

**CAMDEN COUNTY BOARD OF COMMISSIONERS
JULY 18, 2016**

**Camden County Board of Commissioners
BOC - Regular Meeting
July 18, 2016
7:00 PM
Historic Courtroom, Courthouse Complex
Camden, North Carolina**

MINUTES

The regular meeting of the Camden County Board of Commissioners was held on July 18, 2016 in the Historic Courtroom, Camden, North Carolina. The following Commissioners were present:

WELCOME & CALL TO ORDER

Attendee Name	Title	Status
P. Michael McLain	Chairman	Present
Sandra Duckwall	Commissioner	Present
Garry Meiggs	Vice Chairman	Present
Clayton Riggs	Commissioner	Absent
Tom White	Commissioner	Present
Michael Brillhart	County Manager	Present
John Morrison	County Attorney	Present
Angela Wooten	Clerk to the Board	Present

INVOCATION & PLEDGE OF ALLEGIANCE

Commissioner Tom White

1. PUBLIC COMMENTS

None

2. CONSIDERATION OF AGENDA

Motion to approve the agenda as presented.

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RESULT:	PASSED [UNANIMOUS]
MOVER:	Tom White
AYES:	White, Meiggs, Duckwall, McLain
ABSENT:	Riggs

3. PRESENTATIONS

None.

4. OLD BUSINESS

A. Camden County Community Park Lighting Project Bids

County Manager Michael Brillhart presented the Board with three bids for the proposed Camden Community Park Lighting project.

After a brief discussion concerning the similarities between the bids as to the work to be done a motion was made to offer the contract to the lowest bidder.

RESULT:	PASSED [UNANIMOUS]
MOVER:	Garry Meiggs, Vice Chairman
AYES:	White, Meiggs, Duckwall, McLain
ABSENT:	Riggs

5. PUBLIC HEARINGS

A. Public Hearing – Ordinance No. 2016-06-03 Proposed Amendments to Code of Ordinances

Motion to go into Public Hearing on Ordinance No. 2016-06-03 Proposed Amendments to Code of Ordinances.

RESULT:	PASSED [UNANIMOUS]
MOVER:	Sandy Duckwall, Commissioner
AYES:	White, Meiggs, Duckwall, McLain
ABSENT:	Riggs

Dan Porter explained to the board that Open Space Subdivisions allows for lots as small as 20,000, 15,000 and 10,000 square feet under certain conditions with the availability of water and sewer with the preservation of 50% of the land as open space. However, it does not allow for

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smaller setbacks. If you have a lot that is 100 feet wide and 200 feet deep, current setbacks would limit an owner to a dwelling width of only 50 feet. Per the county attorney's letter, which was presented to the board, since the ordinance allows for smaller lot sizes in exchange for larger open space it would seem that setbacks would be diminished as well. The proposed amendment went to the Planning Board on June 15, 2016 and after discussion with Planning staff, the ordinance was recommended for approval.

Motion to close the public hearing.

RESULT:	PASSED [UNANIMOUS]
MOVER:	Tom White, Commissioner
AYES:	White, Meiggs, Duckwall, McLain
ABSENT:	Riggs

Motion to amend the agenda to add Ordinance 2016-06-03 to New Business, 6.B.

RESULT:	PASSED [UNANIMOUS]
MOVER:	Tom White, Commissioner
AYES:	White, Meiggs, Duckwall, McLain
ABSENT:	Riggs

B. Public Hearing – Ordinance 2016-06-02 Rezoning Application: Lindsey W. Hewitt

Motion to go into Public Hearing on Ordinance 2016-06-02 Rezoning Application.

RESULT:	PASSED [UNANIMOUS]
MOVER:	Garry Meiggs, Vice Chairman
AYES:	White, Meiggs, Duckwall, McLain
ABSENT:	Riggs

Dan Porter introduced the request. Mr. Lindsey Hewitt received permission from the property owner, Steve Dail, to apply to rezone one acre of the 26-acre parcel of land off Spence Lane in South Mills Township from General Use District (GUD) to Basic Residential (R3-1).

Mrs. Patricia Hewitt addressed the board. She stated that she and her husband, Lindsey Hewitt, are interested in purchasing the one-acre lot, which is part of the 26-acre farm, for residential purposes. Mrs. Hewitt stated that they received a positive vote from the Planning Board of 4-1.

Dan Porter presented to the Board photos and maps of the referenced property for further discussion. He also explained that small-scale rezonings are not illegal in North Carolina.

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Mrs. Hewitt questioned the Board as to the possibility of the county benefitting from the rezoning by changing the way in which the property is taxed.

Motion to come out of public hearing.

