

Camden County Board of Commissioners

May 4, 2009

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

MINUTES

The regular meeting of the Camden County Board of Commissioners was held on Monday, May 4, 2009 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 Chairman Melvin J. Jeralds
Commissioners Sandy Duckwall, Garry Meiggs and Michael McLain

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

Chairman Philip Faison called the meeting to order at 6:00 p.m.

Closed Session

Commissioner Michael McLain made a motion to go into closed session pursuant to G.S. 143-318.11(a)(3) for the purpose of consultation with the County Attorney and pursuant to G.S. 143-318.11(a)(4) for the purpose of discussing industrial recruitment. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The Commissioners entered closed session at 6:01 p.m.

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

The Commissioners re-entered regular session at 7:00 p.m.

Commissioner Garry Meiggs gave the invocation and led those present in the Pledge of Allegiance.

Public Comments

Shel Mansfield, 117 Neck Road, began to speak regarding Ordinance No. 2009-04-01 – Amendments to Article 151.347 – Specific Standards – Shooting Range Facilities – Camden County Code of Ordinances and was advised by the County Attorney that this matter was on the agenda and Mr. Mansfield would be allowed to speak at that time.

Consideration of Agenda

Chairman Philip Faison added *Item 6. New Business, F. GovDeals Bid Results, Item 6. New Business, G. 2009-1010 Final Application for CAMA Public Beach and Coastal Waterfront Access Grant, and Item 6. New Business, H. Approval of Applications for Public School Capital Building Fund (Adm Fund) and NC Education Lottery Fund Monies for School Debt Service Payment* to the agenda.

Commissioner Garry Meiggs made a motion to approve the agenda as amended. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs,

Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Consent Agenda

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

- **Consent Agenda**

April 20, 2009 Regular Meeting Minutes subject to correction of typographical and technical errors.

Authorization to Collect - January Renewals in the amount of \$45,396.70.

Set Public Hearing – Ordinance No. 2009-05-01 – Amendments to Article 151.261 – Design Standards for Minor Subdivisions – of the Camden County Code of Ordinances for May 18, 2009

Set Public Meeting – Sketch Plan Phase 5 – Pine Ridge Major Subdivision – UDO 2009-02-06 – Ralph Sawyer for May 18, 2009

Set Public Hearing – Special Use Permit – UDO 2009-03-05 – Camden Realty Group for Shopping Center for May 18, 2009

Set Public Hearing – Request for Amendments to Conditional Use Permit – E & J Holdings for May 18, 2009

Resolution No. 2009-05-01 – A Resolution of the Camden County Board of Commissioners Opposing Secondary Road Transfer to Counties

Resolution No. 2009-05-01

A RESOLUTION OF THE CAMDEN COUNTY BOARD OF COMMISSIONERS OPPOSING SECONDARY ROAD TRANSFER TO COUNTIES

Whereas, legislation has been introduced (Senate Bill 758) that would transfer responsibility for and maintenance of secondary roads from the State to Counties beginning in 2011; and

Whereas, according to statistics compiled by the North Carolina Association of County Commissioners in 2008, there are 163 miles of secondary roads in Camden County with a projected annual maintenance cost of \$525,000; and

Whereas, without the continuation of existing State revenue streams to pay for road upkeep and construction, Camden County would be forced to raise the property tax by at least 5.25 cents in order to keep up the current level of funding needed to maintain our existing secondary roads; and

Whereas, the Camden County Board of Commissioners opposes any efforts by the General Assembly to appropriate local revenues, whether property tax, sales tax, or any other local revenue for State transportation programs or any other State programs; and

Now, Therefore Be It Resolved, that the Camden County Board of Commissioners, representing approximately 9,500 constituents, stand united in vigorous opposition to Senate Bill 758 which would transfer fiduciary responsibility for constructing, improving and maintaining secondary roads from the N.C. Department of Transportation to counties and would have catastrophic fiscal consequences on the citizens of Camden County; and

Now, Therefore Be It Further Resolved, a copy of this resolution be transmitted to the members of the N.C. General Assembly representing Camden County and Camden County representatives.

Adopted this the 4th day of May, 2009.

