

Minutes
Regular Meeting
Hertford County Board of Commissioners
County Commissioners' Meeting Room
Monday, February 20, 2012
7:00 P.M.

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

Absent: Curtis A. Freeman, Sr.

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

Vice-Chairman William F. Mitchell, Jr., called the meeting to order.

The invocation for the meeting was provided by Assistant County Manager John P. Rankins.

COMMISSIONERS

On a motion by Gatling and a second by Hunter, the Board voted unanimously to amend the agenda to add discussion of the E911 Interlocal Agreement.

On a motion by Gatling and a second by Hunter, the Board voted unanimously to amend the agenda to add discussion on Animal Cruelty Investigators.

TAX

On a motion by Hunter and a second by Gatling, the Board voted unanimously to approve the Tax Releases for January, 2012, as follows:

TOTAL VALUE APPROVED THIS REPORT (2011 LEVY)	14,930.00
TOTAL TAX RELEASED THIS REPORT (2011 LEVY)	223.95
TOTAL VALUE APPROVED THIS REPORT (PRIOR LEVY)	00.00
TOTAL TAX RELEASED THIS REPORT (PRIOR LEVY)	00.00
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2011)	517.50
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2011)	517.50
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2010)	00.00
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2010)	00.00
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2009)	00.00
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2009)	00.00
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2008)	00.00
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2008)	00.00

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
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2004)	00.00
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2003)	00.00
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2003)	00.00
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2002)	00.00
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2002)	00.00

ANIMAL CONTROL/P.A.W.S.

JoAnn Jones, Chairperson for P.A.W.S., along with Dr. Catherine Allen and Dr. Julie Dilday, were present with several members in the audience to give the P.A.W.S. Annual Update. Hertford County has one of the lowest euthanasia rates in North Carolina. Commissioner Gatling made positive remarks about the program, and Commissioners Farmer and Mitchell thanked them for their presentation.

On a motion by Hunter and a second by Gatling, the Board voted unanimously to appoint Dr. Julie Dilday and Dr. Catherine Allen as Animal Cruelty Investigators for one-year terms. They both have successfully completed the required Animal Cruelty training.

RESOLUTIONS/AMERICAN RED CROSS

On a motion by Hunter and a second by Gatling, the Board voted unanimously to approve the following resolution in support of American Red Cross Month 2012:

AMERICAN RED CROSS MONTH 2012

The American Red Cross has touched many lives in Hertford County, as well as across the country and around the world.

During American Red Cross Month, we thank those who contribute to the mission of the Red Cross, whether through time, money or blood, and we invite others to support the Red Cross in helping people in need down the street, across the country and around the world.

The American Red Cross is synonymous with helping people, and has been doing so for more than 130 years. Throughout the past year, the American Red Cross launched hundreds of disaster relief operations in the United States to help people affected by fires, floods, hurricanes and tornadoes. The American Red Cross also supported major international disasters, including the Japan earthquake and tsunami response, while continuing its work on the 2010 Haiti earthquake response and recovery.

In Hertford County, the Red Cross works tirelessly through its 1 employee and 65 volunteers to support us when disaster strikes, when someone needs life-saving blood or the comfort of a helping hand. It provides 24-hour support to members of the military, veterans and their families and provides training in CPR, aquatics safety and first aid.

For nearly 100 years, United States presidents have called on the American people to support the Red Cross and its humanitarian mission. Our community depends on the American Red Cross and because it is not a government agency, the Red Cross depends on support from the public to continue its humanitarian work. This is especially important in these challenging economic times – which impact the Red Cross and many people in our community and across the nation.

NOW, THEREFORE, I, William F. Mitchell, Jr., Vice-Chairman of the Hertford County Board of Commissioners, do hereby proclaim March 2012 as American Red Cross Month. I encourage all Americans to support this organization and its noble humanitarian mission.

IN WITNESS WHEREOF, I have hereunto set my hand this the 20th day of February, in the year of our Lord two thousand twelve.

