting the word out about this program.
- Met with Dr. Ferrell on August 20<sup>th</sup> to visit Grandy Primary School to get a firsthand look of what they are experiencing with the new normal. It is a challenge for the teachers and the students as all as the parents.
- Ashley Jennings has completed the certification program for Deputy Register of Deeds through the NC Association of Registers of Deeds. Ashley is now a Certified Deputy Register of Deeds. Congratulations!
- The Governor has moved the State into Phase 2.5, which has allowed Parks and Recreation to reopen our playgrounds.
- Camden County has the lowest unemployment rate in the State for the month of July at 6.1%.
- The application requesting LGC approval of issuance of the proposed bond for \$33m for the high school was formally approved by the LGC on September 1, 2020.

**ITEM 9. COMMISSIONERS' REPORTS**

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None.

**ITEM 10. INFORMATION, REPORTS & MINUTES FROM OTHER AGENCIES**

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The following was provided for information purposes:

- A. Library Report
- B. Register of Deeds Report

**ITEM 11. OTHER MATTERS**

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None.

**ITEM 12. ADJOURN**

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There being no further matters for discussion Chairman White called for a motion to adjourn.

**Motion to adjourn.**

<b>RESULT:</b>	<b>PASSED [4-0]</b>
<b>MOVER:</b>	Garry Meiggs
<b>AYES:</b>	White, Krainiak, Riggs, Meiggs
<b>ABSENT:</b>	Munro

Chairman White adjourned the meeting at 10:00 PM.

ATTEST:

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Tom White, Chairman  
Camden County Board of Commissioners

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Karen M. Davis  
Clerk to the Board of Commissioners