

**REGULAR SESSION OF THE PAMLICO COUNTY BOARD OF
COMMISSIONERS
MONDAY JULY 7, 2008**

The Pamlico County Board of Commissioners met in regular session on Monday July 7, 2008 in the Patsy H. Sadler Room of the Pamlico County Courthouse. All Commissioners were present with exception of Commissioner Carl Ollison. Also present were County Attorney Jim Hicks, County Manager Tim Buck and Clerk to the Board Kathy P. Cayton.

Chairman Doug Brinson called the meeting to order, delivered the invocation and led the assemblage in the Pledge of Allegiance.

Commissioner Carl Ollison arrived.

Chairman Doug Brinson called for corrections and/or additions to the minutes of the June 16, 2008 regular and closed session and the June 30, 2008 Budget Session. There being none on a motion made by Commissioner Ann Holton and seconded by Commissioner Christine Mele, the following resolution was unanimously approved.

BE IT RESOLVED, the regular and closed session minutes of the June 16, 2008 meeting and regular minutes for the June 30, 2008 Budget Session are hereby approved and the Chairman's signature is authorized thereon.

Chairman Doug Brinson asked if there were any additions and/or deletions to the agenda. Commissioner Christine Mele requested the addition of a resolution regarding the modified Stormwater Rules. On a motion made by Commissioner Paul Delamar and seconded by Commissioner Ann Holton, the following resolution was unanimously approved.

BE IT RESOLVED, the addition of the resolution regarding the modified Stormwater Rules is hereby approved.

Chairman Doug Brinson declared the Public Hearing for the 2006 CDBG Scattered Site Grant Program open. He asked if there were any members of the Public to speak.

There were none.

Chairman Doug Brinson declared the Public Hearing closed.

Chairman Doug Brinson recognized Mr. Larry Moolenaar, Eastern Carolina Council (ECC) who came before the Board to give their annual update of programs and services.

Chairman Doug Brinson asked if there were any members of the Public who would like to speak during Public Comment Period. There was one member of the public to speak.

- Mr. Bronte Jones: Mr. Jones told Board Members that he does community service work in the area. He said that Ms. Caroline Harvey passed away on July 5, 2008 and had finally been approved for a replacement home the week before she died. He asked that the rules for CDBG homes be changed he went further to state that poor people shouldn't have to wait three or four years for help because they don't reach a certain criteria.

There were no other members of the Public to speak.

On a motion made by Commissioner Ann Holton and seconded by Commissioner Paul Delamar, the following resolution was unanimously approved.

BE IT RESOLVED, the 2006 Scattered Site CDBG grant project amendment that would transfer \$40,000 from the rehabilitation line item to the relocation/replacement line item is hereby approved.

The Board then turned their attention to the Consent Agenda.

On a motion made by Commissioner Jimmy Spain and seconded by Commissioner Ann Holton, the following resolutions were unanimously approved.

BE IT RESOLVED, the following tax releases are hereby approved.

| Name | Year | Tax/Ticket | Reason | Amount |
|-----------------|------|-------------|---------------------|-----------|
| Peak Trailer | 2006 | 19053/16186 | Trailer sold | \$ 15.40 |
| Szentesi, Otto | 2007 | 19566/17887 | Bill for wrong year | \$ 135.34 |
| Buckner, Matt | 2006 | 18540/2004 | Boat Double-listed | \$ 9.27 |
| Irelands Rental | 2007 | G041-78 | SW doubled taxed | \$ 102.05 |

BE IT RESOLVED, the 2008-2009 ROAP Grant Public Hearing is hereby set for August 4, 2008.

BE IT RESOLVED, the request for the Pamlico County Human Services Work First Program Policy Status to remain "Standard" is hereby approved.

BE IT RESOLVED, the request from Ms. Jayne Robb, Economic Developer to submit a letter of interest for a Pre-Disaster Mitigation Grant is hereby approved.

BE IT RESOLVED, the request from Ms. Jayne Robb, Economic Developer to advertise for “intent to lease” mitigated property that is located at 15756 NC Hwy 304, Hoboken is hereby approved.

The Board then turned their attention to the Correspondence Agenda.

County Manager Tim Buck brought the Board a request to transfer \$38,000 of unspent Pamlico County ROAP funds. There would be \$13,000 sent to Craven County and the remaining \$25,000 would go back to the State.