Mrs. Carolyn Self, Executive Director of the local American Red Cross, thanked the County Commissioners for their support, along with EM Director Chris Smith and DSS Director Adonica Hampton. Vice-Chairman Mitchell thanked Mrs. Self and the Red Cross for their hard work.

EDC

On a motion by Gatling and a second by Hunter, the Board voted unanimously to approve the authorization of submission of an application to the North Carolina Rural Center, on behalf of Alfiniti Logistics, LLC, for a Building Reuse and Restoration Grant as presented by Bill Early, EDC Director, and to approve the 5% cash match of \$13,255.

On a motion by Hunter and a second by Gatling, the Board voted unanimously to authorize the Chairman to execute all necessary documents.

On a motion by Hunter and a second by Farmer, the Board voted unanimously to adopt the following resolution in support of and commitment to the expansion of Alfiniti Logistics, LLC:

RESOLUTION OF ACTION

WHEREAS, Hertford County is an eligible applicant for the North Carolina Rural Center Building Reuse and Restoration Grant; and

WHEREAS, Hertford County wishes to participate in the Building Reuse and Restoration Grant on behalf of Alfiniti Logistics, LLC, located in Winton, Hertford County, North Carolina; and

THEREFORE, Be it resolved that the Hertford County Board of Commissioners, in the regularly scheduled Board Meeting of February 20, 2012, does approve the submission of an application to the North Carolina Rural Center in support of Alfiniti Logistics, LLC for the renovation and reuse of existing buildings as part of their expansion into a new product line in the amount of \$265,100 based on Alfiniti Logistics, LLC's commitment to create a minimum of 23 new jobs in Hertford County within 18 months. The Hertford County Board of Commissioners also commits to providing a local match of 5%, or \$13,255 towards this expansion.

Adopted this 20th day of February, 2012.

BUDGET

Discussion was held regarding the Budget Preparation Schedule. The Board would like to have a Work Session before the Budget Presentation scheduled for May 7, 2012.

Loria D. Williams, County Manager, reminded the Board that last year the non-profit agencies' allocations were suspended other than contracted obligations. The Board advised staff to request non-profits to submit budget requests for consideration. Financial Statements and Budgets should be required from non-profits requesting under \$5,000. The County Manager clarified that non-profits requesting \$5,000 plus have to supply an audit.

A Budget Work Session was scheduled for April 2, 2012, after the regular Board Meeting.

On a motion by Hunter and a second by Farmer, the Board voted unanimously to adopt the following FY 2012-13 Hertford County Budget Preparation Schedule:

HERTFORD COUNTY BUDGET PREPARATION SCHEDULE FY 2011-12

Please note that all dates are subject to change per direction of the Board of County Commissioners

<u>DATE</u>	<u>ACTIVITY</u>
January 11, 2012	Presentation of Proposed Budget materials
	a. Schedule for FY 2012-13 Budget Preparation
	b. Budget Funding Summary Form

c. Standard Budget Forms

Standard HR Form for New or Revised Jobs/Job Questionnaire: These forms must be completed for all new hire and reclassification requests for all county departments, as well as those subject to the state personnel act. Individual meetings will be scheduled on an as needed basis.

Capital Purchase Justification Form: This form must be completed when requesting the purchase of \$5,000 or more. The County Manager will be reviewing all requests.

Vehicle Request Form: This form must be completed when requesting county vehicles. Vehicle/capital equipment committee will be reviewing all requests.

New Equipment/Technology Request Form: This form must be completed when requesting a purchase of equipment between \$1,000 - \$4,999. County Manager will be reviewing all requests.

Budget Materials Distributed to All Departments

Senior Management Monthly Meeting

January 17, 2012

Quarterly Reports – Quarterly reports should be submitted to the Manager’s Office.