RESULT:	PASSED [UNANIMOUS]
MOVER:	Tom White, Commissioner
AYES:	White, Meiggs, Duckwall, McLain
ABSENT:	Riggs

Motion to add Ordinance 2016-06-02 to New Business, Item 6.C.

RESULT:	PASSED [UNANIMOUS]
MOVER:	Tom White, Commissioner
AYES:	White, Meiggs, Duckwall, McLain
ABSENT:	Riggs

6. NEW BUSINESS

A. Mixed Beverage Election

County Manager Brillhart stated that after a discussion at its July 12th meeting the Camden County Economic Development Commission has suggested that Mixed Beverage Election be looked at and discussed for consideration by the voters. The Commission is requesting that the Board of Commissioners look at a resolution that would call for a referendum on the General Election November 8, 2016.

County Attorney Morrison explained that there are two ways a liquor-by-the-drink referendum could occur: 1) A simple majority vote resolution vote by the Board of Commissioners to have it put on the ballot for the voters to decide. 2) 35% of the registered voters sign a petition in proper form and submit it to the Board of Commissioners.

Dan Porter stated that according to Elections Director Elaine Best, the deadline to have this request submitted to be on the November ballot is August 25th. According to state law, special referendums such as this can only be held in the years in which there is a General Election.

Commissioner Meiggs stated that this is an issue upon which the voters should decide. Commissioner Duckwall stated her support of the same. Commissioner White stated his support of the same.

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Motion to allow a Mixed Beverage Election on the November 1016 ballot.

RESULT:	PASSED [UNANIMOUS]
MOVER:	Garry Meiggs, Vice Chairman
AYES:	White, Meiggs, Duckwall, McLain
ABSENT:	Riggs

B. Ordinance 2016-06-03 Proposed Amendments to Code of Ordinances

Ordinance No. 2016-06-03

**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 Chapter 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 Chapter 151 as amended of the Camden County Code which shall read as follows:

CHAPTER 151: UNIFIED DEVELOPMENT

COMMON OPEN SPACE SUBDIVISIONS

§ 151.291 APPLICABILITY AND LOT SIZES.

(A) In any single-family residential subdivision, a developer may create open space subdivision lots that have or contain the minimum lot sizes as specified below, subject to Health Department approval, if the developer complies with the provisions of this subchapter.

(1) 20,000 square feet minimum, if there is no centralized water or sewer available to all of the lots;

(2) 15,000 square feet minimum, if there is either centralized water or centralized sewer available to all lots; or

(3) 10,000 square feet minimum, if there is both centralized water and centralized sewer available to all lots.

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(B) The intent of this section is to authorize the developer to decrease lot sizes and leave the land "saved" by so doing as open space, thereby lowering development costs and increasing the amenity of the project without increasing the density beyond what would be permissible if the land were subdivided into lots using conventional subdivision standards as provided in §§ 151.060 through 151.068.

(C) For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

OPEN SPACE. Those areas, as defined in §§ 151.195 through 151.200, except that subsurface waste water disposal fields and subsurface septic tanks, may, at the discretion of the Board of Commissioners, be counted as open space.

(D) ~~All setbacks, building height and lot coverage standards established in §§ 151.060 through 151.068 for development on lots, shall apply in common open space subdivisions.~~
Setbacks for Open Space Subdivisions shall be no less than 25 feet front/rear structural, 10 feet side structural, and 5 feet vehicular setback.

(E) (1) Previously approved subdivisions having valid sketch plan approval, may, at the discretion of the Board of Commissioners, request to develop the property in accordance with the common open space provisions at the density originally approved.

(2) Density bonuses shall not apply to subdivisions where the number of lots originally approved exceed current county density requirements.

Adopted by the Board of Commissioners for the County of Camden this day of July, 2016.

County of Camden

P. Michael McLain, Chairman
Board of Commissioners

ATTEST:

Angie Wooten
Clerk to the Board

Motion to approve amendment to Ordinance 2016-06-03.

RESULT:	PASSED [UNANIMOUS]
MOVER:	Tom White, Commissioner
AYES:	White, Meiggs, Duckwall, McLain
ABSENT:	Riggs

C. Ordinance 2016-06-02 Rezoning Application for Lindsey Hewitt

Ordinance No. 2016-06-02

**An Ordinance
Amending the Camden County
Zoning Map
Camden County, North Carolina**

Article I: Purpose

The purpose of this Ordinance is to amend the Zoning Map of Camden County, North Carolina, which was originally adopted by the County Commissioners on December 20, 1993, and subsequently amended.

Article II. Amendment to Zoning Map

The Official Zoning Map of Camden County, North Carolina, which was adopted on December 20, 1993, and subsequently amended, is hereby amended as follows:

The property currently shown in the Camden County Tax Assessor's Office as PIN 01-7989-00-36-1006, on acre as indicated in hereby re-zoned from General Use District (GUD) to Basic Residential (R3-1).

