

**Camden County Board of Commissioners  
Regular Meeting  
February 15, 2010**

**6:00 P.M. – Closed Session  
7:00 P.M. – Regular Meeting  
Historic Courtroom, Courthouse Complex  
Camden, North Carolina**

**MINUTES**

The regular meeting of the Camden County Board of Commissioners was held on Monday, February 15, 2010 at 7:00 p.m., with a closed session held at 6:00 p.m., in the Historic Courtroom, Camden, North Carolina. The following members were present:

Chairman Philip S. Faison  
Vice Chair Sandy Duckwall  
Commissioners Melvin Jeralds and Michael McLain

Commissioner Garry Meiggs was absent due to medical appointment.

Also present was County Manager Randell Woodruff, Clerk to the Board Ava Gurganus and Attorney John Morrison.

**Closed Session**

Commissioner Sandy Duckwall made a motion to go into closed session pursuant to G.S. 143-318.11(a)(3) for the purpose of consultation with attorney to discuss potential litigation. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; Commissioner Garry Meiggs absent; and no Commissioner not voting.

The Board entered closed session at 6:02 p.m.

Commissioner Sandy Duckwall made a motion to come out of closed session. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; Commissioner Garry Meiggs absent; and no Commissioner not voting.

The Commissioners re-entered regular session at 7:02 p.m.

**Invocation & Pledge of Allegiance**

Chairman Philip Faison called the meeting to order and called upon Commissioner Sandy Duckwall to give the invocation and lead those present in the Pledge of Allegiance.

**PRESENTATION: Lloyd Griffin**

Mr. Griffin spoke regarding educating school students and displaced workers in special trades to fill the needs of the regional industry employers. Mr. Griffin asked the Board to participate in a no monetary program with Workforce Development, economic development facilities, State of North Carolina, Port Discover and all the community partners that have been collectively put together to help educate and implement programs in aviation, health care, retail store clerks, and to encourage the school system to leave the class room and go to different industries to bring workable knowledge back to the students.

**PRESENTATION: Senior Center Director Shana Trafton**

Senior Center Director Shana Trafton gave a powerpoint update on activities and services in the Senior Center from July 2009 to January 2010.

**PRESENTATION: Aaron Maupin – Code Enforcement Activity**

Code Enforcement Officer Aaron Maupin presented code enforcement activities from March 2009 to date.

**Public Comments**

Cecil Sawyer Jr. stated that he was approved to receive a Community Development Block Grant house to replace his existing house but he owes delinquent taxes and needs approval from the Board to be on a payment plan for delinquent taxes due to the fact that he is on Social Security and can not pay the full amount at one time.

Chairman Philip Faison instructed Tax Administrator Mary Rhodes to investigate this matter and report her findings to the Board on March 1, 2010 and asked Permit Officer Dave Parks how delinquent taxes eluded the grant administrators.

**Consideration of Agenda**

Chairman Philip Faison removed *Budget Amendments 2009-10-BA032 and 2009-10-BA033* for further consideration and added *Item 3. Old Business, A. Rural Center Eco Innovation Grant Application; Item 5. Consent Agenda, G. Resolution No. 2010-02-01 – Resolution Supporting The Atlantic Intracoastal Waterway Association; Item 7. New Business, D. Child Support Enforcement Program* and added *Budget Amendments 2009-10-BA032 and 2009-10-BA033* to *Item 7. New Business, E.*

Commissioner Michael McLain made a motion to approve the agenda as amended. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; Commissioner Garry Meiggs absent; and no Commissioner not voting.

**Old Business – Rural Center Eco Innovation Grant Application Form**

The proposed Rural Center grant funding for the Camden Gateway Eco Business Park is \$160,000.00 with a county match of \$40,000.00. Monies paid to McGill Associates may be used as part of the county match.

Commissioner Sandy Duckwall made a motion to approve the Rural Center Eco Innovation Grant application. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; Commissioner Garry Meiggs absent; and no Commissioner not voting.

**Public Hearings**

Commissioner Michael McLain made a motion to go into public hearing to receive comments from the public regarding Ordinance No. 2010-01-02 An Ordinance Amending the Camden County Code of Ordinances – Chapter 151 – OLF and Ordinance No. 2010-02-01 – An Ordinance Amending Chapter 151 of the Camden County Code of Ordinances Regulating “Internet Sweepstakes Cafes”. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; Commissioner Garry Meiggs absent; and no Commissioner not voting.

**Public Hearing - Ordinance No. 2010-01-02 An Ordinance Amending the Camden County Code of Ordinances – Chapter 151 – Navy OLF**

Permit Officer Dave Parks stated this ordinance modifies the *Table of Permissible Uses* deleting the use of air strips in the General Use District.

