

Minutes  
Reconvened Meeting  
Hertford County Board of Commissioners  
County Commissioners' Meeting Room  
Monday, June 27, 2011  
10:00 A.M.

Present: Johnnie R. Farmer, Curtis A. Freeman, Sr., Ronald J. Gatling, Howard J. Hunter, III, and William F. Mitchell, Jr.

Absent: None

Also Present with the Board: Loria D. Williams, County Manager; Charles L. Revelle, III, County Attorney; and Shelia W. Matthews, Clerk to the Board

Chairman Johnnie R. Farmer called the meeting to order.

The invocation for the meeting was provided by Vice-Chairman Curtis A. Freeman, Sr.

**COMMISSIONERS**

On a motion by Gatling and a second by Hunter, the Board voted unanimously to amend the agenda to add Closed Session at the end of the meeting after the adoption of the Budget Ordinance.

**AGREEMENTS/SOLID WASTE**

On a motion by Freeman and a second by Hunter, the Board voted unanimously to approve the Convenience Center Service Agreement with Waste Industries, Inc. as presented by Loria D. Williams, County Manager.

**RESOLUTIONS/E911**

On a motion by Freeman and a second by Gatling, the Board voted unanimously to approve the following Amended Resolution Reserving E911 Fund Balance:

**State of North Carolina  
County of Hertford**

**Hertford County Board of Commissioners' Amended Resolution  
Reserving E911 Fund Balance for Public Safety Purposes**

**WHEREAS**, N.C.G.S. 62A 43-44 provides for a monthly service charge (70 cents) on each active voice communications service connection that is capable of accessing the 911 system and established the 911 Fund; and

**WHEREAS**, NC General Assembly ratified House Bill 1691, "An Act to Amend the Statutes Governing Emergency Telephone Service, on July 09, 2010; and

**WHEREAS**, Section 9 allows for a one time use of up to 50% of the county's 911 fund balance, as determined July 1, 2010 for public safety purposes and this one time amount can be utilized only in FY 2010-11 and FY 2011-12.

**NOW, THEREFORE, BE IT RESOLVED** that the Hertford County Board of Commissioners hereby reserve E911 Fund Balance in the amount of \$206,437 for the following public safety purposes:

<b><u>Department</u></b>	<b><u>Amount</u></b>	<b><u>Equipment</u></b>
Sheriff's Department	\$56,000	Two (2) Chargers/Equipped
Central Communications	\$83,500	Radio Console
Fire Departments	\$37,425	Pager Replacement/FCC

EMS	\$ 8,325	Pager Replacement/FCC
Sheriff's Department	\$21,187	Digital/UHF Portable Radios

**BE IT FURTHER RESOLVED** that this Resolution supersede all others pertaining to ratified House Bill 1691 and the Finance Officer is hereby directed to move forward in the procurement of said purchases in accordance with NC general statutes.

**Adopted this the 27<sup>th</sup> day of June 2011.**

**BUDGET AMENDMENTS/JUDICIAL CENTER**

On a motion by Freeman and a second by Gatling, the Board voted unanimously to approve the following Judicial Center Capital Project Ordinance Amendment No. 1 as presented by Robbin Stephenson, Finance Director:

**CAPITAL PROJECT ORDINANCE  
HERTFORD COUNTY JUDICIAL CENTER  
Amendment No. 1**

**Section 3.** of the Hertford County Judicial Center, pertaining to the capital project ordinance shall be amended as follows:

Transfer from Fund 10 (Local Funds - Loan)	\$ 311,371
<b>Total Revenues</b>	<b>\$ 311,371</b>

**Section 4.** of the Hertford County Judicial Center, pertaining to the capital project ordinance shall be amended as follows:

Design Fees & Expenses	311,371
<b>Total Appropriations</b>	<b>\$ 311,371</b>

This amendment:

- Budget funds appropriated from the general fund balance to pay for services rendered by the engineers.