Article III. Penalty

1. Violations of the provision of this Ordinance or failure to comply with any of its requirements, including violations of any conditions and safeguards established in connection with grants of variances or Special Use or Conditional Use Permits, shall constitute a misdemeanor, punishable by a fine of up to five-hundred (\$500) dollars or a maximum thirty (30) days imprisonment as provided in G. S. 14-4.
2. Any act constituting a violation of the provisions of this Ordinance or a failure to comply with any of its requirements, including violations of any conditions and safeguards established in connection with the grants of variances or Special Use or Conditional Use Permits, shall also subject the offender to a civil penalty of one-hundred (\$100) dollars for each day the violation continues. If the offender fails to pay the penalty within ten (10) days after being cited for a violation, the penalty may be recovered by the county in a civil action in the nature of debt. A civil penalty may not be appealed to the Board of Adjustment if the offender was sent a final notice of violation in accordance with Article 151.568 and did not take an appeal to the Board of Adjustment within the prescribed time.
3. This Ordinance may also be enforced by any appropriate equitable action.

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4. Each day that any violation continues after notification by the administrator that such violation exists shall be considered a separate offense for purposes of the penalties and remedies specified in this section.
5. Any one, all or any combination of the foregoing penalties and remedies may be used to enforce this Ordinance.

Article IV. Severability

If any language in this Ordinance is found to be invalid by a court of competent jurisdiction or other entity having such legal authority, then only the specific language held to be invalid shall be affected and all other language shall be in full force and effect.

Article V. Effective Date

This Ordinance is effective upon adoption.

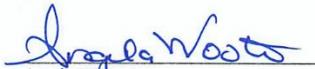
Adopted by the Board of Commissioners for the County of Camden this *18th* day of *July* 2016

County of Camden



P. Michael McLain, Chairman
Camden County Board of Commissioners

ATTEST:


Angie Wooten
Clerk to the Board

Motion that Ordinance 2016-06-02 Rezoning Application is non-consistent with Camden County's Comprehensive Plan.

RESULT:	PASSED [UNANIMOUS]
MOVER:	Garry Meiggs, Vice Chairman
AYES:	White, Meiggs, Duckwall, McLain
ABSENT:	Riggs

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Motion to approve Ordinance 2016-06-02 Rezoning Application as presented.

RESULT:	PASSED [UNANIMOUS]
MOVER:	Garry Meiggs, Vice Chairman
AYES:	White, Meiggs, Duckwall, McLain
ABSENT:	Riggs

7. BOARD APPOINTMENTS

A. Parks and Recreation Advisory Board – Keith Ward and Karen Friend

Motion to accept the recommendations presented.

RESULT:	PASSED [UNANIMOUS]
MOVER:	Sandy Duckwall, Commissioner
AYES:	White, Meiggs, Duckwall, McLain
ABSENT:	Riggs

B. Tourism Development Authority – Doug Cherrix.

Motion to accept the recommendations presented.

RESULT:	PASSED [UNANIMOUS]
MOVER:	Tom White, Commissioner
AYES:	White, Meiggs, Duckwall, McLain
ABSENT:	Riggs

C. Adult Care Home Community Advisory Committee

A resignation has been submitted from Dana Smith. Chairman McLain requested that anyone interested fill out a volunteer application form.

8. CONSENT AGENDA

- A. BOC Minutes – May 2, 2016
- B. BOC Minutes – June 20, 2016
- C. BOC Minutes – July 5, 2016

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D. Refunds Over \$100.00

REFUNDS OVER \$100.00

North Carolina Vehicle Tax System																		
NCVTS Pending Refund report																		
Payee Name	Primary Owner	Secondary Owner	Address 1	Address 2	Refund	Bill #	Plate #	Status	Transaction	Refund Description	Refund	Create	Authorization Date	Tax	Levy	Change	Interest	Total
RUSSELL	RUSSELL	RUSSELL	129 WILSON	SHILOH, NC	Provision	0028267328	EY3366	AUTHORIZED	8065226	Refund Generated due to error on Bill #0028267328-2015-2015-0000-00	Sumter	06/03/2016	03/23/2016 11:37:45 AM	1543	Tax	(\$2.59)	\$0.00	\$178.81
JOEY SHANE	JOEY SHANE	ANGIE RIGGS	RD	27874										3	Tax	(\$2.59)	\$0.00	\$178.81

Submitted by Lisa S. Anderson Date 7-5-16
 Lisa S. Anderson, Tax Administrator Camden County