Philip S. Faison, Chairman
Camden County Board of Commissioners

ATTEST:

 Ava J. Gurganus
 Clerk to the Board

(SEAL)

Budget Amendments 2008-2009-BA046 and 2008-09-BA047

**2008-09-BA046
 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, 2009.

Section 1. To amend the General Fund as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
Expenses:			
104930-595000	Fire Marshall	\$10,539.00	
109990-500000	Contingency		\$6,017.00
106600-545100	Audit Expense		\$4,522.00

Last quarter of FY07-08 not received until 3/11/09.

This will result in a decrease of \$6,017.00 in the Contingency of the General Fund.

Balance in Contingency \$0.00 in General Fund

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 4th day of May, 2009.

 Clerk to Board of Commissioners

 Chairman, Board of Commissioners

**2008-09-BA047
 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, 2009.

Section 1. To amend the General Fund as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
Expenses:			
104900-535001	Storm Water Fees	\$4,100.00	
Revenues:			
10340490-435001	Storm Water Fees	\$4,100.00	

Additional fees have been received.

This will result in a decrease of \$ 0.00 in the Contingency of the General Fund.

Balance in Contingency \$0.00 in General Fund

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 4th day of May, 2009.

 Clerk to Board of Commissioners

 Chairman, Board of Commissioners

- End of Consent Agenda

Old Business - Ordinance No. 2009-04-01 – Amendments to Article 151.347 – Specific Standards – Shooting Range Facilities – Camden County Code of Ordinances

Commissioner Sandy Duckwall made a motion to approve Ordinance No. 2009-04-01 with the changes made by Commissioner Michael McLain. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Approved Ordinance No. 2009-04-01 reads as follows:

Ordinance No. 2009-04-01

**An Ordinance
Amending the Camden County
Code of Ordinances**

Camden County, North Carolina

BE IT ORDAINED BY THE CAMDEN COUNTY BOARD OF COMMISSIONERS as follows:

Article I: Purpose

The purpose of this Ordinance is to amend the Article 151 of the Camden County Code of Ordinances of Camden County, North Carolina, which was originally adopted by the County Commissioners on December 15, 1997, and subsequently amended and as otherwise incorporated into the Camden County Code.

Article II. Construction

For purposes of this Ordinance, underlined words (underline) shall be considered as additions to existing Ordinance language and strikethrough words (~~strikethrough~~) shall be considered deletions to existing language. New language of proposed ordinance shall be shown in italics (*italics*) and underlined.

**Article III. Amend Section 151 as amended of the Camden County Code
which shall read as follows:**

CHAPTER 151: UNIFIED DEVELOPMENT

§ 151.347 SPECIFIC STANDARDS.

(S) The following minimum development standards shall apply to commercial shooting ranges which utilize firearms:

- (1) Use is only permitted with the issuance of a special use permit.
- (2) The use is allowed within the I-1 and I-2 districts with the issuance of a special use permit.
- (3) The design criteria cited in the Military Handbook - Range Facilities and Miscellaneous Training Facilities Other Than Buildings (MIL-HDBK-1027/3B), as amended or superseded or the National Rifle Association Range Manual, as amended or superseded shall be met. *For those ranges constructed in accordance with the National Rifle Association Range Manual, the downrange safety area shall not apply, but the permit holder shall provide documentation of approval of said ranges by the NRA-sponsored team of inspectors annually.*
- (4) The proposed shooting range shall be reviewed by and comments received from the County Sheriff's Department.
- (5) Hours of firing activities and number of ranges shall be set as conditions of the Special Use Permit.
- (6) Alcohol consumption shall be prohibited before and during range operations, but shall be allowed after the range is closed provided proper permits are obtained.
- (7) The adjacent areas to the proposed range shall be predominantly undeveloped.
- (8) All areas within the proposed range, including, but not limited to firing area(s), backstops, downrange safety zones, parking and accessory areas and the like shall be under uniform control or ownership. The ~~minimum~~ downrange safety area shall be essentially fan-shaped, with its vertex being 100 meters each side of the end firing point and extending to the maximum range of the type of firearm being used as shown on Table 4 of the MIL-HDBK-1027/3B, 10 degrees from the firing line, plus an additional 100 meters running parallel to the 10 degree line, as shown in Figure 2.2-1 of MIL-HDBK-1027/3B or as approved in accordance with the NRA manual and inspections per item (3) above. ~~the center of the firing line and extending 1,200 yards in length along the 90 degree arc of a circle, plus 5,500 yards along the direct fire line for high power rifle uses or 800 yards in length along the 90 degree arc of a circle, plus 3,000 yards along the direct fire line for pistol uses and 300 yards in length along the 90 degree arc of a circle, plus 300 yards along the direct fire line for shotgun uses.~~ The safety area shall not encompass any

public right-of-way or other property not owned by range operator or owner.