Source of funding: General Fund Balance/Local Funds

**BUDGET AMENDMENTS/TUNIS SEWER**

On a motion by Gatling and a second by Freeman, the Board voted unanimously to approve the following Tunis Sewer District Capital Project Ordinance Amendment No. 1 as presented by Robbin Stephenson, Finance Director:

**TUNIS SEWER DISTRICT  
CENTRALIZED WASTEWATER COLLECTION SYSTEM PROJECT  
CAPITAL PROJECT ORDINANCE  
Amendment No. 1**

**Section 3.** of the Tunis Sewer District, pertaining to the wastewater project shall be amended as follows:

**Revenues:**

User Tap Fees	\$ 6,000
<b>Total Revenues</b>	<b>\$ 6,000</b>

**Section 4.** of the Tunis Sewer District, pertaining to the wastewater project shall be amended as follows:

**Appropriations:**

Contingencies	\$ 6,000
<b>Total Appropriations</b>	<b>\$ 6,000</b>

This amendment:

- Budgets users tap fees collected during the beginning of the project.

Source of funding: Users in the Sewer District tap fees.

**RESOLUTIONS/QUARTER CENT SALES TAX**

On a motion by Mitchell and a second by Gatling, the Board voted unanimously to approve the following Capital Reserve Fund Resolution as presented by Loria D. Williams, County Manager:

**STATE OF NORTH CAROLINA  
COUNTY OF HERTFORD**

**RESOLUTION ESTABLISHING A CAPITAL RESERVE FUND  
FOR CAPITAL IMPROVEMENTS**

**WHEREAS**, a capital reserve fund shall be established by a resolution or ordinance of the governing body and shall state the purpose for which the fund is created; and

**WHEREAS**, a capital reserve fund shall state the approximate periods of time during which the monies are to be accumulated for each purpose and shall state the sources from which the moneys for each purpose will be derived; and

**WHEREAS**, subject to the provisions of the resolution establishing the capital reserve fund, expenditure of monies in the fund may be made at any time or from time to time in the manner hereinafter provided for all or part of the costs; and

**WHEREAS**, upon the adoption of a resolution establishing a capital reserve fund, the governing body may pursuant to the provisions of the local government fiscal control act make appropriations from the general fund of the county for payment to the capital reserve fund, provided, however, that the appropriations may be made only from such funds as may be legally available therefore. Thereafter, appropriations may be made in the same manner at any time from time to time at the discretion of the governing body.

**NOW, THEREFORE, BE IT RESOLVED** that the Hertford County Board of Commissioners does hereby establish a Capital Reserve Fund for the following purpose:

1. Annual transfer from the general fund of the additional One-Quarter Cent County Sales and Use Tax (an estimated \$448,000) as authorized by Resolution adopted the 11<sup>th</sup> day of March, 2010. Monies are to be accumulated in this fund for the purpose of capital improvements for four (4) years from the date of this resolution.

Adopted this the 27<sup>th</sup> day of June, 2011.

**BOARD APPOINTMENTS****Public Health Authority**

On a motion by Freeman and a second by Mitchell, the Board voted unanimously to amend board appointments made at the June 20<sup>th</sup> Meeting for Howard Hunter, III, and William Stephens. They are to be reappointed for three-year terms ending on June 30, 2014; but they are to become effective July 5, 2011. This will provide an adequate break in service to be eligible for reappointment.

**BUDGET AMENDMENTS**

On a motion by Gatling and a second by Hunter, the Board voted unanimously to approve the following Amendment #10 (Final Amendment) to the FY 2010-2011 Hertford County Budget Ordinance as presented by Robbin Stephenson, Finance Director:

**AMENDMENT TO THE HERTFORD COUNTY BUDGET ORDINANCE  
FY 2010/2011**

**Final Budget Amendment No. 10**

**Section 1** of the Hertford County Budget Ordinance, pertaining to the General Fund operations of the County, shall be amended as follows:

Increase/(Decrease) Expenses:

General Government	\$ 10,841
Public Safety	101,132
Economic and Physical Development	6,760
Human Services	(120,496)
Education	492,283
Oper Transfer to Fund 41(HC Judicial Center Project)	311,371
Fund Reserve	93,089
<b>Total</b>	<b>\$ 894,980</b>