On a motion made by Commissioner Ann Holton and seconded by Commissioner Jimmy Spain, the following resolution was unanimously approved.

BE IT RESOLVED, the request to transfer \$38,000 of unspent Pamlico County ROAP funds is hereby approved. There will be \$13,000 sent to Craven County and the remaining \$25,000 will be sent back to the State.

On a motion made by Commissioner Jimmy Spain and seconded by Commissioner Paul Delamar, the following resolution was unanimously approved.

BE IT RESOLVED, the four (4) lot subdivision owned by Bairds Creek, LLC., known as Bairds Creek Landing is hereby approved.

On a motion made by Commissioner Jimmy Spain and seconded by Commissioner Roy Brinson, the following resolution was unanimously approved.

BE IT RESOLVED, that the two (2) lot subdivision owned by Michael Brown, Jesse B. Cahoon and Barry Conklin, known as Cedar Gut Estates is hereby approved.

On a motion made by Commissioner Jimmy Spain and seconded by Commissioner Ann Holton, the following resolution was unanimously approved.

BE IT RESOLVED, that the thirteen (13) lot subdivision owned by Kershaw Creek Properties, LLC, known as The Cloisters, Phase II is hereby approved contingent upon the three (3) recommendations by Mr. Rob Will, Contract Planner being met.

On a motion made by Commissioner Christine Mele and seconded by Commissioner Ann Holton, the following resolution was unanimously approved.

BE IT RESOLVED, the request from Commissioner Paul Delamar to be excused from voting on the 2006 CDBG Scattered Site Bid due to conflict of interest, is hereby approved.

On a motion made by Commissioner Jimmy Spain and seconded by Commissioner Roy Brinson, the following resolution was unanimously approved.

BE IT RESOLVED, the apparent low bidders for performing demolition services related to the 2006 CDBG Scattered Site Grant are hereby approved.

| | |
|---------------------------------|----------------|
| Ray Barrow Construction | \$4,000 |
| Rick Bostic Construction | \$2,668 |

County Manager Tim Buck informed Board Members that due to drainage and ingress/egress issues with the Health Department building, County Engineer Jim Galloway has recommended replacing three (3) existing concrete walks and pouring one new walk.

A motion was made by Commissioner Ann Holton and seconded by Commissioner Roy Brinson, and the Board unanimously agreed **to table** the request for the sidewalks until more information can be gathered.

County Manager Tim Buck told Board Members that Pamlico County must update the multi-jurisdictional plan prior to November 8, 2009. A Planning Committee is required to meet State requirements for soliciting input. The following appointments are recommended for County representation.

- 7 Citizens
- Skip Lee- Building Inspector
- Tim Buck-County Manager
- David Spruill-Emergency Manager
- Amy Spruill-NFIP Administrator
- Jayne Robb-Planner/Economic Developer

He requested the approval of the above members to serve as County representatives and also asked that the Board solicit interested applicants for the seven (7) citizen appointments. The deadline for applications is the first meeting in August, 2008. The Towns will be requested to appoint one representative for the irrespctive town.

On a motion made by Commissioner Paul Delamar and seconded by Commissioner Christine Mele, the following resolution was unanimously approved.

BE IT RESOLVED, the following appointment recommendations to serve as County representatives are hereby approved.

- **7 Citizens**
- **Skip Lee- Building Inspector**
- **Tim Buck-County Manager**
- **David Spruill-Emergency Manager**
- **Amy Spruill-NFIP Administrator**
- **Jayne Robb-Planner/Economic Developer**

On a motion made by Commissioner Roy Brinson and seconded by Commissioner Paul Delamar, the following resolution was unanimously approved.

BE IT RESOLVED, the request for a bond extension for Carraway Cove is hereby approved for three (3) months only. July 7, 2008 until October 7, 2008.

On a motion made by Commissioner Jimmy Spain and seconded by Commissioner Paul Delamar, the following resolution was unanimously approved.

BE IT RESOLVED, that the following Planning Board Members are hereby reappointed.

| | |
|--------------------------|-------------------|
| Mr. Nick Santoro | Township 2 |
| Mr. Denard Potter | Township 1 |
| Mr. Vernon Rose | Township 5 |

On a motion made by Commissioner Paul Delamar and seconded by Commissioner Jimmy Spain, the following resolution was unanimously approved.

BE IT RESOLVED, the following Pamlico County Facility Use policy is hereby approved.