TBD

Commissioners Annual Budget/Goal Setting Work Session

February 08, 2012

Senior Management Monthly Meeting

Distribute Miscellaneous/Non-Profit Request - Manager’s Office

March 05, 2012

Distribution of Budget Worksheets to all Departments

March 14, 2012

Senior Management Monthly Meeting

Return the following forms in one packet to County Administration

HR New & Revised Job Form/Questionnaire

Capital Purchase Justification Form

Vehicle Request Form

Equipment/Technology Request Form

- April 02, 2012** **Departments Return Budget Work Sheets and Funding Summary to County Administration** – Hard copy of budget worksheets are to be forwarded to the County Manager.
- April 2nd – 13th, 2012** **Schedule meeting with all Department Heads/Outside Agencies to Review Budget Requests** – Meetings should be scheduled in advance during this week. Discuss budgets.
- April 16, 2012** **Quarterly Reports** – Quarterly reports should be submitted to the Manager’s Office.
- Deadline for Receipt of Miscellaneous Requests from Non-profits**
- April 23, 2012** **MANAGER’S FINAL BUDGET CUTS DUE TO FINANCE -**
The remainder of month dedicated to reviewing and fine-tuning budget for formal presentation.
- May 07, 2012** **END OF YEAR SPENDING CUT OFF** – All spending must be projected and requisitioned.
- Annual Budget Presentation** – Presentation of FY 2012-13 Budget to the Board of County Commissioners
- To Be Announced** **County Commissioners’ Budget Work Session**
- May 09, 2012** **Senior Management Monthly Meeting**
- To Be Announced** **County Commissioners’ Budget Work Session**
- June 04, 2012** **Budget Public Hearing** – Held in accordance with N.C.G.S. to receive citizens’ comments.
- To Be Announced** **County Commissioners’ Budget Work Session**
- June 18, 2012** **Adopt Budget**

BUDGET AMENDMENTS

On a motion by Gatling and a second by Hunter, the Board voted unanimously to approve the following Budget Amendment #9 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. 9)**

Section 1 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

Special Appropriation – Other Partnership for Children, Inc.	\$ 6,500
JCPC Certification – DJJDP	\$ 1,123
DOT Grant – ROAP	\$ 2,566
Total	\$ 10,189

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:

Contingency	\$ 6,500
Restricted Intergovernmental	\$ 2,566
Miscellaneous Revenue	\$ 1,123
Total	\$ 10,189

This amendment:

- Funds needed to replace light fixtures for Partnership for Children, Inc.
Source of Funding: Contingency
- To show actual funds awarded by DOT Grant – ROAP Funds
Source of Funding: State Funds
- Appropriate funds to DJJDP received from Bertie and Northampton Counties
Source of Funding: Bertie and Northampton share in Christmas Dinner for the children

RURAL WATER/N.C.D.O.T.

Discussion was held regarding the US 158 Widening Project in reference to the County's water lines. The lines will need to be relocated. N. C. D. O. T. is requesting to reuse the water meters when they are relocated. The Board would like to be informed on a probable time for disruption of service to customers. The Board would also like for N. C. D. O. T. to be held responsible for any damages incurred to the water system during this project.

On a motion by Gatling and a second by Hunter, the Board voted unanimously to recess Regular Session to go into a meeting of the Northern Rural Water District Board of Directors.

NORTHERN RURAL WATER DISTRICT BOARD OF DIRECTORS

On a motion by Farmer and a second by Gatling, the Board voted unanimously to allow the N. C. D. O. T. to reuse water meters that are relocated during the US 158 Widening Project.

On a motion by Hunter and a second by Gatling, the Board voted unanimously to leave the Northern Rural Water District Board of Directors and return to Regular Session.

SCATTERED SITE CDBG

The County Manager reviewed bids received on January 20, 2012, for the CDBG #10-C-2121 Scattered Site Housing Project Clearance and Reconstruction.

On a motion by Hunter and a second by Farmer, the Board voted unanimously to award the **clearance bids** to Baucom Demolition for Case #1 (\$4,680) and Case #3 (\$5,340).

On a motion by Hunter and a second by Farmer, the Board voted unanimously to award the **reconstruction bids** to Hager Construction (Case #1 - \$78,895), D. Griffin Builders (Case #2 - \$76,900), and Troy Williams Construction, LLC (Case #3 - \$67,720).