Chairman Philip Faison called for any comments from the public.

No comments were heard from the public.

**Public Hearing - Ordinance No. 2010-02-01 – An Ordinance Amending Chapter 151 of the Camden County Code of Ordinances Regulating “Internet Sweepstakes Cafes”**

Permit Officer Dave Parks stated that there had been an inquiry regarding if the County had any ordinance language concerning Internet Sweepstakes Cafes. This matter was investigated and language was presented to the Planning Board with Planning Board approval 4-1. Mr. Parks reviewed the specific standards in Ordinance No. 2010-02-01.

Chairman Philip Faison called for any comments from the public.

No comments were heard from the public.

Commissioner Michael McLain made a motion to come out of public hearing. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; Commissioner Garry Meiggs absent; and no Commissioner not voting.

**Consent Agenda**

Commissioner Melvin Jeralds made a motion to approve the consent agenda with amendments. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; Commissioner Garry Meiggs absent; and no Commissioner not voting.

• **Consent Agenda**

Minutes – February 1, 2010 Regular Meeting

Refunds to be Issued by Finance Office in the amount of \$5,920.34.

Proclamation For Fair Housing Month April 2010

**PROCLAMATION  
FOR  
FAIR HOUSING MONTH  
APRIL 2010**

*WHEREAS*, April 2010 marks the 42nd anniversary of the Federal Housing Act of 1968 and the 27th anniversary of the North Carolina Fair Housing Act. Both laws prohibit discrimination in housing because of race, color, sex, religion, national origin, handicap and familial status; and

*WHEREAS*, the Camden County Board of Commissioners, Northeastern Community Development Corporation, North Carolina Cooperative Extension Service Pasquotank Center, City of Elizabeth City, Elizabeth City State University Community Development Program, Elizabeth City Neighborhood Corp., River City Community Development, and the Albemarle Area Board of Realtors, county and local governments, concerned citizens and the housing industry, are working to make fair housing opportunities possible for all our citizens. Through their efforts, they are encouraging others to abide by the letter and the spirit of the fair housing laws; and

*WHEREAS*, one of the most important concerns of Camden County citizens is the availability of housing to them as individuals and families. By supporting and promoting fair housing and equal opportunity, we are contributing to the health of our County and our State;

*NOW, THEREFORE*, I, Philip S. Faison, Chairman of the Camden County Board of Commissioners, do hereby proclaim April 2010 as “**Fair Housing Month**” in Camden County, and urge our citizens to rededicate themselves to ensuring that fair housing laws are always upheld and citizens are protected against discrimination.

*ADOPTED*, this 15<sup>th</sup> day of February 2010.

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Philip S. Faison, Chairman  
Camden County Board of Commissioners

ATTEST:

\_\_\_\_\_  
Ava Gurganus, NCCCC  
Clerk to the Board

(Seal)

Budget Amendments 2009-10-BA030 and 2009-10-BA031

**2009-10-BA030  
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, 2010.

**Section 1.** To amend the General Fund as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
<b>Expenses:</b>			
105100-565000	Children Christmas Fund	\$3,500.00	
<b>Revenues:</b>			
10385510-434865	Sheriff Christmas Fund	\$3,500.00	

**Additional Funds Received.**

**This will result in an increase of \$0.00 in the Contingency of the General Fund.**

**Balance in Contingency \$371,463.00.**

**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 15<sup>th</sup> day of February, 2010.

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Clerk to Board of Commissioners

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Chairman, Board of Commissioners

**2009-10-BA031  
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, 2010.

**Section 1.** To amend the General Fund as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
<b>Expenses:</b>			
106210-547000	Health Grant		\$ 45.00
106210-553100	General Purpose Grant		\$1,916.00
<b>Revenues:</b>			
10360621-434818	Senior Center Grants		\$1,961.00

**Grant adjustments.**

**This will result in an increase of \$0.00 in the Contingency of the General Fund.**

**Balance in Contingency \$371,463.00.**

**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 15<sup>th</sup> day of February, 2010.

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Clerk to Board of Commissioners

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Chairman, Board of Commissioners

Volunteer Forms for Glenn Carey, Wayne Walston and Charles Walston

Distribution Data Verification For Beer, Unfortified Wines & Fortified Wine Excise Tax

Resolution No. 2010-02-01 – A Resolution Supporting The Atlantic Intracoastal Waterway Association

