

**Windsor, North Carolina
September 8, 2015
Regular Meeting**

The Bertie County Board of Commissioners met for their regularly scheduled meeting at 4:00pm at 106 Dundee Street, Windsor, NC. The following members were present or absent:

Present: Ronald "Ron" Wesson, District I
Stewart White, District II
Tammy A. Lee, District III
John Trent, District IV
Ernestine (Byrd) Bazemore, District V

Absent: None

Staff Present: County Manager Scott Sauer
Clerk to the Board Sarah S. Tinkham
Assistant County Attorney Jonathan Huddleston
Finance Officer William Roberson
Planning Director Traci White
Nuisance Abatement Officer Barry Anderson
Parks & Recreation Director Donna Mizelle
Network Systems Administrator Joe Wilkes
Emergency Services Director Mitch Cooper
Non-Emergency Transport Coordinator Ian Trainor

Gene Motley of the Roanoke-Chowan News Herald was present from the media.

CALL TO ORDER

Chairman Wesson called the meeting to order, and thanked those present for their attendance.

INVOCATION/PLEDGE OF ALLEGIANCE

Chairman Wesson led the Invocation and Pledge of Allegiance.

PUBLIC COMMENTS

There were no public comments.

APPOINTMENTS

Review grant award for children's handicap accessible playground as it relates to pending update for master plan of pending Recreation Complex (last visited in 2003)

Parks and Recreation Director, Donna Mizelle, was present to update the Board on a grant that the Department had just received from Trillium Health Resources (formerly East Carolina Behavioral Health).

The grant amount being received is \$250,000 and it will be used to build a handicap accessible playground on the current grounds of the Bertie County Recreation Complex.

The Board received sample photos as well as an aerial map of the Recreation Complex. The specific location of the playground was also discussed.

Ms. Mizelle invited the Board to attend the check presentation ceremony that will take place on Wednesday, September 16, 2015 at the Recreation Complex.

The playground will be completed by June 2016.

Hyper Reach presentation and Public Officials Conference led by Emergency Services Director, Mitch Cooper

Mitch Cooper, Emergency Services Director, led all Board members and relevant County staff in a Public Officials Conference to review the County's Emergency Management Operational Plan.

Mr. Cooper presented a PowerPoint detailing disaster response protocols and other important items.

Additionally, he introduced the Board to the new alert system, Hyper Reach, and encouraged all Board members and citizens to sign up for the system as soon as possible by visiting the County's website (<http://www.co.bertie.nc.us>).

Questions were raised by the Board about the old system, and whether or not the data was being transferred, and also inquired about other ways to be sure citizens are aware of severe weather alerts.

Mr. Cooper stated that CenturyLink landline telephone numbers had already been programmed in the system, and that the system can notify citizens via text, phone call, and email. He also stated that he is working to secure the data from the old alert system to this alert system, but that it would not hurt for citizens to go ahead and re-register their information by using the County website.

Community Based Recreation update by Donna Mizelle and Heidi Bonislawski – status of citizen surveys and community meetings which will be held in Colerain, Aulander, and Lewiston-Woodville

Ms. Mizelle and Heidi Bonislawski of the Windsor YMCA were present to also give an update to the Board about the latest happenings with community based recreation.

Ms. Bonislawski stated that they were having trouble receiving completed surveys that were recently distributed to the municipalities of Colerain, Aulander, and Lewiston-Woodville. They stated that only a handful have come back as of this meeting.

Ms. Mizelle and Ms. Bonislawski shared their concerns and also asked for any additional resources that they could utilize in reaching more citizens to receive additional survey responses.

The Board suggested faith based leaders and church associations, as well as the school system, and also encouraged Ms. Mizelle and Ms. Bonislawski to continue to persevere as best as possible as the Board knew this program could take some time to get its feet off the ground.

Ms. Bonislawski also shared news that the State office of the YMCA will provide a trained facilitator to help conduct the community meetings and to build consensus regarding programming for each community.

Agency program update by Adalia Powell, Treasurer of the Bertie County Arts Council

Adalia Powell, Treasurer of the Bertie County Arts Council, provided an update to the Board regarding the council's latest events at the Windsor Gallery.

