

Windsor, North Carolina
October 16, 2018
WORK SESSION

The Bertie County Board of Commissioners met for a work session today inside the Spivey Meeting Room at the Roanoke-Cashie River, 112 W. Water Street, Windsor. The October 1, 2018 meeting was recessed for the Board to meet for this work session. 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 Tinkham
 Finance Officer William Roberson
 ICMA/NCACC Management Fellow Dominique Walker
 Assistant County Attorney Jonathan Huddleston
 County Attorney Lloyd Smith (10:00am)
 Planning & Inspections Department Traci White (10:00am)
 Building Code Enforcement Officer Chris Surgeon (1:00pm)
 Assistant County Attorney Peggy Smith (2:00pm)
 DSS Director Cindy Perry (2:00pm)

There were no media members present.

RECONVENE

Chair Bazemore reconvened the October 1, 2018 meeting of the Bertie County Board of Commissioners at 9:00am today.

WORK SESSION

Golden LEAF Foundation grant agreement for expanded funding announced October 4th requires Board approval for the joint use facility including the public library, cooperative extension offices and community meeting room. The project amount approved is \$3,801,830 and the initial grant period is six months. Therefore, the County must file a grant extension request to accommodate the project schedule, project management plan and revised project budget to reflect the additional funding approved by the Golden LEAF Foundation.

The County must also submit proof of ownership for the land recently acquired by the County for this project. The County Attorney confirmed that the closing has been finalized and the deed for the four-acre tract has been recorded.

Chair Bazemore made a **MOTION** to approve the grant agreement document included in the Board's work session materials and authorized staff to move forward with this important project. Commissioner Trent **SECONDED** the motion. The **MOTION PASSED** unanimously.

The ABC Board has contacted the Board of Commissioners for approval to appoint a Chief Financial Officer (CFO) to the ABC Board. Per legal counsel and applicable statutes, the Board of Commissioners would need to approve the decision. This item was tabled until the November agenda.

Albi McLawhorn and MHAworks--design team review of revised project scope including community meeting space, public library and cooperative extension offices.

Mr. McLawhorn congratulated the County on receiving the \$3.8 million Golden Leaf grant. A new concept plan was presented to the Board depicting the latest layout for the building that will house the public library, cooperative extension, and a community meeting room.

Mr. McLawhorn explained that he has been directed by the county manager to prepare a revised project budget, scope of services, design concept incorporating the expanded programming and a new timetable for this project.

In December, the goal will be to have 65% of the construction drawings completed and preliminary plans submitted to the Governing Body. Then, in January of 2019, approvals are slated to be reviewed and received by the Governing Body. The County will then advertise for construction bid proposals and the bid opening would take place in March 2019.

As an estimate, the proposed project completion date will be sometime between 11 and 14 months from the start of construction, with completion during the second quarter of 2020. .

Mr. McLawhorn also noted several areas that could impact the process and construction including weather conditions, construction speed, contractor availability, etc.

Next step will include additional programming review and input from primary users and related adjustments to design concept for interior space and access to restrooms for staff and the public.

There was a lengthy discussion about expectations for the community room and events it could accommodate. The current square footage allows for conference space, town hall meetings, or annual County events. The estimated capacity for the room would be 200 people.

A generator option was discussed with the building being equipped with a transfer switch and emergency panel so that a generator could be brought in during emergency situations, if needed. The building was also discussed as a possible alternate location if needed during a storm event.

The Board also reviewed a preliminary lump sum cost proposal from MHAworks from final design through construction, and will revisit this item at its work session in March.

The Board briefly discussed changing the Board's regularly scheduled meeting in November to Tuesday, November 13th. The Board will begin with a work session at 1:00 PM to allow for the Board's review of the revised project documents, followed by the Board's regular meeting.

A full project budget and a construction summary will be submitted to the County Manager by Mr. McLawhorn by October 26th.

TGOW easement restrictions and revised appraisal report for adjoining property

An updated appraisal was included in the Board's packet for this work session. County Attorney Smith recommended a Closed Session pursuant to attorney/client privilege.

Tammy Lee made a **MOTION** to go into Closed Session pursuant to NCGS 143-318(a)(3) to consult with the County Attorney. Chair Bazemore **SECONDED** the motion. The **MOTION PASSED** unanimously.

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

Republic Services landfill host agreement extension pursuant to the Solid Waste Franchise Ordinance approved on October 1, 2018

The Board reviewed the Fourth Amendment to Amended and Restated Agreement for Development, Use and Operation of New Landfill and Recycling Facility.

County Manager Sauer informed the Board that the current contract has expired, and the contract being presented simply provides a new term, but otherwise, it mirrors the previous contract.

Vice Chair Wesson made a **MOTION** to approve the proposed contract amendment with Republic Services. Commissioner Lee **SECONDED** the motion. The **MOTION PASSED** unanimously.

Courthouse parking expansion at Dundee & Queen Street – status

The Board came to a consensus to return to the owner and offer \$15,000 for the corner lot that will be used for additional courthouse parking.

