

Bertie County Board of Commissioners



June 20, 2016
7:00pm

	Ronald "Ron" Wesson	District 1
	Stewart White	District II
	Tammy A. Lee	District III
Chairman	John Trent	District IV
Vice Chairman	Ernestine (Byrd) Bazemore	District V

BERTIE COUNTY BOARD OF COMMISSIONERS

June 20, 2016
Regular Meeting

This agenda is only a tentative schedule of matters the Commissioners may address at their meeting and all items found on it may be deleted, amended or deferred. The Commissioners may also, in their absolute discretion, consider matters not shown on this agenda.

5:00 Closed Session - N.C.G.S. § 143-318.11(a)(3) and N.C.G.S. § 143-318.11(a)(6)

6:00 Courthouse walking tour – review proposed interior renovations

7:00-7:05 Call to Order and Welcome by Chairman Trent (Commissioners Room, Windsor)

7:05-7:10 Invocation and Pledge of Allegiance by Vice Chairman Bazemore

7:10-7:25 Public Comments (*3 minute time limit per speaker*)

(A)

***** APPOINTMENTS *****

7:25-7:35 (1) Public Hearing # 1 – 2012 CDBG Infrastructure program close out

7:35-7:45 (2) Public Hearing # 2 – Proposed FY2016-2017 Budget

7:45-7:55 (3) Discuss funding request by Ms. Patricia Ferguson for a showing of “Raising Bertie” film at Bertie High School Convocation

7:55-8:05 (4) Follow-up presentation by Dr. Kashi B. Hall, Executive Director of Heritage Collegiate Leadership Academy (HCLA)

Board Appointments (B)

1. There are no Board Appointments.

Consent Agenda (C)

1. Accept Tax Release Journal – May 2016
2. Approve minutes for Emergency Session 6-2-16
3. Approve minutes for Closed Session 6-2-16
4. Approve minutes for Budget Work Sessions 6-6-16 and 6-7-16
5. Approve minutes for Regular Session 6-6-16
6. Consider approval of proposed FY2016-2017 budget ordinance
7. Budget Amendment #16-13

*****OTHER ITEMS*****

Discussion Agenda (D)

1. First draft presentation of Road Safety and Maintenance Ordinance
2. Discuss letter from NCDPS dated May 31, 2016 – Flood Plain Management program – Corrective Action Plan extension
3. Calendar reminders and proposed July meeting schedule change

Commissioners’ Reports (E)

County Manager’s Reports (F)

County Attorney’s Reports (G)

Public Comments Continued

3 minute time limit per speaker

Closed Session

Pursuant to N.C.G.S. § 143-318.11(a)(3) to go into closed session to consult with the County Attorney in order to preserve the attorney-client privilege that exists between the attorney and this public body.

Pursuant to N.C.G.S. § 143-318.11(a)(4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations. The action approves the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session.

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.

Pursuant to N.C.G.S. § 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of employment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

Adjourn



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: June 20, 2016

AGENDA ITEM: A-1

DEPARTMENT: Planning & Inspections

SUBJECT: Public Hearing # 1 – 2012 CDBG Infrastructure program close out

COUNTY MANAGER RECOMMENDATION OR COMMENTS: Public Hearing only.

SUMMARY OF AGENDA ITEM AND/OR NEEDED ACTION(S): Public Hearing only.

ATTACHMENTS: No

LEGAL REVIEW PENDING: N/A

ITEM HISTORY: ---



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: June 20, 2016

AGENDA ITEM: A-2

DEPARTMENT: Governing Body

SUBJECT: Public Hearing # 2 – Proposed FY2016-2017 Budget

COUNTY MANAGER RECOMMENDATION OR COMMENTS: Public Hearing only.

SUMMARY OF AGENDA ITEM AND/OR NEEDED ACTION(S): Public Hearing only.

ATTACHMENTS: Yes

LEGAL REVIEW PENDING: N/A

ITEM HISTORY: ---

**BERTIE COUNTY, NORTH CAROLINA
2016-2017 BUDGET ORDINANCE**

AN ORDINANCE ADOPTING THE ANNUAL BUDGET AND SETTING THE TAX RATE FOR THE COUNTY OF BERTIE FOR THE FISCAL YEAR 2016-2017.

WHEREAS, Article 3 of Chapter 159 of the North Carolina General Statutes (NCGS), requires local governments in North Carolina to adopt ordinances establishing an annual budget, in accordance with procedures established in said Article 3, and

WHEREAS, the Bertie County Board of Commissioners, following a public hearing as required by law has considered the proposed annual budget for Bertie County for the 2016-2017 Fiscal Year.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF BERTIE, NORTH CAROLINA:

SECTION 1. REVENUES: It is estimated that the revenues and Fund Balances of the funds hereafter listed will be available for the fiscal year beginning July 1, 2016, and ending June 30, 2017, to finance the appropriations set forth in SECTION 2 and in accordance with the chart of accounts established for Bertie County:

GENERAL FUND

Ad Valorem-Prior Years	\$	309,800
Motor Vehicle-Prior Years	\$	5,600
Penalties and Interest	\$	125,000
Sales Tax -1% Pt of Collection	\$	325,000
1/2 Cent Sales Tax Article 40	\$	825,000
1/2 Cent Sales Tax Article 42	\$	350,000
Sales Tax Law Change	\$	1,000
Payment in Lieu of Taxes-Federal Land	\$	28,000
Other Taxes	\$	55,200
Unrestricted Intergovernmental	\$	502,132
Restricted Intergovernmental	\$	690,831
Permits & Fees	\$	278,550
Medical Service Fees	\$	900,000
Non-Emergency Transport Fees	\$	925,000
Landfill Fees	\$	1,859,563
Sales & Service	\$	60,221
Hospital Lease	\$	826,651
Miscellaneous	\$	197,100
Interest Earned	\$	20,000
Indirect Cost Water Systems	\$	241,640
Transfers from Lottery	\$	-
Transfers from School Capital Reserve	\$	2,343,346
FUND BALANCE APPROPRIATED	\$	1,334,101
AD VALOREM TAXES	\$	9,212,962
MOTOR VEHICLE TAXES	\$	1,233,239

GENERAL FUND REVENUES

\$ 22,649,936

SOCIAL SERVICES FUND

State and Federal Assistance	\$	3,509,670
Health Choice	\$	3,000
Transfer from General Fund	\$	1,258,660

SOCIAL SERVICES FUND REVENUES \$ 4,771,330

911 WIRE/WIRELESS FUND

Interest Earned	\$	500
User Charges and Fees	\$	161,740

FUND BALANCE APPROPRIATED \$ -

911 WIRE/WIRELESS FUND REVENUE \$ 162,240

LOTTERY

Lottery Proceeds	\$	355,000
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LOTTERY FUND REVENUE \$ 355,000

CAPITAL SCHOOL RESERVE FUND

Capital School Reserve	\$	2,343,346
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CAPITAL SCHOOL RESERVE FUND \$ 2,343,346

REVALUATION FUND

Transfer from General Fund	\$	60,000
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REVALUATION FUND REVENUES \$ 60,000

DEBT SERVICE

Transfer From General Fund-QZAB-School	\$	212,181
Transfer From General Fund-QZAB-Brt High	\$	109,461
Transfer From General Fund-Middle School	\$	457,470
Transfer From General Fund-Health Building	\$	71,925
Transfer From General Fund-DSS-Building	\$	251,548
Transfer From General Fund-Hospital	\$	826,651
Transfer From General Fund-BHS-2012A	\$	841,461
Transfer From General Fund-BHS-2012B	\$	347,775

DEBT SERVICE FUND REVENUES \$ 3,118,472

COUNTY WATER DISTRICTS FUND

Sale of Water & Fees \$ 2,821,400

COUNTY WATER DISTRICTS REVENUES \$ 2,821,400

BERTIE TELEPHONE SYSTEM

User and Miscellaneous Charges \$ 70,000

Transfer from General Fund-Phone Reserve \$ 53,500

BERTIE TELEPHONE SYSTEM REVENUES \$ 123,500

REVENUES: \$ 36,405,224

SECTION 2. APPROPRIATIONS: The following amounts are hereby appropriated for the operation of Bertie County Government and its departments and agencies for the fiscal year beginning July 1, 2016, and ending June 30, 2017. The Finance Director is authorized to make transfers from one appropriation to another within the same fund, excluding salary line items, which require approval of the County Manager. Amendments/transfers that increase the fund total must have Board approval. Purchase orders and contracts that are not complete and remain as encumbrances outstanding at June 30, 2016, shall be reclassified as “continuing contracts.” As such they shall be disencumbered and immediately re-encumbered against the following year appropriations.

GENERAL FUND	
Governing Body	\$ 221,083
Administration	\$ 244,384
HR & Risk Management	\$ 79,859
Finance	\$ 256,727
Tax	\$ 591,651
Legal	\$ 135,000
Court Facilities	\$ 89,872
Elections	\$ 144,088
Register of Deeds	\$ 302,804
Public Buildings & Grounds	\$ 893,392
Data Center	\$ 236,496
Sheriff	\$ 2,462,590
Communications	\$ 433,004
Emergency Management	\$ 407,976
Emergency Medical Service	\$ 2,502,782
Non-Emergency Transport	\$ 621,765
Planning/Building Inspections	\$ 322,323
Medical Examiner	\$ 6,000
Animal Control	\$ 174,471
Solid Waste	\$ 472,308
Economic Development	\$ 166,578
Cooperative Extension	\$ 276,643

Soil Conservation	\$	77,971	
Health	\$	98,000	
Veterans Service Office	\$	47,237	
Council on Aging/Nutrition	\$	493,113	
Parks & Recreation	\$	290,714	
Transfers-Social Services	\$	1,258,660	
Transfers-Revaluation	\$	60,000	
Transfers-Debt-QZAB	\$	212,181	
Transfers-Debt-Middle School	\$	457,470	
Transfers-Debt-DSS	\$	251,548	
Transfers-Debt-QZAB-Bertie High	\$	109,461	
Transfers-Debt-Health	\$	71,925	
Transfers-Debt-Hospital	\$	826,651	
Transfers-Debt-Bertie High School (2012 A/B)	\$	1,189,236	
Transfers-Capital School Reserve	\$	210,000	
Appropriations-Other Agencies	\$	5,891,119	
Contingency	\$	62,854	
GENERAL FUND APPROPRIATIONS			\$ 22,649,936
SOCIAL SERVICES FUND			
Social Services	\$	4,771,330	
SOCIAL SERVICES FUND APPROPRIATIONS			\$ 4,771,330
911 WIRE/WIRELESS FUND			
911 Wire/Wireless Fees	\$	162,240	
911 WIRE/WIRELESS APPROPRIATIONS			\$ 162,240
LOTTERY			
Lottery Proceeds	\$	355,000	
LOTTERY FUND			\$ 355,000
CAPITAL SCHOOL RESERVE FUND			
Capital School Reserve	\$	2,343,346	
CAPITAL SCHOOL RESERVE FUND APPROPRIATIONS			\$ 2,343,346
REVALUATION FUND			
Revaluation	\$	60,000	
REVALUATION FUND APPROPRIATIONS			\$ 60,000

DEBT SERVICE FUND		
Debt Service Payments	\$	3,118,472
DEBT SERVICE FUND APPROPRIATIONS		<u>\$ 3,118,472</u>
COUNTY WATER DISTRICTS FUND		
System Operations	\$	2,821,400
COUNTY WATER DISTRICTS APPROPRIATIONS		<u>\$ 2,821,400</u>
BERTIE TELEPHONE SYSTEM		
User and Miscellaneous Charges	\$	123,500
BERTIE TELEPHONE SYSTEM APPROPRIATIONS		<u>\$ 123,500</u>
EXPENSES:		<u>\$ 36,405,224</u>

SECTION 3. School Funding

The Bertie County Schools Current Expense Fund appropriation in the amount of \$3,003,000.00 is contained within the General Fund and shall be paid to the Bertie County Schools in twelve (12) equal monthly installments.

The Bertie County Schools Capital Outlay Fund appropriation of \$375,000 is contained within the General Fund and shall be paid to the Bertie County Schools as needed for payment of invoices. The source of funding for school capital outlay in FY 2016-2017 is State Lottery revenue. All unused funds shall transfer to the School Capital Reserve Fund.

SECTION 4. AD VALOREM TAX LEVY: There is hereby levied for the fiscal year 2016-2017 an ad valorem property tax on all property having a situs in Bertie County as listed for taxes as of January 1, 2016 at a rate of eighty three (83) cents per one hundred (100) dollars assessed value of such property pursuant to and in accordance with the Machinery Act of Chapter 105 of the North Carolina General Statutes and other applicable laws.

The estimated ad valorem property tax set out in SECTION 1 of this ordinance is based on an estimated property value of \$1,312,933,864 (\$1,157,933,864 for real and personal property and public utilities, and \$155,000,000 for motor vehicles) and an estimated collection rate equal to the audited FY2015-2015 collection rates of 95.38% for real/personal property and public utilities and 99.51% for motor vehicles.

SECTION 5. SCHEDULE OF FEES – The Annual Fee Schedule, which is attached to this ordinance, sets all fees authorized to be charged by the County for County goods, services or other functions provided by County personnel, equipment, including consultation and other such activities; and, is hereby approved.

SECTION 6. LEVY OF PRIVILEGE LICENSES AND OTHER TAXES: There is hereby levied all County Privilege Licenses and Taxes, and fees as provided in the ordinances and resolutions duly adopted by the Board of Commissioners of Bertie County.

SECTION 7. DISTRIBUTION: Copies of this Budget Ordinance shall be furnished to the Finance Director, County Manager, Board of Education and Tax Assessor for direction in the carrying out of their duties.

SECTION 8. SPECIAL INSTRUCTIONS: Effective July 1, 2016, the Board of Commissioners has also authorized one (1) new position for FY2016-2017 as outlined in the County Manager’s proposed budget.

Lastly, the Board of Commissioners has also approved the following:

- 401K – 2.5% contribution for supplemental retirement for non-law enforcement employees
- \$200 health savings account
- The County Manager and Finance Officer are hereby instructed to provide for the establishment of an irrevocable trust fund for OPEB obligations, both current and future. Each year beginning July 1, 2016 and for all future years, the budget ordinance shall provide for a monthly allocation of \$100 per position which shall be deposited in the OPEB trust.
- Employees hired after July 1, 2016 will no longer be eligible for retiree health insurance benefits.

SECTION 9. EFFECTIVE DATE

That this ordinance shall be in full force and effect on July 1, 2016.

Adopted this the ____th day of June, 2016:

John Trent, Chairman

Sarah S. Tinkham, Clerk to the Board

William Roberson, Finance Director



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: June 20, 2016

AGENDA ITEM: A-3

DEPARTMENT: ---

SUBJECT: Discuss funding request by Ms. Patricia Ferguson for a showing of "Raising Bertie" film at Bertie High School Convocation

COUNTY MANAGER RECOMMENDATION OR COMMENTS: FYI only.

