

Windsor, North Carolina
January 3, 2017
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
Stewart White, District II
Tammy A. Lee, District III
John Trent, District IV
Ernestine (Byrd) Bazemore, District V

Absent: None

Staff Present: County Manager Scott Sauer
Clerk to the Board Sarah S. Tinkham
Assistant/County Attorney Lloyd Smith
Finance Officer William Roberson
Register of Deeds Annie Wilson
Network Administrator Joe Wilkes

Gene Motley of the Roanoke-Chowan News Herald and Leslie Beachboard of the Bertie-Ledger Advance 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

There were no public comments during this session.

APPOINTMENTS

Enrollment update by Bobbi Holley of Better Beginnings for Bertie's Children

Dr. Denauvo Robinson and Ms. Bobbi Holley of Bertie Beginnings for Bertie's Children presented an update to the Board about the latest numbers gathered through the Kid Find program.

The program is designed to find children between 3 and 4 years old, and to connect their parents with pre-school resources in the service area. Most resources are free to parents, and studies have shown that children perform better later in their academic lives if they are exposed to pre-school learning and socialization.

Ms. Holley also addressed the Board's questions about how this program reaches parents, and if there's involvement with the unregistered daycares in the area.

Ms. Holley stated that unregistered daycares are typically wary of working the Kid Find or Better Beginnings program as they are afraid the organization wants to "close them down," but the goal of the program is "outreach, and getting resources into these daycares to raise the bar," for children's education.

Ms. Mona Gilliam of the Bertie County School System, and collaborative Board member of the organization, emphasized the importance of literacy programs, and the need for pre-school education in regards to test scores later in a child's academic life.

The Board thanked Better Beginnings for the presentation, and Commissioner Lee shared that All God's Children Church in Aulander was planning a literacy program this summer.

Presentation by Deborah Tayloe, Marketing Advisor, from the Roanoke-Chowan News Herald – 2017 Crossroads Magazine

Deborah Tayloe of Crossroads Magazine came forth with information and potential art work for a Bertie County ad in the 2017 edition of Crossroads Magazine.

She stated that the County had participated in past years, but not since the publication switched to a full, collectable magazine format.

County Manager Sauer inquired what primary ad space was still available, and Ms. Tayloe mentioned that the first inside page next to the inside front cover (page 3) was currently available.

The Board reviewed the information, and after a brief discussion, Vice Chairman Bazemore made a **MOTION** for the County to purchase the ad space in the amount of \$1,515 on page 3 for a Bertie County advertisement. Commissioner White **SECONDED** the motion. The **MOTION PASSED** unanimously.

BOARD APPOINTMENTS

Workforce Development Board - FYI

The County has received an email from Jennie Bowen of the Mid-East Commission requesting that the Board consider replacements for two individuals that represented Bertie County.

This item was informational and no action was needed.

CONSENT AGENDA

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

The Consent Agenda was approved as follows:

1. **Minutes** – Regular Session 12-5-16, Closed Session 12-5-16
2. **Resolution** – honoring the service of Granville “GT” Pittman, Chief Code Enforcement Administrator
3. **Worksite Agreement** – CADA of NC, Inc. for disaster relief employment project through Region Q WFDB
4. **Fees Report** – Register of Deeds – December 2016
5. **Release Journal** – Tax – November 2016

DISCUSSION AGENDA

Discuss compensatory time policy clarification amendment as requested at the Board’s meeting on Monday, December 5, 2016

After a brief discussion, Commissioner Wesson made a **MOTION** to approve the proposed compensatory time policy clarification amendment to the Bertie County Personnel Policy. Vice Chairman Bazemore **SECONDED** the motion. The **MOTION PASSED** unanimously.

Water District III Change Order No. 2, to secure remaining USDA Rural Development Grant funds to include Woodard Road Booster Pump Station, Well House #2 standby generator, and water line size increase in the amount of \$448,570

After a brief summary update by County Manager Sauer, Commissioner Wesson made a **MOTION** to approve the Water District III Change Order No. 2, to secure remaining USDA Rural Development Grant funds to include Woodard Road Booster Pump Station, Well House #2 standby generator, and water line size increase in the amount of \$448,570 and to amend the project ordinance as outlined in the revised budget in the agenda packet. Commissioner Lee **SECONDED** the motion. The **MOTION PASSED** unanimously.