Approved by P. Michael McLain Date _____
 P. Michael McLain, Chairman Camden County Board of Commissioners

NAME	REASON	TYPE NO.
Christopher Michael Foy	\$184.00 Turned in plates - for Refund	Pick-Up/19151 VTS-30278725
Ann Marie Loucks	\$115.56 Released - never lived in Camden	Pick-Up/19153 V-13010-00
Drachma, Inc.	\$2,932.63 Legal Fees	Pick-Up/19141 R-92399-15
Harry Spence c/o Mills Walston	\$190.44 Parcel created due to (2) 2014 survey billed with parent parcel.	Pick-Up/19140 R-94485-15
Joey Shane Russell	\$178.81 Turned in plates-for Refund	Pick-Up/19138 VTS-26067936
Abner Wayne Staples	\$208.41 Adjustment - Farm Use correction	Pick-Up/19159 R-93815-15

E. Refunds Over \$100.00

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REFUNDS OVER \$100.00

ACS Tax System
7/08/16 16:13:26

CAMDEN COUNTY

Refunds to be Issued by Finance Office

Refund\$	Remit To:	Reference:	Drawer/Transaction Info:
105.32	CAMDEN COUNTY TAX OFFICE P.O. BOX 125 CAMDEN NC 27921	2008 V 0024847 apply refund to V33378/2008	20160708 99 226243
208.41	STAPLES, ABNER WAYNE 1358 SOUTH 343 SHILOH NC 27974	2015 R 03-8972-00-83-3514.0000 farm use correction	20160708 99 226250
313.73	Total Refunds		***

Submitted by Lisa S. Anderson Date 7-8-16
 Lisa S. Anderson, Tax Administrator Camden County

Approved by _____ Date _____
 P. Michael McLain, Chairman Camden County Board of Commissioners

F. DMV Monthly Report

STATE OF NORTH CAROLINA

COUNTY OF CAMDEN

TO: The Tax Administrator of Camden County July Ren. Due 08/15/16

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
22,974.13	23,329.77	12,890.25	59,194.15

G. Tax Collection Report – June

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9. COMMISSIONERS' REPORTS

Chairman McLain reported that the Trillium Park Dedication took place at the Community Park. He also reported that the new SPCA has a new building. It is located on Enterprise Drive off of Pitts Chapel Road in Elizabeth City.

10. COUNTY MANAGER'S REPORT

For the August 1, 2016 meeting staff will prepare a resolution for the Board's review and consideration requesting for the Mixed Beverage Referendum. In order for it to go forward on the ballot will require the Board of Commissioners to approve it.

RECESS TO SOUTH CAMDEN WATER & SEWER DISTRICT BOARD OF DIRECTORS MEETING

I. PUBLIC COMMENTS

None

II. CONSIDERATION OF THE AGENDA

Commissioner Sandra Duckwall made a motion to accept the agenda as presented.

RESULT:	PASSED [UNANIMOUS]
MOVER:	Sandra Duckwall, Commissioner
AYES:	McLain, Duckwall, Meiggs, White

III. NEW BUSINESS

- A. David Credle gave the report for June 2016.

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South Camden Water & Sewer Board
Monthly Work Order Statistics Report
Period: June 2016

	Submitted Work Orders	Completed Work Orders	Percentage Completed	Status of Uncompleted Work Orders
Water Collection/Distribution	102	102	100%	0
Sewer	5	5	100%	0

Locates:

Water Line: 47

Sewer Line: 5

Water & Sewer, same ticket: 1

Public Works Director Notes/Comments:

Ten work orders have been reviewed for accuracy.

The raw water main to connect the new Seymour Well to the Water Treatment Plant has been installed and is currently being tested. The new well is under construction.

IV. CONSENT AGENDA

- A. SCWSD Draft Minutes.

Commissioner Tom White made a motion to approve the consent agenda as presented.

RESULT:	PASSED [UNANIMOUS]
MOVER:	Tom White, Commissioner
AYES:	McLain, Duckwall, Meiggs, White

V. OTHER

None

VI. ADJOURN

The meeting adjourned at 7:33 PM.

Michael McLain, Chairman
Camden County Board of Commissioners

ATTEST:

Angela L. Wooten
Clerk to the Board

11. INFORMATION, REPORTS & MINUTES FROM OTHER AGENCIES

- A. 2016-2017 Final State Budget Summary
B. Register of Deeds Monthly Report

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C. NCACC Review of 2016 Short Session

D. Resolution Opposing House Bill 763: an Act to Protect North Carolina's Military
Footprint

12. OTHER MATTERS

None.

With no further matters to be discussed, Chairman McLain adjourned the Board of
Commissioners Meeting.

Chairman, Board of Commissioners

ATTEST:

Clerk to the Board