SUMMARY OF AGENDA ITEM AND/OR NEEDED ACTION(S): FYI only.

ATTACHMENTS: Yes

LEGAL REVIEW PENDING: N/A

ITEM HISTORY: ---

From: Patricia Ferguson [<mailto:pdfcoastalnet@gmail.com>]

Sent: Friday, June 10, 2016 2:35 PM

To: Scott Sauer

Subject: Feature Film Documentary Raising Bertie: Planning the Debut in Bertie County, NC

SUBJECT: *Request to Help Sponsor the Debut of a Feature Documentary - Raising Bertie, in Bertie County, NC, in August 2016*

Greetings Scott:

Thank you for taking the time to talk to me about my request for the county to be a sponsor of the Feature Documentary *Raising Bertie*, a few days ago.

For six years now, there has been a film crew engaged in the work of creating a documentary featuring three African American boys (now young men) in our county- Bertie County. The producers of the film depict it as *an intimate six year portrait of three African American boys growing into adulthood in (Bertie), exploring complex relationships between generational poverty, education inequity and race (see www.raisingbertie.com).*

I have been asked by the producers of the film to assist with its debut in the county and the region. It is my hope, that the board of commissioners will help sponsor the film and grant me an opportunity to address the board regarding this. Below is a draft outline of comments I would like to make.

Draft Outline of Comments:

1. Introducing the Filmmakers- Who's responsible for the film? - Margaret Byrne, Director/Producer, Writer AND Ian Kibbe - Poducer (Kartemquin Documentaries - www.raisingbertie.com)
2. The Overall Mission of the Film - Intervention model - help bring attention and understanding to the needs of kids living in persistent poverty.
3. "Targeted" groups for the debut in the county - Extended Day (Alternative School children and their parents/families), Group Homes, School Teachers/Administrators, Elected Boards, Mental Health Agencies, Day Care Leadership/Staff, Law Enforcement, Faith-based Community, Businesses, and others.
4. Venue - Bertie County High School Auditorium
5. Dates being Considered - Week of August 8 and 15 during teacher orientation (2 hour film; 1 hour Q&A - Filmmakers Margaret and Ian along with the young men in the film appearing on stage after the documentary for a Q&A).
6. Sponsorship - \$7500 has been estimated as the cost to debut the film in the county - additional information will be provided regarding this. A planning call is expected no later than early next week.

Please keep in mind, preparation for planning for the debut is in its early stages. Conversations are just starting. We are confident that with your support it will be a huge success.

Thank you again for the conversation we had. I look forward to presenting to the board as soon as possible.

If you have any questions, please do not hesitate to contact me. I can be reached at [\(252\) 332-1059](tel:2523321059).

Patricia

Patricia Ferguson
County Committee Chair, Debut Feature Film *Raising Bertie*
[\(252\) 332-1059](tel:2523321059)



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: June 20, 2016

AGENDA ITEM: A-4

DEPARTMENT: Governing Body

SUBJECT: Follow-up presentation by Dr. Kashi B. Hall, Executive Director of Heritage Collegiate Leadership Academy (HCLA)

COUNTY MANAGER RECOMMENDATION OR COMMENTS: ---

SUMMARY OF AGENDA ITEM AND/OR NEEDED ACTION(S): ---

LEGAL SUMMARY OF AGENDA ITEM AND/OR NEEDED ACTION

Jonathan Huddleston, Assistant County Attorney, provided the following legal analysis:

The Sugar Creek case states the rule of statutory construction: *expressio unius est exclusio alterius*, which means that the expression of one thing is the exclusion of another. By specifically stating that charter schools are entitled to funding from the State allotment and the local current expense fund, **the general assembly intended to preclude charter schools from having access to county capital outlay funds and to county general funds for operating expenses.**

A 501(c)(3) that is not a charter school is treated differently because the statute that gives the County the authority to fund other organizations does not mandate the source of the funding and how to calculate the amount of funding like Chapter 115C does with charter schools.

NCGS 153A-449 says “a county may contract with and appropriate money to any person, association, or corporation, in order to carry out any public purpose that the county is authorized by law to engage in.”

I see a clear difference between the authorization given to the County to fund charter schools and the authorization given to the County to fund other organizations, whether they are non-profit or not.

ATTACHMENTS: Yes

LEGAL REVIEW PENDING: N/A

ITEM HISTORY: See emails attached.

From: Kashi Hall [<mailto:kbhall@heritagecollegiate.org>]

Sent: Monday, June 13, 2016 8:27 PM

To: Scott Sauer <scott.sauer@bertie.nc.gov>

Cc: Bertie County Commissioners <bertie.county@bertie.nc.gov>; Kashi Hall <kbhall@hclanc.org>; Nick Shook <jnickshook@heritagecollegiate.org>; MGB <bazemoresolution@aol.com>; Garrett Taylor <gtodd93@gmail.com>; Marshall K. Cherry <mcherry@roanokeelectric.com>; rivergodwins@gmail.com; tomruff1906@yahoo.com; Buneva Everette <bunevaeverett@gmail.com>; Ed Lipscomb <bertieambulance@aol.com>; gemmlyn@yahoo.com; joutlaw@heritagecollegiate.org; award818@gmail.com; levibazemore@aol.com; rhopar33@aol.com

Subject: Re: CONFIDENTIAL: HCLA_5 year budget projections / Student Numbers by County

Mr. Sauer,

Thank you for your reply. We certainly recognize the support you all provide to us via local funding, and we are grateful for it.

However, we assert that you have the authority to fund us as as a 501(c)(3) as you do for other 501(c)(3)s in this county. We further assert that there is no prohibition from you going beyond the statutory local funding requirements.

With all due respect, may I present to the Board on Monday night to establish legal authority for saying yes to our funding requests? If given the opportunity, I will establish precedent in other counties. I will also provide evidence that you have legal authority to say yes to our funding request.

Please advise.

Dr. Kashi B Hall
Executive Director
Heritage Collegiate Leadership Academy
(252) 794-0597 (School)
(252) 325-3933 (Cell)

Growing Great Leaders ~ Serving Our Community ~ The road to college begins NOW

Sent from my iPhone

From: Scott Sauer

Sent: Monday, June 13, 2016 5:41 PM

To: 'Kashi Hall'; Bertie County Commissioners; Kashi Hall; Nick Shook; MGB; Garrett Taylor; Marshall K. Cherry; rivergodwins@gmail.com; tomruff1906@yahoo.com; Buneva Everette; Ed Lipscomb; gemmlyn@yahoo.com; joutlaw@heritagecollegiate.org; award818@gmail.com; levibazemore@aol.com; rhpar33@aol.com

Subject: RE: CONFIDENTIAL: HCLA_5 year budget projections / Student Numbers by County

Dr. Hall,

In response to your email from Sunday morning, I want to clarify and bring attention to the legal analysis presented in the County's letter dated June 9, 2016. The Board of Commissioners is not "choosing to only provide the statutorily imposed local funding." Rather, the Board gave much consideration and review to HCLA's funding request, and only after determining that there was no legal authority for such an appropriation, did they determine that the request would have to be denied.

Counties in North Carolina do not have "home rule" as in other states, and the Board of Commissioners can only take action on funding or adopting ordinances if there is specific legal authority to do so. There was much interest in supporting the funding request from HCLA, but the Commissioners had no choice but to comply with the NC General Statutes, which do not allow for it.

Interpreting the Board's inability to fund HCLA's budget request as a lack of support would be unfortunate and inaccurate.

Please let me know if you have any other questions.

Scott

From: Kashi Hall [<mailto:kbhall@heritagecollegiate.org>]

Sent: Sunday, June 12, 2016 11:06 AM

To: Scott Sauer; Bertie County Commissioners; Kashi Hall; Nick Shook; MGB; Garrett Taylor; Marshall K. Cherry; rivergodwins@gmail.com; tomruff1906@yahoo.com; Buneva Everette; Ed Lipscomb; gemmlyn@yahoo.com; joutlaw@heritagecollegiate.org; award818@gmail.com; levibazemore@aol.com; rhobar33@aol.com

Subject: Re: CONFIDENTIAL: HCLA_5 year budget projections / Student Numbers by County

Mr. Sauer,

I have had an opportunity to review the final proposed budget for FY 2016-2017. Am I correct in saying that the Board of Commissioners has decided NOT to fund any of the programming initiatives per our request. Essentially, they are choosing to only provide the statutorily imposed local funding, correct. (Please provide any changes to the projected per pupil local funding expenditures if applicable.)

This is an unfortunate turn of events because we desperately require additional funding to fully implement our educational program. Facility expansion and transportation costs have strained our budget since we opened. We do not receive local nor state funding to offset these major expenditures.

I will continue to return each time you allow for budget requests form local schools and 501(c)(3) organizations.

I want the record to reflect your support, or lack thereof, of the first public charter school in our community despite the clear evidence that demonstrates that charter schools help to promote community economic development.

This year, I plan to regularly attend commissioner meetings. I will encourage our scholars, staff, parents and families to join me. I want you all to see the faces of the citizens of our county to whom you are repeatedly saying NO.

As always, I thank you for your time and consideration.

Warmest regards,

cc: HCLA Board of Directors
HCLA School Leadership Team

Dr. Kashi B Hall
Executive Director
Heritage Collegiate Leadership Academy
(252) 794-0597 (School)
(252) 325-3933 (Cell)

Growing Great Leaders ~ Serving Our Community ~ The road to college begins NOW

Sent from my iPhone

On May 26, 2016, at 8:16 PM, Kashi Hall <kbhall@heritagecollegiate.org> wrote:

Scott,

Attached, please find our 5 year budget projections as promised.

I have also attached the numbers of students by counties per your request.

Please don't hesitate to contact me if you require anything else.

Enjoy your holiday weekend,

Dr. Kashi B Hall
Executive Director
Heritage Collegiate Leadership Academy
(252) 794-0597 (office)
(252) 794-0598 (fax)
(252) 325-3933 (cell)

Scholars, parents and educators who work well together...excel together. ~ KB Hall

<HCLA 5 Year projections (2).xlsx>

<HCLA_County Funding 1



BERTIE COUNTY

106 DUNDEE STREET
POST OFFICE BOX 530
WINDSOR, NORTH CAROLINA
27983
(252) 794-5300
FAX: (252) 794-5327
WWW.CO.BERTIE.NC.US

BOARD OF COMMISSIONERS

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

June 9, 2016

Dr. Kashi B. Hall
Executive Director
Heritage Collegiate Leadership Academy
118-B County Farm Road
Windsor, NC 27983

Dear Dr. Hall,

The Board of Commissioners will conduct a public hearing on the proposed budget for FY 2016-2017 on Monday June 20th at 7:00 p.m. in the Commissioners meeting room.

This week the Board completed its initial review of the funding plan and agency requests for the new fiscal year. During its discussion of the funding request from the Heritage Collegiate Leadership Academy, the Board was provided with a review of the NC General Statutes and recent case law pertaining to Charter Schools by the County Attorney, which is outlined below:

The case of Sugar Creek Charter School v. State of North Carolina in 2011 involved a charter school that said that it was entitled to apply for funding from the capital outlay fund maintained by the board of education in the county where the charter school was located. The court concluded that charter schools are not entitled to request capital outlay funding. The court said that charter schools are a different animal from traditional public schools so the State Legislature had the right to fund them differently. The Sugar Creek case says that charter schools are entitled to funding only from two of the three primary sources of local funding for schools set out in the uniform budget format: 1) the local current expense appropriation (also known as the local current expense fund) and 2) the local school administrative unit allotment. The third source that the statutes allow for traditional schools but not charter schools is the capital outlay

fund. Here is the portion of the statute that identifies types of capital outlay that traditional public schools can request:

“The capital outlay fund shall include appropriations for: (1) The acquisition of real property for school purposes, including but not limited to school sites, playgrounds, athletic fields, administrative headquarters, and garages. (2) The acquisition, construction, reconstruction, enlargement, renovation, or replacement of buildings and other structures, including but not limited to buildings for classrooms and laboratories, physical and vocational educational purposes, libraries, auditoriums, gymnasiums, administrative offices, storage, and vehicle maintenance. (3) The acquisition or replacement of furniture and furnishings, instructional apparatus, data-processing equipment, business machines, and similar items of furnishings and equipment. (4) The acquisition of school buses as additions to the fleet. (5) The acquisition of activity buses and other motor vehicles. (6) Such other objects of expenditure as may be assigned to the capital outlay fund by the uniform budget format. NCGS 115C-426.”

The basic premise of the Sugar Creek case is that a county has no power to appropriate funds unless authorized to do so by the General Assembly. The General Assembly didn't authorize charter schools to request capital outlay funds. Also, even though it is not specifically addressed in Sugar Creek, one would assume that the same rule that prohibits capital funding of charter schools would also prohibit direct operational funding of charter schools. The county provides operational funding indirectly because a portion of the county's local current expense appropriation to the public school district goes to the charter school. Anything above that could be considered direct funding. Some of Dr. Hall's requests could be considered requests for direct operational funding.

The Board explored all of its options in order to consider HCLA's request, and will respectfully have to deny your funding proposal. The Board is appreciative of your efforts to provide additional information including HCLA's certified financial statements and personnel data during its review process. Furthermore, the Board is very impressed with HCLA's effort to serve students of Bertie County and the surrounding counties by providing a unique approach to educating our children.

Sincerely,



Scott T. Sauer
Bertie County Manager



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: June 20, 2016

AGENDA ITEM: C-1

DEPARTMENT: Tax

SUBJECT: Accept Tax Release Journal – May 2016

COUNTY MANAGER RECOMMENDATION OR COMMENTS: Recommend approval.

SUMMARY OF AGENDA ITEM AND/OR NEEDED ACTION(S): Recommend approval.

ATTACHMENTS: See print out.

LEGAL REVIEW PENDING: N/A

ITEM HISTORY: ---



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: June 20, 2016

AGENDA ITEM: C-2

DEPARTMENT: Governing Body

SUBJECT: Approve minutes for Emergency Session 6-2-16

COUNTY MANAGER RECOMMENDATION OR COMMENTS: Recommend approval.

SUMMARY OF AGENDA ITEM AND/OR NEEDED ACTION(S): Recommend approval.

ATTACHMENTS: Yes

LEGAL REVIEW PENDING: N/A

ITEM HISTORY: ---

Windsor, North Carolina
June 2, 2016
EMERGENCY MEETING

The Bertie County Board of Commissioners met for an emergency meeting at 5:00pm 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
County Attorney Lloyd Smith
Assistant County Attorney Jonathan Huddleston
Emergency Service Director Mitch Cooper
Medical Director Dr. Mike Lowery

CALL TO ORDER

Chairman Trent called the meeting to order. He then deferred to County Manager Sauer for the required Closed Session statutes needed to go into Closed Session.