She stated that programs for children continue to be a focus as well as showcasing local artists. She also discussed the impact and continued success of the "Evening with Santa" program that is provided during every holiday season.

Ms. Powell discussed some grant opportunities as well as introduced the Board to the Art Council's theater initiatives which bring live stage performances to various schools and public buildings for citizens and their children to enjoy.

The Board commended the Art's Council for its great work, and encouraged them to continue to branch out and try to broaden its reach so that more and more citizens are aware of the many programs the Council offers.

Agency program update by Bobby Williams, Site Manager of the Hope Foundation

This presenter had to be rescheduled for an alternative date.

BOARD APPOINTMENTS

Workforce Development Board

After some discussion, it was recommended by the County Manager to recommend that Morris Rascoe and Michael Freeman be reappointed to the Workforce Development Board as representatives of Bertie County.

Commissioner Bazemore made a **MOTION** to reappoint Morris Rascoe and Michael Freeman to the Workforce Development Board as recommended by the County Manager. Commissioner Trent **SECONDED** the motion. The **MOTION PASSED** unanimously.

Tri-County Airport Authority Board

Commissioner Bazemore made a **MOTION** to reappoint Lewis C. Hoggard, III to the Tri-County Airport Authority Board. Commissioner Trent **SECONDED** the motion. The **MOTION PASSED** unanimously.

CONSENT AGENDA

Chairman Wesson suggested a new protocol for consideration of consent agenda items, many of which are administrative in nature and have been previously discussed or approved at a previous meeting.

He mentioned budget amendments as an example of an agenda item that has already been “given the green light” which now must be established with line item budgets in place.

Commissioner Trent made a **MOTION** to approve the Consent Agenda items collectively below as presented. Commissioner White **SECONDED** the motion. The **MOTION PASSED** unanimously.

1. **Fees Report** – Register of Deeds
2. **Minutes** for August 17, 2015
3. **Budget Amendments** #16-03 and #15-09

BUDGET AMENDMENT				
		# 16-03		
		INCREASE		INCREASE
57-0025-4301-01	\$	1,717,000	57-8260-5396-01	\$ 2,351,755
57-0025-4301-03	\$	1,074,000	57-8260-5396-12	\$ 371,400
57-0070-3981-63	\$	264,000	57-8260-5396-18	\$ 5,000
			57-8260-5396-29	\$ 6,500
			57-8260-5396-38	\$ 10,000
			57-8260-5396-40	\$ 5,000
			57-8260-5396-44	\$ 50,169
			57-8260-5430-01	\$ 20,000
			57-8260-5991-00	\$ 235,176
	\$	3,055,000		\$ 3,055,000
TO SETUP BUDGET FOR WATER DISTRICT III WATER SYSTEM IMPROVEMENTS THE PROJECT ORDINANCE WAS APPROVED - AUGUST 3, 2015 MEETING.				
		INCREASE		INCREASE
10-0030-4480-01	\$	241,826	10-4340-5121-00	\$ 115,232
			10-4340-5126-02	\$ 19,704
			10-4340-5181-00	\$ 10,874
			10-4340-5182-00	\$ 10,190
			10-4340-5183-00	\$ 36,326
			10-4340-5238-00	\$ 8,000
			10-4340-5250-00	\$ 9,000
			10-4340-5510-00	\$ 32,500
				\$ 241,826
TO INCREASE BUDGET TO COVER NIGHT SHIFT ALS TRANSPORT THIS ITEM WAS APPROVED ON THE AUGUST 17, 2015 MEETING				
APPROVED 9/8/2015				

BUDGET AMENDMENT				
		# 15-09		
		INCREASE		INCREASE
63-0040-4710-01	\$	31,000	WDIII	63-7113-5399-00 \$ 31,000
TO INCREASE BUDGET FOR GREEN ENGINEERING PAYMENT - WATER PROJECT - FY 15. THIS ITEM WAS PASSED ON AUGUST 3, 2015 MEETING.				
APPROVED _ / _ /2015				

4. **Bid award** for CDBG Farm Lane project – 2012/CDBG water improvements with a bid award to CGC, Inc. for the low bid amount of \$104,400 and issuance of the “Notice of Award” so that the contractor may proceed immediately.