(9) The operators of an outdoor range must provide proof of coverage by adequate accident and liability insurance. A minimum coverage of \$2,000,000 shall be established.

(10) The site or area used as a shooting range shall be enclosed by a six-foot high fence or otherwise restricted by natural physical features (such as swamps, bodies of water, and the like) so that access to the site is controlled to insure the safety of patrons, spectators and the public at large. Warning signs shall be posted along the fence every 100 feet.

(11) All shooting stations and backstops, when utilized, shall be at least 900 feet from any property line regardless of the direction of fire unless the applicant can provide noise or safety test evidence to show that a lesser distance may be acceptable.

(12) All parking areas, vehicle accommodation areas, driveways and the like shall meet standards for parking as stated in this chapter.

(13) Weapon types will be restricted to pistol, rifle, and shotgun or similar unless authorized in accordance with item (19) of this section. No automatic assault type weapon shall be used by the general public, but will be allowed by any law enforcement, military or federal agency group, or any holder of a Federal Firearms License of a class and type that authorizes NFA weapons, duly authorized to use these style weapons. Limits on caliber size shall be in accordance with the MIL-HDBK-1027/3B/ or National Rifle Association Range Manual subject to the physical constraints of the property.

(14) No concussion type of explosives ~~will~~ shall be permitted unless authorized in accordance with item (19) of this section.

(15) No military, para-military or militia type activities or maneuvers, including, but not limited to hand-to-hand combat training, swamp or guerrilla warfare techniques, no incendiary type firings, infiltration course type training and the like be permitted unless authorized in accordance with item (19) of this section.

(16) All actual firing activities will be directed toward either moving or stationary targets only.

(17) Any overnight or temporary storage of weapons ammunition and/or ~~ammunition~~ explosives must meet the ~~Department of Defense~~ Bureau of Alcohol, Tobacco, Firearms and Explosives storage and stand-off safety standards.

(18) Each commercial firing range shall be posted indicating the allowable caliber of weapon allowed and any other applicable rules.

(19) Any commercial firing range activity not specifically mentioned within the foregoing shall be prohibited unless set as a condition of the Special Use Permit.

§ 151.600 DEFINITIONS OF BASIC TERMS.

SHOOTING RANGE FACILITY. Any portion of land or facility designed and/or constructed for commercial use as a shooting range for the purpose of discharge of rifle, shotgun, pistol, or any other sport shooting. The facility must be open to the public and or law enforcement for training and shooting. Facilities meeting this definition of a shooting range shall be held to state and local laws that govern such facilities.

The above definition of a shooting range will not apply to A) private ranges constructed for personal non-commercial use, to include target and recreational shooting (discharge of rifles, shotguns, pistols, and other sport shooting; B) charitable organization which run events for the purpose of charity, to include turkey shoots, marksman shoots, etc; not withstanding the provisions of Section 130.01 of the Camden County Code of Ordinances.

Adopted by the Board of Commissioners for the County of Camden this 4th day of May, 2009.

County of Camden

Philip Faison, Chairman
Board of Commissioners

ATTEST:

Ava Gurganus
Clerk to the Board

(SEAL)

Old Business - Ordinance No. 2009-04-02 – Amendments to Article 151.232 – Design Standards and Criteria for Major Subdivisions – Camden County Code of Ordinances

Commissioner Michael McLain made a motion to approve Ordinance No. 2009-04-02. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Approved Ordinance No. 2009-04-02 reads as follows:

Ordinance No. 2009-04-02

**An Ordinance
Amending the Camden County
Code of Ordinances**

Camden County, North Carolina

BE IT ORDAINED BY THE CAMDEN COUNTY BOARD OF COMMISSIONERS as follows:

Article I: Purpose

The purpose of this Ordinance is to amend the Article 151 of the Camden County Code of Ordinances of Camden County, North Carolina, which was originally adopted by the County Commissioners on December 15, 1997, and subsequently amended and as otherwise incorporated into the Camden County Code.