Amendment to Martin County Regional PSAP back-up facility interlocal agreement, adding Pasquotank County

There was some clarification needed about the location of this facility, and how it would operate in the event that all three counties included in the agreement were hit with an emergency situation.

County Manager Sauer stated that the Regional PSAP back-up facility can accommodate pertinent dispatch and emergency personnel in Martin County. Martin County would serve as the central location in the event that all three counties 9-11 systems were to go down for any reason.

Vice Chairman Bazemore made a **MOTION** to approve the amendment to the Martin County Regional PSAP back-up facility interlocal agreement adding Pasquotank County. Commissioner White **SECONDED** the motion. The **MOTION PASSED** unanimously.

Roanoke-Chowan Community College is requesting permission to offer expanded educational services and training opportunities in Bertie County, and is seeking a letter of support

This item was addressed in the Board's Work Session at 1:00 PM just prior to this meeting.

The Board did vote to support the expansion of educational and training opportunities for both community colleges that serve Bertie County.

NCACC Legislative Goals Conference – January 12-13, 2017 – Voting Delegate

After a short discussion, Commissioner Lee made a **MOTION** to nominate Chairman John Trent to serve as the voting delegate for Bertie County at the upcoming NCACC Legislative Goals Conference. Vice Chairman Bazemore **SECONDED** the motion. The **MOTION PASSED** unanimously.

Pending Items/Updates

The Board brief discussed possible dates for a new year planning session. The Board came to a consensus to hold a planning session on Tuesday, January 31, 2017 beginning at 9:00 AM.

A location is yet to be determined.

COMMISSIONER'S REPORTS

Commissioner Wesson made a brief statement about his hopes for the Board in the new year. He stated his desire for the Board to “work closer as one unit,” and that there was “no room for lack of transparency.” He encouraged the Board “to work [together] for a better Bertie.”

Vice Chairman Bazemore gave no remarks at this time.

Commissioner Lee remarked that her church’s theme this year is “being a faithful servant,” and she asked citizens, and challenged the Board and all County employees to be faithful servants for a better community.

Commissioner White wished all of those present a Happy New Year, and thanked his fellow Commissioners for their service.

Chairman Trent echoed both Commissioner Lee and Commissioner White’s sentiments, and added that “all things are possible,” when people work together.

COUNTY MANAGER'S REPORTS

The County Manager gave no reports at this time.

COUNTY ATTORNEY'S REPORTS

County Attorney Lloyd Smith requested a brief Closed Session.

PUBLIC COMMENTS

President of the Bertie-Martin Community College Campus (MCC), Norman Cherry, was present to express his concerns for the Board's support of an expansion of Roanoke-Chowan Community College (RCCC) boundaries in the MCC designated areas.

Chairman Trent and County Manager Sauer both reiterated that Bertie County's support for this initiative would allow both RCCC and MCC to expand their service area boundaries further into Bertie County.

The focus was not to take away territory for either community college, but to expand the territories of both community colleges.

They mentioned that the goal of this initiative was to make various educational and training opportunities more accessible to citizens in such an expansive, rural county.

CLOSED SESSION

Commissioner Wesson made a **MOTION** to go into 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, and 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. Vice Chairman Bazemore **SECONDED** the motion. The **MOTION PASSED** unanimously.

OPEN SESSION

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

Vice Chairman Bazemore began by asking what the Board's next steps would be to "move forward from this disaster," with the handling of the email comment made by the County Manager, as well as with the "handling of information... among all."

Commissioner Lee stated that communication from the County Manager was very frequent prior to the two storm events, and that as things continue to settle down, she'd like to see the communication return to that frequency.

County Manager Sauer reminded the Board that a lot of deadlines needed to be met, and were still successfully met despite the time and attention needed to address storm related issues.

Mr. Sauer also stated that any email correspondence or document prepared by the County Manager is subject to public records law whether or not it is sent to any staff or Board member, and that he is very "mindful of the English language and the presentation of written reports," and that he prepares documents with the press and the public in mind.

In response to his update email submitted to the Board on December 21st, he stated "when you think back to that first Monday in December sitting in this seat when the gavel was turned over to the Manager for the election of officers, it was amazing to me to have heard what I heard over the weekend, and then to have heard statements in this room, publicly, about Board action, Board vote, Board discussion – all of which was untrue, and I was amazed at the statements made by two Commissioners... [inaudible] because there had been no Board vote, no Board discussion..."