On a motion by Hunter and a second by Farmer, the Board voted unanimously to authorize the County Manager to execute the necessary documents.

PUBLIC COMMENT PERIOD

- Caroline Stephenson spoke during comment period regarding Rosenwald Schools and a documentary film she is currently working on.

AGREEMENTS/E-911

Loria D. Williams, County Manager, presented an E-911 Interlocal Agreement to discuss. The E-911 Committee has met three times since this agreement was first introduced in December. Changes made since the first agreement were reviewed. E-911 funds are available to centralize our telecommunications. There are twelve (12) employees currently between all three entities (Hertford County, Ahoskie, and Murfreesboro). The County Manager would like approval of the agreement tonight so the application deadline in April can be met.

On a motion by Gatling and a second by Hunter, the Board voted unanimously to approve the following E-911 Interlocal Agreement as presented by Loria D. Williams, County Manager:

**HERTFORD COUNTY
NORTH CAROLINA**

INTERLOCAL AGREEMENT FOR THE CONSOLIDATION OF 911 SERVICE AND THE CREATION OF A JOINT AGENCY PURSUANT TO NORTH CAROLINA GENERAL STATUTE 160A-462 TO PROVIDE EMERGENCY PUBLIC SAFETY COMMUNICATIONS SERVICES WITHIN HERTFORD COUNTY

THIS INTERLOCAL AGREEMENT, made and entered into this 20th day of February 2012, by and between **HERTFORD COUNTY**, a body politic and corporate of the State of North Carolina, hereafter referred to as the "**COUNTY**," the **TOWN OF MURFREESBORO**, hereinafter referred to as "**MURFREESBORO**," and the **TOWN OF AHOSKIE**, hereinafter referred to as "**AHOSKIE**," both being municipal corporations of the State of North Carolina, said towns together with any further municipalities located within Hertford County which may in the future become a party to this interlocal agreement being hereinafter referred to collectively as the "**TOWNS**";

WITNESSETH:

WHEREAS, the **COUNTY** and the **TOWNS** currently provide public safety communications services for their respective citizens which, although interrelated, function under separate organizational structures; and,

WHEREAS, the **COUNTY** and the **TOWNS** recognize the benefits of working together to more closely share and coordinate the provision of public safety communications, telephone and data services; and,

WHEREAS, the Murfreesboro Town Council, the Ahoskie Town Council and the Hertford County Board of Commissioners desire to establish a joint agency to operate a combined public safety communications system and center for the answering and dispatching of public safety calls to replace the current structure of three communications centers operating independently as call answering locations to serve the **COUNTY** and the **TOWNS**.

NOW THEREFORE, in consideration of the mutual terms, covenants and conditions set forth herein, the **COUNTY** and the **TOWNS** hereby agree as follows:

- A. Purpose. The purpose of this interlocal agreement is to establish a joint agency pursuant to North Carolina General Statute 160A-462 between the **TOWNS** and the **COUNTY** to provide and maintain a consolidated public safety communications system within Hertford County serving both the **TOWNS** and the **COUNTY**. This system will promote the delivery of public

safety services to the residents and taxpayers throughout the **TOWNS** and the **COUNTY** in furtherance of the public health, safety, and general welfare of Hertford County citizens and residents.

- B. Name of Joint Agency. The name of the joint agency established by this interlocal agreement shall be the “Hertford County E911 Communications Agency.”
- C. Organizational Objectives. The organizational objectives of the consolidated public safety communications system established under this interlocal agreement are as follows:
1. To effectively receive calls for routine and emergency assistance, based on established structured call intake protocols, and to coordinate response resources to those calls for service based on the needs of the caller and the direction of field response agencies;
 2. To provide participating agencies with a single contact point for the receipt of emergency assistance requests and to provide for the control of coordinated dispatch and radio communications services for law enforcement, fire, EMS, forestry, emergency management and animal control;
 3. To maintain an operational emergency center at the location of the current County 911 Communication Center within its current facilities or within a new facility (should grant funds or other adequate funding be provided);
 4. To provide the public and field response agencies with trained, certified and/or credentialed 911 communications personnel;
 5. To provide funding for the provision of public service communication services by establishing a funding mechanism and defining the budget process for the system;
 6. To provide oversight and management of the system and a consolidated communication center by creating a Governance Board representing he

participating entities and agencies and implementing a personnel organization;