County Manager Sauer requested a Closed Session under two statutes: N.C.G.S. §143-318.11(a)(3) to go into closed session to consult with the County Attorney in order to preserve the attorney-client privilege that exists between the attorney and this public body and pursuant to N.C.G.S. § 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of employment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

Commissioner Wesson made a **MOTION** to go into Closed Session under N.C.G.S. §143-318.11(a)(3) and pursuant to N.C.G.S. § 143-318.11(a)(6) as stated. Commissioner Lee **SECONDED** the motion. The **MOTION PASSED** unanimously.

The Board shifts into Closed Session.

OPEN SESSION

Commissioner Wesson made a **MOTION** to return to Open Session. Commissioner White **SECONDED** the motion. The **MOTION PASSED** unanimously.

ADJOURN

Chairman Trent adjourned the meeting at 5:55PM.

John Trent, Chairman

Sarah S. Tinkham, Clerk to the Board



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: June 20, 2016

AGENDA ITEM: C-3

DEPARTMENT: Governing Body

SUBJECT: Approve minutes for Closed Session 6-2-16

COUNTY MANAGER RECOMMENDATION OR COMMENTS: Recommend approval.

SUMMARY OF AGENDA ITEM AND/OR NEEDED ACTION(S): Recommend approval.

ATTACHMENTS: See envelope.

LEGAL REVIEW PENDING: N/A

ITEM HISTORY: ---



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: June 20, 2016

AGENDA ITEM: C-4

DEPARTMENT: Governing Body

SUBJECT: Approve minutes for Budget Work Sessions 6-6-16 and 6-7-16

COUNTY MANAGER RECOMMENDATION OR COMMENTS: Recommend approval.

SUMMARY OF AGENDA ITEM AND/OR NEEDED ACTION(S): Recommend approval.

ATTACHMENTS: Yes

LEGAL REVIEW PENDING: N/A

ITEM HISTORY: ---

Windsor, North Carolina
June 6-7, 2016
BUDGET WORK SESSIONS

The Bertie County Board of Commissioners met for budget work sessions beginning at 8:30AM from June 6-7, 2016 inside the Commissioners Room located at 106 Dundee Street, Windsor, NC. The following members were present or absent:

Present: Ronald “Ron” Wesson, District I
Tammy A. Lee, District III
John Trent, District IV
Ernestine (Byrd) Bazemore, District V

Absent: Stewart White, District II

Staff Present: County Manager Scott Sauer
Clerk to the Board Sarah S. Tinkham
Finance Officer William Roberson

No media members were present during these sessions.

MONDAY, JUNE 6, 2016 – 8:30AM-3:00PM

Chairman Trent called to order the Bertie County Board of Commissioners and discussed the purpose of this week’s work sessions.

Resolution - Hazard Mitigation Plan expiration and plan of action

County Manager Sauer requested that the Board briefly review a resolution for the County to join the regional Martin-Tyrrell-Washington (MTW) Hazard Mitigation Plan. The State strongly recommends that counties form regional agreements, and timing is ideal for that due to Bertie County’s own Hazard Mitigation Plan expires today. This is an item requested by Emergency Services Director, Mitch Cooper.

Commissioner Lee made a **MOTION** to pass the resolution to join the MTW Hazard Mitigation Plan as requested. Commissioner Wesson **SECONDED** the motion. The **MOTION PASSED** unanimously.

Discussions – Budget

There was a short question and answers discussion regarding the budget message that was sent to all Commissioners on June 1, 2016. Print outs of all current budget documents were distributed including the County Manager’s budget message, as well as a line by line item detail.

The budget message and line by line item details read as follows:

June 1, 2016

Chairman Trent
Vice Chairman Bazemore
Commissioner Lee
Commissioner Wesson
Commissioner White

To the Board of Commissioners and the citizens and taxpayers of Bertie County:

As required by the NC Local Government Budget and Fiscal Control Act, submitted for your review is the proposed budget plan for FY 2016-2017.

Accompanying this budget message is a balanced statement of projected revenues and estimated expenditures for the General Fund which totals \$22,286,578 which is an increase of 4.19 percent over the adopted budget for the current year.

This budget plan attempts to meet the stated goals of the governing body, and provides flexibility for the discussion and changes that may be warranted based on the Board's upcoming deliberations. First and foremost, this proposed budget does not contain a tax rate increase and the recommended appropriation of fund balance reserves is more than \$100,000 less than the adopted budget ordinance for the current year. The estimated tax base for FY 2016-2017 is \$1.3 billion assessed value and the net yield for each cent on the tax rate is \$125,858.

The Board of Commissioners has made a significant investment in the County's human capital—its employees. Last year the Board took significant steps toward establishing an improved working wage for staff beginning with the lowest job classifications across all departments. The Board of Commissioners approved a supplemental 401(k) retirement contribution of 2% for all non-law enforcement personnel who receive a 5% supplemental 401(k) contribution as required by NC General Statutes. The Board of Commissioners also established an employee assistance programs for employees and their families, and established a flexible spending account for out of pocket medical expenses with a \$200 contribution for each employee.

The proposed budget for FY 2016-2017 continues this effort, and funding is included to increase the contribution for 401(k) supplemental retirement to 2.5% beginning July 1, 2016 and continues the provision of a \$200 contribution per employee for the flexible spending account to assist with the cost of meeting deductibles and prescription copayments.

There are no new full time positions added to the budget as proposed for FY 2016-2017, and the only additional part-time position is for the senior nutrition site in Kelford.

During the current fiscal year, the Board engaged a consulting firm to review the County's job classification and compensation for all positions within the organization. This study and its recommendations will be presented during the budget work session as determined by the Board. Implementation of these recommendations in the next fiscal year, or phased in over a period of

years will represent a significant investment in the County's human resources and extend our ability to recruit and retain qualified staff. I would recommend strongly that the Board consider placing priority on two areas where the County has struggled with position turnover during the past several years—law enforcement and social services. To assist the Board with identifying funds to cover the cost of this implementation process, projected sales tax receipts have been held flat with no increase for FY 2016-2017. Notable in this discussion will be the anticipated expansion of sales tax and the revised distribution formula approved by the NC General Assembly to be effective beginning next fiscal year. Impact for Bertie County has ranged from an increase of \$500,000 per year to figures much higher. The Board has the flexibility to proceed cautiously, to examine the sales tax receipts in the first quarter or first half of the year, and place priority on salary adjustments that may warrant immediate attention as needed.

School current expense funding is recommended at \$3,003,000 and is above the State's minimum requirement of \$2,674,812 which maintains the County's eligibility for low wealth supplemental funding and other critical State revenues.

School capital outlay funding is recommended at \$375,000.

In order to avoid a tax increase for FY 2016-2017 there remain several program requests which are not recommended for funding in the proposed budget. In recognition of the difficult decisions and discussions that will take place, the Finance Officer has identified unallocated funds totaling \$125,394 which have been placed in the contingency line item for the General Fund are available for appropriation by the Board of Commissioners, or for use in reducing the tax rate by one cent.

During the past couple of years, the governing body closing examined the County's ability to provide health insurance coverage for existing staff and qualifying retirees. In January of 2016, the Board took action approving the County's participation in the NC State Health Insurance program, a decision that greatly reduced annual premiums and lowered deductible limits. Future obligations for existing staff and the accompanying retiree health insurance remain a long term unfunded liability. Premium costs for the County's existing retirees are budgeted at \$350,000 for next fiscal year.

The proposed budget for FY 2016-2017 includes utilization of the County's savings generated by its participation in the state health plan to establish a financing plan for the long term post-employment health care costs for retirees. This accrued unfunded liability has grown significantly in recent years as indicated by the County's audited financial statements :

FY 2012	\$2,386,998
FY 2013	\$2,963,144
FY 2014	\$3,385,713
FY 2015	\$3,849,010

One of the Board's top financial priorities for 2016 is to adopt a strategy to address this long term liability, and the proposed FY 2016-2017 includes a funding strategy based on depositing \$100 per month per authorized position in an irrevocable trust fund account, with these monies permanently restricted for post-employment health insurance costs for retirees. Funding is included in the Special

Appropriations category, identified as “OPEB Trust” for this purpose in the amount of \$242,400 for FY 2016-2017.

Additionally, the proposed budget plan outlines a strategy to curtail future post-employment benefit costs related to retiree health insurance. At present, the County’s benefit plan provides 100% percent of the premium cost for retiree health insurance for an employee retiring with 20 years continuous service, or 25 years non-continuous service to the County regardless of age. Coverage continues until the employee/retiree becomes Medicare eligible, at which time the County converts coverage to a Medicare Supplement policy. Likewise the County pays 50% of the cost of health insurance premiums for an employee who is at least 55 years of age and retiring with 15 years of continuous service under the current personnel resolution.

In an effort to mitigate the growing burden for retiree health insurance costs facing current and future taxpayers, several adjustments to the County’s personnel resolution are outlined below:

- 1) New hires—after July 1, 2016 no retiree health insurance coverage is offered.
- 2) Current employees with at least 10 years of service as of July 1, 2016 will maintain full (100%) health insurance coverage at 20 years of continuous service or 25 years of non-continuous service regardless of age.
- 3) Employees with at least 5 years of service, but less than 10 years as of July 1, 2016 will be eligible for retiree health insurance as follows:
 - 100% coverage of health insurance premium with 30 years of service to the County.
 - 75% coverage of health insurance premium with 25 years of service to the County.
 - 50% coverage of health insurance premium with 20 years of service to the County.
- 4) Current employees with less than 5 years of service as of July 1, 2016 will be eligible for retiree health insurance as follows:
 - 75% coverage of health insurance premium with 30 years of service to the County.
 - 50% coverage of health insurance premium with 25 years of service to the County.
- 5) Service time credit with the County will be calculated based on actual service time and any sick leave time that is on balance with the County at the time of retirement, which is consistent with current County policy.

Again, the strategy outlined above is recommended, and is subject to change based on review and consideration by the Board of Commissioners. At a minimum, these five strategies will bring to focus, the pertinent issues contributing to the future financial liability for the County.

At present, the County has 209 authorized full time positions. The adoption of the FY 2015-2016 budget added 8 new positions, and the start-up of the County’s paramedic and non-emergency transport programs have added 46 new staff positions since the program’s inception in December 2013. Projecting forward, the County’s staffing and future obligations for post-employment benefits

(retiree health insurance) will require the governing body to be proactive in its financial planning to meet these liabilities, which are presently unfunded.

Other priorities funded in this proposed budget included full year implementation of the core staffing plan for the Cooperative Extension office as previously approved by the Board, in cooperation with NC State University. There is continued support for the Board's community based recreation efforts utilizing resources allocated through the Recreation Department and the YMCA to serve joint programming and services throughout the County. As these efforts continue to grow, it is recommended that a joint memorandum of understanding be developed to clearly identify roles and responsibilities for the community based recreation programming.

Continued emphasis on preventive maintenance and upkeep for various County facilities is reflected in the Public Buildings budget with a recommended amount of \$255,851 for capital improvements. Several items have been deferred including parking lot paving at various locations, which reduced the requested capital figure of \$339,301 for next fiscal year. In addition, \$50,000 is earmarked in the Animal Control budget for improvements to the animal shelter including weatherization and temperature control in an effort to meet state regulatory standards set by the NC Department of Agriculture. Also, the County recently formalized its relationship with the Blue Jay Recreation community association with a long term facility lease, and in addition to seeking grants for Blue Jay park improvements, the proposed FY 2016-2017 budget includes \$83,450 for the first phase of upgrades at the facility.

Funding for the Bertie County Regional Water system totals \$2,821,400 and reflects the combined funding for all four (4) water districts and the recent increased customer base with the addition of the South Windsor, Lewiston-Woodville and Roxobel systems. The Board has also successfully sought capital financing for three major projects which have been approved with a total of \$1,574,000 in grant funding and \$4,234,900 in long term financing, of which \$2,517,850 is zero interest. During the budget work sessions, the Water Superintendent and I want to address potential usage rate changes for non-residential customers. Additionally, beginning July 1, 2016 the water department personnel will begin billing for sewer customers served by the Town of Windsor who were previously part of the South Windsor. The Town of Windsor has agreed to reimburse the County a 2% collection fee which is also paid by the Towns of Lewiston-Woodville, Askewville and Colerain. Having a single point of contact for billing will eliminate confusion and save time for customers.

I am indebted to the department heads and agency directors who have been very diligent in preparation of funding requests, and to Mr. William Roberson the County's Finance Director, for his careful review and assistance in developing this budget proposal.

Respectfully,
Scott Sauer
County Manager

GENERAL FUND	
Governing Body	\$ 221,083
Administration	\$ 242,845
HR & Risk Management	\$ 79,603
Finance	\$ 255,950
Tax	\$ 590,208
Legal	\$ 135,000
Court Facilities	\$ 89,872
Elections	\$ 143,884
Register of Deeds	\$ 302,108
Public Buildings & Grounds	\$ 892,113
Data Center	\$ 235,816
Sheriff	\$ 2,452,637
Communications	\$ 430,867
Emergency Management	\$ 407,654
Emergency Medical Service	\$ 2,495,425
Non-Emergency Transport	\$ 620,012
Planning/Building Inspections	\$ 314,314
Medical Examiner	\$ 6,000
Animal Control	\$ 174,160
Solid Waste	\$ 472,308
Economic Development	\$ 166,275
Cooperative Extension	\$ 277,779
Soil Conservation	\$ 80,946
Health	\$ 98,000
Veterans Service Office	\$ 27,132
Council on Aging/Nutrition	\$ 492,310
Parks & Recreation	\$ 290,173
Transfers-Social Services	\$ 1,249,130
Transfers-Revaluation	\$ 60,000
Transfers-Debt-QZAB	\$ 212,181
Transfers-Debt-Middle School	\$ 457,470
Transfers-Debt-DSS	\$ 251,548
Transfers-Debt-QZAB-Bertie High	\$ 109,461
Transfers-Debt-Health	\$ 71,925
Transfers-Debt-Hospital	\$ 826,651
Transfers-Debt-Bertie High School (2012 A/B)	\$ 1,189,236
Transfers-Capital School Reserve	\$ 210,000
Appropriations-Other Agencies	\$ 5,729,108
Contingency	\$ 125,394
GENERAL FUND APPROPRIATIONS	\$ 22,486,578
SOCIAL SERVICES FUND	
Social Services	\$ 4,761,800
SOCIAL SERVICES FUND APPROPRIATIONS	\$ 4,761,800

ORD-EXP FY 16-17

GENERAL FUND		
Ad Valorem-Prior Years	\$	309,800
Motor Vehicle-Prior Years	\$	5,600
Penalties and Interest	\$	125,000
Sales Tax -1% Pt of Collection	\$	325,000
1/2 Cent Sales Tax Article 40	\$	825,000
1/2 Cent Sales Tax Article 42	\$	350,000
Sales Tax Law Change	\$	1,000
Payment in Lieu of Taxes-Federal Land	\$	28,000
Other Taxes	\$	55,200
Unrestricted Intergovernmental	\$	99,500
Restricted Intergovernmental	\$	605,380
Permits & Fees	\$	278,550
Medical Service Fees	\$	900,000
Non-Emergency Transport Fees	\$	925,000
Landfill Fees	\$	1,859,563
Sales & Service	\$	74,501
Hospital Lease	\$	826,651
Miscellaneous	\$	197,100
Interest Earned	\$	20,000
Indirect Cost Water Systems	\$	241,640
Transfers from Lottery	\$	-
Transfers from School Capital Reserve	\$	2,343,346
FUND BALANCE APPROPRIATED	\$	1,476,348
AD VALOREM TAXES	\$	9,323,962
MOTOR VEHICLE TAXES	\$	1,290,437
GENERAL FUND REVENUES		<u>\$ 22,486,578</u>
SOCIAL SERVICES FUND		
State and Federal Assistance	\$	3,509,670
Health Choice	\$	3,000
Transfer from General Fund	\$	1,249,130
SOCIAL SERVICES FUND REVENUES		<u>\$ 4,761,800</u>
911 WIRE/WIRELESS FUND		
Interest Earned	\$	500
User Charges and Fees	\$	161,740
FUND BALANCE APPROPRIATED	\$	-
911 WIRE/WIRELESS FUND REVENUE		<u>\$ 162,240</u>

ORD-REV FY 16-17

Chairman Trent reminded all of the Commissioners that the Board would take whatever time necessary to review every section of the proposed budget so that all Commissioners will have a good understanding of the budget details.

