

**Windsor, North Carolina
April 3, 2013
Regular Meeting**

The Bertie County Board of Commissioners met for a regular meeting at 10:00 AM in the Commissioners Room with the following members present or absent:

Present: J. Wallace Perry, Chairman
Charles L. Smith, Vice-Chairman
Rick Harrell
John Trent
Ronald "Ron" Wesson

Absent: None

Staff Present: Interim County Manager John E. Whitehurst
Assistant County Manager Misty Deanes
County Attorney Lloyd Smith

Chairman Perry opened the meeting.

INVOCATION & PLEDGE OF ALLEGIANCE

Commissioner Smith led the invocation and Pledge of Allegiance.

PUBLIC COMMENTS

MR. THADD WHITE OF THE BERTIE LEDGER ADVANCE REGARDING OPEN HOUSE

Mr. White invited the Board and citizens to the Open House that day from 5 PM until 7 PM at the Bertie Ledger Advance Office.

APPOINTMENTS

MR. MIKE BARNETTE OF MCDAVID ASSOCIATES REGARDING THE 2012 CDBG INFRASTRUCTURE PROGRAM

Mr. Mike Barnette stated that Bertie County submitted a "Letter of Interest" for the 2012 CDBG Infrastructure funds on September 14, 2012 and was invited to meet with DCA staff on November 13, 2012 to consider submission of a full application. Mr. Barnette stated that the County subsequently submitted a full application for 2012 CDBG IF funds on February 19, 2013. Mr. Barnette stated that as a part of the application process, the Board conducted public hearings on September 13, 2012 and December 3, 2012. Mr. Barnette stated that the County anticipates an award of 2012 CDBG Infrastructure funds and the first steps the County needs to take is to accept and budget the anticipated grant award.

Mr. Barnette stated that this agenda item contains a Resolution to Accept the Grant and a Grant Program Budget. Mr. Barnette stated that staff recommends the Board approve these two items to allow the County to move forward expeditiously upon receipt of the formal grant offer from the State.

Commissioner Smith introduced a **MOTION** to approve the resolution. Commissioner Wesson **SECONDED** the motion. The **MOTION PASSED** unanimously.

The resolution reads as follows:

**RESOLUTION BY THE BOARD OF COMMISSIONERS
OF
BERTIE COUNTY
2012 CDBG-IF PROGRAM**

WHEREAS, Bertie County has the need for water line improvements in the County, and;

WHEREAS, Bertie County has applied for funding from the State of North Carolina under the Small Cities Community Development Block Grant Program, and;

WHEREAS, Bertie County anticipates the State will offer a \$284,000 grant under the Small Cities Community Development Block Grant Program;

NOW, THEREFORE, BE IT RESOLVED, *that contingent upon receiving a grant offer, the Bertie County Board of Commissioners hereby accepts the State of North Carolina Small Cities Community Development Block Grant Offer of \$284,000;*

THAT, J. Wallace Perry, Chairman, *is hereby authorized to accept this grant offer on behalf of Bertie County and execute the Grant Agreement and Funding Approval;*

Adopted this 3rd day of April, 2013.

J. Wallace Perry
Chairman

ATTEST:

Misty J. Gibbs
Clerk to the Board

Commissioner Wesson introduced a **MOTION** to approve the budget for this program. Commissioner Smith **SECONDED** the motion. The **MOTION PASSED** unanimously.

The budget is as follows:

GRANT PROGRAM BUDGET

**BERTIE COUNTY
2012 CDBG-IF PROGRAM**

Be it ordained by the Board of Commissioners of Bertie County, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the County adopts the following Grant Program Budget:

Section 1. The Program authorized is the Community Development Block Grant Program (CDBG) described in the work statement contained in the grant agreement between this unit and the Division of Community Assistance (DCA). This project is more familiarly known as the 2012 CDBG-IF Program.

Section 2. The officers of this unit are hereby directed to proceed with the Grant Program Budget within the terms of the grant documents, the rules and regulations of the Division of Community Assistance and the budget contained herein.

Section 3. The following revenues are anticipated to be available to complete this Program:

2012 CDBG IF Program	\$284,000
Bertie County local funds	<u>0</u>
Total	\$284,000

Section 4. The following amounts are appropriated for the Program:

C-1 Water Improvements	\$256,200
C-1 Administration	<u>27,800</u>
Total	\$284,000

Section 5. The finance officer is hereby directed to maintain within the Grant Program Fund sufficient specific detailed accounting records to provide the accounting to the grantor agency required by the grant agreement and federal and state regulations, and is authorized to sign Budget Revisions to amend this budget within limits

authorized by NC DCA for budget changes not requiring a program amendment.