Commissioner Wesson interjected with, "Scott, you said that there had been no Board discussion, that's not true. First of all, two Commissioners said that there were discussions, and we have it from Commissioner Lee in writing... that yes, there had been..."

County Manager Sauer reiterated, “I’m talking about Board discussion [in a Board meeting].”

Mr. Sauer explained that it is expected for Commissioners to speak with one another about issues, but if it is not put on the public record, it did not happen.

Commissioner Wesson replied, “Her [Commissioner Lee’s] comments were that we did discuss it, and she put that in writing, on an email that we can show you. So, three of us said ‘yes’ there had been discussions, yes. That’s a majority.”

Commissioner Lee asked if there was a discussion “in an open meeting?”

Commissioner Wesson stated “it doesn’t matter where it is... it doesn’t have to be an open meeting. If three or more of us are together and discuss something, that is an open meeting.”

Commissioner Lee stated that, “The three of us have not discussed it together.”

Commissioner Wesson replied specifically to County Manager Sauer’s statement about the supposed lack of Board discussion, and stated that he felt that statement was untrue.

There was continued discussion between Commissioner Wesson and Commissioner Lee about phone calls being made between each of them and Vice Chairman Bazemore before the December 2015 restructure meeting where rotation of Chairman each year was discussed, and he also reminded Commissioner Lee of what she said just prior to the December 2016 restructure.

County Manager Sauer followed up by saying, “In terms of the Board and its ability to function and deliberate, if it doesn’t happen in a forum like this, none of those conversations mean a thing. When you all are having your deliberations about [inaudible] supporting this initiative or that initiative, that’s just the normal routine. Negotiation, and horse trading that goes on, but until you get here and raise your hand and how you’re gonna vote...”

Commissioner Wesson interjected, “and you felt like this gave you the authority to make the kind of statements that you made here? Unnamed, unsourced statements, accusatory, Scott, statements, without any documentation or proof. To put that out, as you said, ‘on the public record’ when the General Statute gives you, and tells you how you should deal with that...”

County Manager Sauer replied, “When we’re talking about Personnel, we’ve got the shield and the cover of Closed Session. When I’m talking about my concern about the activity of one or more Commissioners, I don’t have the shield of Closed Session. It’s a matter of public record if I feel there are efforts that are unethical which need to be discussed with the entire Board.”

Commissioner Wesson interjected, and claimed that Mr. Sauer “went beyond that. You talked about a person, an employee, and what an ‘unnamed’ employee did. That puts it into the realm..”

Mr. Sauer finished, “what an employee did at the direction of a Commissioner.”

Commissioner Wesson replied, “of which you have no documentation, which [the employee] says is not true.”

In follow up, Mr. Sauer expressed “...that was my fear is that somebody’s going to be lying, and it’s either a Commissioner, or my employee.”

“There was a remedy for you that you chose not to use. You could have called us into Closed Session at any time, and we could have had a robust discussion of this matter and come to some conclusion about it, but you chose not to do that. To put out unnamed, unsourced, rumor innuendo in a public document that went to staff people. What does that do? What could that possibly serve? What could that serve? What good could come out of that? What good could come out of that? *Pause.* Nothing.”

To conclude the topic, Commissioner Wesson reiterated his sentiments shared during the Commissioners Report section of the meeting. That he would like the Board, in 2017, work more productively together, and that the notification of meetings with FEMA, and other parties should be more properly advertised before they occur.

Commissioner Wesson then claimed that he is unaware of certain activities on the County level until after they happen, and without adequate Board notification and discussion.

Commissioner Wesson continued, “Just because we are backed up, does not excuse from all of us being involved in the decisions that are made by this County. That is why we were elected. I was not elected to rubber stamp [things] and I have no idea that a meeting occurred. That decisions were made or anything else, and this occurs repeatedly. This is not the way this Board should function.”

County Manager Sauer offered the Board an opportunity to review minutes and update reports submitted to the Board to show the timeline of discussion on various matters.

Mr. Sauer continued, “...if I’m having a meeting with staff, or meeting with FEMA... I can’t tell you about every single activity... – if there’s something specific, please let me know so that I could improve –“

Commissioner White interjected, “Mr. Wesson, I get the same emails you get. I don’t call Scott every day, or every week. I haven’t talk to you all since the vote for the Chairman and Vice Chairman. I’ve been at Christmas with family, and I have not wanted to bother or burden you all with County business while in the month of December. I’m getting the same emails that you get, and there’s no update, or hidden agenda as far as emails.”