The first section reviewed by the County Manager was the revenues for the General Fund, and there was much focus on the sales tax estimates for next year.

The County Manager explained that there is still some uncertainty about the impact of the NC General Assembly's revenue projections for the new distribution formula and the expansion of sales for some services such as auto repair. State estimates for the growth in sales tax receipts range from \$500,000 to \$700,000 and management would prefer to have a few months of actual experience prior to committing the estimates in the budget forecast.

Mr. Sauer also explained that with this strategy, the Board will have flexibility for implementation of the compensation and pay study without having to make cuts or finding new revenue.

He suggested having a special work session after the budget is complete to meet with the consultant and review options for phasing in the implementation.

Mr. Sauer suggested that priority should be given to those areas where staffing is difficult and the department experiences more staff turnover than other agencies such as the Sheriff's Office and the Department of Social Services.

The next item discussed was retirement benefits for current employees. Several proposals were considered, but no decision was made at this time.

The Board also reviewed the latest updates regarding the County's recent pay study with Springsted Incorporated. County Manager Sauer stated that a draft of the study had been submitted, but that those numbers have since been modified to reflect existing organization functions by department. He mentioned that a new draft was forthcoming, but that the Board had the freedom to wait until a formal presentation of the results is provided by Springsted before making any final decisions.

The Board concurred, and then had a brief discussion on County sales tax, public school funding, and current revenues and expenditures.

In summary, the Board reviewed all departmental budgets except Elections, Emergency Telephone Service, and the debt service.

Lastly, the Board discussed the potential of further support for the local fire departments. After a short discussion, the Board agreed to "sleep on it" and return to this topic at tomorrow's work session.

LUNCH BREAK – 12:15PM to 1:15PM

After lunch, the Board discussed the Special Appropriations.

Dr. Michael Elam, President of Roanoke-Chowan Community College (RCCC), was present to share his final thoughts and vision with the Board before his last day in his current position as President of RCCC.

He thanked the Board for their productive and open working relationship over the past several years, and suggested that the Board consider a satellite RCCC campus within the Tall Glass of Water project. The location could bring a new facet to programs at RCCC such as a new marine biology program, and even an extension of offerings for the agriculture and forestry programs.

The Board confirmed the \$55,000 contribution to RCCC listed in the budget for the upcoming fiscal year.

Next, the Board reviewed the Choanoke Area Development Association (CADA) line item. After some concerns were raised about the lack of funding listed, the suggestion was made for the County to waive the monthly rent and utility costs in the amount of \$14,280. There was Board consensus.

There was also a short discussion regarding profits from the ABC Board and whether or not there was a statutory requirement to use those funds for substance abuse programs and organizations.

The Board also discussed Visions in View, and reviewed the timeline of discussions that was already taken place on this subject. The Board members present agreed that the organization should not be penalized when they followed the steps that were asked of them. The consensus was to fund Visions in View in the amount of \$10,000 in the upcoming budget year.

The next organization discussed was Better Beginnings for Bertie's Children. After a lengthy discussion, the Board agreed to "sleep on it" and revisit this organization's needs during tomorrow's budget work session. The same was decided for Heritage Collegiate Leadership Academy (HCLA).

Board adjourned this work session at 3:00PM in order to break before the regular 4:00PM meeting.

TUESDAY, JUNE 7, 2016 – 8:30AM-10:00AM

The Board briefly reviewed the actions that took place at last night's meeting.

County Manager Sauer reiterated the complaint made by the husband of Quamesha Rascoe who is the registered bidder for parcel #14 regarding a tract in Aulander. He requested that her bid of \$2,800 be rejected for that property. Concerns were given about the tract of land not being accurately advertised.

In addition, Mr. Sauer notified the Board that he had received a new complaint regarding bid #17 in the amount of \$1,800 for tract on Highway 45 in Colerain. The bidder, Vernon Lee, requested that his validated contract, and bid, be withdrawn and rejected. Concerns were given about the tract of land not being accurately advertised.

County Manager Sauer stated that the Board could make a motion to reject and withdraw applications as they see fit.

Due to a personal conflict of interest, Commissioner Lee, wife of Vernon Lee, recused herself from the voting on this matter.

Commissioner Wesson made a **MOTION** to reject all bids, to withdrawal, and to invalidate the applications of both Ms. Quamesha Rascoe and Mr. Vernon Lee for tract numbers 14 and 17. Chairman Trent and Vice Chairman Bazemore **SECONDED** the motion. The **MOTION PASSED** unanimously.

Vice Chairman Bazemore asked to revisit the Elections Department budget. There was a brief discussion regarding salary and wages, and the Board concurred to have the Finance Officer review the numbers to possibly accommodate additional funding in the salary line item to raise the part-time rate from \$7.25 to \$10.00 an hour.

In summary, the Board asked to revisit various topics in order to wrap up the budget work sessions.

The first topic was funding for HCLA. After a lengthy discussion, the Board came to a consensus to reject the Academy's funding request due to statutory limitations explained by the County Attorney in a written report which will be discussed in a letter of correspondence to the charter school.

In addition, Commissioner Wesson informed the Board that Dr. Kashi Hall, Executive Director of HCLA, was just appointed by the Governor to serve on the RCCC Board of Directors.

The Board also briefly discussed the possibility of additional funding to local fire departments that was brought up at yesterday's budget session.

There was extensive discussion regarding the potential funding disparity between fire departments supported by municipalities with taxing authority, and the struggling volunteer fire departments serving unincorporated areas of the County.

It was also suggested that Commissioner Stewart White be appointed to lead a task force committee to review this issue.

Chairman Trent made a **MOTION** to continue moving forward with the current budget proposal, but to leave open the possibility of amending the budget, if needed, and upon further consideration, to accommodate additional funding to local fire departments. Vice Chairman Bazemore **SECONDED** the motion. The **MOTION PASSED** unanimously.

The Board also addressed concerns regarding accessibility of the Veteran's Services Office to veterans in need of assistance with their post military benefits.

It was the consensus of the Board to seek out an arrangement for an additional part time staff member, or having the current Veteran Services Director, Milton Parker, change to full time status in order to establish full time office hours by January 1, 2017.

Also, the Board revisited potential funding for Better Beginnings for Bertie's Children. After some additional discussion, the Board agreed to fund the organization with the contingency that the organization provide quarterly status reports about the success of Child Find.

Commissioner Wesson made a **MOTION** to fund Better Beginnings for Bertie's Children in the amount of \$52,540. The funding would be taken from the newly added Contingency line item. Vice Chairman Bazemore **SECONDED** the motion. The **MOTION PASSED** unanimously.

Commissioner Lee confirmed that the funding for Better Beginnings for Bertie's Children and Visions in View, which was funded at yesterday's session, would be funded from the Contingency line item.

There was an additional consensus that a policy or protocol would need to be put into place regarding funding for additional organizations or events throughout the year.

It was suggested by Commissioner Wesson to put a standard in place that once Contingency Funds have been depleted, no additional funding could be expended for "pop up" causes and organizations.

Wrap-Up

At this time, County Manager Sauer asked the Board to begin to address the unfunded liability for employee retirement benefits.

After a brief discussion, the Board agreed that in order to address the unfunded liability issue that the first step would be to eliminate retiree healthcare benefits to new hires as of the new fiscal year effective July 1, 2016. A presentation from the actuarial firm would be conducted at an upcoming work session to review the strategies recommended by the County Manager to limit the future liabilities for retiree health insurance.

Commissioner Lee made a **MOTION** to eliminate retiree healthcare benefits to new hires hired on or after July 1, 2016. Commissioner Wesson **SECONDED** the motion. The **MOTION PASSED** unanimously.

Lastly, the question was raised about the possibility to decrease the current tax rate from \$0.84 to \$0.83 due to the revenue generated from the EMS Medicaid Maximization reimbursement, which was in excess of \$400,000 in the current year.

Commissioner Lee was in favor of the tax rate reduction, but did not want to reduce it only to increase it again next fiscal year.

The Board was confident that no increase should be needed due to the amount of funding that will be received from Medicaid reimbursement.

Commissioner Wesson made a **MOTION** to decrease the current tax rate by \$0.01 from \$0.84 to \$0.83. Vice Chairman Bazemore **SECONDED** the motion. The **MOTION PASSED** unanimously.

Lastly, the Board agreed that the following work sessions should take place once the budget has been completed: full review of employee retirement benefits and how to fully address the unfunded liability (OPEB), a revitalization of the County's Personnel Policy, a standard of protocol for funding "pop up" 501(c)(3) organizations, as well as a final presentation from Springsted for the County's latest pay study.

ADJOURN

Chairman Trent adjourned this session at 10:00AM.



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: June 20, 2016

AGENDA ITEM: C-5

DEPARTMENT: Governing Body

SUBJECT: Approve minutes for Regular Session 6-6-16

COUNTY MANAGER RECOMMENDATION OR COMMENTS: Recommend approval.

SUMMARY OF AGENDA ITEM AND/OR NEEDED ACTION(S): Recommend approval.

ATTACHMENTS: Yes

LEGAL REVIEW PENDING: N/A

ITEM HISTORY: ---

Windsor, North Carolina
June 6, 2016
Regular Meeting

The Bertie County Board of Commissioners met for their regularly scheduled meeting inside the Commissioners Room located at 106 Dundee Street, Windsor, NC. The following members were present or absent:

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

Absent: Stewart White, District II

Staff Present: County Manager Scott Sauer
Clerk to the Board Sarah S. Tinkham
County Attorney Lloyd Smith
Finance Officer William Roberson
Emergency Services Director Mitch Cooper
EMS Division Chief Crystal Freeman
Compliance Enforcement Officer Stephanie Wiggins
Sheriff John Holley
Communications Director JW Stalls
Medical Director Mike Lowry

Leslie Beachboard of the Bertie Ledger-Advance, and Gene Motley of the Roanoke-News Herald was present from the media.

CALL TO ORDER

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

INVOCATION/PLEDGE OF ALLEGIANCE

Commissioner Lee led the Invocation and Pledge of Allegiance.

PUBLIC COMMENTS

At this time, concerns were raised from citizens of Aulander regarding a recent emergency call at 506 W. Main Street in Aulander.

Two citizens identified themselves as Wanda Moore and Franklin “Bonnie” Jones.

Citizens in the audience were given the opportunity to express the information they received from witnesses of the events.

Commissioner Wesson stated on behalf of the Board that condolences were with the family and friends of the victim. He also responded to questions, and Chairman Trent requested that Emergency Services Director, Mitch Cooper, and Medical Director, Dr. Mike Lowry, respond to other concerns, as well as to provide clarification of State EMS protocols.

Dr. Lowry briefly summarized the series of events as laid out in a formal report from the medics on duty for the call, and Mr. Cooper also responded to questions about protocol of responding to safe vs. unsafe scenes.

Mr. Cooper asked if citizens present tonight were actual witnesses to the events in question. None of the citizens claimed to be present during the specific events, and were using information given to them from alleged witnesses of the event.

Mr. Jones stated that a conversation with the actual witnesses should have already been completed before tonight’s meeting.

Mr. Cooper stated that an initial attempt had been made to meet with witnesses of the event through a conversation with Mr. Jones himself, but that a second attempt would be made if contact information for each witness was shared with the County to ensure a proper and thorough investigation.

On another matter, a citizens presented his concerns on behalf of his wife about “false advertising” of a property he won in the County surplus auction on Saturday, June 4. The tract is located in Aulander and he claims the house was not accurately photographed online, and he requested that his bid be rejected.

APPOINTMENTS

Presentation of the proposed FY2016-2017 budget plan by County Manager, Scott Sauer

County Manager Sauer presented the proposed FY2016-2017 budget plan as outlined in an email to all Commissioners sent according to statutory requirements on June 1, 2016.

The budget message and line by line detail for the proposed FY2016-2017 reads as follows:

June 1, 2016

Chairman Trent
Vice Chairman Bazemore
Commissioner Lee
Commissioner Wesson
Commissioner White

To the Board of Commissioners and the citizens and taxpayers of Bertie County:

As required by the NC Local Government Budget and Fiscal Control Act, submitted for your review is the proposed budget plan for FY 2016-2017.

Accompanying this budget message is a balanced statement of projected revenues and estimated expenditures for the General Fund which totals \$22,286,578 which is an increase of 4.19 percent over the adopted budget for the current year.

This budget plan attempts to meet the stated goals of the governing body, and provides flexibility for the discussion and changes that may be warranted based on the Board's upcoming deliberations. First and foremost, this proposed budget does not contain a tax rate increase and the recommended appropriation of fund balance reserves is more than \$100,000 less than the adopted budget ordinance for the current year. The estimated tax base for FY 2016-2017 is \$1.3 billion assessed value and the net yield for each cent on the tax rate is \$125,858.