Hurricane Matthew Recovery Update – Chris Hilbert will review the HMGP buyout status, CDBG-DR and DRA programs

County Manager Sauer introduced Chris Hilbert and Ms. Donna Blackmon of Holland Consulting.

Mr. Hilbert reported that his area (Wilmington) was severely impacted by Hurricane Florence, so some things are slightly off schedule.

The Town of Windsor has been administering the HMGP grant agreement for the last several weeks, and Holland has met with approximately twenty (20) individuals who are participating in the buyout program, based on priority criteria established in 2017 by the County and the Town. Some unique ownership situations have been identified, but the initial paperwork phase has begun with relatively few issues or concerns.

Chair Bazemore asked how long the buyout process typically takes. Mr. Hilbert reviewed the required steps for competitive bids for professional services, e.g. surveying, legal, appraisals and title opinions—all of which must be completed before offers can be extended to property owners.

As soon as this is completed, the individuals listed on the elevation list will be contacted to begin that process, and Holland Consulting will also supervise the building and construction.

County Manager Sauer described that there had been some new leadership involved with CDBG-DR and NC Emergency Management and that historical information, which had already been submitted, was being resubmitted so that new staff members would be aware of the work that had already been completed by the County related to the RFP process, which concluded in December 2017. He further described the methodology employed by the Holland staff to identify appropriate grant funds from various sources to best serve the needs of County residents, in particular low to moderate income families.

Office of the State Fire Marshall—Daniel Austin will review the new fire prevention code compliance and proposed inspection schedule effective January 2019

County Manager Sauer and Planning Director Traci White introduced this next topic. The Board completed their preliminary review of the proposed fire code prevention ordinance at their October 1 regular meeting. Mrs. White discussed how the County will become compliant with State regulations.

Daniel Austin of the NC Office of the State Fire Marshall spoke about a recent review he had completed of various buildings in the County. He noted that there is a large portion of buildings within the County that are not up to date with their fire inspections. He stated that this is a challenge for areas like ours when there are just too few inspectors that are qualified to complete these inspections.

He discussed the pertinent statutes that apply to local governments, and how those requirements came into place, noting that the codes are based on physical hazards of the building or the number of people expected to frequent the building.

The Board asked who in the County would be qualified to complete these inspections, most of which could be done by the current Building Codes Enforcement Officer, Chris Surgeon. Mr. Surgeon currently has a Level 2 Probationary license under the fire category. He stated that he was able to complete most of the County's fire inspections, but that Kenny Perry and G.T. Pittman are currently the only other two people qualified to maintain the certificates needed to perform these inspections.

Commissioner Lee suggested having either local fire chiefs or designated individuals to take the required courses and exams as well.

There was a lengthy discussion on how to properly get each business up to code to maintain as much safety for the employees and patrons as possible.

Mr. Austin also cautioned that if the codes aren't being enforced that the State can come in and take over Bertie County inspections, but that all fees from the permits and fees would go to Bertie County. In closing, he encouraged the Board to keep moving forward, and noted that Northampton and Hertford County are facing similar challenges, and may be able to provide some advice on how to proceed.

Tri-County Airport Height Restriction Ordinance—review staff recommendations and timeline for public hearing/adoption

Planning Director, Traci White, was present to discuss the latest information about the Tri-County Airport height restriction ordinance, and her recent meeting with the Planning Board. She discussed that the Planning Board recommended that tree height be removed from the proposed height restriction ordinance. However, the County Manager is recommending that the language remain unchanged, which is consistent with other similar airport restrictions. She stated that in most cases, a pilot will report any issues with tree height that obstruct the flight path approach area, but currently nothing had been brought to the attention of the Tri-County Airport Authority.

Commissioners Trent inquired where the proposed draft ordinance originated from, and the Planning Director and Commissioner Lee (who sits on the Tri-County Airport Authority Board) mentioned that the ordinance came from the Tri-County Airport originally, and that the Planning Board simply reviewed and provided their recommendations.

The requirement would be a recommended 50ft. height restriction. She discussed a map that had also been received from the Tri-County Airport Authority showing where each county overlaps with others in the tri-county area, and which homes would be the most impacted by this change.

In addition, there were concerns raised by Commissioner White and Commissioner Trent regarding waterfowl impoundments which, if created in the future, may impact the restricted aircraft approach zones for the airport. Assistant County Attorney Jonathan Huddleston directed the governing body to Section 1.04 for the draft ordinance (Use restrictions) where “no use may be made of land or water within any approach zone—create bird strike hazards or otherwise endanger the landing, taking-off, or maneuvering of aircraft intending to use the Tri-County Airport.”

The Board briefly discussed each concern and recommendation made by the Planning Board. Most notably that the Board of Commissioners should serve as the Board of Adjustment since it is a quasi-judiciary board. This would mean the Board of Commissioners would be the main decision-making body on behalf of Bertie County under the airport authority umbrella.

