

**REGULAR SESSION OF THE PAMLICO COUNTY BOARD OF
COMMISSIONERS
MONDAY AUGUST 18, 2008**

The Pamlico County Board of Commissioners met in regular session on Monday August 18, 2008 at 7:00 p.m. in the Patsy H. Sadler Room of the Pamlico County Courthouse. All Commissioners were present. Also present were County Attorney Jimmie Hicks, County Manager Tim Buck and Clerk to the Board Kathy P. Cayton.

Chairman Doug Brinson called the meeting to order.

Chairman Doug Brinson called for additions and/or deletions to the August 4, 2008 minutes. There being none on a motion made by Commissioner Ann Holton and seconded by Commissioner Roy Brinson, the following resolution was unanimously approved.

BE IT RESOLVED, the minutes of the Monday August 4, 2008 meeting are hereby approved and the Chairman's signature is authorized thereon.

Chairman Doug Brinson asked if there were any additions or deletions to the agenda. County Manager Tim Buck presented two additions and one deletion.

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 changes to the agenda are hereby approved.

- **Delete: Senior Center Building Use Policy Revision.**
- **Add : JCPC Appointments
Voting Delegate for the NCACC Annual Conference**

Chairman Doug Brinson then called the Public Hearing for the 2008 North Carolina Community Development Block Grant (CDBG) Program open.

Mr. David Cox, RSM Harris & Associates presented the project activities that will be undertaken along Jones Lane near Bayboro, N.C. The funds applied for will be in the amount of \$588,000 with a \$30,000 contribution from the County. There were two members of the public to ask questions. The first question asked was the location of Jones Lane and the second question was if there were any other grants available.

Chairman Doug Brinson then called the public hearing closed.

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

RESOLUTION OF THE BOARD OF COMMISSIONERS FOR THE COUNTY OF PAMLICO AUTHORIZING THE FILING OF APPLICANTS FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

WHEREAS, the North Carolina Division of Community Assistance had made Community Development Block Grant Funds available to counties and cities across the state; and

WHEREAS, the Board of Commissioners of the County of Pamlico desires to undertake certain community development activities within the County; and

WHEREAS, all requirements have been met in preparing an application for funding, including public hearings and citizens' participation;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF PAMLICO

THAT, the Chairman of the Board of Commissioners of the County of Pamlico be authorized and directed to submit an application to the Division of Community Assistance for Community Block Grant Funds in the amount of \$588,000; and

THAT, if CDBG Funds are received, community revitalization activities (including housing rehabilitation, acquisition, relocation, clearance, street, drainages, water and sewer improvements) will be undertaken in the Jones Lane Project and Local Option Project; and

THAT, if CDBG Funds are received, the County of Pamlico will contribute \$ 30,000 in unrestricted general funds to the Project; and

THAT, the Chairman of the Board of Commissioners and County Manager of the County of Pamlico be authorized and directed to act in connection with the application, to provide such additional information as may be required, and to execute any and all documents related to said application including the grant agreement upon successful funding of the project application; and

FINALLY THAT, the County of Pamlico will comply with all Federal and State laws, regulation, rules and Executive Orders.

DULY ADOPTED THIS 18TH DAY OF AUGUST, 2008 BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF PAMLICO.

Chairman Doug Brinson recognized Attorney Jason Kay, North Carolina Institute for Constitutional Law who wanted to make the County aware of their potential standing in a lawsuit concerning Senate Bill 6 and that representation would be free of charge. The Board thanked Mr. Kay for his presentation.

Mr. Sammy Spencer, Chairman of the Florence / Whortonsville Volunteer Fire Department who came before the Board requesting a public hearing for response on the annexation of a portion of Weaver Camp Road into the Florence / Whortonsville Fire District to incorporate this area into the Fire Tax District and Insurance District.

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

BE IT RESOLVED, the request for a public hearing on Tuesday September 15, 2008 regarding the Florence/Whortonsville Volunteer Fire Department for the annexation of a portion of Weaver Camp Road into the Florence/Whortonsville Fire District and incorporating this area into the Fire Tax District and Insurance District is hereby approved.

Chairman Doug Brinson recognized Ms. Jenita Shepard, Director of Technology Pamlico County Schools who gave a presentation of "The 21st Century Classroom" showcasing technology highlights from the 2007-2008 school year.

The Board then turned his attention to the Consent Agenda.

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

BE IT RESOLVED, the Tax Collector's Monthly Report for June is hereby approved.

BE IT RESOLVED, the Tax Collector's Preliminary Report is hereby approved (see attached).

BE IT RESOLVED, the Forestry Service Agreement for 2008-2009 is hereby approved.

BE IT RESOLVED, the 2008-2009 Home and Community Care Block Grant for Older Adults is hereby approved.

BE IT RESOLVED, the request for Mr. Nick Santoro to be Commissioner Christine Mele’s proxy at the Coastal Resources Advisory Committee meeting in September is hereby approved.

BE IT RESOLVED, the following Budget Revisions are hereby approved.