The Board of Commissioners has made a significant investment in the County's human capital—its employees. Last year the Board took significant steps toward establishing an improved working wage for staff beginning with the lowest job classifications across all departments. The Board of Commissioners approved a supplemental 401(k) retirement contribution of 2% for all non-law enforcement personnel who receive a 5% supplemental 401(k) contribution as required by NC General Statutes. The Board of Commissioners also established an employee assistance programs for employees and their families, and established a flexible spending account for out of pocket medical expenses with a \$200 contribution for each employee.

The proposed budget for FY 2016-2017 continues this effort, and funding is included to increase the contribution for 401(k) supplemental retirement to 2.5% beginning July 1, 2016 and continues the provision of a \$200 contribution per employee for the flexible spending account to assist with the cost of meeting deductibles and prescription copayments.

There are no new full time positions added to the budget as proposed for FY 2016-2017, and the only additional part-time position is for the senior nutrition site in Kelford.

During the current fiscal year, the Board engaged a consulting firm to review the County's job classification and compensation for all positions within the organization. This study and its recommendations will be presented during the budget work session as determined by the Board. Implementation of these recommendations in the next fiscal year, or phased in over a period of years will represent a significant investment in the County's human resources and extend our ability to recruit and retain qualified staff. I would recommend strongly that the Board consider placing priority on two areas where the County has struggled with position turnover during the past several years—law enforcement and social services. To assist the Board with identifying funds to cover the cost of this implementation process, projected sales tax receipts have been held flat with no increase for FY 2016-2017. Notable in this discussion will be the anticipated expansion of sales tax and the revised distribution formula approved by the NC General Assembly to be effective beginning next fiscal year. Impact for Bertie County has ranged from an increase of \$500,000 per year to figures much higher. The Board has the flexibility to proceed cautiously, to examine the sales tax receipts in the first quarter or first half of the year, and place priority on salary adjustments that may warrant immediate attention as needed.

School current expense funding is recommended at \$3,003,000 and is above the State's minimum requirement of \$2,674,812 which maintains the County's eligibility for low wealth supplemental funding and other critical State revenues.

School capital outlay funding is recommended at \$375,000.

In order to avoid a tax increase for FY 2016-2017 there remain several program requests which are not recommended for funding in the proposed budget. In recognition of the difficult decisions and discussions that will take place, the Finance Officer has identified unallocated funds totaling \$125,394 which have been placed in the contingency line item for the General Fund are available for appropriation by the Board of Commissioners, or for use in reducing the tax rate by one cent.

During the past couple of years, the governing body closing examined the County's ability to provide health insurance coverage for existing staff and qualifying retirees. In January of 2016, the Board took action approving the County's participation in the NC State Health Insurance program, a decision that greatly reduced annual premiums and lowered deductible limits. Future obligations for existing staff and the accompanying retiree health insurance remain a long term unfunded liability. Premium costs for the County's existing retirees are budgeted at \$350,000 for next fiscal year.

The proposed budget for FY 2016-2017 includes utilization of the County's savings generated by its participation in the state health plan to establish a financing plan for the long term post-employment health care costs for retirees. This accrued unfunded liability has grown significantly in recent years as indicated by the County's audited financial statements :

FY 2012	\$2,386,998
FY 2013	\$2,963,144
FY 2014	\$3,385,713
FY 2015	\$3,849,010

One of the Board’s top financial priorities for 2016 is to adopt a strategy to address this long term liability, and the proposed FY 2016-2017 includes a funding strategy based on depositing \$100 per month per authorized position in an irrevocable trust fund account, with these monies permanently restricted for post-employment health insurance costs for retirees. Funding is included in the Special Appropriations category, identified as “OPEB Trust” for this purpose in the amount of \$242,400 for FY 2016-2017.

Additionally, the proposed budget plan outlines a strategy to curtail future post-employment benefit costs related to retiree health insurance. At present, the County’s benefit plan provides 100% percent of the premium cost for retiree health insurance for an employee retiring with 20 years continuous service, or 25 years non-continuous service to the County regardless of age. Coverage continues until the employee/retiree becomes Medicare eligible, at which time the County converts coverage to a Medicare Supplement policy. Likewise the County pays 50% of the cost of health insurance premiums for an employee who is at least 55 years of age and retiring with 15 years of continuous service under the current personnel resolution.

In an effort to mitigate the growing burden for retiree health insurance costs facing current and future taxpayers, several adjustments to the County’s personnel resolution are outlined below:

- 1) New hires—after July 1, 2016 no retiree health insurance coverage is offered.
- 2) Current employees with at least 10 years of service as of July 1, 2016 will maintain full (100%) health insurance coverage at 20 years of continuous service or 25 years of non-continuous service regardless of age.
- 3) Employees with at least 5 years of service, but less than 10 years as of July 1, 2016 will be eligible for retiree health insurance as follows:
 - 100% coverage of health insurance premium with 30 years of service to the County.
 - 75% coverage of health insurance premium with 25 years of service to the County.
 - 50% coverage of health insurance premium with 20 years of service to the County.
- 4) Current employees with less than 5 years of service as of July 1, 2016 will be eligible for retiree health insurance as follows:
 - 75% coverage of health insurance premium with 30 years of service to the County.
 - 50% coverage of health insurance premium with 25 years of service to the County.

- 5) Service time credit with the County will be calculated based on actual service time and any sick leave time that is on balance with the County at the time of retirement, which is consistent with current County policy.

Again, the strategy outlined above is recommended, and is subject to change based on review and consideration by the Board of Commissioners. At a minimum, these five strategies will bring to focus, the pertinent issues contributing to the future financial liability for the County.

At present, the County has 209 authorized full time positions. The adoption of the FY 2015-2016 budget added 8 new positions, and the start-up of the County's paramedic and non-emergency transport programs have added 46 new staff positions since the program's inception in December 2013. Projecting forward, the County's staffing and future obligations for post-employment benefits (retiree health insurance) will require the governing body to be proactive in its financial planning to meet these liabilities, which are presently unfunded.

Other priorities funded in this proposed budget included full year implementation of the core staffing plan for the Cooperative Extension office as previously approved by the Board, in cooperation with NC State University. There is continued support for the Board's community based recreation efforts utilizing resources allocated through the Recreation Department and the YMCA to serve joint programming and services throughout the County. As these efforts continue to grow, it is recommended that a joint memorandum of understanding be developed to clearly identify roles and responsibilities for the community based recreation programming.

Continued emphasis on preventive maintenance and upkeep for various County facilities is reflected in the Public Buildings budget with a recommended amount of \$255,851 for capital improvements. Several items have been deferred including parking lot paving at various locations, which reduced the requested capital figure of \$339,301 for next fiscal year. In addition, \$50,000 is earmarked in the Animal Control budget for improvements to the animal shelter including weatherization and temperature control in an effort to meet state regulatory standards set by the NC Department of Agriculture. Also, the County recently formalized its relationship with the Blue Jay Recreation community association with a long term facility lease, and in addition to seeking grants for Blue Jay park improvements, the proposed FY 2016-2017 budget includes \$83,450 for the first phase of upgrades at the facility.

Funding for the Bertie County Regional Water system totals \$2,821,400 and reflects the combined funding for all four (4) water districts and the recent increased customer base with the addition of the South Windsor, Lewiston-Woodville and Roxobel systems. The Board has also successfully sought capital financing for three major projects which have been approved with a total of \$1,574,000 in grant funding and \$4,234,900 in long term financing, of which \$2,517,850 is zero interest. During the budget work sessions, the Water Superintendent and I want to address potential usage rate changes for non-residential customers. Additionally, beginning July 1, 2016 the water department personnel will begin billing for sewer customers served by the Town of Windsor who were previously part of the South Windsor. The Town of Windsor has agreed to reimburse the County a 2% collection fee which is also paid by the Towns of Lewiston-Woodville, Askewville and Colerain. Having a single point of contact for billing will eliminate confusion and save time for customers.

I am indebted to the department heads and agency directors who have been very diligent in preparation of funding requests, and to Mr. William Roberson the County's Finance Director, for his careful review and assistance in developing this budget proposal.

Respectfully,
Scott Sauer
County Manager

GENERAL FUND	
Governing Body	\$ 221,083
Administration	\$ 242,845
HR & Risk Management	\$ 79,603
Finance	\$ 255,950
Tax	\$ 590,208
Legal	\$ 135,000
Court Facilities	\$ 89,872
Elections	\$ 143,884
Register of Deeds	\$ 302,108
Public Buildings & Grounds	\$ 892,113
Data Center	\$ 235,816
Sheriff	\$ 2,452,637
Communications	\$ 430,867
Emergency Management	\$ 407,654
Emergency Medical Service	\$ 2,495,425
Non-Emergency Transport	\$ 620,012
Planning/Building Inspections	\$ 314,314
Medical Examiner	\$ 6,000
Animal Control	\$ 174,160
Solid Waste	\$ 472,308
Economic Development	\$ 166,275
Cooperative Extension	\$ 277,779
Soil Conservation	\$ 80,946
Health	\$ 98,000
Veterans Service Office	\$ 27,132
Council on Aging/Nutrition	\$ 492,310
Parks & Recreation	\$ 290,173
Transfers-Social Services	\$ 1,249,130
Transfers-Revaluation	\$ 60,000
Transfers-Debt-QZAB	\$ 212,181
Transfers-Debt-Middle School	\$ 457,470
Transfers-Debt-DSS	\$ 251,548
Transfers-Debt-QZAB-Bertie High	\$ 109,461
Transfers-Debt-Health	\$ 71,925
Transfers-Debt-Hospital	\$ 826,651
Transfers-Debt-Bertie High School (2012 A/B)	\$ 1,189,236
Transfers-Capital School Reserve	\$ 210,000
Appropriations-Other Agencies	\$ 5,729,108
Contingency	\$ 125,394
GENERAL FUND APPROPRIATIONS	\$ 22,486,578
SOCIAL SERVICES FUND	
Social Services	\$ 4,761,800
SOCIAL SERVICES FUND APPROPRIATIONS	\$ 4,761,800

ORD-EXP FY 16-17

GENERAL FUND		
Ad Valorem-Prior Years	\$	309,800
Motor Vehicle-Prior Years	\$	5,600
Penalties and Interest	\$	125,000
Sales Tax -1% Pt of Collection	\$	325,000
1/2 Cent Sales Tax Article 40	\$	825,000
1/2 Cent Sales Tax Article 42	\$	350,000
Sales Tax Law Change	\$	1,000
Payment in Lieu of Taxes-Federal Land	\$	28,000
Other Taxes	\$	55,200
Unrestricted Intergovernmental	\$	99,500
Restricted Intergovernmental	\$	605,380
Permits & Fees	\$	278,550
Medical Service Fees	\$	900,000
Non-Emergency Transport Fees	\$	925,000
Landfill Fees	\$	1,859,563
Sales & Service	\$	74,501
Hospital Lease	\$	826,651
Miscellaneous	\$	197,100
Interest Earned	\$	20,000
Indirect Cost Water Systems	\$	241,640
Transfers from Lottery	\$	-
Transfers from School Capital Reserve	\$	2,343,346
FUND BALANCE APPROPRIATED	\$	1,476,348
AD VALOREM TAXES	\$	9,323,962
MOTOR VEHICLE TAXES	\$	1,290,437
GENERAL FUND REVENUES		<u>\$ 22,486,578</u>
SOCIAL SERVICES FUND		
State and Federal Assistance	\$	3,509,670
Health Choice	\$	3,000
Transfer from General Fund	\$	1,249,130
SOCIAL SERVICES FUND REVENUES		<u>\$ 4,761,800</u>
911 WIRE/WIRELESS FUND		
Interest Earned	\$	500
User Charges and Fees	\$	161,740
FUND BALANCE APPROPRIATED	\$	-
911 WIRE/WIRELESS FUND REVENUE		<u>\$ 162,240</u>

ORD-REV FY 16-17

BOARD APPOINTMENTS

ABC Board

Commissioner Lee made a **MOTION** to reappoint Miles Davis to the ABC Board for an additional 3-year term. Commissioner Wesson **SECONDED** the motion. The **MOTION PASSED** unanimously.

Choanoke Public Transportation Authority (CPTA)

Vice Chairman Bazemore made a **MOTION** to reappoint Morris Rascoe and Lewis C. Hoggard, III to the CPTA Board for additional 2-year terms. Commissioner Lee **SECONDED** the motion. The **MOTION PASSED** unanimously.

Planning Board

Commissioner Lee made a **MOTION** to reappoint Carl Bond and to appoint Thomas Asbell to the Planning Board. Commissioner Wesson **SECONDED** the motion. The **MOTION PASSED** unanimously.

Juvenile Crime Prevention Council (JCPC)

Vice Chairman Bazemore made a **MOTION** to appoint Tekeita Thompson to the JCPC Board. Commissioner Lee **SECONDED** the motion. The **MOTION PASSED** unanimously.

Vidant Bertie Director's Council

Commissioner Wesson made a **MOTION** to appoint County Manager, Scott Sauer, to the Vidant Bertie Director's Council. This appointment replaces Chairman Trent. Vice Chairman Bazemore **SECONDED** the motion. The **MOTION PASSED** unanimously.

Child Fatality Prevention Team (CFPT)

Vice Chairman Bazemore made a **MOTION** to appoint Teketia Thompson to the Child Fatality Prevention Team. Commissioner Wesson **SECONDED** the motion. The **MOTION PASSED** unanimously.

CONSENT AGENDA

Upon review by Chairman Trent, Commissioner Bazemore made a **MOTION** to approve the Consent Agenda items below. Commissioner Lee **SECONDED** the motion. The **MOTION PASSED** unanimously.

The Consent Agenda was approved as follows:

1. **Minutes** – Regular Session 5-23-16
2. **Register of Deeds Fees Report** – May 2016
3. **Contracts** – approval of real estate bids for the County surplus property auction on Saturday, June 4, 2016, except bid #14 that needs further review
3. **Budget Amendment** - #16-12

***NOTE:** Originally the Board also approved the Memorandum of Agreement with the NC Wildlife Commission regarding the addition of trash cans and portable toilets at the Weeping Mary Road Boat Access Area. After an additional opportunity to review overnight, Chairman Trent stated that the Board should table the matter until additional discussion could take place.

DISCUSSION AGENDA

Calendar Reminders

The Board reiterated that the public hearing on the FY 2016-2017 budget would be held at their next regular meeting on June 20, 2016. The location will be here in the Commissioners Room.

Pending Items/Updates

There were no items to report.

COMMISSIONER'S REPORTS

Commissioner Wesson reported due to the closure of the Senior Center in Colerain, that funding will now be supplied to the remaining Senior Center in Kelford.

Vice Chairman Bazemore reported that the new interstate initiative in the area had been named Interstate 87 (I-87). This initiative was being completed under the NC Trust Bond and no funding would need to be given from the County.