7. To facilitate coordination and responsiveness to the field response agencies by creating User Committees; and,
 8. To provide a mechanism for the addition or withdrawal of parties to this interlocal agreement.
- D. Governance Board. The Hertford County E911 Communications Governance Board (hereinafter referred to as “**Governance Board**”) shall consist of the following representatives who shall be selected by the agency he or she represents to serve on the Governance Board subject to approval by the Hertford County Board of Commissioners.

The initial **Governance Board** members will develop and present proposed By-Laws to the Hertford County Board of Commissioners for their review and approval. The By-Laws will set staggered expiration dates for each Board member, except the Hertford County 911 Director and the Hertford County IT Director/designee, who will serve ex officio by virtue of their position non-expiring terms on the Board as non-voting members.

The Governance Board shall include the following voting members:

1. Police Chief(s) from participating municipalities;
2. The Hertford County Sheriff, or his designee;
3. A representative of Hertford County EMS;
4. A representative of the Hertford County Firemen’s Association which represents all county fire chiefs;
5. A representative of the Town of Ahoskie Fire Department (paid squad);
6. The Hertford County Emergency Management Director;

7. Council member(s) or designees of the participating municipalities;
8. County commissioner or designee
9. Member-At-Large (to be selected by the Governance Board)

The **Governance Board** shall include the following non-voting members:

1. The Hertford County IT Director, appointed by County Manager, or his designee; and,
 2. The Hertford County 911 Director, appointed by the Hertford County Manager
- E. **User Committees.** The **Governance Board** working with the Hertford County 911 Director shall create or designate Fire, EMS and Law Enforcement User Committees to facilitate coordination and responsiveness. It shall be the responsibility of the user committees to make recommendations in the development of dispatch protocols, procedures, policies and systems related to service delivery for their respective User Service activity and to make recommendations regarding general operating guideline as well as service levels and performance standards.
- F. **Hertford County 911 Director.** The Hertford County E911 Communications Agency shall be managed, operated and supervised by the Hertford County 911 Director, who shall be an employee of Hertford County appointed and supervised by the Hertford County Manager and subject to the rules and regulations of Hertford County. The Hertford County 911 Director shall coordinate the operations of the joint agency working closely with the policies and direction established by the Governance Board.

The responsibilities and authority of the Hertford County E911 Director shall include the following:

1. The Hertford County 911 Director (hereinafter the “**Director**”) shall be responsible for the overall operation of the Hertford County E911 Communications system and center and shall develop long-range plans, including strategic capital improvements, staffing and other matters.

2. The **Director** shall be the administrative head of Hertford County E911 Communications and shall be responsible for administration, budget and personnel matters. Such budget shall be based on the established service levels and performance standards utilizing the input of the User Committees and the **Governance Board**.
 3. The **Director** shall be responsible for oversight of call answering, dispatching records maintenance, communications, security and other Hertford County E911 Communications functions and activities.
 4. The **Director** shall establish performance standards and comply with personnel and operational policies. The **Director** shall actively and continuously consider and evaluate all means and opportunities toward the enhancement of operational effectiveness of emergency services to the participating agencies and town and county citizens. The Director shall present his or her recommendations to the Governance Board and seek concurrence from the **Governance Board** on substantive changes or deviations from established policy.
 5. The **Director** shall be responsible for supervising Hertford County E911 Communications personnel consistently with applicable personnel policies and procedures.
 6. The **Director** shall review and evaluate proposals from the User Committees for changes to service levels, performance standards, and/or procedures for implementation costs, benefits and liabilities, or other matters, and prepare a written report of findings and recommendations to the **Governance Board** and appropriate authorities for review and implementation.
 7. The **Director** shall discharge other duties as assigned by the Hertford County Manager.
- G. **Budget Process and Finances.** The **Director** shall develop the annual operating budget for Hertford County E911 Communications joint agency on a fiscal year basis, beginning on the first day of July and ending on the thirtieth day of June, in accordance with policies established by the Hertford County Manager's Office and timely submit the proposed budget to the **Governance Board** and the amount proposed to be paid by each municipality for participation pursuant to this interlocal agreement to each participating municipality on or before March 15th of each year. The proposed budget shall be subject to final approval by the Hertford County Board of Commissioners

