

Minutes
 Regular Meeting
 Hertford County Board of Commissioners
 County Commissioners' Meeting Room
 Monday, August 1, 2011
 9:00 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; John P. Rankins, Assistant County Manager; 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 Assistant County Manager John P. Rankins.

TAX

On a motion by Hunter and a second by Freeman, the Board voted unanimously to approve the Tax Releases for June, 2011, as follows:

TOTAL VALUE APPROVED THIS REPORT (2010 LEVY)	22,010.00
TOTAL TAX RELEASED THIS REPORT (2010 LEVY)	282.80
TOTAL VALUE APPROVED THIS REPORT (PRIOR LEVY)	18,970.00
TOTAL TAX RELEASED THIS REPORT (PRIOR LEVY)	189.90
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2010)	57.50
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2010)	57.50
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2009)	57.50
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2009)	57.50
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2008)	57.50
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2008)	57.50
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2007)	00.00
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2007)	00.00
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2006)	00.00
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2006)	00.00
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2005)	00.00
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2005)	00.00
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2004)	00.00
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TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2002)	00.00
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2001)	00.00
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2001)	00.00
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2000)	00.00
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2000)	00.00

MINUTES

On a motion by Freeman and a second by Hunter, the Board voted unanimously to approve the minutes of the July 5, 2011, Regular Meeting as presented.

PERSONNEL

John P. Rankins, Assistant County Manager/Human Resources Director, introduced the following new County employees:

<u>NAME</u>	<u>DEPARTMENT</u>	<u>HIRE DATE</u>
Carlton Howard	Jail	05-26-11
William Harrison	Sheriff	06-26-11
Jessica Hoggard	Animal Control	07-11-11
Ron Justice	Grounds and Buildings	07-26-11

COMMISSIONERS/BUDGET

On a motion by Freeman and a second by Gatling, the Board voted unanimously to amend the agenda to add on a budgetary request from the Ahoskie Youth Football League.

A letter was presented from Timothy Lassiter asking for financial support for the Ahoskie Youth Football League. On a motion by Hunter and a second by Freeman, the Board voted unanimously to appropriate \$2,000 (same amount as last year) to the Ahoskie Youth Football League.

RESOLUTIONS

On a motion by Freeman and a second by Hunter, the Board voted unanimously to adopt the following Proclamation for Hunger Action Month as presented by George Bright, Development Associate with the Food Bank of Albemarle:

**Proclamation for
 HUNGER ACTION MONTH
 “30 Ways in 30 Days”
 September, 2011**

WHEREAS, Feeding America is the nation's leading domestic hunger-relief organization with a mission to feed and advocate for America's hungry through a nationwide network of member food banks; and

WHEREAS, the Food Bank of the Albemarle is a member of Feeding America and fights hunger and poverty in 15 northeast North Carolina counties by partnering with more than 130 local agencies to distribute food to the hungry; and

WHEREAS, both the Food Bank of the Albemarle and Feeding America seek to engage our citizens locally, statewide, and nationally in the fight to end hunger; and

WHEREAS, the number of people in the Albemarle area who need assistance is increasing as reflected in more households in poverty and more individuals being unemployed; and

WHEREAS, the fight against hunger is a fight that concerns each of us; and

WHEREAS, the contribution of our time, talent and treasure moves us ever closer to an answer to issues of hunger and poverty in our communities; and

WHEREAS, the citizens of Hertford County can visit the Food Bank of the Albemarle's website (www.afoodbank.org) for ideas of ways to make a difference for local emergency feeding programs, for the Food Bank, and especially for our hungry and needy during these thirty days of opportunities;

NOW, THEREFORE, BE IT RESOLVED that I, Johnnie R. Farmer, Chairman of the Board of Commissioners of Hertford County do hereby proclaim September 2011 as Hunger Action Month - with the theme of “30 Ways in 30 Days” - in Hertford County.

ADOPTED this the 1st day of August, 2011.

AMERICAN RED CROSS/EMERGENCY MANAGEMENT/SOCIAL SERVICES

On a motion by Hunter and a second by Mitchell, the Board voted unanimously to approve the Memorandum of Understanding Between Hertford County and the American Red Cross Greater Albemarle Area as presented by Adonica Hampton, Social Services Director, and Chris Smith, Emergency Management Coordinator. Jim Self (Human Resources Administrator) and Carolyn Self (Executive Director) with the American Red Cross were also present and expressed their pleasure of working here in Hertford County and with Adonica and Chris.