Commissioner Lee informed the Board that actions have been taken to secure a full time food pantry in the Colerain community. The project is in the works and should open soon.

The Board commended Commissioner Lee for her diligent efforts and involvement in the Colerain mobile food pantry, and stated that they were excited for a permanent food pantry facility.

There were no other Commissioner Reports.

COUNTY MANAGER'S REPORTS

County Manager Sauer gave no remarks at this time.

COUNTY ATTORNEY'S REPORTS

County Attorney Smith gave no remarks at this time.

PUBLIC COMMENTS

There were no public comments during this section.

ADJOURN

Chairman Trent adjourned the meeting at 5:05PM.

John Trent, Chairman

Sarah S. Tinkham, Clerk to the Board



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: June 20, 2016

AGENDA ITEM: C-6

DEPARTMENT: Governing Body

SUBJECT: Consider approval of proposed FY2016-2017 budget ordinance

COUNTY MANAGER RECOMMENDATION OR COMMENTS: To adopt the FY2016-2017 Budget Ordinance, including the tax rate of 83 cents, which is a reduction of one penny on the current Tax Rate.

SUMMARY OF AGENDA ITEM AND/OR NEEDED ACTION(S): Discussion requested.

ATTACHMENTS: Yes

LEGAL REVIEW PENDING: N/A

ITEM HISTORY: ---

**BERTIE COUNTY, NORTH CAROLINA
2016-2017 BUDGET ORDINANCE**

AN ORDINANCE ADOPTING THE ANNUAL BUDGET AND SETTING THE TAX RATE FOR THE COUNTY OF BERTIE FOR THE FISCAL YEAR 2016-2017.

WHEREAS, Article 3 of Chapter 159 of the North Carolina General Statutes (NCGS), requires local governments in North Carolina to adopt ordinances establishing an annual budget, in accordance with procedures established in said Article 3, and

WHEREAS, the Bertie County Board of Commissioners, following a public hearing as required by law has considered the proposed annual budget for Bertie County for the 2016-2017 Fiscal Year.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF BERTIE, NORTH CAROLINA:

SECTION 1. REVENUES: It is estimated that the revenues and Fund Balances of the funds hereafter listed will be available for the fiscal year beginning July 1, 2016, and ending June 30, 2017, to finance the appropriations set forth in SECTION 2 and in accordance with the chart of accounts established for Bertie County:

GENERAL FUND

Ad Valorem-Prior Years	\$	309,800
Motor Vehicle-Prior Years	\$	5,600
Penalties and Interest	\$	125,000
Sales Tax -1% Pt of Collection	\$	325,000
1/2 Cent Sales Tax Article 40	\$	825,000
1/2 Cent Sales Tax Article 42	\$	350,000
Sales Tax Law Change	\$	1,000
Payment in Lieu of Taxes-Federal Land	\$	28,000
Other Taxes	\$	55,200
Unrestricted Intergovernmental	\$	502,132
Restricted Intergovernmental	\$	690,831
Permits & Fees	\$	278,550
Medical Service Fees	\$	900,000
Non-Emergency Transport Fees	\$	925,000
Landfill Fees	\$	1,859,563
Sales & Service	\$	60,221
Hospital Lease	\$	826,651
Miscellaneous	\$	197,100
Interest Earned	\$	20,000
Indirect Cost Water Systems	\$	241,640
Transfers from Lottery	\$	-
Transfers from School Capital Reserve	\$	2,343,346
FUND BALANCE APPROPRIATED	\$	1,334,101
AD VALOREM TAXES	\$	9,212,962
MOTOR VEHICLE TAXES	\$	1,233,239

GENERAL FUND REVENUES

\$ 22,649,936

SOCIAL SERVICES FUND

State and Federal Assistance	\$	3,509,670
Health Choice	\$	3,000
Transfer from General Fund	\$	1,258,660

SOCIAL SERVICES FUND REVENUES		\$	4,771,330
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911 WIRE/WIRELESS FUND

Interest Earned	\$	500
User Charges and Fees	\$	161,740

FUND BALANCE APPROPRIATED	\$	-
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911 WIRE/WIRELESS FUND REVENUE		\$	162,240
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LOTTERY

Lottery Proceeds	\$	355,000
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LOTTERY FUND REVENUE		\$	355,000
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CAPITAL SCHOOL RESERVE FUND

Capital School Reserve	\$	2,343,346
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CAPITAL SCHOOL RESERVE FUND		\$	2,343,346
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REVALUATION FUND

Transfer from General Fund	\$	60,000
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REVALUATION FUND REVENUES		\$	60,000
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DEBT SERVICE

Transfer From General Fund-QZAB-School	\$	212,181
Transfer From General Fund-QZAB-Brt High	\$	109,461
Transfer From General Fund-Middle School	\$	457,470
Transfer From General Fund-Health Building	\$	71,925
Transfer From General Fund-DSS-Building	\$	251,548
Transfer From General Fund-Hospital	\$	826,651
Transfer From General Fund-BHS-2012A	\$	841,461
Transfer From General Fund-BHS-2012B	\$	347,775

DEBT SERVICE FUND REVENUES		\$	3,118,472
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COUNTY WATER DISTRICTS FUND

Sale of Water & Fees \$ 2,821,400

COUNTY WATER DISTRICTS REVENUES \$ 2,821,400

BERTIE TELEPHONE SYSTEM

User and Miscellaneous Charges \$ 70,000

Transfer from General Fund-Phone Reserve \$ 53,500

BERTIE TELEPHONE SYSTEM REVENUES \$ 123,500

REVENUES: \$ 36,405,224

SECTION 2. APPROPRIATIONS: The following amounts are hereby appropriated for the operation of Bertie County Government and its departments and agencies for the fiscal year beginning July 1, 2016, and ending June 30, 2017. The Finance Director is authorized to make transfers from one appropriation to another within the same fund, excluding salary line items, which require approval of the County Manager. Amendments/transfers that increase the fund total must have Board approval. Purchase orders and contracts that are not complete and remain as encumbrances outstanding at June 30, 2016, shall be reclassified as “continuing contracts.” As such they shall be disencumbered and immediately re-encumbered against the following year appropriations.

GENERAL FUND	
Governing Body	\$ 221,083
Administration	\$ 244,384
HR & Risk Management	\$ 79,859
Finance	\$ 256,727
Tax	\$ 591,651
Legal	\$ 135,000
Court Facilities	\$ 89,872
Elections	\$ 144,088
Register of Deeds	\$ 302,804
Public Buildings & Grounds	\$ 893,392
Data Center	\$ 236,496
Sheriff	\$ 2,462,590
Communications	\$ 433,004
Emergency Management	\$ 407,976
Emergency Medical Service	\$ 2,502,782
Non-Emergency Transport	\$ 621,765
Planning/Building Inspections	\$ 322,323
Medical Examiner	\$ 6,000
Animal Control	\$ 174,471
Solid Waste	\$ 472,308
Economic Development	\$ 166,578
Cooperative Extension	\$ 276,643

Soil Conservation	\$	77,971	
Health	\$	98,000	
Veterans Service Office	\$	47,237	
Council on Aging/Nutrition	\$	493,113	
Parks & Recreation	\$	290,714	
Transfers-Social Services	\$	1,258,660	
Transfers-Revaluation	\$	60,000	
Transfers-Debt-QZAB	\$	212,181	
Transfers-Debt-Middle School	\$	457,470	
Transfers-Debt-DSS	\$	251,548	
Transfers-Debt-QZAB-Bertie High	\$	109,461	
Transfers-Debt-Health	\$	71,925	
Transfers-Debt-Hospital	\$	826,651	
Transfers-Debt-Bertie High School (2012 A/B)	\$	1,189,236	
Transfers-Capital School Reserve	\$	210,000	
Appropriations-Other Agencies	\$	5,891,119	
Contingency	\$	62,854	
GENERAL FUND APPROPRIATIONS			\$ 22,649,936
SOCIAL SERVICES FUND			
Social Services	\$	4,771,330	
SOCIAL SERVICES FUND APPROPRIATIONS			\$ 4,771,330
911 WIRE/WIRELESS FUND			
911 Wire/Wireless Fees	\$	162,240	
911 WIRE/WIRELESS APPROPRIATIONS			\$ 162,240
LOTTERY			
Lottery Proceeds	\$	355,000	
LOTTERY FUND			\$ 355,000
CAPITAL SCHOOL RESERVE FUND			
Capital School Reserve	\$	2,343,346	
CAPITAL SCHOOL RESERVE FUND APPROPRIATIONS			\$ 2,343,346
REVALUATION FUND			
Revaluation	\$	60,000	
REVALUATION FUND APPROPRIATIONS			\$ 60,000

DEBT SERVICE FUND		
Debt Service Payments	\$	3,118,472
DEBT SERVICE FUND APPROPRIATIONS		<u>\$ 3,118,472</u>
COUNTY WATER DISTRICTS FUND		
System Operations	\$	2,821,400
COUNTY WATER DISTRICTS APPROPRIATIONS		<u>\$ 2,821,400</u>
BERTIE TELEPHONE SYSTEM		
User and Miscellaneous Charges	\$	123,500
BERTIE TELEPHONE SYSTEM APPROPRIATIONS		<u>\$ 123,500</u>
EXPENSES:		<u>\$ 36,405,224</u>

SECTION 3. School Funding

The Bertie County Schools Current Expense Fund appropriation in the amount of \$3,003,000.00 is contained within the General Fund and shall be paid to the Bertie County Schools in twelve (12) equal monthly installments.

The Bertie County Schools Capital Outlay Fund appropriation of \$375,000 is contained within the General Fund and shall be paid to the Bertie County Schools as needed for payment of invoices. The source of funding for school capital outlay in FY 2016-2017 is State Lottery revenue. All unused funds shall transfer to the School Capital Reserve Fund.

SECTION 4. AD VALOREM TAX LEVY: There is hereby levied for the fiscal year 2016-2017 an ad valorem property tax on all property having a situs in Bertie County as listed for taxes as of January 1, 2016 at a rate of eighty three (83) cents per one hundred (100) dollars assessed value of such property pursuant to and in accordance with the Machinery Act of Chapter 105 of the North Carolina General Statutes and other applicable laws.

The estimated ad valorem property tax set out in SECTION 1 of this ordinance is based on an estimated property value of \$1,312,933,864 (\$1,157,933,864 for real and personal property and public utilities, and \$155,000,000 for motor vehicles) and an estimated collection rate equal to the audited FY2015-2015 collection rates of 95.38% for real/personal property and public utilities and 99.51% for motor vehicles.

SECTION 5. SCHEDULE OF FEES – The Annual Fee Schedule, which is attached to this ordinance, sets all fees authorized to be charged by the County for County goods, services or other functions provided by County personnel, equipment, including consultation and other such activities; and, is hereby approved.

SECTION 6. LEVY OF PRIVILEGE LICENSES AND OTHER TAXES: There is hereby levied all County Privilege Licenses and Taxes, and fees as provided in the ordinances and resolutions duly adopted by the Board of Commissioners of Bertie County.

SECTION 7. DISTRIBUTION: Copies of this Budget Ordinance shall be furnished to the Finance Director, County Manager, Board of Education and Tax Assessor for direction in the carrying out of their duties.

SECTION 8. SPECIAL INSTRUCTIONS: Effective July 1, 2016, the Board of Commissioners has also authorized one (1) new position for FY2016-2017 as outlined in the County Manager’s proposed budget.

Lastly, the Board of Commissioners has also approved the following:

- 401K – 2.5% contribution for supplemental retirement for non-law enforcement employees
- \$200 health savings account

SECTION 9. EFFECTIVE DATE

That this ordinance shall be in full force and effect on July 1, 2016.

Adopted this the ____th day of June, 2016:

John Trent, Chairman

Sarah S. Tinkham, Clerk to the Board

William Roberson, Finance Director

COUNTY DEPARTMENT FEE SCHEDULES

ALL DEPARTMENTS impose a \$25.00 returned check fee.

BERTIE COUNTY PLANNING & INSPECTIONS FEE SCHEDULE EFFECTIVE JULY 1, 2014

Residential Permits

	\$ per sq foot/Other	Minimum	
Construction	\$0.20	\$ 40.00	
Construction (Other*)	\$0.10	\$ 30.00	* Unheated area or accessory structure
			SW DW TW
	\$50/MH Recycling		
Manufactured Home	AMH	\$ 100.00	\$125 \$150
Modular (On-frame)	\$0.20	\$ 40.00	(includes setup, elec., plumb, mech)
Modular (Off-frame)	\$0.20	\$ 40.00	
Electrical (0-200 AMP)	n/a	\$ 50.00	
(Each additional 200 AMP)	n/a	\$ 10.00	
Elec (Temp Service)	n/a	\$ 50.00	
	\$5 per additional		
Plumbing	fixture **	\$ 40.00	**Minimum rate includes 1 full kitchen & 1 full bath
Mechanical	n/a	\$ 40.00	
Insulation	n/a	\$ 40.00	
Reinspection	n/a	\$ 40.00	Must be paid before reinspection
Solar Power (Residential Panels)	\$75 per panel	\$ 50.00	Elec. Permit required for amperage

Commercial Permits

	\$ per sq foot	Minimum	
Construction	\$0.25	\$ 50.00	
Electrical	\$0.15	\$ 50.00	
(Each additional 200 AMP)	n/a	\$ 10.00	
Elec (Temp Service)	n/a	\$ 50.00	
	\$5 per additional		
Plumbing	fixture **	\$ 50.00	**Minimum rate includes 1 full kitchen & 1 full bath
Mechanical	n/a	\$ 50.00	
Insulation	n/a	\$ 50.00	
Reinspection	n/a	\$ 40.00	Must be paid before reinspection

Communication Towers

Tower	n/a	\$1,000
Tower Building	\$0.25	\$50.00
Colocations	n/a	\$250.00

Solar Farms \$0.35 per panel \$1,000.00 Electrical permits also required

Flat Rate Fees

Open Sheds, Piers, Gazebos	\$40.00
Moving (Structures, Houses)	\$40.00
Demolition (No Change)	\$25.00
Structural Inspection for CO	\$50.00

(Bldg & Fire for reopenings of businesses & home daycares)

Fire Inspections	\$50.00
Gas Installation	\$40.00

Planning Fees

Minor Subdivisions	\$50 per lot	
Major Preliminary	\$200 + \$5 per lot	
Major Final <i>(No Change)</i>	\$25 per lot	
		(Add \$5 per unit over 1,000)
PUD Master Plans	\$1,200 (up to 1,000 units)	
PUD Preliminary	\$200 + \$5 per lot	
PUD Final <i>(No Change)</i>	\$5 per unit & \$25 per SF lot	