**Resolution No. 2010-02-01**

**Resolution Supporting The Atlantic Intracoastal Waterway Association**

WHEREAS, The Atlantic Intracoastal Waterway Association’s mission is to support proper maintenance of the Atlantic Intracoastal Waterway throughout its entire length within the five (5) Atlantic Coast states of Virginia, North Carolina, South Carolina, Georgia, and Florida, and;

WHEREAS, since its founding in 1999 the Association has been a persistent and outspoken advocate for regular dredging and adequate maintenance to promote safe, cost effective navigation, and;

WHEREAS, The Association has voiced the interests of commercial and recreational users of the Waterway, earning the title of “Voice of the Waterway”, and;

WHEREAS, The Association promotes the Waterway as a vital marine highway along the Atlantic coast, providing safe navigation for commercial and recreational vessels, and;

WHEREAS, The Association has been a consistent force for protecting the integrity of the Waterway and securing its reputation as an important economic engine for the nation and the region, and;

WHEREAS, The Association has had many achievements over ten (10) years including successfully advocating for:

1. Additional funds to be added annually to federal and state budgets for waterway maintenance
2. Economic studies to be conducted to show the economic importance of the waterway
3. The funding of a regional Dredged Material Management Plan for the waterway
4. Coordinating the many interested parties to work together for the waterway;

NOW, THEREFORE, BE IT RESOLVED, THAT Camden County supports and commends the Atlantic Intracoastal Waterway Association for its advocacy on behalf of the Atlantic Intracoastal Waterway.

Adopted this 15th day of February, 2010.

ATTEST:

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Philip S. Faison, Chairman  
Camden County Board of Commissioners

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Ava J. Gurganus, NCCCC  
Clerk to the Board

(SEAL)

**Board Appointment - Board of Adjustment – Alternate Position**

Commissioner Melvin Jeralds made a motion to appoint Ronald Price to fill the unexpired position as alternate of Janice Hassell, with a term expiring December 31, 2010. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; Commissioner Garry Meiggs absent; and no Commissioner not voting.

Chairman Philip Faison instructed the Clerk to send a letter of appointment to Mr. Price.

**Board Appointment - Albemarle Commission – Adult Care Home Community Advisory Committee (ACHCAC)**

Commissioner Melvin Jeralds made a motion to appoint Senior Center Director Shana Trafton to the ACHCAC per the request of Debra Sheard of the Albemarle Commission, to serve at the pleasure of the Board of Commissioners. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; Commissioner Garry Meiggs absent; and no Commissioner not voting.

Chairman Philip Faison instructed the Clerk to send a letter of appointment to Ms. Trafton and Mrs. Sheard.

**Board Appointment - Adult Care Home Community Advisory Committee (ACHCAC)**

Commissioner Michael McLain made a motion to appoint Melanie Meads, Kim Bowes and Pamela Etheridge to the ACHCAC for a term of three (3) years, expiring February 14, 2013. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; Commissioner Garry Meiggs absent; and no Commissioner not voting.

Chairman Philip Faison instructed the Clerk to send letters of appointment to Mrs. Meads, Mrs. Bowes and Mrs. Etheridge.

**Board Appointment - Camden County Tourism Development Authority**

Chairman Philip Faison removed this item from the agenda due to language correction in the *Rules of Procedure For The Camden County Tourism Development Authority*.

**New Business - Tax Collection Report – January 2010**

Attorney John Morrison stated that he had met thoroughly and fruitfully with Tax Administrator Mary Rhodes. Mr. Morrison presented and reviewed a proposed monthly report and stated that Ms. Rhodes contacted the software company who can rewrite the taxes software program for approximately \$600.00 to accommodate the generating of additional reports. Mr. Morrison discussed tax collection efforts made by the Tax Administrator and the uncollected taxes would be turned over to the County Attorney for further collection.

Tax Administrator Mary Rhodes reviewed the proposed Monthly Report to date.

Attorney Morrison asked for feedback from the Commissioners.

Commissioner Michael McLain asked that the *Number of Cases Turned Over to County Attorney For Collection – Identification and Status* be added.

Commissioner Sandy Duckwall asked if it was an option for the Sheriff's Department to make door to door calls to collect the taxes.

Attorney Morrison stated that the tax collection rate of an average of ten (10) years is 98.32%, which is a very good collection rate for the county.

Chairman Philip Faison stated he liked the proposed tax collection report, asked if the Tax Administrator had the \$600.00 for the software rewrite in the Tax Office budget and stated he would like to know the ten (10) largest unpaid accounts in a report.

Commissioner Sandy Duckwall asked for addresses be included in the software rewrite.