Section 6. Funds may be advanced from the General Funds for the purpose of making payments as due. Reimbursement requests should be made to the grantor agency in an orderly and timely manner.

Section 7. The finance officer is directed to report annually on the financial status of each project element in Section 4 and on the total grant revenues received or claimed.

Section 8. The budget officer is directed to include a detailed analysis of past and future costs and revenues on this grant project in every budget submission made to this board.

Section 9. Copies of this grant project ordinance shall be made available to the budget officer and the finance officer for direction in carrying out this Program.

Contingent upon receiving a grant offer from DCA, the Board of Commissioners adopts this Budget this the 3rd day of April, 2013.

J. Wallace Perry
Chairman

ATTEST:

Misty J. Gibbs
Clerk to the Board

TAX ADMINISTRATOR HOSEA WILSON REGARDING TAX AND TAG

Tax Administrator Hosea Wilson discussed the proposed estimated budget options for the cost of taking on the License Plate Agency as a County function, if the Board so chose to do that. Mr. Wilson stated that in all scenarios, even with the License Plate Agency revenues, the County would lose money. The lowest estimate would include having only one full-time employee at a cost of \$55,881.00 per year with approximately \$32,000.00 to \$40,000.00 of revenue coming in to offset that cost. Mr. Wilson stated that he had talked to Tyrrell County and Martin County regarding their experiences with taking on this office.

Commissioner Wesson stated that he felt staff should have additional dialogue with the Chamber of Commerce regarding taking on this service.

Commissioner Harrell stated that the Board of Commissioners should not consider taking over this service unless the Chamber of Commerce makes a formal request for the Board to do so. Mr. Wesson discussed the letter sent by the Chamber of Commerce regarding this service.

Mr. Wilson and Interim County Manager Whitehurst discussed the strain it would put on the Tax Office if an employee in that office had to be cross trained to cover that office if the County chose to only hire one full-time employee. Mr. Whitehurst informed the Board that the State would have to approve the County taking over this service, and such approval could take six to eight months. Mr. Whitehurst also noted that the County would have an additional cost of remodeling space for this office.

Mr. Wilson discussed the expenses that the County would incur to offer this service that the Chamber of Commerce does not currently have to incur. Mr. Wilson discussed that this office must remain separate in functions because it has to follow a different set of policies and procedures set by the State. Mr. Wilson stated that the Martin County office also registers boats, which would increase the workload in the office.

The Board directed Commissioner Wesson and the Interim County Manager to meet with the Chamber of Commerce to discuss this matter.

**BUILDING AND GROUNDS SUPERVISOR ANTHONY RASCOE REGARDING
REMEDICATION AT THE DAY REPORTING CENTER**

Interim County Manager Whitehurst stated that the Building and Grounds Supervisor had to review bids for this project and get further clarification before this matter should be discussed. The Board tabled this matter.

CONSENT AGENDA

Commissioner Harrell introduced a **MOTION** to approve the tax error ledgers from January 31, 2013 and February 28, 2013. Commissioner Smith **SECONDED** the motion. The **MOTION PASSED** unanimously.

Commissioner Smith introduced a **MOTION** to approve the minutes from February 20-22, 2013 with changes by the County Attorney. Commissioner Trent **SECONDED** the motion. The **MOTION PASSED** unanimously.

Commissioner Harrell introduced a **MOTION** to approve the minutes from March 4, 2013 with changes by the County Attorney. Commissioner Smith **SECONDED** the motion. The **MOTION PASSED** unanimously.

DISCUSSION AGENDA

**RESOLUTION ON BEHALF OF THE PARTNERSHIP FOR THE SOUNDS AND THE
ROANOKE/CASHIE RIVER CENTER**

The Board discussed the proposed resolution.

Commissioner Harrell introduced a **MOTION** to approve the resolution. Commissioner Smith **SECONDED** the motion. The **MOTION PASSED** unanimously.