The bid award is attached:

SECTION 00511
NOTICE OF AWARD

To: CGC, Inc.
P.O. Box 387
Harrellsville, NC 27942

PROJECT Description: 2012 CDBG/Water Improvements
Contract No. 1 - Water Improvements

The OWNER has considered the BID submitted by you for the above described WORK in response to its ADVERTISEMENT FOR BIDS dated August 3, 2015, and INFORMATION FOR BIDDERS.

You are hereby notified that your BID has been accepted for items in the amount of One hundred four thousand four hundred and 00/100 Dollars (\$104,400.00).

You are required by the INFORMATION FOR BIDDERS to execute the AGREEMENT and furnish the required CONTRACTOR'S PERFORMANCE BOND, PAYMENT BOND and certificates of insurance within twenty (20) calendar days from the date of this Notice to you.

If you fail to execute said AGREEMENT and to furnish said BONDS within twenty (20) days from the date of this Notice, said OWNER will be entitled to consider all your rights arising out of the OWNER'S acceptance of your BID as abandoned and as a forfeiture of your BID BOND. The OWNER will be entitled to such other rights as may be granted by law.

You are required by G.S. 143-128.2(c) to submit a list of all identified subcontractors (whether minority business or not) that you will use on this CONTRACT within thirty (30) calendar days after award of the CONTRACT.

If you fail to submit a list of all identified subcontractors within thirty (30) calendar days after award of the CONTRACT, the OWNER will be entitled to consider all your rights arising out of the OWNER'S acceptance of your BID as abandoned and as a forfeiture of your BID BOND. The OWNER will be entitled to such other rights as may be granted by law.

5. Agreement for HCCBG services in FY2016

6. **Agreement** with Board of Education for EMS CADET program and once the contract is fully executed by all parties, it will be attached to these minutes.

DISCUSSION

Planning & Inspections Director, Traci White – discuss date for joint meeting with the Planning Board to review the Land Use Plan and the draft Manufactured Home Park Ordinance

Planning Director, Traci White, was present to discuss a date for a joint meeting with the Commissioners and the Bertie County Planning Board.

She suggested the date and time of the next pre-scheduled Planning Board meeting. The Board concurred and a date of Thursday, September 24, 2015 at 6:00pm was set inside the Bertie County DSS Training Room.

Fall Litter Sweep event – Nuisance Abatement Officer, Barry Anderson

Barry Anderson, Nuisance Abatement Officer, was present to provide the Board with an update about the Fall Litter Sweep event that will take place September 19-October 3, 2015.

Mr. Anderson also discussed his recruitment process for volunteers and asked the Commissioners for any additional suggestions to reach more individuals who may be interested in volunteering.

The Board suggested that he contact civic groups as well as the school system and church organizations.

A flyer was also provided in their electronic agenda packets.

Water Department Superintendent, Ricky Spivey – Memorandum of Understanding for Town of Roxobel water system, and related items for the pending State revolving fund application

After much discussion and work between the County Manager and the County Attorney, a Memorandum of Understanding was presented to the Board in the electronic agenda packet, as well as Roxobel's Engineering Evaluation from Green Engineering, State revolving loan forms, and a State revolving loan resolution.

It was requested that the Board approve these items, as well as give the Chairman authority to sign any and all documents relating to this matter, as well as the authority to the County Manager to sign in the Chairman's absence.

Commissioner Trent made a **MOTION** to approve the Memorandum of Understanding between the Town of Roxobel and Bertie County and all the necessary forms and resolutions mentioned above, as well as to grant authority to the Chairman to sign any and all documents to relating to this matter, as well as the authority to the County to sign in the Chairman's absence. Vice Chairman Lee **SECONDED** the motion. The **MOTION PASSED** unanimously.