CONTRACTS/P.A.W.S.

JoAnn Jones, with P.A.W.S. of Hertford County, was present to explain the North Carolina Spay/Neuter Program. Reimbursement of spay/neuter costs is available to counties participating in the program when services are made available to low-income persons. Rabies shots are included with spay/neuter surgeries. Spay Today and PETA are the contractors used by P.A.W.S. for spay/neuter services.

On a motion by Mitchell and a second by Hunter, the Board voted unanimously to participate in the North Carolina Spay/Neuter Program and forward the application. Loria Williams, Charles Revelle, and JoAnn Jones were authorized to execute the forthcoming contract.

DISTRICT ATTORNEY

Due to the absence of a representative from the District Attorney's Office, the County Manager presented the request for funding a Victim/Witness Legal Assistant in the District Attorney's Office. Bertie County has executed the contract and committed with the stipulation that all three counties participate. Northampton County approved a one-time appropriation and has not executed the contract because of the worker's compensation and unemployment expenses. Hertford County pays \$36,000 annually in rent that Bertie and Northampton Counties do not have to pay.

On a motion by Mitchell and a second by Freeman, the Board voted unanimously to not fund the Victim/Witness Legal Assistant position based on the contract presented.

XTRAPLAN

Pastor Keith Urquhart, along with Mr. and Mrs. Albert Williams, presented the XtraPlan. XtraPlan is an investment plan. Membership is free, and participants receive 1-40% back when you shop at participating merchants. Hertford County would have to pay a \$295 fee to become an affiliate so citizens can take advantage of this plan. Then there is a \$40 recurring fee per month. No motion was made to participate in the XtraPlan, but some County Commissioners stated they were going to give it a try and check it out.

TAX

On a motion by Hunter and a second by Freeman, the Board voted unanimously to increase the Attachment and Garnishment Fee from \$15 to \$30 as presented by Gay Sumner, Tax Collector, pursuant to G.S. 105-368(g). This fee takes effect August 1, 2011.

COUNTY PROPERTY

Robbin Stephenson, Finance Director, was present requesting permission to dispose of surplus equipment (voting machines, computer, and scanner). One piece of equipment is a map printer that Bertie County would like to use for spare parts. In the future, the Board has requested that surplus property be listed on gov.deals or through the program called Federal Payments to see if we can make any money from it. The County Manager explained that the equipment must be declared surplus regardless of what we decide to do with it.

On a motion by Hunter and a second by Freeman, the Board voted unanimously to declare one map printer, 15 voting machines, one computer, and one scanner as surplus equipment.

Loria D. Williams, County Manager, presented an inventory list that Waste Industries has offered to pay us \$42,730 and will remove from premises. The list includes the last 5 cubic yard compactor that we just purchased. They are offering \$24,950 for the compactor, plus \$17,780 for the remaining inventory.

On a motion by Hunter and a second by Gatling, the Board voted unanimously to advertise the Waste Industries bid of \$42,730 for upset bid following receipt of the required 5% deposit. On a motion by Hunter and a second by Gatling, the Board voted unanimously to declare all of the inventory list as surplus.

Commissioner Mitchell left the meeting at this time.

BUDGET AMENDMENTS

On a motion by Freeman and a second by Gatling, the Board voted unanimously to approve the following Amendment No. 1 to the FY 2011-2012 Hertford County Budget Ordinance as presented by Robbin Stephenson, Finance Director:

**AMENDMENT TO THE HERTFORD COUNTY BUDGET ORDINANCE
2011/2012
(Amendment No. 1)**

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

Increase (Decrease) Appropriations:

Human Services	
DSS – TANF Job Boost II	169,535
Transfer to Other Funds	
E911 Telephone Fund	44,605
Total	\$214,140

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

Increase (Decrease) Revenues:

TANF Job Boost Grant	\$169,535
Fund Balance Appropriated	44,605
Total	\$214,140

This amendment:

- Budget increased from funding authorization #1 from the Division of Social Services for a Job Boost Expansion Program granted to Hertford County for 61 slots
- Budget increased to pay Reserve the balance that the General Fund owes E911 Telephone Fund

Source of funding: General Fund, Fund Balance
 Source of funding: TANF Contingency Funds/Private Grant