The resolution reads as follows:

**RESOLUTION ON BEHALF OF
THE PARTNERSHIP FOR THE SOUNDS AND THE
ROANOKE/CASHIE RIVER CENTER**

Whereas, the Partnership for the Sounds built the Roanoke/Cashie River Center in the Town of Windsor in Bertie County and opened it 2000; and

Whereas, Bertie County has joined with the Town of Windsor and State of North Carolina in investing substantially in the continued operation of the Center since that time; and

Whereas, the Center brings great pride to the community through its outstanding exhibits and programs celebrating this area's natural resources and cultural heritage; and

Whereas, the Center is one of the County's most visible tourism attractions; and

Whereas, the Center and Partnership work diligently to be involved and cooperative partners with Bertie County and other local attractions, organizations, and businesses; and

Whereas, the presence of the Center and Partnership brings economic benefit to the local business community through tourism development, the purchasing of goods and services, enhanced quality of life, and other avenues; and

Whereas, the Center and Partnership provide productive full-time and part-time employment for over 25 area residents whose lives and livelihoods are invested in the betterment of this community and region,

Now, therefore, let it be resolved the Bertie County Board Commissioners encourages the General Assembly of North Carolina to make every effort to provide funding that will continue to enable the full-time operation of the Roanoke/Cashie River Center and Partnership for the Sounds, Inc.

This the 3rd day of April, 2013.

J. Wallace Perry, Chairman

Misty J. Gibbs, Clerk to the Board

RESOLUTION TO MAINTAIN AND SUPPORT THE CURRENT INTEGRITY AND FUNDING FOR THE PARKS AND RECREATION TRUST FUND

Commissioner Wesson introduced a **MOTION** to approve the resolution. Commissioner Harrell **SECONDED** the motion. The **MOTION PASSED** unanimously.

The resolution reads as follows:

A RESOLUTION TO MAINTAIN AND SUPPORT THE CURRENT INTEGRITY AND FUNDING FOR THE PARKS AND RECREATION TRUST FUND (PARTF)

WHEREAS, North Carolina is known for its unique and scenic natural resources and opportunities for recreation with a long tradition of its citizens and visitors enjoying parks, mountains, rivers, greenways, beaches and more. Generations of residents and visitors have delighted in these landscapes and park facilities; and

WHEREAS, The Parks and Recreation Trust Fund (PARTF) was established with bi-partisan support on July 16, 1994 to fund improvements in the state's park system, to fund grants for local governments and to increase the public's access to the state's beaches and coastal waterways; and

WHEREAS, since its inception The Parks and Recreation Trust Fund has provided \$161 million via 722 grants to 370 local governments in 99 counties and has been matched with \$312 million of local and private dollars for the purchase of local park land, building and renovation of facilities and development of greenways and trails; and

WHEREAS, North Carolina's population has grown to make it the 10th most populous state in the nation with projections for the significant growth to continue in the coming decades, and more state and local parks are needed to meet the increased demands; and

WHEREAS, parks are identified as key contributors to North Carolina's tourism industry that generates nearly \$20 billion in annual economic impact; and

WHEREAS, parks in North Carolina are experiencing record visitation levels including over 14.25 million to state parks in both 2011 and 2012; and

WHEREAS, The Parks & Recreation Trust Fund has leveraged funds that allowed our State to acquire land for state parks and state natural areas and protected nearly 83,000 acres and made major additions to the Mountains-to-Sea State Trail; and

WHEREAS, The Parks & Recreation Trust Fund has funded capital improvement projects in the state parks such as visitor centers and exhibit halls which provide tremendous opportunities to educate students and all citizens about North Carolina's outstanding natural resources, and other capital projects including campgrounds, picnic areas, boating facilities, trails and swimming beaches; and local capital projects including construction of community centers, athletic fields and greenways; and

WHEREAS, the annual economic impact to local economies of all tourists visiting the state parks system was estimated at more than \$400 million in sales and income, as well as nearly 5,000 jobs according to a 2008 study.

WHEREAS, a portion of The Parks & Recreation Trust Fund is designated for the Public Beach and Coastal Waterfront Access Program to improve access to beaches and coastal waterways by funding public boat ramps and public beaches accesses; and

WHEREAS, access to parks, recreation facilities and open space provides cost-effective opportunities for citizens of all ages to participate in health and wellness activities thereby reducing costs associated with obesity, heart disease, diabetes and high blood pressure; and

WHEREAS, research has documented that structured park and recreational opportunities in local communities can prevent crime and provide positive activities and directions for young people; and

WHEREAS, dedicated, recurring funding of the Parks & Recreation Trust Fund allows for structured and objective planning and efficient management of the system at both the state and local levels for today and future generations; and

WHEREAS, the success of The Parks and Recreation Trust Fund is due to the dedicated funding source provided by a portion of the deed stamp tax, and is recognized nationally as a model for efficiency and accountability; and

NOW, THEREFORE, BE IT RESOLVED, that the Bertie County Board of Commissioners does call on the members of the General Assembly to maintain dedicated revenues generated by seventy-five cents of the deed stamp tax for The Parks and Recreation Trust Fund.