The Memorandum of Understanding reads as follows:



BERTIE COUNTY

BOARD OF COMMISSIONERS

RONALD "RON" WESSON, Chairman
TAMMY A. LEE, Vice-Chairman
JOHN TRENT
ERNESTINE (BYRD) BAZEMORE
STEWART WHITE

**MEMORANDUM OF UNDERSTANDING
BETWEEN BERTIE COUNTY WATER DISTRICT IV AND THE TOWN OF ROXOBEL
REGARDING THE TEMPORARY SUPPLY OF POTABLE WATER, INTERIM OPERATION
AGREEMENT, AND PROPOSED PERMANENT TRANSFER OF WATER SYSTEM
FACILITIES AND ASSETS FROM THE TOWN TO THE COUNTY**

WHEREAS, Bertie County has developed water districts throughout the County for the purpose of providing safe drinking water to its citizens and businesses; and

WHEREAS, the Town of Roxobel's water distribution system became operational in 1963 and has now exceeded its technical and planned life cycle; and

WHEREAS, the Town of Roxobel's two deep well water supplies have both failed.

- The first well was abandoned in 2008 due to a failed casing. Since 2008, the second deep well was operated continuously and deteriorated to the point where the production yield dropped below fifty percent (50%) in 2014. An examination by Magette Well and Pump Co. Inc. determined that the screen had collapsed at a depth of 305 feet using a video survey, and attempts to suction the debris from the well were unsuccessful.

WHEREAS, beginning in October 2014, the Town of Roxobel has been drawing water from its emergency interconnect valve from Water District IV.

WHEREAS, on November 11, 2014 the Town of Roxobel requested the County's assistance and guidance under an emergency interconnection, including consideration for the ultimate transfer of the water distribution system to the County as part of regional merger; and

- Subsequently, the Town of Roxobel and the County of Bertie have been cooperatively working to address the challenge of providing safe potable water on a permanent basis and determining how to successfully fill the Town's elevated storage tank to provide adequate pressure for fire protection.

WHEREAS, the Bertie County Board of Commissioners voted unanimously on January 5, 2015 to engage Green Engineering for an evaluation of the Town of Roxobel's water system for a merger with the County's regional water system in the Water District IV section.

- It has been determined through this engineering study that with limited system pressure, the elevated storage tank can only be filled to a level of four feet from the bottom of the bowl providing just 16,000 gallons of the 75,000 gallon rated capacity. Therefore, the usable volume of the tank fails to meet minimum State water storage requirements.
- The system also fails to meet the State minimum fire flow requirements of either 500gpm for 60 minutes or 250gpm for 120 minutes.

WHEREAS, the public health director, Mr. Jerry Parks of the Albemarle Regional Health Service finds the loss of both supply wells for potable drinking water very concerning, and has offered a letter of support for the proposed merger of the Town of Roxobel's water distribution system and Bertie County Water District IV; and

WHEREAS, the Town of Roxobel lacks the managerial and technical capacity to properly sustain the system evidenced by the lack of short range or long term capital planning, repairs or replacement of lines, meters and valves necessary to operate the system.

- The Town has suffered significant economic and commercial losses in the past two decades which prevented the proper investment in system maintenance, asset management and schedule repairs or component replacement. The Town currently lacks an ORC and has not adopted a Well Head Protection plan. As the well production yields have been declining in recent years, the ORC was not evaluating pumping logs closely enough to predict or anticipate problems until the Town experienced a catastrophic failure with the loss of both supply wells. Additionally, the Town has received reports of sand debris in the drinking water and numerous customer complaints of low water pressure documented over several years.

WHEREAS, Bertie County's Water Department assumed supervision of daily operations and management control of Roxobel's water distribution system on July 1, 2015 at the Town's request in recognition that the present situation represented a failed system.

WHEREAS, the Town of Roxobel lacks the financial capacity and economic strength in its customer base to support the water system and the required investment in preventive maintenance, upgrades and replacement components necessary to sustain this public utility for the long term. An examination of the Town's most recent financial audit for the fiscal year ended June 30, 2014 reflects less than \$74,000 in available cash reserves for the water system enterprise fund.