BERTIE COUNTY EMERGENCY SERVICES EFFECTIVE JULY 1, 2014

Level of Service	HCPCS Code	Price
ALS 1 Emergency	A0427	\$600.00
ALS Non-Emergency	A0426	\$400.00
ALS Level 2 Emergency	A0433	\$800.00
BLS Emergency	A0429	\$500.00
BLS Non-Emergency	A0428	\$400.00
Specialty Care Transport	A0434	\$900.00
Mileage	A0425	\$13.00

BERTIE COUNTY BOARD OF ELECTIONS FEES EFFECTIVE JULY 1, 2014

Item	Price
Voter Registration List <i>(Complete or Partial)</i>	\$0.05 per page
Electronic Copies on CD	\$15.00
Email	FREE

BERTIE COUNTY RECREATION DEPARTMENT FEES EFFECTIVE JULY 1, 2014

Ball Fields (as is)	\$25.00 deposit
Lights <i>(additional charge)</i>	\$15.00 an hour
Ball Fields (dressed)	\$10.00 additional fee

Field Rentals by the hour:

1 Hour

Resident	\$10.00
Non-Resident	\$18.00

6 Hours

Resident	\$50.00
Non-Resident	\$58.00

12 Hours	
Resident	\$80.00
Non-Resident	\$100.00

Weekend	
Resident	\$150.00
Non-Resident	\$220.00

Other Fees:

Youth Sports Registration	\$20.00 per child
Adult Sports Registration	\$250.00 per team
Concession Revenue	10% of profit
Senior Registration	\$35 per quarter ages 55-59
Copies (Admin. Office)	\$0.10 a page
Uniform purchases	\$12.00-\$15.00
Shin Guards	\$5.00
Uniform Late Fee	\$2.00-\$15.00
Complex Rental	See attached

BERTIE COUNTY TAX MAPPING FEES EFFECTIVE JULY 1, 2014

GIS maps

8 1/2 X 11 (Letter Size)	\$2.00
8 1/2 X 14 (Legal Size)	\$3.00
11 X 17	\$5.00
13 X 19	\$8.00
34 X 44	\$15.00
Specialty Maps start at	\$25.00

Scanned Plot or Blueprints

22 X 34	\$5.00
34 x 44	\$8.00

Other Fees:

911 County Map	\$2.00
Print Picture of House	\$0.50
Print Screen	\$0.10
Property Record Card	\$1.00
911 Road Book Copy	\$4.00

BERTIE COUNTY REGISTER OF DEEDS FEES EFFECTIVE JULY 1, 2014

Uncertified copies

Birth	\$0.20
Death	\$0.20
Marriage	\$0.20
Combined Real Property	\$0.20
Miscellaneous Fees	\$0.20
Pin-Copy Deposits	\$0.20

(attorneys, surveyors, tax, DSS)

Other Fees:

Black and White copies	\$0.10
Color copies	\$0.50
CD/DVD/DVD-R	\$1.00

Agreement for Use of Senior Center Gym

The following rules will apply when using the Senior Center:

1. Arrangements will be made with the Senior Center staff regarding set up times.
2. Maximum occupancy of the gym is 370 persons. Exceeding this limit is unlawful.
3. Extension cords must meet existing fire codes.
4. No scotch tape or nails will be used on the walls. Masking tape use only.
5. **DO NOT** drag tables or chairs across floor.
6. If any problems are noted with building (i.e., heating, ac, plumbing, etc), please report these to maintenance At (252) 724-1685 as soon as possible.
7. If Senior Center chairs are used, please restack them in a neat and orderly manner, 10 chairs to a stack and on the chair dolly. If Senior Center tables are used, please place them on the table truck and return to the closet. Please note exceptions in agreement # 15.
8. If food is served, please be sure tables and floors are clean.
9. Alcoholic beverages and smoking are not allowed and are strictly prohibited.
10. The stage floor is easily marked. Please be sure floor is clean.
11. When leaving the building , be sure the heat is set on 70 or the air conditioning is set on 74, based on the season.
12. The Senior Center gym must be clean by 8:30 am on the following working day, unless prior arrangements have been made with the Senior Center Director. If the gym is not clean there will be a minimum \$50.00 additional charge for cleaning.
13. User is responsible and will be charged for any damages done to building or furnishings.
14. The key will be returned the following working day.
15. When vacating the Senior Center, the following order of chairs and tables must be maintained. One table should be placed by the water cooler and 2 tables by the stairs on each side wall. Put all brown chairs on dolly with brown chairs and all gold chairs with gold chairs. Place gold chairs in closet and brown chairs on the same side wall as the water cooler. Please **DO NOT** cover air vents.
16. **DO NOT** put hot items directly on tables. Use hot pads, towels, etc. for hot items.

I agree to abide by the above rules, and if they are not met, will be prepared to pay for the damages. Failure to abide by these rules not only can result in loss of organization's privilege to rent the Senior Center.

Date

Signature

Date Gym will be used

Organization

Bertie County Senior Center Use Policies

The Bertie County Senior Center was developed for the use of Bertie County Senior Citizens.

The Senior Center Gym can be used by the following organizations (by priority) after arrangements have been made with the Council on Aging Staff.

Bertie County Senior Citizens (no charge)

Bertie County Government Agencies (no charge)

N.C. State Agencies (no charge)

County/State Educational Institutions (no charge)

Non Profit Organizations and Businesses may rent the Senior Center for \$100.00 a day

Religious services are not allowed as this property is governmental property.

Alcoholic beverages and smoking are not allowed and are strictly prohibited.

Admission will only be allowed to cover the direct cost of programs.

Anyone requesting the use of the Senior Center must sign and abide by the "Agreement for use of the Senior Center Gym."

Failure to abide by the "Agreement for use of the Senior Center Guidelines" can result in loss of organization's privilege to rent the Senior Center.

**RESOLUTION
 AMENDING ADOPTED RATE STRUCTURE
 FOR
 BERTIE COUNTY REGIONAL WATER SYSTEM
 COUNTY WATER DISTRICT I II III IV**

WHEREAS, the Rules & Regulations for the Districts were previously adopted on June 21, 2010, amended on June 30, 2016.

WHEREAS, monthly rates need to be amended in order to generate sufficient revenues to meet budgeted expenses,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF COUNTY WATER DISTRICT I II III IV WILL MERGE TOGETHER AND OPERATE AS ONE ENTITY.

That the rate schedule is amended as follows:

***That the Institution/Prison rate is the only one amended June 30, 2016**

Residential

Flat Rate	\$ 15.50
	\$ 4.50/1,000 gallons

Commercial

Flat Rate	\$ 27.00
	\$ 4.75/1,000 gallons

2" Meter

Flat Rate	\$ 117.35
	\$ 4.75/1,000 gallons

Municipal

Flat Rate	\$ 15.50
	\$ 4.50/1,000 gallons

Industrial

Flat Rate	\$ 469.40
	\$ 4.75/1,000 gallons

Institution/Prison

	\$5,301.66
	\$ 7.23/1,000 gallons

That section II.B (2) of the rules and regulations regarding charges for regulator tap-on fee for meters to be amended as follows:

<u>Meter Size</u>	<u>Tap-On Fees</u>
3/4"	\$ 1,000.00
1"	\$ 1,200.00
2"	\$ 2,500.00
4"	\$ 4,000.00
6"	\$ 6,000.00
8"	\$ 8,000.00
10"	\$12,000.00
12"	\$15,000.00

That section IV.C Application for service shall be accompanied by a cash deposit of as shown below and the appropriate tap-on fee if required.

<u>Meter Field Nomenclature</u>	<u>Meter</u>	<u>Deposit</u>
3/4"	5/8"X 3/4"	\$100.00
1"	1" x 1"	\$125.00
2"	2" X 2"	\$150.00

The above rates and charges were revised and shall become effective on July 1, 2015
***The Prison /Institution rate was revised and shall become effective July 1, 2016**

Adopted this _____ day of _____, 2016.

 John Trent, Chairman
 County Water District I II III IV
 Operate as One Entity

(Seal)

 Clerk to the Board



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: June 20, 2016

AGENDA ITEM: C-7

DEPARTMENT: Governing Body

SUBJECT: Budget Ordinance #16-13

COUNTY MANAGER RECOMMENDATION OR COMMENTS: Recommend approval.

SUMMARY OF AGENDA ITEM AND/OR NEEDED ACTION(S): Recommend approval.

ATTACHMENTS: Yes

LEGAL REVIEW PENDING: N/A

ITEM HISTORY: ---

BUDGET AMENDMENT

		# 16-13		
	INCREASE			INCREASE
10-0025-4323-02	\$ 8,000		10-6100-5695-09	\$ 8,000
TO INCREASE FINES AND FORFEITURES (REV/EXP)				
	INCREASE			INCREASE
10-0025-4583-01	\$ 3,000		10-6100-5695-62	\$ 3,000
INCREASE BUDGET FOR JCPC PROGRAM				
APPROVED / /2016				



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: June 20, 2016

AGENDA ITEM: D-1

DEPARTMENT: Planning & Inspections

SUBJECT: First draft presentation of Road Safety and Maintenance Ordinance

COUNTY MANAGER RECOMMENDATION OR COMMENTS: Discussion requested.

SUMMARY OF AGENDA ITEM AND/OR NEEDED ACTION(S): Discussion requested.

ATTACHMENTS: Yes

LEGAL REVIEW PENDING: N/A

ITEM HISTORY: ---

PRIVATE ROAD SAFETY AND MAINTENANCE ORDINANCE

FOR

BERTIE COUNTY, NORTH CAROLINA

MAY 2016

**ARTICLE I
INTRODUCTORY PROVISIONS**

Section 101 Title

This Ordinance is entitled the *Bertie County Road Safety and Maintenance Ordinance*, and may be cited as the *Road Safety and Maintenance Ordinance*.

Section 102 Authority & Purpose

Whereas, in order to promote the health, safety, and general welfare of the citizens of Bertie County, North Carolina; and to allow for and provide for safe and timely emergency services to those citizens of Bertie County and to abate and repair any deterrence to these services because of the conditions of any private roadways which have been deemed to be detrimental to the public health, safety, and general welfare of a citizen of this county; it is desirable and necessary to adopt the *Private Road Safety and Maintenance Ordinance*, for the territorial jurisdiction of Bertie County as herein set forth.

Section 103 Jurisdiction

Upon adoption, this ordinance shall govern every private and public road not maintained by the North Carolina Department of Transportation within Bertie County, North Carolina, where said road provides for public or private access to, at a of minimum, one residence or dwelling which is used for residential purposes.

**ARTICLE II
DEFINITIONS**

Section 201 General

For the purpose of this ordinance, certain terms or words used herein shall be interpreted as follows:

Section 202 Words Interpretation

For the purpose of this Ordinance, certain words shall be interpreted as follows:

- a) The word "may" is permissive
- b) The words " shall" and "will" are mandatory
- c) The present tense includes the future tense and the future tense includes the present tense.
- d) The singular includes the plural and plural includes the singular.
- e) The word "county" shall mean Bertie County, North Carolina
- f) The words "County Commissioners" shall mean the Bertie County Board of Commissioners.
- g) The word "person" includes firm, association, organization; trust, company, corporation, or any legal entity as well as an individual
- h) The words "used" or "occupied" include the phrases: "intended to be occupied or used".

Section 203 Definitions

Dwelling- For the purpose of this Ordinance a dwelling, means any building, structure, manufactured home or mobile home, occupied, maintained or intended for use as a residence.

Enforcement Officer- The enforcement officer for Bertie County shall be the Planning Director or designated representative.

Private Road- A Street that has not been accepted nor planned for acceptance by North Carolina Department of Transportation or other governmental entity, and which provides public and private access to a minimum of one Dwelling. **Said definition does not include private driveways providing access to a Dwelling that is less than thirty five feet in length.**

Owner- The legal owner of the parcel or real property upon which any part of the private road is situated as documented in the Bertie County Tax Office. An owner will only be responsible pursuant to Article III of this ordinance for that portion or section of the private road which is found within the boundary of their parcel as defined by the Bertie County Tax and Mapping Department.

Residence- A primary or temporary place of abode.

**ARTICLE III
SPECIFICATIONS FOR PRIVATE ROADS**

Section 401 General Provisions

Any Private Road within the jurisdiction of this ordinance will be subject to the specifications set forth within this article.

Section 402 Specifications

Roads are to be maintained to support the imposed loads of emergency vehicles and shall be surfaced so as to provide all weather driving capabilities, and be free from breaks in the pavement, ponding of water during rainy periods, excessive washing of drainage ditches, and other related problems which would impede or cause hazards to motor vehicles, specifically emergency service vehicles, including but not limited to vehicles operated in the normal course of duty by law enforcement, emergency management services, and fire departments.

Furthermore, all unpaved private roads shall maintain a pitch of one-half (1/2) inch per foot, more specifically each unpaved private road shall have a one-half (1/2) inch rise per foot from the roadway edge to its center point.

All paved private roads shall be built and maintained pursuant to the most recent North Carolina Department of Transportation Subdivision Construction Manual. Copies of this Manual may be found at the following link:
<http://connect.ncdot.gov/resources/subdivisions.aspx>.

Section 403 Maintenance

The owner of said Private Roads shall have a specific duty to maintain, repair, and bring up to standard, all private roads within the jurisdiction of this ordinance. The Enforcement Officer will inspect any and all private roads subject to this ordinance periodically to ensure compliance with the specification set forth in Article III of this Ordinance.

Section 404 Compliance

Any current owner of a private road subject to this Ordinance shall have 120 days to come into compliance with said Ordinance. All new private roads subject to this Ordinance shall be built in compliance with the Specifications set forth in Article III of this Ordinance.

ARTICLE IV ENFORCEMENT

Section 401 General Provisions

If the specifications required by this Ordinance are not met within the 120 day period, the owner of said private road shall be guilty of a Class III misdemeanor and assessed a fine of five hundred dollars (\$500.00) pursuant to N.C.G.S. §14-4. In lieu of or in addition to the criminal penalties outlined above, the private road owner may be subject to a civil penalty pursuant to N.C.G.S. 153A-123(c) of \$1,000 per day for each day the violation continues, recoverable by the County in a civil action in the nature of a debt. In addition to all other remedies available either at law or in equity, the County may institute an action in the General Court of Justice, more specifically the Superior Court of Bertie County, seeking enforcement of the ordinance by injunction and order of abatement pursuant to N.C.G.S. §153A-123(d) and (e), including but not limited to, action by the County seeking an order of abatement requiring the private road owner to make the necessary improvements to said private road within the time allowed by the Court, whereupon noncompliance with the abatement order the County may execute the Order, making the necessary repairs and maintenance, creating a lien upon the owner's real property for the costs of executing said order.