The original budget is being revised with this Budget Revision. A Budget Amendment will revise the total dollar amount, either increase or decrease, of the original Budget Ordinance. A Line Item Transfer will revise the dollar amounts allocated between different programs in a department with more than one budget code or different line items within a single department code but will not increase or decrease the budget ordinance.

(R)=REVENUES (E)=EXPENDITURES FISCAL YEAR 2008-2009

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT (-) DECREASED
104962-519900 (E)	General Fund-Soil Conservation-Contracted Services	\$ 19	
104962-523000 (E)	-Education Supplies	780	
104962-526000 (E)	-Office Supplies	75	
104962-529005 (E)	-Safety	25	
104962-531000 (E)	-Travel	1,190	
104962-535200 (E)	-M&R-Equipment	60	
100000-439900 (R)	General Fund-Balance Sheet Accounts-Fund Balance Approp.	2,149	

Reason for Budget Revision:

This budget amendment represents a request from the Soil Conservation Director, Julia Lee, to reinstate the amounts listed above back into her budget. The Board approved the adding back of these amounts into this budget code at their final 6/30/2008 budget meeting. The director stated that these amounts were not part of her budget when the County’s Fiscal Year 2008-2009 budget was adopted. Even though I had stated these were added back into the budget, I could not find the new amounts in the County’s Financial Budget files. Ms. Lee had requested similar cuts be added back into the 104961 Soil Conservation Cost Share budget at the same time. I reviewed my budget notes and have indicated by my “Added Back-JP” notation that they were indeed added back into the budget file. My notation “OK” signifies a second check to see that they were added back into the file. I cannot explain why these do not show in her 104962 budget code. I have checked others that were added back into the budget file and have found no other incident of this nature. Please approve the appropriation of additional funds to correct this, seemingly, error.

The original budget is being revised with this Budget Revision. A Budget Amendment will revise the total dollar amount, either increase or decrease, of the original Budget Ordinance. A Line Item Transfer will revise the dollar amounts allocated between different programs in a department with more than one budget code or different line items within a single department code but will not increase or decrease the budget ordinance.

(R)=REVENUE (E)=EXPENDITURES FISCAL YEAR 2008-2009

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT (-) DECREASED
105111-532000 (E)	General Fund-Bio-Terrorism-Telephone		\$12,995
105111-555000 (E)	-Capital Outlay	\$12,995	

Reason for Budget Revision:

This budget amendment is requested by the Health Director, Howard Ellis, to transfer funds into the Capital Outlay account from the telephone account. The bio-terrorism funds were budgeted in the telephone account. However, since the cost of the equipment puts the purchase under the County’s Capitalization Policy guidelines, funds must be

transferred into the Capital Outlay account. The equipment was purchased on August 8, 2008. A check was also processed so the funds were spent on the same day.

The original budget is being revised with this Budget Revision. A Budget Amendment will revise the total dollar amount, either increase or decrease, of the original Budget Ordinance. A Line Item Transfer will revise the dollar amounts allocated between different programs in a department with more than one budget code or different line items within a single department code but will not increase or decrease the budget ordinance.

FISCAL YEAR 2006-2007

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT (-) DECREASED
100213-435852 (R)	General Fund-Rest. State Other-Intervention/Delinquency	\$256	
100000-439900 (R)	General Fund-Balance Sheet Accounts-Fund Balance Approp	162	
105835-500000 (E)	General Fund-DJJP Intervention Delinquency-Expenditure	418	

Reason for Budget Revision:

This budget amendment is requested to properly account for the increased funding by the DJJDP program for StillWaters. The County's Fiscal Year 2008-2009 budget showed estimated amounts for the revenues, \$59,287, and expenditures, \$65,079. This budget amendment will balance the FY2008-2009 budget to reflect the actual revenues, \$59,543, and expenditures, \$65,497 associated with the DJJDP Funding Agreement. The Appropriated Fund Balance increase brings the County budgeted match difference of \$5,792 to the required \$5,954. The County determined match requirement is 10%.

BE IT RESOLVED, the request for county manager Tim Buck and Economic Developer Jayne Robb as the Designated Agents for signatory purposes on the Hazard Mitigation Plan is hereby approved.

BE IT RESOLVED, the following Tax Releases are hereby approved.

Name	Year	Tax/Ticket	Reason	Amount
Simpson Bush Hogging	2001	18164/30510	Business Closed	\$ 90.42
Joel Arrington	03-07	21005	Incorrect square footage	1,218

The Board then turned their attention to the Correspondence Agenda.

County Manager Tim Buck told Board Members the Board of Education only received \$87,000 for low wealth funding this year (including the Charter School) \$119,033 less than received last year. Superintendent Rick Sherrill is requesting the County to fund the short fall of \$119,033.

On a motion made by Commissioner Ann Holton and seconded by Commissioner Jimmy Spain, the following resolution was passed by majority vote. Commissioner Christine Mele cast a dissenting vote.

BE IT RESOLVED, the request from the Board of Education for \$119,033 to cover the shortfall of the low wealth funding is hereby approved.