WHEREAS, the Bertie County Board of Commissioners has undertaken a significant fiscal review and operational evaluation for its regional water system in recent years, Bertie County has demonstrated the technical, managerial and fiscal capacity to undertake the proposed merger with the Town of Roxobel's water distribution system.

- The governing body using its fiscal authority in 2012, initiated action by the North Carolina Local Government Commission to refinance its existing debt in all four water districts. The resulting outcome yielded a gross cumulative savings of \$2,401,046 or approximately \$100,000 in reduced annual debt service payments.

- Bertie County's regional water system is twenty-three years old, comprised of Water Districts I, II, III, and IV and governed by the Board of Commissioners which has taken a very proactive approach to long term planning, fiscal management and developing a prudent rate structure in order to cover operational costs and debt retirement obligations for this public utility system. In 2013, the Board put new county administration in place including hiring a manager with experience with one of North Carolina's largest county owned and operated water and sewer utility systems.
- In 2014, the governing body commissioned a comprehensive water system evaluation, approved a ten year Capital Improvement Plan, adopted an Asset Management Plan, a Water Loss reduction Plan, a Well Head Protection Plan, made equipment asset improvements pursuant the Asset Management Plan, and made significant operational improvements including efforts to reduce an annual unaccounted water loss of 42 percent to 26 percent according to the NC Water Supply Plan for Bertie County.
- The Board has also successfully acquired the South Windsor Water Association system and received USDA Rural Development financing (\$1.074 million grant and a \$1.717 million loan) to make improvements to this system constructed in 1969, plus water line upgrades, meter replacements, and telemetry system updates for Water District III.
- Through its technical engagements with Green Engineering, the governing body has evaluated various municipal water systems and performed hydraulic analysis to plan for sustainable water system operations throughout Bertie County. In its most recent efforts, the Board has initiated daily operational control for the Town of Roxobel's water system at the Town's request. Plans are underway to transition toward a merger for Roxobel's system and Water District IV if State Revolving Funds can be secured to assist with making the necessary improvements.

WHEREAS, the Town of Roxobel recognizes that it does not have the financial, managerial, or technical ability to remain in the water supply and distribution business; and

WHEREAS, the Town of Roxobel is willing to transfer its water distribution facilities to the Bertie County Water District IV as a permanent offering and ownership; and


WHEREAS, the Bertie County Board of Commissioners has conducted an Engineering Study to evaluate and determine the required improvements necessary to sustain its current residential, commercial, and industrial water supply, with the anticipated allocation necessary to operate and sustain the Town's water distribution system on a long term basis; and


NOW THEREFORE BE IT RESOLVED, the parties hereto agree as follows:


- 1) Bertie County agrees to accept the Town of Roxobel's failed system and make the required improvements to operate and sustain permanent service, conditioned upon approval of financing and principal forgiveness funding through the NC Drinking Water State Revolving Fund is obtained on behalf of Water District IV; and

- 2) The County of Bertie will continue to operate the Town's system on a temporary basis until such time as the Engineering Plan has been developed with a cost estimate to make the required infrastructure improvements; and
- 3) The County of Bertie does not intend to increase the burden of debt on the citizens of Water District IV such that customers experience a negative impact on rates; and
- 4) Until such time as financing has been arranged with the State of North Carolina, project cost and customer rates have been determined to be acceptable by the Bertie County Board of Commissioners, the Water Department will continue to operate and maintain Roxobel's water distribution system; and
- 5) The Town of Roxobel agrees it will indemnify and hold Bertie County harmless of all losses, claims, judgments or penalties resulting from the current low pressure and the interruption of service, quality of water and lack of available supply during the temporary emergency conditions until such time as the required improvements are made; and
- 6) The Town of Roxobel agrees that should current studies performed by Bertie County determine that it is not feasible for Bertie County to continue with supplying water on an interim basis, it will release Bertie County from this Agreement without recourse or action.
- 7) At the appropriate time, determined by the County of Bertie after all of the above stated conditions are satisfied, the Town of Roxobel will execute all documents necessary for the transfer of water system assets to Water District IV. It is further understood that this is a voluntary merger, requested by the Town of Roxobel and other than mutual covenants contained herein, there will be no consideration paid to the Town by the County.