The Clerk is directed to send a copy of this resolution to each of the members of the General Assembly representing the people of Bertie County and the North Carolina Recreation and Park Association.

This the 3rd day of April, 2013

J. Wallace Perry, Chairman

Attest:

Misty J. Gibbs, Clerk

COMMISSIONERS' REPORTS

Mr. Wesson stated that he had attended a course in New Bern on Health and Human Services for counties, noting that it was a very informative class and encouraging others to take the course as well.

COUNTY MANAGER'S REPORTS

EMERGENCY MEDICAL SERVICES

Interim County Manager Whitehurst stated that there would be a conference call that afternoon to discuss the proposed draft EMS request for proposals.

PUBLIC HEARING ON REZONING

Mr. Whitehurst stated that the Town of Windsor would hold the public hearing regarding the possible rezoning of Pintail Drive on April 11, 2013 at 8:30 AM.

COUNTY ATTORNEY'S REPORTS

FRACKING WASTE RESOLUTION

County Attorney Smith stated that he had spoken with the attorney for Dare County and Bertie County would probably be receiving a request to pass a resolution opposing fracking waste. Mr. Smith stated that this resolution is something the Board may want to consider passing.

BOARD OF EDUCATION LETTER

Mr. Smith stated that his office had received a letter from the Board of Education asking to spend the funds from the recent sale of some of its facilities on capital outlay projects. Mr. Smith stated that the letter details those projects.

The Board and staff discussed its allocations to the Board of Education and procedures for making those allocations.

Commissioner Wesson stated that he had recently seen an article that said that the Board of Education had recently received substantial new funds to pay teacher supplements. Commissioner Harrell asked about the source of these new funds and how were they being spent. The Board and staff discussed this matter. The Board discussed the importance of having a good relationship with the Board of

Education and also the importance of having this financial information in order to make decisions for the budget.

The Board discussed having a meeting with the Board of Education versus writing a letter with this request and decided to have the County Attorney write a letter as soon as possible. The Board asked to review the letter for approval before it was mailed. County Attorney Smith stated that he would either go upstairs after the meeting and dictate the letter to the Clerk to the Board or go directly to his office and have his assistant type up the letter. The Board directed County Attorney Smith to write the letter as soon as possible.

Commissioner Trent introduced a **MOTION** asking the County Attorney to send a very friendly letter asking the Board of Education to please outline what new funds were received and how those funds were spent and to send this information on or before their budget presentation on May 6, 2013. Commissioner Smith **SECONDED** the motion. The **MOTION PASSED** unanimously.

PUBLIC COMMENTS CONTINUED

There were no comments.

DISCUSSION CONTINUED

INQUIRY ABOUT RESOLUTIONS

Chairman Perry asked the Clerk to the Board for an update on the status of the Second Amendment/public records resolution and the resolution opposing Sunday hunting, both of which were passed at the last meeting. Ms. Gibbs stated that the second amendment/public records resolution had been signed and sent to Bertie County's representatives and that she had been in discussions with the Chairman about the resolution opposing Sunday hunting and had just received direction from him to model Bertie County's resolution off of the resolution opposing Sunday hunting from Tyrell County. Ms. Gibbs stated that this resolution would be sent to the Board for approval and then signed once approved.

REPORTS FROM LEWISTON-WOODVILLE EMS

Commissioner Trent stated that the Board had requested a three month budget report from Lewiston-Woodville EMS regarding their work at Colerain EMS, but had not received a report to date. Interim County Manager Whitehurst stated that he would talk to Emergency Management Coordinator Mitch Cooper and get an update on those reports.

RECESS

Chairman Perry recessed the meeting until 1:30 PM.

RECONVENE

The Bertie County Board of Commissioners reconvened its meeting in the Commissioners Room with the following members present or absent:

Present:	J. Wallace Perry, Chairman Charles L. Smith, Vice-Chairman Rick Harrell John Trent Ronald "Ron" Wesson
Absent:	None
Staff Present:	Interim County Manager John E. Whitehurst Assistant County Manager Misty Deanes

CONVENE AS THE BOARDS FOR WATER DISTRICTS I, II, III AND IV

Commissioner Smith introduced a **MOTION** to convene as the Boards for Water Districts I, II, III and IV. Commissioner Harrell **SECONDED** the motion. The **MOTION PASSED** unanimously.