On a motion by Freeman and a second by Gatling, the Board voted unanimously to approve the following Amendment No. 1 to the FY 2011-2012 E911 Special Reserve Fund as presented by Robbin Stephenson, Finance Director:

**AMENDMENT No. 1
FY 11/12
E911 SPECIAL RESERVE FUND**

Section 1. of the E911 Special Reserve Fund, pertaining to emergency telephone systems and/or projects shall be amended as follows:

Revenues:

Reserve Fund Balance Appropriated	\$206,437
Transfer From General Fund	44,605

Total	\$251,042
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Section 2. of the E911 Special Reserve Fund, pertaining to construction projects of the Board of Education shall be amended as follows:

Expenditures:

Fund Reserve

44,605

Public Safety

Sheriff Department – Radios and Vehicles	\$ 77,187
Sheriff Department – Communications Radio Console	83,500
Emergency Management – Fire Department Pager Replacement	37,425
Emergency Services – Pagers Replacement	8,325

Total	\$251,042
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This amendment:

- Transfer funds from the General Fund for balance owed E911
- Use 50% of E911 Fund Balance (one time only) for public safety

Source of Funding: General Fund Balance

Source of Funding: E911 Fund Balance

EMERGENCY FOOD AND SHELTER

Linda Blackburn, Emergency Food and Shelter Board Chair, shared with the Board that Hertford County will receive \$9,170 to supplement emergency food and shelter programs in the county. There will now be a Public Announcement made in the newspaper and applications taken.

AGING/PUBLIC HEARINGS

On a motion by Hunter and a second by Freeman, the Board voted unanimously to schedule a Public Hearing for comments on the FY 2011-2012 Rural Operating Assistance Program (ROAP) Application. The Public Hearing will be held on Monday, August 15, 2011, at 7:15 P.M.

REZONING REQUESTS/PUBLIC HEARINGS

Bill Early, Planning and Zoning Administrator, presented a request from Mr. Al Vaughan to rezone two (2) tracts of land located on US 158 near the intersection of US 13 from Residential Agriculture (RA-20) to Commercial Highway (CH). Following a public hearing held by the Planning Board, it was decided that the rezoning request on Tract #1 (21 acres) be deferred, and the rezoning request on Tract #2 (45.5 acres) be granted. Mr. Early was requesting the County Commissioners to schedule a Public Hearing on the rezoning request.

On a motion by Hunter and a second by Freeman, the Board voted unanimously to schedule a Public Hearing for comments on the rezoning request being made by Mr. Al Vaughan on August 15, 2011, at 7:20 P.M.

At this time, Mr. Early shared a Press Release announcing plans to construct and operate a state-of-the-art steel plate painting facility. The company's name is Structural

Coatings and will be located in Cofield. Structural Coatings plans to be operational in the 1st quarter of 2012.

ABC BOARD

On a motion by Freeman and a second by Hunter, the Board voted unanimously to approve the Travel Policy of the Hertford County ABC Board as required by House Bill 1717.

PUBLIC HEARINGS

On a motion by Gatling and a second by Hunter, the Board voted unanimously to schedule a Public Hearing for comments on Minority Business Participation in Building Construction Contracts to be held on August 15, 2011, at 7:30 P.M. as requested by Loria D. Williams, County Manager.

TOWN OF AHOSKIE/RESOLUTIONS

On a motion by Gatling and a second by Freeman, the Board voted unanimously to adopt the following Resolution Granting Permission to the Town of Ahoskie to Permit Fireworks Displays in their Jurisdiction pursuant to new legislation passed by the North Carolina General Assembly:

**HERTFORD COUNTY COMMISSIONERS HEREBY
GRANT PERMISSION TO THE TOWN OF AHOSKIE
TO PERMIT FIREWORKS DISPLAYS
IN THEIR JURISDICTION**

WHEREAS, the North Carolina General Assembly passes new legislation dealing with pyrotechnic shows; and

WHEREAS, the new legislation took effect in February, 2010 and on this date set the responsibility of permitting such shown with the Board of County Commissioners in North Carolina; and

WHEREAS, the new legislation under paragraph 14-413 (al) states as follows "For the purpose of enforcing the provisions of this Article, a board of county commissioners may authorize the governing body of any city in the county to issue permits pursuant to the provisions of this Article for pyrotechnics to be exhibited, used, or discharged within the corporate limits of the city for use in connection with the conduct of concerts or public exhibitions"; and

WHEREAS, the Town of Ahoskie does on an annual basis perform public exhibitions for the Fourth of July and Heritage Day;

NOW, THEREFORE, BE IT RESOLVED, THAT THE Hertford County Commissioners do hereby grant authority to the Town of Ahoskie to permit pyrotechnic shows as described in section 14-143 (al) for the North Carolina GS.