Article II. Construction

For purposes of this Ordinance, underlined words (underline) shall be considered as additions to existing Ordinance language and strikethrough words (~~strikethrough~~) shall be considered deletions to existing language. New language of proposed ordinance shall be shown in italics (*italics*) and underlined.

**Article III. Amend Section 151 as amended of the Camden County Code
which shall read as follows:**

CHAPTER 151: UNIFIED DEVELOPMENT

**~~MAJOR SUBDIVISION/PLANNED UNIT DEVELOPMENTS (PUD) DESIGN REQUIREMENTS;
REVIEW PROCEDURES AND APPROVAL PROCESS~~**

§ 151.232 DESIGN STANDARDS AND CRITERIA.

All major subdivisions shall be designed to meet the following requirements:

(A) *Streets and roads.*

(1) *All streets paved.* All streets within a subdivision must be developed to meet current state standards for road construction as contained in the *Subdivision Roads, Minimum Construction Standards Handbook*, as revised, published by the State Department of Transportation.

(2) *Coordination and continuation of streets.* The proposed street layout within a subdivision shall be coordinated with the existing street system of the surrounding area and, where possible, existing principal streets shall be extended.

(3) *Access to adjacent properties.* Where, in the opinion of the Board of Commissioners, it is necessary to provide for street access to an adjoining property, proposed streets shall be extended by dedication to the boundary of the property and a temporary turnaround easement shall be provided. The use of residential strips of land in order to prevent the extension of proposed or existing streets or access thereto is prohibited. Landlocked parcels shall not be created.

(4) *Marginal access streets.* Where a tract of land to be subdivided adjoins a principal arterial street, the subdivider may be required to provide a marginal access street parallel to the arterial street or reverse frontage on a minor street for the lots to be developed adjacent to the arterial. Where reverse frontage is established, private driveways shall be prevented from having direct access to the principal arterial. Also, a 25-foot non-access buffer zone will be required on the side of the lot which abuts the principal arterial street. A ten-foot buffer may be considered sufficient if the vegetation creates a year-round opaque screening or a combination of vegetation adjacent (facing) the right-of-way with a six-foot fence of solid construction from the ground up is provided. This buffer zone may be counted toward the open space requirement platted as open space or may be counted as a portion of each individual lot.

(5) *Construction standards.* All streets ~~intended to be~~ dedicated to the state shall have rights-of-way and construction meeting standards set by the State Department of Transportation for acceptance and maintenance as part of the state system of highways. The Division of Highways, through its District Highway Engineer, must approve the plat with respect to road construction, road width and right-of-way prior to recording. Without the approval, the plat cannot be recorded. ~~All private streets intended to remain under the maintenance, control and responsibility of a developer or homeowner's association shall provide certification by a licensed engineer that the streets have been constructed to state standards, without regard to minimum right of way requirements. Once the development meets the minimum housing requirements for state road acceptance, the developer shall petition NCDOT for state road acceptance. After inspection and upon receipt of outcome of said inspection, developer shall have twelve (12) months to turn over roads to NCDOT.~~

(6) *Signs.*

(a) Proposed streets which are obviously in alignment with existing streets shall be given

the same name. In assigning new names, duplication of existing names shall be avoided and in no case shall the proposed name be phonetically similar to existing names irrespective of the use of a suffix such as street, road, drive, place, court and the like. Street names shall be subject to the approval of the Planning Board. The subdivider shall be required to provide, erect and arrange for maintenance of street signs of a legible and durable construction. At least two street name signs shall be placed at each four-way street intersection and at least one at each "T" intersection. Signs shall be installed free of visual obstruction. Street name signs shall conform to County and State Department of Transportation standards.

(b) Traffic-control signs and signals, if deemed necessary by the State Department of Transportation, shall be erected and maintained by the developer at each street intersection within the subdivision and at each intersection of a subdivision street and a state-maintained road or access road. Signs shall comply with county and the State Department of Transportation regulations with regards to size, shape, color, location and information contained thereon. At least two or more traffic-control signs shall be placed at each four-way street intersection and at least one at each "T" intersection. Signs shall be installed free of visual obstruction.

(7) *Through traffic discouraged on minor streets.* Minor streets shall be so laid out that their use by through traffic will be discouraged. Streets shall be designed or walkways dedicated to assure convenient access to parks, playgrounds, schools and other places of public assembly.