**Section 2** of the Hertford County Budget Ordinance, pertaining to the General Fund operations of the County, shall be amended as follows:

Increase/(Decrease) Revenues:

Ad Valorem	\$ 323,344
Unrestricted Intergovernmental	65,014
Restricted Intergovernmental	16,538
Restricted Intergovernmental DSS	(348,320)
Sales & Services	6,175
Miscellaneous Revenues	28,575
Transfers From Other Funds	492,283
Fund Balance Appropriated	311,371
<b>Total</b>	<b>\$ 894,980</b>

**Section 4** of the Hertford County Budget Ordinance, pertaining to the Solid Waste System Enterprise Fund operations of the County, shall be amended as follows:

Increase/(Decrease) Expenses:

Solid Waste Program	\$ 23,200
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**Section 5** of the Hertford County Budget Ordinance, pertaining to the Solid Waste Enterprise Fund operations of the County, shall be amended as follows:

Increase/(Decrease) Revenues:

Other Taxes & Licenses	<u>\$ 23,200</u>
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<b>Total</b>	<b>\$ 23,200</b>
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**Section 11** of the Hertford County Budget Ordinance, pertaining to the Enhanced 911 System Fund operation, shall be amended as follows:

Increase/(Decrease) Expenses:

Fund Reserve	\$ - 5,000
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**Section 12** of the Hertford County Budget Ordinance, pertaining to the Enhanced 911 System Fund operation, shall be amended as follows:

Increase/(Decrease) Revenues:

Other Taxes & Licenses	<u>\$ - 5,000</u>
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<b>Total</b>	<b>\$ - 5,000</b>
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**Section 19** of the Hertford County Budget Ordinance, pertaining to the Public Schools Capital Reserve Fund operations of the county, shall be amended as follows:

Increase/(Decrease) Expenses:

School Capital Outlay (Transfer to the General Fund)	\$ 57,283
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**Section 20** of the Hertford County Budget Ordinance, pertaining to the Public Schools Capital Reserve Fund operations of the county, shall be amended as follows:

Increase/(Decrease) Revenues:

Fund Balance Appropriated	<u>\$ 57,283</u>
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<b>Total</b>	<b>\$ 57,283</b>
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**Section 23** of the Hertford County Budget Ordinance, pertaining to Woodland, Ahoskie and Union Rural Fire Service District operations, shall be amended as follows:

Increase/(Decrease) Expenses:

Contracted Services - (Woodland - \$500 and Union - \$700)	\$ 1,200
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**Section 24** of the Hertford County Budget Ordinance, pertaining to Ahoskie and Union Rural Fire Service District operations, shall be amended as follows:

Increase/(Decrease) Revenues:

Sales Tax - (Woodland - \$500 and Union - \$700)	
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	\$ 1,200
<b>Total</b>	<b>\$ 1,200</b>

This amendment:  
appropriates funds to various departments to prevent  
overspending.

### **BUDGET**

Loria D. Williams, County Manager, presented the FY 2011-2012 Hertford County Budget Ordinance for adoption. She thanked the Department Heads, Shelia Matthews, Robbin Stephenson, Sheriff Vaughan, and John Rankins for all their hard work.

Commissioner Hunter expressed his feelings and made a motion to remove from the budget the additional \$125,000 appropriation for the Schools and the Community College. Chairman Farmer seconded the motion.

Some discussion was held before Chairman Farmer called for a vote. Farmer and Hunter voted to remove the \$125,000 additional appropriation. Freeman, Gatling, and Mitchell voted against removing the appropriation.