BE IT FURTHER RESOLVED, the County Manager is hereby directed to create an appropriate form for usage.

PAMLICO COUNTY FACILITY USE POLICY AND REGULATIONS

Pamlico County recognizes the benefit of granting permission to individuals and recognized groups/organizations for the use of County facilities and may grant such approval upon the submission of a written

application. When considering facility rental requests, however, Pamlico County will give priority to programs by and for Pamlico County Governmental Departments and Agencies.

Generally, commercial organizations or activities are prohibited from using Pamlico County owned facilities; excepting those activities that are sponsored by a Pamlico County Governmental Department.

The following regulations relate to the use of County facilities. All requests must be requested to the County Clerk to the Board's office with respect to County facilities at least one week in advance, and approved by the County Manager. The County Manager has the sole discretion to approve/disapprove the use based on the best interests of Pamlico County.

Please examine these regulations before completing an application:

General Agreement:

All applicants must:

- Guarantee orderly behavior while using the facility. Use of alcoholic beverages is prohibited.
- No weapons, concealed or otherwise without permission
- In the case of County parks, observe all Park Rules and Regulations
- Indemnify and hold the County harmless for any damage due to their use of the facility and agree to make prompt restitution
- Ensure that their activity is lawful and in conformity with regulations of the County
- Acquire insurance for certain uses at the discretion of the County Manager
- Pamlico County reserves the right to charge a security deposit and/or fee if necessary

Applicant Eligibility:

Responsibility for the use of the facilities and observance of regulations shall rest upon the adult applicant (18 years of age older) who signs the application of reservation. If the applicant represents an organization, the applicant must be an authorized agent for the organization.

Application:

- A written application shall be required, on a form issued by the County.
- Approved applications are not transferable

To the extent that there are any other policies the applicant will agree to abide by those regulations as well.

County Manager Tim Buck officially announced that Pamlico County had received the Clean Water Partners Supplemental Grant in the amount of \$339,000 for the Dechlorination Project.

On a motion made by Commissioner Jimmy Spain and seconded by Commissioner Carl Ollison, the following resolution was unanimously approved.

BE IT RESOLVED, the request from County Manager Tim to take vacation the week of July 21, 2008 is hereby approved.

On a motion made by Commissioner Jimmy Spain and seconded by Commissioner Roy Brinson, the following resolution was unanimously approved.

RESOLUTION IN SUPPORT OF A PROPOSED COMMITTEE SUBSTITUTE FOR S1967 RESULTING IN WORKBLE COASTAL STORMWATER RULES

WHEREAS, the Counties of Pamlico, Hyde, Tyrrell, Perquimans, Camden, Gates, Chowan, Beaufort, Washington, Currituck, Pasquotank, Bertie, and Hertford unanimously adopted resolutions opposing the efforts of the Environmental Management Commission to rewrite 15A NCAC 02H.1005 STORMWATER REQUIREMENTS COASTAL COUNTIES; and

WHEREAS, Pamlico County is one of the thirteen (13) CAMA counties named above; and

WHEREAS, Pamlico County worked actively throughout the Spring and Summer of 2008 to achieve workable Coastal Stormwater Rules to regulate stormwater run-off pollutants in the jurisdiction of Pamlico County; and

WHEREAS, Pamlico County views the protection of water quality as vital to its interest in economic development and quality of life; and

WHEREAS, Pamlico County issues this Resolution of Support provided no other amendments or other committee substitutes replace the proposed committee substitute for S1967;

NOW THEREFORE BE IT RESOLVED, that Pamlico County supports the proposed changes to Coastal Stormwater Rules as specified in the proposed committee substitute for S1967.

Approved this the 7th day of July 2008

s/s J. Douglas Brinson
Chairman

A motion was made by Commissioner Carl Ollison and seconded by Commissioner Paul Delamar, the Board went into closed session in accordance G. S. 143.318. 11 (a) 3 & 6 client attorney privilege and personnel issue.

On a motion made by Commissioner Paul Delamar and seconded by Commissioner Carl Ollison, the Board went back into open session.

Attorney Kyle Dickerson told members of the public that action was taken in closed session regarding the Shareheart litigation case and being a confidential matter it will not be disclosed.

There being no further business on a motion made by Commissioner Carl Ollison and seconded by Commissioner Paul Delamar, the Board adjourned until July 21, 2008 at 7:00 p.m.

Chairman

Clerk to the Board