(8) *Cul-de-sacs.* No cul-de-sac or dead end street shall exceed 1,000 feet in length nor be less than 100 feet in length, as measured from the closest street intersection centerline. Cul-de-sacs will be designed and constructed to meet state standards and NFPA standards. In addition, the entrance into the cul-de-sac shall be flared by sufficient width to ensure proper turning radius for emergency vehicles upon entering and exiting the cul-de-sac.

(9) *Intersections.* Intersections shall be designed to be more than 125 feet apart.

(10) *Access.* Where access to a subdivision site is by a road not meeting current state standards, that road shall be improved by the developer to meet current state standards.

(B) *Wetlands.* Where any lot or site includes an area of CAMA wetlands, as determined by on-site evaluation by the Division of Coastal Management Staff, the wetland area may not be counted as part of the minimum square footage required of any lot for development nor for any requirement for open space. CAMA wetlands are those lands which are subject to regular or periodic flooding and bear characteristic vegetation or as defined in the State Administrative Code described as any salt marsh or other marsh subject to regular or occasional flooding by tides, including wind tides provided this shall exclude hurricane or tropical storm tides. All 404 wetlands must be delineated and approved by the U.S. Army Corps of Engineers and a statement entered on the plat stating the existence of 404 wetlands on the property. Minimum lot areas may include 404 wetlands.

(C) *Soils.* No lots requiring over 24 inches of fill on over 50% of the lot shall be developed or used for building purposes.

(D) *Water access.* For subdivisions of 20 or more lots, where property being subdivided abuts public trust or estuarine waters, adequate areas suitable for access to those waters by the property owners shall be established. At a minimum, this area shall include 20,000 square feet, shall be contiguous to the tract being developed and must include a minimum of 20 linear feet of shoreline.

(E) *Utility and drainage easements.* Each subdivision must provide 10-foot easements for utilities and drainage, including but not limited to water and sewer mains along rear and side lot lines and 15 feet along front lines for service to all lots within the subdivision. Additional easements may be required due to topography or other physical features. Where a development concept is approved which requires zero lot line development, alternative easement locations may be considered.

(F) *Drainage.*

(1) Each subdivision shall provide adequate storm drainage for all areas in the subdivision. A combination of storage and controlled release of stormwater run-off is required. The release rate of stormwater from all developments shall not exceed the ten-year stormwater run-off from the area in its natural state (post-development vs. pre-development). All free flowing storm drainage systems shall be designed to accommodate the run-off generated by a ten-year design storm or State Department of Transportation (NCDOT) standards if more restrictive and the system will be maintained by NCDOT if the system is located within the NCDOT right-of-way. Plans must show, at minimum, the following information:

- (a) All culvert inverts, including driveway culverts;
- (b) Direction of flow;
- (c) Elevation data of drainways, ditches, swales and the like to outlet;
- (d) Drainage calculations for drainway design within boundaries of proposed subdivision and off-site, if appropriate; and
- (e) Total pre-development and post-development run-off in CFS (cubic foot per second) volume leaving development area.

(2) Plans must address maintenance of the drainage system and who will be the responsible party to ensure proper maintenance is performed on the drainage system. The plan will be reviewed and inspected by county planning and technical review staff.

(G) *Erosion.* Cut and fill shall be limited to affecting no more than 50% of the site. Fill shall not encroach on natural water courses, their floodplains or constructed channels in a manner so as to adversely affect water bodies or adjacent property owners. Further cut and fill restrictions shall apply in floodplains in accordance with §§ 151.380 through 151.387 and 151.400 through 151.403. Sediment traps, basins and other control measures for limiting erosion will be installed per a state approved erosion and sedimentation control plan and will be reviewed and inspected by county planning and technical review staff.

(H) *Cultural and historic.* The developer shall not destroy buildings and structures of cultural or historic significance, as determined by county technical staff in consultation with state preservation officials. No developer may usurp, abolish or restrict public access areas to the waters of the Pasquotank and North Rivers or the Albemarle Sound or other local bays, sounds, creeks, rivers or canals which public

access has been historically enjoyed by the people of the county.

(I) *Dedication.* The developer of any subdivision having 40 or more lots shall provide for land or improvements as authorized under G.S. § 153A-331.

(1) *Schools.* Where the County Commissioners and Board of Education have identified property for school sites pursuant to law, the developer shall set aside such property.