Commissioner Wesson stated that there were items in the 12-21-16 email update that had occurred at the County in which was not aware.

Commissioner Lee replied, “that’s almost every update that he gives us. That’s why he updates us.”

“But should it be that way, Tammy?” Commissioner Wesson asked.

As an example, Commissioner Wesson asked if the Board was ever “involved” in the decision to move the Cooperative Extension Office into the old Sheriff’s Office Building instead of the Lawrence Memorial Library, as opposed to anyone else.

County Manager Sauer asserted that option was brought to the Board just after Tropical Storm Julia during an emergency meeting on Sunday, September 25th.

Vice Chairman Bazemore inquired whether or not the Board was informed about the timeline of events for the debris removal contract from request for proposals to the review of the bids and the approval of a vendor.

Commissioner Lee asked, “well, is that something the Board [of Commissioners] usually gets involved in?”

The County Manager Sauer stated that the Board typically does not get that involved with the bid process, but an overall summary was given to the Board in a weekly update email.

Commissioner Wesson reiterated that he felt the Board should have been informed before the process began, and had the opportunity to suggest talking with Martin County and using their FEMA approved vendor instead, and “that [the pickup] it could have been done weeks ago, but when we don’t share in the decisions, when only one or two make that decision, and then we hear about it in a meeting in Martin County that only one bid came back.”

Mr. Sauer reminded the Board that the County had to re-bid due to a lack of three initial proposals, and that the Board had been briefed on the process at several meetings regarding Hurricane recovery efforts. He also reminded the Board that during the time period of both Tropical Storm Julia and Hurricane Matthew, the County was addressing several other important items. First, was the school budget gap and discussions with the Board of Education, the sale of bond anticipation notes for Water District III USDA interim financing, ambulance procurement efforts including the development and review of the bid specifications by the County Attorney, and ongoing management coordination for five water projects, and the initial improvements for the Blue Jay Recreation Park.

County Manager Sauer mentioned again that there had been a number of storm related updates to the Board and emails, and this debris removal was covered within those messages.

Commissioner Wesson encouraged information be shared with all Commissioners directly so that everyone has the same chance at being “fully engaged,” and “involved in the process,” and that he “did not think that was happening right now.”

Commissioner White, “I do not feel like I should have to micromanage. That’s what we pay Scott for, the County Manager.”

Commissioner Lee encouraged any Commissioner to call if they have questions, or to receive clarification if they do not feel like they have enough information to relay to citizens.

There was some additional discussion about Commissioner Wesson receiving calls from citizens where they have information in which was not aware.

County Attorney Smith reminded the Board that Mr. Sauer's contract references the NC General Statutes describing the powers and duties of the county manager in NCGS 153A-82 which state:

The county manager is "responsible to the board of commissioners for the administration of all departments of county government *under the board's general control.*" The county manager "shall direct and supervise the administration of all county offices, departments, boards, commissions and agencies under the general control of the board of commissioners, *subject to the general direction and control of the board.*"

County Attorney Smith also reminded the Board that the manager's primary role is to prepare the budget and to keep the Board informed, and in his many years as county attorney, has seen more information shared with the Board under Mr. Sauer than any other manager.

County Attorney Smith recommended that if Board needs more detail or communication, then Board members have to ask for that detail.

There was a short discussion about a past incident regarding a YMCA visit to Currituck County, and the County Manager provided copies of emails and official minutes describing the relationship of County recreation and the local YMCA as evidence of a year's worth of conversation about a site visit.

County Manager Sauer stated that the YMCA site visit to Currituck County was just an example, and that he understood that Commissioners have a number of topics on their desk at any given time.

"Please understand that there's not a negative, or evil intent to try and mislead, to hide, to cover up, to not share information," County Manager Sauer stated.

Vice Chairman Bazemore asked why Bertie County did not do what other County's do to invite the public and other leaders to FEMA meetings. In response to the statement made in the 12-21-16 update email, she stated that "I just believe that is not a position for the County Manager to insult an elected official." Still, she would like to move forward, and learn from it, "so we can work together like we used to."

There was no further discussion.

ADJOURN

Chairman Trent adjourned the meeting at 5:40 PM.

John Trent, Chairman

Sarah S. Tinkham, Clerk to the Board