On a motion by Freeman and a second by Gatling, the following FY 2011-2012 Hertford County Budget Ordinance was adopted by a split vote (Freeman, Gatling, and Mitchell voted for; Farmer and Hunter voted against):

#### HERTFORD COUNTY BUDGET ORDINANCE FISCAL YEAR 2011-2012

BE IT ORDAINED BY THE Board of County Commissioners of Hertford County, North Carolina:

SECTION 1. APPROPRIATIONS: The following amounts are hereby appropriated in the General Fund for the operation of the County Government and its activities for the fiscal year beginning July 1, 2011 and ending June 30, 2012:

<u>General Government:</u>	
Refunds	35,000
Governing Body	89,749
Administration	312,950
Finance Office	335,796
Tax Assessor	233,428
Tax Collection	296,743
Board of Elections	134,981
Register of Deeds	170,250
Land Records	119,674
Public Buildings & Maintenance	515,685
Court Facilities	71,000
County Attorney	58,000
Central Services – General	292,100
Central Services – Telephone	78,200
Central Services – IT	<u>143,112</u>
 Total General Government	 \$2,886,668
 <u>Public Safety</u>	
Sheriff's Department	1,687,553
Communications	207,776
Jail Department	1,820,984
Emergency Management	154,595

Ambulance Department	1,036,741
Animal Control	107,067
Building Inspection	124,843
Fire Departments	283,705
Medical Examiner	<u>15,000</u>
Total	\$5,438,264
<u>Economic &amp; Physical Development</u>	
Economic Development	129,580
Planning & Zoning	4,465
Soil Conservation	125,517
Cooperative Extension	<u>167,584</u>
Total	\$427,146
<u>Human Services</u>	
Health Department	260,300
CJPP Day Reporting Center	86,409
Mental Health	84,350
Library	91,316
DJJ & Delinquency Prevention	142,868
DOT – ROAP Program	115,217
Aging Administration	322,121
Aging Public Assistance	264,707
DSS Administration	3,338,026
DSS Public Assistance	1,484,110
DSS Food Stamp/Stimulus	36,430
DSS Grants	30,538
DSS Local Funds	456,494
Veterans Service	<u>51,255</u>
Total	\$6,764,141
<u>Education</u>	
Public Schools – Current Expense	4,173,524
School Capital Outlay – Regular & Special Appropriation	870,000
Fines & Forfeitures	139,000
Roanoke Chowan Community College	<u>803,839</u>
Total	\$5,986,363
<u>Debt Service</u>	
Community College Bonds	146,300
EMS Building Renovation	<u>89,339</u>
Total	\$235,639
<u>Special Appropriations</u>	
Non Profit/Community Based Organizations	<u>298,552</u>
Total	\$298,552
<u>Transfer to Other Funds</u>	
E911 Telephone Fund	25,000
School Capital Reserve Fund	<u>770,000</u>
Total	\$795,000
<u>Contingency</u>	
General Fund	75,000
Salary	<u>94,000</u>

Total	\$169,000
<b>TOTAL GENERAL FUND APPROPRIATIONS</b>	<b>\$23,000,773</b>

SECTION 2. REVENUES: It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2011 and ending June 30, 2012:

Ad Valorem Taxes	10,359,938
Vehicle Taxes	1,152,123
Sales & Use Taxes	3,165,000
Other Taxes & Licenses	86,100
Beer & Wine Tax	65,000
Restricted Intergovernmental General	768,875
Restricted Intergovernmental Aging	303,434
Restricted Intergovernmental - DSS	3,628,401
Permits and Fees	171,000
Sales and Services	980,500
Investment Earnings	10,750
Miscellaneous Revenue	23,300
Transfers from Other Funds	844,500
Fund Balance Appropriated	
General Fund Balance	1,291,141
Assigned – Special Appropriation – HCPS	100,000
Assigned – Special Appropriation – RCCC	25,000
Earmarked – Soil & Water Conservation	13,349
Earmarked – Cooperative Extension	<u>12,362</u>
<b>TOTAL GENERAL FUND REVENUES</b>	<b>\$23,000,773</b>

SECTION 3. There is hereby levied a tax rate of \$.84 per one hundred dollars valuation of property listed for taxes as of January 1, 2011 for the purpose of raising the revenue listed as "ad valorem taxes" in the General Fund of this ordinance.

This rate is based upon an estimated total valuation of property for the purposes of taxation of \$1,389,428,276 and an estimated collection rate of 95%. The estimated rate of collection is based on the fiscal year 2010-11 collection rate that is estimated to be 95%. The rate of \$.84 per one hundred dollars valuation of property is levied in support of the General Fund.