In witness whereof the duly authorized representative of the governing boards of Bertie County and Town of Roxobel set their hands this 8th day of September, 2015.


 Gary T. Johnson, Mayor
 Town of Roxobel


 Ronald D. Wesson, Chairman
 Bertie County Board of Commissioners

Attest:

 Evelyn H. Hume
 Town of Roxobel

Attest:

 Sarah S. Tinkham, Clerk to the Board

Discuss Request for Qualifications draft – Employee Classification and Compensation Study

County Manager Sauer presented a draft of a Request for Qualifications for an Employee Classification and Compensation Study consultant.

Approval was needed from the Board in order to begin the process of contacting and meeting with consultants at any upcoming information meeting.

Commissioner Bazemore made a **MOTION** to release the RFQ to prospective consultants and begin the process of securing a consultant for an Employee Classification and Compensation Study. Commissioner Trent **SECONDED** the motion. The **MOTION PASSED** unanimously.

County Manager’s Performance Evaluation

Chairman Wesson added this item to the agenda in order for the Board discuss County Manager Sauer’s performance evaluation for this year.

The Board requested that the County Manager email a blank copy of the performance evaluation, as well as the evaluation that was completed by the previous board in 2014.

The Board will be prepared to give this performance evaluation at its next meeting on Monday, September 21, 2015.

COMMISSIONERS’ REPORTS

Commissioner Trent updated the Board on the Weeping Mary Road boat ramp. He reported that it was still on schedule to be completed at the end of this month, or very early October. He also informed all of those present that a massive renovation project on the exterior of the courthouse was currently underway, and that work would continue for the next few months. Additionally, he assured those present that the workers who are employed for this project are all Bertie County citizens.

Chairman Wesson thanked this Board as well as the prior board for their dedication to this project in budgeting for these renovations in the last two budget years.

Commissioner Bazemore updated all of those present about the latest voter regulations and potential primary dates for 2016.

Vice Chairman Lee informed the Board that grant money was still available for the County and the school system to receive free, “No Smoking” related signs.

The Board requested that Vice Chairman Lee get in touch with a representative from that group so that they may learn more about the initiative.

Commissioner White commended Barry Anderson on his coordination of the Fall Litter Sweep for Bertie County as there are numerous problems all over the County regarding litter on the roadways, in ditches, etc.

Chairman Wesson informed the Board of a grant being offered by the USDA and plans to apply for the grant with additional letters of support to receive \$100,000 in additional funding for a weekend & breakfast program at area schools.

COUNTY MANAGER'S REPORTS

The County Manger gave no remarks, but reminded the Board of a needed Closed Session at the end of the meeting.

ASSISTANT COUNTY ATTORNEY'S REPORTS

The County Attorney gave no remarks at this time but did alert the Board to one change that had to be made to EMS CADET agreement between the Board of Education and the County. The change was made after the Board received their agenda packets via email.

The corrected copy was presented to the Chairman for his signature.

PUBLIC COMMENTS CONTINUED

Only Board members and County staff were present, so there were no additional public comments.

CLOSED SESSION

Commissioner Bazemore made a **MOTION** to go into Closed Session pursuant to N.C.G.S. § 143-318.11(a)(5) pursuant to N.C.G.S. § 143-318.11(a)(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract. Commissioner Trent **SECONDED** the motion. The **MOTION PASSED** unanimously.

The Board shifts into Closed Session.

Commissioner Bazemore made a **MOTION** to return to Open Session. Vice Chairman Lee **SECONDED** the motion. The **MOTION PASSED** unanimously.

Chairman Wesson reported that the recently proposed date for the joint meeting of the Commissioners and the Bertie County Planning Board did not end up working out for his schedule after all, and alternative dates were discussed with the Planning Director.

ADJOURN

Chairman Wesson adjourned the meeting at 6:15pm.

Ronald D. Wesson, Chairman

Sarah S. Tinkham, Clerk to the Board