(2) *Community service facilities.* The county may require the donation of land and the construction of community service facilities in accordance with county policies, plans and standards to assure compliance with these requirements. Any land to be donated (or community service facilities to be constructed) shall be completed prior to recording of the final plat. The amount of land to be donated shall not be less than one acre of community facility property per 40 lots, or fraction thereof. The decision as to which land shall be donated shall be the sole discretion of the county.

(3) *Recreational land.* For recreational land, the developer shall, at the county's option, make a payment to the county of an amount of money equal to the value of one acre of land per 30 lots, or fraction thereof, as it would be appraised following its subdivision. Otherwise, the developer shall set aside one acre per 30 lots, or fraction thereof. Such land shall be in the name of the homeowner's association, with the title recorded in the Camden County Registry prior to recording the final plat.

(J) *Lots.*

(1) Every lot shall front or abut a state maintained road or paved subdivision street, except as provided for in a private access subdivision. Lot sizes, shapes and locations shall be made with due regard to topographic conditions, contemplated use and surrounding area. Minimum lot width shall be in accordance with §§ 151.060 through 151.068.

(2) Lots shall conform to the area, dimensional and building setback requirements as prescribed in this chapter for the appropriate zoning district in which the proposed subdivision will be located.

(3) Double frontage or reverse frontage lots shall be avoided, except when used in conjunction with the provisions for marginal access streets. Double frontage lots require a non-access buffer of 25 feet in addition to other dimensional requirements.

(4) Corner lots shall be ten feet wider than the required minimum in order to accommodate the additional setback required. Residential driveways on corner lots having frontage along a major arterial street shall be designed not to ingress/egress on major arterial streets.

(5) Side lot lines shall be substantially at right angles or radial to street lines. Where side lot lines intersect at the rear of the lot, the angle of intersection shall not be less than 60 degrees.

(a) Prior to the approval of the final plat, permanent reference points shall have been established in accordance with the requirements set forth in this section.

(b) At least one corner of the subdivision shall be designated by course and distance (tie) from a readily discernible reference marker.

(c) If a corner is within 2,000 feet of a U.S. Geodetic Survey or NC Grid System coordinated monument, then this corner shall be marked with a monument so designated by computed X and Y coordinates which shall appear on the map with a statement identifying this monument to an accuracy of at least one to 10,000.

(d) When a monument is not available, the tie shall be made to some pertinent and readily recognizable landmark or identifiable point, physical object or structure. However, if in the opinion of the Planning Board, a subdivision is of a small size, or if there is an existing tie within a reasonable distance of the subdivision, this shall not be required.

(e) Within each subdivision, at least two monuments designed and designated as control corners shall be installed. The surveyor shall employ additional monuments, if required.

(f) All monuments shall be constructed of #4 rebar surrounded by three-inch PVC pipe and filled with concrete.

(g) Each monument shall be set 24 inches in the ground unless this requirement is impractical because of unusual conditions.

(h) The allowable angular error of closure and the linear error of closure for surveys shall be in accordance with Standards of Practice for Land Surveying published by the State Board of Registration for Land Surveyors.

(K) *Flood elevation marker.* Where a subdivision contains more than five lots or more than five acres, there shall be located in the subdivision at least one flood elevation marker established by a registered land surveyor. See §§ 151.380 through 151.387 of this chapter for further criteria within special flood hazard areas.

(L) *Community mail boxes.* When the United States Postmaster requires in writing use of one or more community mailboxes in a major subdivision or planned unit development, the applicant must show on the preliminary plat and final plat, the location of the community mail box(es).

(M) *Bus stops.*

(1) The applicant for all major subdivisions and planned unit developments must show on the preliminary plat and final plat the location of bus stops that shall be used for the pick-up and drop-off of school children.

(2) (a) Bus stops shall be located at locations within the preliminary and final plat as approved by the School Superintendent or his or her designee.

(b) Each bus stop shall be not less than six feet long and three feet deep with a bench running the length of the rear of the bus stop.

(c) The sides of each bus stop shall be made of a clear or semi-clear material and the roof shall be constructed to keep rain off persons standing inside the bus stop.

(3) A note shall be placed on the preliminary and final plat stating that the homeowner's association shall be responsible for the maintenance of the bus stops.

(4) The requirements for a bus stop may be waived upon written approval of the waiver by the School Superintendent or his or her designee.