Adopted this 1st day of August, 2011.

BUDGET/TOWN OF AHOSKIE

The Town of Ahoskie has requested financial support for their July 4th fireworks display. On a motion by Hunter and a second by Freeman, the Board voted unanimously to not make an appropriation to the Town of Ahoskie for fireworks.

RESOLUTIONS/COURTHOUSE/TOWN OF WINTON

The County Manager shared with the Board that Hertford County's request for a variance for the Courthouse Project would be on the agenda tonight at the Town of Winton's meeting.

On a motion by Hunter and a second by Gatling, the Board voted unanimously to approve the following Resolution of Intent to Provide Adequate Parking within Town of Winton:

State of North Carolina
County of Hertford

Hertford County Board of Commissioners'
Resolution of Intent
To Provide Adequate Parking within Town of Winton

WHEREAS, in its considered judgment, the governing body believes employee safety and public accessibility are prevailing issues with existing county facilities, thereby adopted a capital project ordinance authorizing the construction of the Hertford County Judicial Center to be sited on the corner of West Tryon and King Streets within Winton Town Proper; and

WHEREAS, the aforementioned site currently serves as parking for governmental services provided to the citizens, and the loss of this site will create major parking problems that will negatively impact the Town of Winton and the livability of its residents.

NOW, THEREFORE, BE IT RESOLVED that the Hertford County Board of Commissioners hereby commit to the following actions:

1. Intent to purchase Parcel #6906-89-2379 owned by Wesley R. Stewart for the purpose of providing **permanent** parking during project construction; and
2. Intent to demolish and construct parking on current courthouse site no later than six months after project completion (July 2013).

BE IT FURTHER RESOLVED that the County Manager is hereby directed to move forward in the acquisition of the aforementioned property in accordance with any and all regulations within the county's authority.

Adopted this the 1st day of August, 2011.

PERSONNEL/POLICIES

On a motion by Freeman and a second by Gatling, the Board voted unanimously to approve the amended job descriptions for Animal Control Officer 1 and Animal Control Officer 2 as presented and reviewed by John P. Rankins, Assistant County Manager/Human Resources Director.

On a motion by Freeman and a second by Hunter, the Board voted unanimously to approve the changes made to the Family Medical Leave Policy as presented and reviewed by John P. Rankins, Assistant County Manager/Human Resources Director.

On a motion by Freeman and a second by Hunter, the Board voted unanimously to go into a meeting of the Tunis Sewer District Governing Board.

TUNIS SEWER DISTRICT

On a motion by Freeman and a second by Hunter, the Board voted unanimously to authorize the chairman to execute the Interlocal Cooperation Agreement with the Town of Winton after the Town of Winton's changes are included and after review by our County Attorney.

On a motion by Freeman and a second by Gatling, the Board voted unanimously to leave the Tunis Sewer District Governing Board and return to Regular Session.

REGULAR SESSION

COUNTY MANAGER'S UPDATE/COURTHOUSE

Discussion was held on the Courthouse project. The County Manager will authorize the architect to submit the Construction Documents to the State for permitting review.

Commissioner Gatling left the meeting at this time.

On a motion by Freeman and a second by Hunter, the Board voted unanimously to authorize bidding the Courthouse project pending the outcome of the Town of Winton's meeting regarding Hertford County's variance request.

COMMISSIONERS' COMMENTS

- Commissioner Freeman questioned the grass cutting contract that had been previously discussed. He was informed that landscaping bids were coming in now and then grass cutting bids. The grass cutting bids are also on hold until after the transition of the two Solid Waste workers into the Building & Grounds/Maintenance Department (August 31). These bids will possibly be postponed until next season.
- Commissioner Hunter shared that North Carolina had the most representation at the NACo Conference in Portland, Oregon.

On a motion by Freeman and a second by Hunter, the Board voted unanimously to recess Regular Session to go into a scheduled Closed Session as allowed under G. S. 143-318.11 (a) (3) to consult with the County Attorney and (6) to discuss personnel matters.

CLOSED SESSION

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

REGULAR SESSION

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