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: June 20, 2016

AGENDA ITEM: D-2

DEPARTMENT: Planning & Inspections

SUBJECT: Discuss letter from NCDPS dated May 31, 2016 – Flood Plain Management program – Corrective Action Plan extension

COUNTY MANAGER RECOMMENDATION OR COMMENTS: Staff are preparing a request for an extension of the submission of a “plan to remedy” the inadequacies noted in the site visit report on March 15, 2016.

SUMMARY OF AGENDA ITEM AND/OR NEEDED ACTION(S): Bertie County has been enrolled in the regular phase of the NFIP since December 4, 2985, thus making flood insurance and other federal benefits available throughout the community. As of January 31, 2016 there are 86 policies in force for coverage in the amount of \$15,968,399. The total annual premium is \$55,672, and there have been 69 claims paid in the amount of \$1,737,494. There are 7 repetitive loss building that account for 14 claims. Bertie County does not participate in the Community Rating System (CRS), but could receive a \$2,309 annual reduction in the flood insurance premiums for each class improvement if the County elected to join. The current Flood Insurance Rate Map Index date for Bertie County is August 3, 2009.

ATTACHMENTS: Yes

LEGAL REVIEW PENDING: N/A

ITEM HISTORY: ---



North Carolina Department of Public Safety

Emergency Management
Risk Management Section

Pat McCrory, Governor
Frank L. Perry, Secretary

Michael A. Sprayberry, Director

May 31, 2016



The Honorable John Trent
Bertie County
PO Box 530
Windsor, NC 27983

Re: National Flood Insurance Program (NFIP) - Community Assistance Visit (CAV)

Dear Chairman Trent:

This letter is a follow-up to the Community Assistance Visit (CAV) conducted for Bertie County by Ms. Heather Keefer and Mr. Randy Mundt of the NC Emergency Management's Risk Management Section. The meeting was held on **March 15, 2016**, at the Bertie County Government Offices with Ms. Traci White, AICP, CFM. We truly appreciate the assistance, cooperation and hospitality provided by Ms. White during Ms. Keefer and Mr. Mundt's visit.

The purpose of the CAV is to assess the overall effectiveness of a community's floodplain management program under its participation in the National Flood Insurance Program (NFIP). In addition, the CAV affords our office with the opportunity to provide needed technical assistance and guidance as deemed appropriate.

Bertie County has been enrolled in the regular phase of the NFIP since December 4, 1985, thus making flood insurance and other federal benefits available throughout the community. As of January 31, 2016 there are 86 policies in force for coverage in the amount of \$15,968,300. The total annual premium is \$55,672, and there have been 69 claims paid in the amount of \$1,737,494. There are 7 repetitive loss buildings that account for 14 claims. Bertie County does not participate in the Community Rating System (CRS), but could receive a \$2309 annual reduction in the flood insurance premiums for each class improvement if the County elected to join. The current Flood Insurance Rate Map Index date for Bertie County is August 3, 2009.

To maintain participation in the NFIP, Bertie County must continue to administer and enforce local floodplain management regulations that meet or exceed the minimum standards established by the NFIP as outlined in Title 44, Code of Federal Regulations (CFR), Section 60.3. Though participation in the NFIP is voluntary, only participating communities can provide their citizens with the opportunity to purchase flood insurance and receive federal disaster assistance.

MAILING ADDRESS:
4218 Mail Service Center
Raleigh NC 27699-4218
www.ncfloodmaps.com



An Equal Opportunity Employer

OFFICE LOCATION:
4105 Reedy Creek Road
Raleigh, NC 27607
Telephone: (919) 715-5711
Fax: (919) 715-0408

An essential function and requirement of participation in the NFIP is to obtain proper documentation and permanently maintain all floodplain management records. These include, but are not limited to, permit applications, detailed cost breakdowns for potential substantial damage and substantial improvement, "finished-construction" elevation certificates, no-rise certifications, flood proofing certificates, certifications for engineered flood openings, and variance proceedings. North Carolina Emergency Management staff found that record keeping of archived Floodplain Development Permits (FDP) and supporting information is in need of improvement. The current format for naming and storing files makes it difficult for County staff to locate and verify records are being kept in perpetuity. It is highly recommended that the County's filing and record keeping system for development in the Special Flood Hazard Area (SFHA) be modified to ensure that records are readily obtained for all development in the SFHA, and are scanned and managed in a way to be accessible in perpetuity.

During the file review and reconnaissance of the flood prone areas of the Bertie County, the North Carolina Emergency Management staff found the following issues of concern requiring further research to verify compliance:

1. **107 1st Rd., Merry Hill, North Carolina, 27957:**
 - a. Anchor existing propane tank.
 - b. Provide Floodplain Development Permit, Final Elevation Certificate and other supporting documentation for 2006 addition.
2. **101 Cypress Rd., Merry Hill, North Carolina, 27957:**
Provide Floodplain Development Permit, Final Elevation Certificate and other supporting documentation for 2006 garage addition.
3. **102B Cypress Rd., Merry Hill, North Carolina, 27957:**
Provide Floodplain Development Permit, Final Elevation Certificate and other supporting documentation.
4. **108 Cypress Rd., Merry Hill, North Carolina, 27957:**
Anchor existing propane tank.
5. **110 Cypress Rd, Merry Hill, North Carolina, 27957:**
Provide Floodplain Development Permit, Final Elevation Certificate and other supporting documentation for 2007 addition.
6. **112 Cypress Rd., Merry Hill, North Carolina, 27957:**
Provide Floodplain Development Permit, Final Elevation Certificate and other supporting documentation for 2005 and 2011 additions.

- 7. 114 Cypress Rd., Merry Hill, North Carolina, 27957:**
Provide Floodplain Development Permit and other supporting documentation for 2012 construction of a bulkhead and pier.
- 8. 116 Cypress Rd., Merry Hill, North Carolina, 27957:**
Anchor existing propane tank.
- 9. 118 Cypress Rd., Merry Hill, North Carolina, 27957:**
 - a. Anchor existing propane tank.
 - b. Provide Floodplain Development Permit, Final Elevation Certificate and other supporting documentation for 2006 addition.
- 10. 124 Cypress Rd., Merry Hill, North Carolina, 27957:**
Anchor existing propane tank.
- 11. 128 Cypress Rd., Merry Hill, North Carolina, 27957:**
Anchor existing propane tank.
- 12. 136 Cypress Rd., Merry Hill, North Carolina, 27957:**
Provide Floodplain Development Permit and other supporting documentation for 2004 and 2010 construction of a deck, bulkhead and pier.
- 13. 138 Cypress Rd., Merry Hill, North Carolina, 27957:**
Provide Floodplain Development Permit and other supporting documentation for 2005 and 2010 construction of a deck, bulkhead and pier.
- 14. 109 Cypress Rd., Merry Hill, North Carolina, 27957:**
Provide Floodplain Development Permit and other supporting documentation for 2011 repairs from Hurricane Irene.
- 15. 126 Gov. Eden House Rd., Merry Hill, North Carolina, 27957:**
Provide Floodplain Development Permit, Final Elevation Certificate and other supporting documentation for 2004 and 2006 additions.
- 16. 105 Printers Ln., Merry Hill, North Carolina, 27957:**
Correct Final Elevation Certificate to accurately show required flood openings Section A8(b) and A8(c), inspect flood openings (flood vents) are installed as required, if flood openings are not adequate enforce as necessary.

- 17. 259 Mt. Gould River Rd., Merry Hill, North Carolina, 27957:**
Correct Final EC to accurately show required flood openings Sections A8 or indicate flexible skirting and Section C2(a) and (b) to show the elevation of the bottom floor and next higher floor and verify elevation of (e) mechanical notes are needed in Section D comments. Inspect flood openings (flood vents) are installed as required, if flood openings are not adequate enforce as necessary.
- 18. 104 N. Perry's Beach Rd., Colerain, North Carolina, 27924:**
Provide Floodplain Development Permit and other supporting documentation for 2004 construction of a bulkhead and pier.
- 19. 106 N. Perry's Beach Rd., Colerain, North Carolina, 27924:**
Provide Floodplain Development Permit and other supporting documentation for bulkhead and storage additions.
- 20. 109 N. White's Beach Rd., Colerain, North Carolina, 27924:**
Provide Floodplain Development Permit, Final Elevation Certificate and other supporting documentation for 2010 construction.
- 21. 101 S. Perry's Beach Rd., Colerain, North Carolina, 27924:**
Provide Floodplain Development Permit, Final Elevation Certificate and other supporting documentation for 2004 and 2010 construction of additions.
- 22. 103 S. Perry's Beach Rd., Colerain, North Carolina, 27924:**
Provide Floodplain Development Permit, Final Elevation Certificate and other supporting documentation for 2004 and 2013 construction of a pier and addition.
- 23. 107 S. Perry's Beach Rd., Colerain, North Carolina, 27924:**
Provide Floodplain Development Permit, Final Elevation Certificate and other supporting documentation for 2009 construction of an addition.
- 24. 117 S. Perry's Beach Rd., Colerain, North Carolina, 27924**
Provide Floodplain Development Permit, Final Elevation Certificate and other supporting documentation for 2007 construction of an addition.
- 25. 123 S. Perry's Beach Rd., Colerain, North Carolina, 27924:**
- 26. Provide Floodplain Development Permit, Final Elevation Certificate and other supporting documentation for 2005 construction of an addition.**

- 27. 131 S. Perry' Beach Rd., Colerain, North Carolina, 27924:**
Provide Floodplain Development Permit, Final Elevation Certificate and other supporting documentation for 2006 construction of an addition and storage.
- 28. 135 S. Perry' Beach Rd., Colerain, North Carolina, 27924:**
Provide Floodplain Development Permit, Final Elevation Certificate and other supporting documentation for 2004 construction of a pier, bulkhead and shed.
Perry's Beach Rd, Colerain, North Carolina, 27924 (Deed Reference 1A/8067):
Provide Floodplain Development Permit, Final Elevation Certificate and other supporting documentation of construction.
- 29. 1041 Sutton Rd, Windsor, North Carolina (Scotch Hall Bulkheads:**
Provide Floodplain Development Permit and supporting documentation for the construction of bulkhead(s) along Royal Way and throughout the Scotch Hall Preserve development.
- 30. 1041 Sutton Rd, Windsor, North Carolina (Scotch Hall Marina):**
Provide Floodplain Development Permit for the existing and proposed phases of Marinas in the Scotch Hall Preserve development.

In reviewing the Bertie County Flood Damage Prevention Ordinance (FDPO), we found no issues of concern with the document. However, we have identified various items of concern with the administration of the County's Floodplain Management Program and implementation of the County's FDPO as noted below:

- 1. Inadequate permitting measures:** In reviewing Bertie County's floodplain administrative processes and procedures it appears there is a lack of review and permitting of development within the SFHA for non-structural activities (i.e., those that do not require issuance of a building permit), this includes but not limited to: grading, piers, docks, accessory structures under 150 sq. ft., or for propane tank installation. The same concerns for parks/recreation activities and restroom facilities were noted. The County's development review staff should understand that these non-building permit development activities also are subject to the FDPO, and require development review and permitting. Please consider outreaching to the propane gas providers, the development community, the Town and County staff, so they are aware of the permitting requirements. We encourage the County to develop a permitting process that clearly notes the need for issuing a floodplain development permit when CAMA and/or other non-structural permits are issued within the SFHA.

2. Inadequate enforcement measures: The floodplain development application, permitting, and certification requirements outlined in Article 4, Section B, of the County's FDPO, including but not limited to: foundation plans, plot plans, engineering analysis and certifications are not being properly applied. We recommend modifying the County's FDP applications and checklists to ensure compliance with the FDPO. Some of the areas identified for improvement are:

- Create or modify a development plan review checklist to include all aspects of development (i.e., buildings as well as non-structural) within the SFHA.
- Require Plans to ensure that floodplain impacts and development in the SFHA are shown on development plans and construction drawings reviewed and approved by Bertie County.
- Require Foundation Plans for structures proposed in the SFHA.
- Modify GIS review to identify impacts to not only the SFHA but the floodway and non-encroachment areas.
- Create or modify current processes and procedures to require appropriate documentation and engineering analysis, such as a no-rise certification or Conditional Letter of Map Revision, prior to issuing floodplain development permits within the regulated floodway or non-encroachment area.
- Create or modify current processes and procedures to require appropriate documentation and engineering analysis, such as a Letter of Map Revision after construction has been completed on a project.

It is our understanding that Ms. White provides the in-office administration of the ordinance, and she coordinates with Mr. Chris Surgeon, Bertie County Building Inspector, for the field inspections. It is imperative that sound floodplain management continues after the permit is issued, and that inspections are routinely made to ensure continued compliance with the County's FDPO. Inspections and enforcement are critical components of effective administration of a Floodplain Management Program, in addition to the proper application review and permitting. We recommend that you evaluate the County's resources, processes and procedures to provide field inspections of all Floodplain Development Permits issued.

Please provide Ms. Keefer with a plan to remedy the above noted issues by June 30, 2016. If additional time is needed to complete these tasks, please provide Ms. Keefer a proposed schedule for completion.

We understand that Ms. White has knowledge of the NFIP regulations and is very interested in administering a sound floodplain management program within the Bertie County. However, as a result of this CAV, we have identified various areas for improvement and recommend that the County staff receive continued training in subjects relating to floodplain administration and other floodplain development topics to improve their current knowledge of the NFIP regulations.

Chairman John Trent
May 31, 2016
Page 7

Though participation in the NFIP is voluntary, that participation allows Bertie County citizens to obtain affordable flood insurance through the NFIP, as well as state and federal disaster assistance and federally backed loans. If you have questions or need further assistance, please contact Ms. Heather Keefer at her office at 919-825-2289 or Mr. Randy Mundt at his office at 919-825-2339.

Sincerely,



John Dorman
Assistant State Emergency Management Director
for Risk Management

cc: Mr. Scott Sauer, County Manager, Bertie County
Ms. Traci White, Planning Director, Bertie County
Mr. Mitchell Cooper, Emergency Management Director, Bertie County
Mr. Charles Tripp, Area Coordinator, NCEM
Mr. Roy McClure, Natural Hazards Program Specialist, FEMA Region IV
Ms. Heather Keefer, NFIP Planner, NCEM
Mr. John Gerber, State NFIP Coordinator, NCEM
File



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: June 20, 2016

AGENDA ITEM: D-3

DEPARTMENT: Administration/Governing Body

SUBJECT: Calendar reminders and proposed July meeting schedule change

COUNTY MANAGER RECOMMENDATION OR COMMENTS: Discussion requested.

SUMMARY OF AGENDA ITEM AND/OR NEEDED ACTION(S): Discussion requested.

ATTACHMENTS: See calendar print outs.

LEGAL REVIEW PENDING: N/A

ITEM HISTORY: ---