BE IT FURTHER RESOLVED, the payments will be made in monthly allotments.

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

BE IT RESOLVED, that \$119,033 will be transferred from the General Fund to be distributed to the Board of Education for the loss of low wealth funding.

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

BE IT RESOLVED, the request from Jail Administrator Russell Willis for heat detectors to replace malfunctioning beam detectors in the recreation area of the jail is hereby approved. The cost of the detector is approximately \$4,274.

County Manager Tim Buck told Board Members that County Engineer Jim Galloway had conducted a bid opening for the project to install sidewalks at the Health Department with Hardy Construction as the apparent low bidder. Mr. Galloway was then informed the Board had requested a solution to the drainage issues with the Health Department Building.

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

BE IT RESOLVED, that Hardy Construction being the apparent low bidder to install sidewalks and a solution to the drainage issues at the Health Department is hereby approved. The bid being \$2,105.40 for the sidewalk and \$6,700 for improvements for the total cost of \$8,805.40.

BE IT FURTHER RESOLVED, that staff members are hereby authorized to sign contract documents.

County Manager Tim Buck told Board Members that a bid opening for the painting and maintaining four (4) water tanks was held on July 29, 2008 and the apparent low bidder was J & W of North Carolina Inc. (J & W) with a bid of \$249,600.

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

BE IT RESOLVED, the apparent low bidder J & W of North Carolina Inc. for the painting and maintenance of the following four (4) water tanks Vandemere, Merritt, Grantsboro and Reelsboro at the cost of \$249,600 is hereby approved.

County Manager Tim Buck informed Board Members that the Town of Oriental had agreed to let the county use a site adjacent to their water tower to be used as a recycling center. The cost for clearing and preparation for the site is estimated at \$20,000 and the town has agreed to a five (5) year lease with an annual renewal after five (5) years. Board members agreed that the cost was prohibitive.

A motion was made by Commissioner Christine Mele and seconded by Commissioner Ann Holton, and unanimously agreed upon to **take no action** on the proposed recycling site by the water tower site in Oriental.

On a motion made by Commissioner Paul Delamar and seconded by Commissioner Carl Ollison, the following resolution was passed by majority vote. Commissioners Ann Holton and Christine Mele cast dissenting votes.

BE IT RESOLVED, that Mr. Arthur Kelly is hereby appointed to the Bay River Metropolitan Sewerage Board to replace Mr. Dwight Turnage who has submitted his resignation.

Commissioner Carl Ollison then brought forth Ms. Violet Ollison as his nomination for Township 4 seat on the Planning Board. County Attorney Jim Hicks suggested Commissioner Ollison recuse himself from voting due to the fact Ms. Ollison is his wife. Commissioner Carl Ollison recused himself from voting.

The nomination of Ms. Violet Ollison failed for lack of a majority vote due to a tie vote. Commissioners Ann Holton, Christine Mele and Jimmy Spain cast dissenting votes.

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

BE IT RESOLVED, the Beaver Management Assistance Program for October 1, 2008 until September 30, 2009 at the cost of \$4,000 is hereby approved.

County Manager Tim Buck said the Recreation Advisory Committee met on August 12, 2008 to discuss the Diamonds for Kids Project with a purpose of recommending a final plan. The Committee requested clarification to the Board on the budget for the project. Currently, \$110,000 is budgeted in the current fiscal year (2008-2009). In fiscal year 2007-2008 \$110,000 was also budgeted, but not utilized. County Manager Buck said it would be optimal for \$220,000 to be allocated for the current Year's portion of the project.

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

BE IT RESOLVED, the Recreation Department Diamonds for Kids Master Plan to include changing the field to a multi-purpose field is hereby approved.

BE IT RESOLVED, the Fiscal Year 2008-2009 budget will be \$220,000. \$110,000 from Fiscal Year 2007-2008 that was not utilized and \$110,000 for current year.

BE IT FURTHER RESOLVED, staff is hereby authorized begin acquiring the necessary permits and clearing the land.

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

BE IT RESOLVED, the following appointments to the JCPC Board are hereby approved. These appointments are for two (2) years.

- **Wade Sawyer**
- **Jan Hood**
- **Krystal Murphy**
- **Richard Baldwin**
- **June Hardison**

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

BE IT RESOLVED, that Commissioner Ann Holton will be the voting delegate for Pamlico County at the 100th Annual NCACC Conference.

On a motion made by Commissioner Jimmy Spain and seconded by Commissioner Carl Ollison, the Board went into closed session in accordance with G.S. 143.318.11 (a) 5 & 6 to discuss the applicants, qualifications and salary negotiations for the Field Operations Manager Position.

On a motion made by Commissioner Christine Mele and seconded by Commissioner Jimmy Spain, the Board went back into open session.

There being no further business on a motion by Commissioner Jimmy Spain and seconded by Commissioner Roy Brinson, the Board adjourned until Tuesday September 2, 2008 at 7:00 p.m.

Chairman

Clerk to the Board