Mr. Charles Joyner and Mr. Rich Moore of McDavid Associates were present for these discussions. Water System Manager Ricky Spivey was present as well.

UPDATE ON CONSUMPTION, PRODUCTION AND SALES IN WATER DISTRICTS

Mr. Rich Moore made a presentation with information he had gathered about water production, consumption and sales in each district. The Board and staff discussed the information presented, as well as performance in each of the water districts.

Commissioner Trent inquired as to the responsibilities of McDavid Associates in operation of the County's water system. Mr. Rich Moore discussed the role of McDavid Associates in the operations of the County's water system and the responsibilities of the Water Department in most counties in the current way the County has chosen to utilize their services.

AGREEMENTS FOR SALE OF WATER AND EMERGENCY INTERCONNECTION

During the discussion regarding the water districts, the sale of water to other municipalities and counties and emergency interconnections was discussed. The Board directed staff to review and compare each of the agreements Bertie County currently holds for the sale of water and emergency interconnection.

The Board discussed a situation in the Town of Powellsville where the water was turned on for the Town via the emergency interconnection and remained on with no supervision for a long period of time. Water System Manager Ricky Spivey stated that he did not know who turned on the connection valve. The Board discussed the current status of this interconnection with Mr. Spivey and the procedure for these interconnections to prevent a similar situation from happening in the future.

SOUTH WINDSOR WATER

Mr. Moore stated that he had received a call from the Local Government Commission stating that South Windsor Water System has an active request for loan money to upgrade its system at this time. Mr. Moore stated that since South Windsor Water System is a nonprofit organization, there are different requirements to obtain funds for water system improvements. Commissioner Wesson stated that he believed this was a grant to identify existing water connections, which would cost approximately \$700.00. Mr. Moore stated that this application was probably a different application and was apparently done last year because of leaks and deterioration of lines.

SERVICES PROVIDED BY MCDAVID ASSOCIATES

Commissioner Trent asked if McDavid Associates was on retainer with Bertie County. Mr. Moore and Mr. Joyner stated that McDavid Associates is not on retainer, but bills as they do a project.

WATER SUPPLY TO AVOCA FARMS

The Board discussed a letter received on February 16, 2009 from Avoca Farms regarding its water supply needs. The Board and staff discussed its water supply needs at this time.

DISCUSSION OF EXISTING PRIVATELY FUNDED CHECKLIST

The Board and staff discussed the existing privately funded checklist. Mr. Joyner stated that the current checklist does not address water to commercial locations, only to subdivisions. Mr. Joyner recommended that the Board form a committee to look at updating its checklists. Mr. Whitehurst suggested that the Board look at a nonresidential policy in addition to the current policy, since the current policy was fine for residential water supply. The Board agreed. Mr. Joyner was instructed to send a sample checklist with policy.

WATER METERS FOR BLACK ROCK SUBDIVISION

Mr. Joyner stated that he had received a request from a citizen in Black Rock regarding a water meter at his home. Mr. Joyner stated that this citizen had purchased a home from his father-in-law. Mr. Joyner stated that his father-in-law had paid the \$50 fee and signed the paperwork for the new water customer sign up program in that area, which would have entitled his father-in-law to a water meter at no additional fee when the water lines are installed to that subdivision. Mr. Joyner stated that the normal fee for such service with Bertie County is \$1,050.00. Mr. Joyner stated that the citizen had inquired if that benefit would transfer to him, since he now owned the home. The Commissioners expressed some requirements for classifying the arrangement as a transfer with a \$100.00 charge. The Board and staff discussed this matter. The Board directed Assistant County Manager Gibbs to look into how this type of situation has been handled by the Water Department and Board in the past.

ADJOURN AS THE BOARD FOR WATER DISTRICTS I, II, III AND IV

Commissioner Harrell introduced a **MOTION** to adjourn as the Board for Water Districts I, II, III and IV. Commissioner Trent **SECONDED** the motion. The **MOTION PASSED** unanimously.

ADJOURN

Chairman Perry adjourned the meeting.

J. Wallace Perry, Chairman

Misty J. Deanes, Clerk to the Board