in its annual budget. In the event that there are any program changes and/or user changes, or in the event of changes in the parties to the agreement necessitating budget changes, during any budget year, any supplemental budget or budget amendments shall be submitted for review by the **Governance Board** and any change in any amount proposed to be paid by each municipality for participation shall be submitted to each participating municipality for review in a timely manner. Final approval of any such supplemental budget or amendment shall be approved in accordance with Hertford County budget amendment procedures.

The Hertford County Finance Officer shall be the Finance Officer for the Hertford County E911 Communications and all financial operations (including purchasing) shall be conducted by or under the supervision of the Hertford County Finance Officer in accordance with procedures established by the Hertford County Finance Office and with applicable laws and regulations.

- H. **Funding.** Hertford County E911 Communications is intended to be a self-sufficient entity financed by 911 fees, grants and funds provided by the **COUNTY** and the **TOWNS**. Starting with the **Operational Date**, any 911 fees collected by the State of North Carolina and sent separately to the **TOWNS** and the **COUNTY** will be combined and deposited in a special revenue fund established by the Hertford County Finance Office for Hertford County E911 Communications operations. **The Operational Date** is planned to coincide with July 1, 2012; however, in the event that the initiation of operations for the combined communication center is delayed beyond such date, the **Operational Date** shall be the date that the combined communication center is open for operations. It is agreed that the **COUNTY** shall appropriate to the annual costs of maintenance, operation, repair and capital costs of Hertford County E911 a base sum in the amount of \$207,776 which represents the sum it appropriated to its own 911 operations in the 2011-2012 budget year (hereinafter referred to as the "**Base Sum**"). The **COUNTY** and the **TOWNS** agree to appropriate to the annual costs of maintenance, operation and repair and capital costs of Hertford County E911 Communications, after the total of such costs are reduced by the amount of any and all grants, 911 funds, a proportionate share (hereinafter referred to as "**Proportional Share**") of any increase in budget costs (hereinafter referred to as "**Increased Costs**") over and above the **Base Sum** provided by the **COUNTY** in accordance with the following formula:

(Participating municipality population) divided by (Hertford County population plus total population of all other municipalities in Hertford County) times **Increased Costs** equals **Proportionate Share**.

[An example being where **Increased Costs** are \$125,000, the population of Ahoskie is 5039 and the total of Hertford County's population (15,416) plus the population of all municipalities in Hertford County (4,214) is 19,630, the **Proportionate Share of Increased Costs** paid by Ahoskie would be 26% of \$125,000 or \$32,500]

It is agreed that the population figures used each year shall be the same figures used by the State of North Carolina in its most recent per capita distribution of sales tax pursuant to North Carolina General Statute 105-472.

It is also agreed that the **Proportional Share of Ahoskie and Murfreesboro** for the first three fiscal years of operation of Hertford County E911 Communications shall not exceed \$_____ per fiscal year. In no way shall the Towns be required to pay any proportionate share until all grant funds have been exhausted.

- I. **Existing Equipment.** Public safety communication equipment, software and supplies currently used by the Towns, which are no longer to be used by the Towns after the date Hertford County E911 Communications becomes operational, shall be transferred by the Towns to Hertford County E911 Communications.

- J. **Ownership of Facilities.** Title to all property, equipment, apparatus and supplies purchased and/or acquired in fulfillment of the Agreement shall vest with the **COUNTY**; provided, however, that any capital asset transferred to Hertford County E911 Communications by any of the TOWNS with reservations (hereinafter referred to as "**Reserved Asset**") that it be returned at withdrawal or dissolution, such reservations being acknowledged in writing by the Hertford County 911 Director at or before the date of transfer, shall be subject to the provisions of Section N Withdrawal, below.