(N) *Buffer strips.* Major residential subdivisions shall provide a 50-foot perpetually maintained natural or landscaped vegetative buffer along all perimeter property lines of the tract of land to be subdivided that abuts all non-residential uses. This buffer shall be permanently set aside as open space. Ownership and maintenance of the required open space shall be the responsibility of the developer and/or a homeowners association. A 6:1 sloped ditch shall be located on the property line adjacent to the buffer. The required buffer shall include a minimum of two rows of trees and shall meet the following criteria:

- (1) At least 50% of the required trees shall be an evergreen species.
- (2) Each tree shall be a minimum ten feet in height and shall have a minimum caliper of two inches (measured four feet above grade) at time of planting.
- (3) Each tree shall be a species which can be expected to attain a minimum height of 40 feet and have a crown width of 30 feet or greater at maturity.
- (4) Minimum spacing in each row shall generally be no wider than 50 feet between tree trunks.
- (5) There shall be a minimum distance of 25 feet from the property line adjacent to the agricultural use and the first row of trees.

Adopted by the Board of Commissioners for the County of Camden this 4th day of May, 2009.

County of Camden

Philip Faison, Chairman
Camden County Board of Commissioners

ATTEST:

Ava Gurganus
Clerk to the Board

(SEAL)

Old Business - Resolution No. 2009-04-04 – A Resolution of the Camden County Board of Commissioners to Petition NCDOT to Convert A Portion of Wisteria Drive – Whitehall Shores Subdivision – from a Public Road to Private

Commissioner Michael McLain made a motion to approve Resolution No. 2009-04-04. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Approved Resolution No. 2009-04-04 reads as follows:

Resolution No. 2009-04-04

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION REQUEST FOR CLOSING OF A PORTION OF STATE MAINTAINED SECONDARY ROAD

**North Carolina
County of Camden**

Road Descriptions: Unpaved portion of Wisteria Road, Whitehall Shores Subdivision, Courthouse Township

WHEREAS, the Board of County Commissioners of the County of Camden is requesting that the above described road(s) be removed from Secondary Road system; and

WHEREAS, the Board of County Commissioners is of the opinion that the unpaved portion of the above described road should be removed from the Secondary Road 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 remove the unpaved portion from the Secondary Road system.

Philip S. Faison, 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 4th day of May, 2009.

Ava Gurganus
Clerk to the Board

(SEAL)

New Business - FY 2009-2010 Estimated Property Tax Values

Commissioner Michael McLain made motion to accept the FY2009-2010 Estimated Property Tax Values as submitted by the Tax Administrator. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

New Business - Board Appointments – Camden County Planning Board

Commissioner Garry Meiggs made a motion to re-appoint Michael Etheridge, Fletcher a. Harris and John Aydlett to the Camden County Planning Board for a term expiring June 30, 2012. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

New Business - Board Appointment – Senior Tar Heel Legislature Delegate

Commissioner Garry Meiggs made a motion to re-appoint Gwen Wescott as the Senior Tar Heel Legislature Delegate representative for Camden County to serve at the pleasure of the Board. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

New Business - Resolution No. 2009-05-02 – A Resolution of the Camden County Board of Commissioners Conveying Right of Way to NCDOT - US 158

Commissioner Michael McLain made a motion, seconded by Sandy Duckwall, to approve Resolution No. 2009-05-02. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Approved Resolution No. 2009-05-02 reads as follows:

RESOLUTION NO. 2009-05-02

**A RESOLUTION OF THE CAMDEN COUNTY BOARD OF COMMISSIONERS
CONVEYING RIGHT OF WAY TO NCDOT**

The Camden County Board of Commissioners of Camden, North Carolina, at its regular board meeting on Monday, May 4, 2009, discussed the business of conveying a Right of Way to the North Carolina Department of Transportation, an agency of the State of North Carolina.

The following resolution was offered by Commissioner Michael McLain, seconded by Commissioner Sandy Duckwall and, being put to a vote, was carried by a unanimous vote.

WHEREAS, the construction of State Highway Project 34430.2.4, R-2414A 010, makes it necessary for the North Carolina Department of Transportation to acquire a Right of Way from Camden County.

NOW, THEREFORE, be it resolved and by this resolution the Camden County Board of Commissioners does hereby authorize the Chairman of the Board of Commissioners to execute the necessary papers in behalf of the County of Camden.