Attorney Morrison added to the proposed collection report: *Percentage of Tax Collected for 2009 to Date* and *Percentage of Tax Collected Last Year*.

Commissioner Sandy Duckwall made a motion to approve the proposed format for the Tax Collection Report and instructed the Tax Administrator to give this report to the Commissioners at the second meeting of each month. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; Commissioner Garry Meiggs absent; and no Commissioner not voting.

**New Business - Personnel Policy Change – Section 6. Article 1. General Provisions**

Attorney Morrison stated that the sentence that was changed in Section 6. previously did not make sense and the Tax Administrator is not subject to the personnel policy and reports directly to the Board of Commissioners.

Commissioner Michael McLain made a motion to approve the personnel policy change to *Section 6. Article 1. General Provisions*. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; Commissioner Garry Meiggs absent; and no Commissioner not voting.

**New Business - Personnel Policy Change - Article IV. The Pay Plan**

Commissioner Melvin Jeralds made a motion to approve the personnel policy change to *Article IV. The Pay Plan*. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; Commissioner Garry Meiggs absent; and no Commissioner not voting.

**New Business - Child Support Enforcement Program**

Commissioner Sandy Duckwall made a motion authorizing to proceed with entering into a contract with Young Williams along with Currituck and Dare Counties to provide the Child Support Program for Camden County. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; Commissioner Garry Meiggs absent; and no Commissioner not voting.

**Budget Amendments – 2009-10-BA032 and 2009-10-BA033**

Following discussion, budget amendment 2009-10-BA032 will be corrected and brought back for approval on March 1, 2010.

Commissioner Michael McLain made a motion to approve budget amendment 2009-10-BA033. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; Commissioner Garry Meiggs absent; and no Commissioner not voting.

**2009-10-BA033  
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, 2010.

**Section 1. To amend the Social Services Fund as follows:**

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
<b>Expenses:</b>			
528000-535000	FEMA Grant	\$406.00	
<b>Revenues:</b>			
52390610-439900	Fund Balance Appropriated	\$406.00	

**Funds received FY09 must be spent or returned.**

**This will result in an increase of \$0.00 in the Contingency of the General Fund.**

**Balance in Contingency \$371,463.00.**

**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 15<sup>th</sup> day of February, 2010.**

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Clerk to Board of Commissioners

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Chairman, Board of Commissioners

### **Commissioner's Report**

Commissioner Sandy Duckwall stated that recently there have been two (2) situations that have been brought to her attention and asked the Board to think about action regarding property on Ivy Neck Road which is owned by eight (8) children of parents that are deceased who would like to divide the property among them and one (1) child would like the particular piece with the family grave site. This can not be done because of the county ordinances. Commissioner Sandy Duckwall stated there is another gentlemen whose mother-in-law is deceased and would like to sell the house and one (1) acre of land adjacent to the family farmland but can not because due to the county ordinance which requires selling of five (5) acres. Commissioner Sandy Duckwall stated she understood the importance of the county ordinances for controlling growth but stated these are simple things that citizens want to do and seems very stringent. Commissioner Sandy Duckwall asked the Board to think about what could be done to help these people.

Attorney Morrison cautioned Commissioner Sandy Duckwall that when exceptions are made, it can sometimes lead to bad applications later. Attorney Morrison stated the reason the five (5) acre requirement is to prohibit the developers from obtaining property to sell off at one (1) acre lots.

Chairman Philip Faison asked the County Attorney and Permit Technician to consult regarding these two (2) issues and report their findings back to the Board.

### **County Manager's Report**

County Manager Randell Woodruff reported the following:

- Board Retreat on March 4 and 5, 2010 at Currituck Extension Center
- Forwarded email regarding response of State Mental Health of potential liabilities of funds that Albemarle Mental Health (AMH) had not protected and \$557,000.00 of improperly paid Medicaid cost, plus the liability of the health insurance cost of the nineteen (19) retired employees in the amount of \$807,000.00. If the counties move forward with dissolving AMH and enter into a relationship with East Carolina Behavioral by July 1, then they would relieve Camden County of paying any of the liability funds. This should be on the next agenda for discussion for a decision to move forward.

Commissioner Michael McLain asked the County Manager to look into the joint ownership of the Mental Health building at the Camden Medical Park.

### **Adjournment**

Commissioner Sandy Duckwall made a motion to adjourn the meeting. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; Commissioner Garry Meiggs absent; and no Commissioner not voting.

The meeting adjourned at 9:08 p.m.

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Philip S. Faison, Chairman  
Camden County Board of Commissioners

ATTEST:

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Ava J. Gurganus, NCCCC  
Clerk to the Board