- K. **Personnel.** All employees of Hertford County E911 Communications shall be employees of the **COUNTY** subject to its administrative, personnel and legal requirements and managed and supervised by the Director. All full-time employees of the **TOWNS** in the position of telecommunicators will be retained by County with transfer of **TOWN** seniority, longevity, leave balances or other benefits in accordance with **TOWNS** personnel policies in place at the time of hire with Hertford County E911 Communications.

- L. **Joinder of Additional Parties.** Additional municipalities located within Hertford County shall be permitted to become parties to this interlocal agreement and participate in the joint agency established hereby with the approval of the **COUNTY**.
- M. **Special Equipment.** In the event that a party to this interlocal agreement should require the installation of equipment, or the performance of special services, dedicated to the sole and special use of such party (hereinafter referred to as ("**Special Equipment**"), such party shall bear the entire cost of such **Special Equipment**, its installation, maintenance, operation and repair. Should such party terminate its participation in this interlocal agreement, it shall retain all rights to such **Special Equipment** provided the removal of such **Special Equipment** does not alter, hinder, damage or disrupt the operations or equipment of Hertford County E911 Communications. If the removal of such **Special Equipment** (including software) shall cause such alteration, hindrance, damage or disruption, all interests in such **Special Equipment** by terminating party will be forfeited.
- N. **Withdrawal of Party.** A participating governmental entity may withdraw from this agreement at the end of a fiscal year by giving a six (6) month written notice of withdrawal by the party's Manager prior to July 1st of the fiscal year in which withdrawal is to be effective. Such written notice is to be delivered to the Chair of the **Governance Board** and to the Hertford County E911 Director. The withdrawal will become effective no sooner than 6 months after said notice is delivered. The withdrawing entity agrees to continue to make all payments required by this interlocal agreement until the effective date of such withdrawal. In the event that the withdrawing party has purchased and installed **Special Equipment** in accordance with Section M, above, or a **Reserved Asset** in accordance with Section J, above, such **Special Equipment** or **Reserved Asset** may be removed in accordance with the terms of this interlocal agreement upon the effective date of withdrawal or shortly thereafter; provided, however, that the withdrawing party shall pay any and all costs associated with the removal and such removal shall not create an interruption of service to the public.
- O. **Amendments.** This interlocal agreement may be amended in writing by approval of the **COUNTY** and the **TOWNS**.

- P. **Effective Date.** This interlocal agreement shall become effective upon execution by all of the parties to this interlocal agreement and shall be effective for any additional Hertford County municipality who may subsequently become a party to this interlocal agreement upon execution of a written document adhering to the terms of this agreement by such additional party countersigned by the **COUNTY**.

This 20th, day of February 2012.

COUNTY PROPERTY/N.C.D.O.T.

Loria D. Williams, County Manager, reviewed an offer from the N. C. D. O. T. being made on property in Mapleton where the County once had a trash dump site located. This property will be purchased as part of the Highway 158 Widening Project. No action is needed at this time.

COMMISSIONERS' COMMENTS

- Commissioner Hunter thanked the Commissioners who participated in the meeting with the NCACC staff recently. He invited the Board to the Health Board Meeting/Dinner on March 27th for the State of the County Health Report.
- Commissioner Gatling asked that rocks be spread at recycling sites because citizens were complaining. Staff should not have to be told to do this work.
- Commissioner Farmer echoes Commissioner Gatling's thoughts. He reviewed some information gathered at a recent Peanut Belt RPO Meeting:
 - US 158 from Murfreesboro Bypass to US 13 west of Winton has an anticipated start date of Spring 2012
 - US 13 from US 158 near Winton to US 158 at Tarheel (Gates County) has an anticipated start date of Spring 2012
 - Interchange at NC 11-11 has an accelerated start date than originally planned

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

Shelia W. Matthews
Clerk to the Board

Curtis A. Freeman, Sr., Chairman
Hertford County Commissioners