Assistant County Attorney, Jonathan Huddleston, also noted his concerns specifically with the height restriction section, both paragraph A and B. The ordinance seems to allow for the height to be taller than 50ft. based on the wording used.

The consensus of the Board was to move forward with the feedback received by the legal team.

It was also recommended that the Board schedule a public hearing date for the very near future.

NCSU Dr. Barbara Doll’s report—discuss dates for rescheduling this event

County Manager Sauer asked when the Board would like to invite Dr. Doll back to the County. The Board asked for Dr. Doll to submit available dates for the end of this year, and into early next year.

NCLOW—discuss dates for update from Dr. Stan Riggs

The Board discussed having Dr. Riggs submit his available dates for the same time parameters as well.

Campbell University leadership visit to Bertie County-November 27th

County Manager Sauer reported that the President, Vice President and Dean of the School of Public Health have committed to visiting Bertie County on November 27th to begin discussions for collaborative programming with the County and the school system. It was discussed to host the Campbell University leadership at the Scotch Hall Preserve. The time is yet to be determined, but most likely this would be considered a luncheon event.

Social media policy-pending legal review

This item will be placed on the November consent agenda for approval. The legal team did not see a need for any changes.

Comprehensive Recreation plan status

County Manager Sauer noted that the 4th draft of the Comprehensive Recreation plan was still under review. He noted that community surveys and stakeholder interviews identified the “facilities most needed” in Bertie County—in rank order as: swimming pools, hiking and jogging trails, fitness centers, gymnasiums, and bike paths. Mr. Sauer is suggesting that the photos and graphics include local citizen participation to highlight priorities which he believed needed to reflect the vision and needs of the citizens.

He showed several example photos of things that he would like for the ECU team to include in the recreation plan. There is more to come on this matter.

Additionally, the County shared areas of the report which need to be enhanced regarding the “inventory analysis of existing facilities” to include more in-depth discussion of the John B. Bond School, the J.P. Law School, the “Place of Possibilities” school facilities and the Powellsville Wellness Center (2nd floor of Dr. Ferguson’s medical building). Ms. Dominique Walker ICMA/NCACC Management Fellow is assisting with this addendum to the report.

Commissioner Lee and Chair Bazemore also suggested that the former daycare facility on NC305 in Aulander be included in the inventory analysis.

County Manager Sauer recommended replacing the report’s cover photo of the golf course at Scotch Hall with a photo (s) of Bertie County children participating in swimming lessons since the citizen input and community meetings identified swimming facilities as the “most needed” in Bertie County. Likewise, he noted that the draft report included numerous photos depicting activities at the Hope Plantation, and did not adequately represent the historical significance of the Blue Jay Recreation Committee in the Indian Woods community.

Chair Bazemore thanked the County Manager for his diligence in trying to make sure this document reflects Bertie as realistically as possible.

Bertie Martin Regional Jail – request received from Chowan County and feasibility study to evaluate feasibility and costs (capital & operating) to expand current facility

The request has been received from Chowan County to partner with Bertie and Martin counties to expand the facility to include inmates from Chowan County. These discussions are very preliminary at this time, and the Jail Commission will review this matter for further consideration at its next meeting.

Quarter cent sales tax referendum – final push for voter information

The Board will see ads in both the Bertie-Ledger Advance and the Roanoke-Chowan News Herald within the next couple of weeks as approved by prior Board action. Some Board members also shared the conversations they had been having about the initiative with Board of Education members and teachers.

**Department of Social Services—review of memorandum of understanding with DHHS.
Also, discuss change in legal services for Child Protective Services and Board member
rotation for Commissioner representative.**

Department of Social Services Director, Cindy Perry, was present for this portion of the discussions. She also introduced new hired contract attorney, Ms. Peggy Smith who will be handling Child Protective Services court proceedings and Child Welfare cases.

Commissioner White took a brief opportunity to thank Ms. Perry and members of her staff who volunteer to work the shelters during Hurricane Florence. He wanted to respectfully thank them for their commitment and dedication to Bertie County especially during times of need.

At this time, Director Perry reviewed several pieces of data that were listed incorrectly based on DHHS information recently shared. She discussed each category and the errors found in various DSS Departments.

She also discussed changes and procedures that are being implemented to ensure DHHS is receiving the most accurate data for any other reports that may be released.

The Board also discussed the likelihood of regionalizing DSS Departments, and what the ramifications may mean if that were to happen such as service delay or disruption, and possible job losses.

**Cancellation of November 5th meeting, new November meeting date of November 13th with
work session and regular meeting beginning at 1:00pm**

Commissioner Lee made a **MOTION** to cancel the November 5th meeting in favor of scheduling a work session and to recess today's session until the regular meeting on November 13th. . .
Commissioner White **SECONDED** the motion. The **MOTION PASSED** unanimously.

RECESS

Chair Bazemore **RECESSED** this meeting until 1:00PM on November 13th in the County Commissioners Room.

Ernestine Bazemore, Chair

Sarah S. Tinkham, Clerk to the Board