SECTION 4. EXPENDITURES: There is appropriated to the Solid Waste Enterprise Fund for the operation of the County's comprehensive solid waste program for fiscal year beginning July 1, 2011, and ending June 30, 2012:

Solid Waste Program	\$953,100
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SECTION 5. REVENUES: It is estimated that the following revenues will be available in the Solid Waste Enterprise Fund for the fiscal year beginning July 1, 2011 and ending June 30, 2012:

Other Taxes & Licenses	952,000
Investment Earnings	1,000
Miscellaneous	100
<b>TOTAL</b>	<b>\$953,100</b>

SECTION 6. There is hereby levied on the property tax bill for the fiscal year 2011-2012, a Solid Waste Assessment of \$115.00. A Commercial Tipping Fee of \$66.00 per ton is hereby established for disposal of commercial waste at the solid waste facility.

SECTION 7. EXPENDITURES. The following amount is hereby appropriated in the Northern Water District Enterprise Fund for the fiscal year beginning July 1, 2011 and ending June 30, 2012:

Northern Water District	\$469,078
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SECTION 8. REVENUES. It is estimated that the following revenues will be available in the Northern Water District Enterprise Fund for the fiscal year beginning July 1, 2011 and ending June 30, 2012:

Sales & Service	468,578
Miscellaneous	500
TOTAL	\$469,078

SECTION 9. EXPENDITURES. The following amount is hereby appropriated in the Southern Water District Enterprise Fund for the fiscal year beginning July 1, 2011 and ending June 30, 2012:

Southern Water District	\$1,061,720
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SECTION 10. REVENUES. It is estimated that the following revenues will be available in the Southern Water District Enterprise Fund for the fiscal year beginning July 1, 2011 and ending June 30, 2011:

Sales & Service	1,058,720
Miscellaneous	3,000
TOTAL	\$1,061,720

SECTION 11. EXPENDITURES. The following amounts are hereby appropriated for the Enhanced 911 System Fund for the fiscal year beginning July 1, 2011 and ending June 30, 2012:

Land Records	4 500
Communications	36,000
Fund Reserve	99,196
TOTAL	\$139,696

SECTION 12. REVENUES. It is estimated that the following revenues will be available for the Enhanced 911 Fund for the fiscal year beginning July 1, 2011 and ending June 30, 2012:

Other Taxes and Licenses	114,696
Transfer from General Fund	25,000
TOTAL	\$139,696

SECTION 13. EXPENDITURES. The following amounts are hereby appropriated in the Inmate Trust Fund for the fiscal year beginning July 1, 2011 and ending June 30, 2012:

Miscellaneous	\$115,000
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SECTION 14. REVENUES. It is estimated that the following revenues will be available in the Inmate Trust fund for the fiscal year beginning July 1, 2011 and ending June 30, 2012:

Inmate Revenue	\$115,000
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SECTION 15. EXPENDITURES. The following amounts are hereby appropriated in the Social Service Trust Fund for the fiscal year beginning July 1, 2011 and ending June 30, 2012:

Special Assistance for Adults	\$90,000
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SECTION 16. REVENUES. It is estimated that the following revenues will be available in the Social Service Trust Fund for the fiscal year beginning July 1, 2011 and ending June 30, 2012:

DSS Trust Revenue	\$90,000
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SECTION 17. EXPENDITURES. The following amounts are hereby appropriated in the Register of Deeds Enhancement Fund for the fiscal year beginning July 1, 2011 and ending June 30, 2012:

Transfer to General Fund (Register of Deeds)	9,000
TOTAL	\$9,000

SECTION 18. REVENUES. It is estimated that the following revenues will be available in the Register of Deeds Enhancement Fund for the fiscal year beginning July 1, 2011 and ending June 30, 2012:

Enhance & Preservation Revenues	9,000
TOTAL	\$9,000

SECTION 19. REVENUES. It is estimated that the following revenues will be available in the county Capital Reserve Fund for the fiscal year beginning July 1, 2011 and ending June 30, 2012:

Restricted ¼ Cent Sales Taxes	448,000
TOTAL	\$448,000

SECTION 20. EXPENDITURES. The following amounts are hereby appropriated in the county Capital Reserve Fund for the fiscal year beginning July 1, 2011 and ending June 20, 2012:

Fund Reserve	448,000
TOTAL	\$448,000

SECTION 21. REVENUES. It is estimated that the following revenues will be available in the Public School Capital Reserve Fund for the fiscal year beginning July 1, 2011 and ending June 30, 2012:

Operating Transfer of Restricted Sales Tax	770,000
TOTAL	\$770,000

SECTION 22. EXPENDITURES. The following amounts are hereby appropriated in the Public School Capital Reserve Fund for the fiscal year beginning July 1, 2011 and ending June 20, 2012:

School Capital Outlay (Transfer to General Fund)	770,000
TOTAL	\$770,000

SECTION 23. EXPENDITURES. The following amounts are hereby appropriated in the Ahoskie, Woodland and Union Rural Fire Districts for the fiscal year beginning July 1, 2011 and ending June 30, 2012:

Ahoskie Rural Fire Department	102,727
Union Rural Fire Department	8,242
Woodland Fire Department	3,897
TOTAL	\$114,866

SECTION 24. REVENUES. It is estimated that the following revenue will be available in the Ahoskie Rural, Union Rural and Woodland Fire Service Districts for the fiscal year beginning July 1, 2011 and ending June 30, 2012:

Advalorem Taxes (Ahoskie)	85,252
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Advalorem Taxes (Union)	6,867
Advalorem Taxes (Woodland)	3,245
Sales Tax (Ahoskie)	17,475
Sales Tax (Union)	1,375
Sales Tax (Woodland)	652
TOTAL	\$114,866

SECTION 25. There is hereby levied a special tax of five cents (\$.05) for the purpose of raising revenue for Fire Prevention in the Woodland Fire Service District and a four cents (\$.04) special tax for the purpose of raising revenue for Fire Prevention in the Ahoskie Rural and Union Fire Service Districts. The rate is based on one hundred (\$100) valuation of taxable property as listed January 1, 2011 in the respective Districts.

SECTION 26. There is hereby levied for the fiscal year 2011-2012, a license fee of \$5.00 on each dog in Hertford County. The proceeds of such taxes shall be deposited in the General Fund.

SECTION 27. SPECIAL PROVISIONS. The County Manager, as Budget Officer, is hereby authorized to transfer appropriations contained herein and to enforce policy under the following circumstances:

- a. May transfer amounts between line item expenditures within a department without limitation. These changes should not result in increases in recurring obligations such as salaries.
- b. For purchases of \$300 and above, each department head is directly responsible for determining that no county funds are obligated without first securing a purchase order from the Finance Director.
- c. The Board of Commissioners shall be responsible for allocating funds from Contingency.
- d. No salary increase shall be awarded beyond those set forth in this budget document without Commissioners' approval.
- e. May not transfer any amounts between functions/funds without the approval of the Board of Commissioners.
- f. No grant agreement may be requested or entered into without the prior approval of the Board of Commissioners. Copies of such grants shall be furnished to the County Manager for review prior to submission to the Board of Commissioners.

SECTION 28. Copies of this ordinance shall be furnished to the Budget Officer, Finance Director, Tax Assessor, and Tax Collector for direction in carrying out their duties.

This budget is prepared and adopted on a functional basis, and need not be amended unless expenditures exceed functional appropriations.

Adopted this the 27<sup>th</sup> day of June 2011.

On a motion by Gatling and a second by Mitchell, the Board voted unanimously to recess Regular Session to go into Closed Session as approved by the motion at the beginning of the meeting as allowed under G. S. 143-318.11 (a) (3) to consult with the County Attorney.

#### **CLOSED SESSION**

Minutes of Closed Session are on file in the office of the Clerk to the Board.

#### **REGULAR SESSION**

On a motion by Freeman and a second by Hunter, the Board voted unanimously to adjourn the meeting.

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Shelia W. Matthews  
Clerk to the Board

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Johnnie R. Farmer, Chairman  
Hertford County Commissioners