ATTEST:

Philip S. Faison, Chairman
Camden County Board of Commissioners

Ava J. Gurganus
Clerk to the Board

(SEAL)

New Business - Solid Waste Contract

Tidewater Fibre Corporation will accept, process and market recyclables which are sent from the co-mingled compactors at South Mills.

Commissioner Garry Meiggs made a motion to approve the Tidewater Fibre Corporation contract for a term of one (1) year. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The proposed Waste Industries contract is an amended agreement to extend the existing contract for five (5) years and to have commingled compactors located at Chantilly and Shiloh convenient sites and no cost and no CPI increase or minimum wage increase for the contract year 2010 or Pasquotank County will provide collection and transportation of solid waste from the collection sites in Camden County.

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

New Business - Donation – Albemarle Senior Games

Commissioner Garry Meiggs made a motion to approve a donation to Albemarle Senior Games in the amount of \$300.00. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

New Business - Results of GovDeals

Commissioner Melvin Jeralds made a motion to accept the GovDeals surplus property bids for a 1997 Mercury Marquis at \$1,065.00 and one (1) lot of computer equipment at \$227.00 and authorize the Finance Officer to finalize the GovDeal sales. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

New Business - 2009-2010 Final Application for CAMA Public Beach and Coastal Waterfront Access Grant

Cooperative Extension Agent Mark Powell stated that the Commissioners previously approved the Extension Office to apply for a CAMA grant and the final application for the CAMA grant for the 4-H Treasure Point site is due by May 15, 2009. The total grant is \$250,000.00 with a \$25,000.00 local match; \$12,500.00 in cash which can be taken from the 4-H Treasure Point insurance funds and \$12,500 in kind service.

Commissioner Michael McLain made a motion to approve submittal of the final application for the 2009-2010 CAMA Public Beach and Coastal Waterfront Access Grant for the 4-H Treasure Point Camp. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison

voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

New Business - Approval of Application for Public School Capital Building Fund (Adm Fund) and North Carolina Education Lottery Fund Monies for School Debt Service Payment

The Camden County Board of Education approved and signed the applications for the drawdown of \$200,000.00 of NC Education Lottery funds and \$324,000.00 of PSCB (ADM) funds for the purpose of making debt service payments.

The application must also be approved by the Board of Commissioners. The Association of County Commissioners suggested that the application be sent as these funds will be frozen for the coming fiscal year. These funds will partially reimburse the School Capital Reserve Fund for debt service payments made.

Commissioner Sandy Duckwall made a motion to approve the application for Public School Capital Building Fund and North Carolina Education Lottery Fund Monies for School Debt Service Payment. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

SOUTH CAMDEN WATER & SEWER DISTRICT BOARD OF DIRECTORS

Chairman Philip Faison recessed the Board of Commissioners regular meeting at 7:52 p.m. and called the South Camden Water and Sewer District Board of Directors to order.

Member Sandy Duckwall made a motion to adjourn the South Camden Water and Sewer District Board of Directors meeting. The motion passed with Members Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Member voting no; no Member absent; and no Member not voting.

The Commissioners re-entered the regular meeting of the Camden County Board of Commissioners at 8:25 p.m.

Commissioner's Report

Commissioner Sandy Duckwall reported on recent trip with Commissioner Michael McLain to Raleigh on April 29, 2009 for County Assembly Day.

Chairman Philip Faison reported on attending a County Manager evaluation and Board Assessment class in Greenville on April 23, 2009 held by UNC School of Government.

County Manager's Report

County Manager Randell Woodruff reported on the following:

- Paddle for the Border held on Saturday, May 2, 2009
- Budget workbooks will be distributed on Thursday, May 7, 2009
- Budget work sessions will be held on Tuesday, May 19, 2009 at 7:00 p.m. and Wednesday, May 20, 2009 at 2:00 p.m.

Other Matters

Commissioner Michael McLain reminded everyone that MediaCom will be holding the Community Forum at the South Mills Ruritan on Tuesday, May 5, 2009 at 7:00 p.m.

Commissioner Melvin Jeralds asked the County Manager if he had received a Resolution from Jerry Parks of the ARHS, to which the County Manager replied it will be placed on the next meeting agenda.

Adjournment

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

The meeting adjourned at 8:33 p.m.

Philip S. Faison, Chairman
Camden County Board of Commissioners

ATTEST:

Ava J. Gurganus
Clerk to the Board