

Minutes
Regular Meeting
Hertford County Board of Commissioners
County Commissioners' Meeting Room
Monday, October 15, 2012
7:00 P.M.

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

Absent: William F. Mitchell, Jr.

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 Curtis A. Freeman, Sr., called the meeting to order.

The invocation for the meeting was provided by Mr. Alexander Wright, County resident.

TAX

On a motion by Hunter and a second by Gatling, the Board voted unanimously to approve the following Tax Releases for the month of September, 2012:

TOTAL VALUE APPROVED THIS REPORT (2012 LEVY)	90,102.00
TOTAL TAX RELEASED THIS REPORT (2012 LEVY)	878.60
TOTAL VALUE APPROVED THIS REPORT (PRIOR LEVY)	36,735.00
TOTAL TAX RELEASED THIS REPORT (PRIOR LEVY)	351.19
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2012)	437.50
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2012)	437.50
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2011)	00.00
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2011)	00.00
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
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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

P.A.W.S./ANIMAL CONTROL

Mrs. JoAnn Jones was present to give the P.A.W.S. Quarterly Report and Rabies Control Report. She shared that there had been an increase in pets due to foreclosures and people relocating due to the Highway 158 Widening Project. She also shared that there had been seven free rabies clinics since January, 2011, paid for out of P.A.W.S. budget.

Mrs. Jones explained that the rabies clinics are being conducted by people who have not had the rabies vaccination (Jessica Hoggard, Part-time Animal Control Officer, and two volunteers, Catherine Allen and Cheryl Snyder). P.A.W.S. is asking the County to have these three people vaccinated.

Several citizens were present to speak in support of P.A.W.S.

There was also some discussion held on getting the part-time Animal Control Officer trained to perform euthanasia.

These issues will be discussed in the upcoming work session.

DRAINAGE

Mr. Alexander Wright, concerned citizen, addressed the Board regarding a need for drainage assistance in the Little California Community on Mt. Moriah Road. There is already a drainage ditch in place, but it needs cleaning out and extended. He added that he pumps water out of his yard on a weekly basis.

Mr. Wright was informed there was some monies budgeted for these types of projects and was instructed to meet with the County Manager. Then estimates would be brought back to the Board for discussion.

PUBLIC WORKS/SOLID WASTE

Mr. Mike Bradley, Public Works Director, was present requesting approval of a new truck scale at the Solid Waste Transfer Station. He explained that the scale had been shut down by the State and needed replacing. The quote he received totaled \$61,123 and would come from Solid Waste Fund Balance. It was the consensus of the Board to order the truck scale and bring back the budget amendment to cover the purchase at a later meeting.

TELEPHONE SYSTEM

Loria D. Williams, County Manager, reviewed the bids for the new telephone system. Both of the proposals received were within budget, but they were very far apart. Confiance (CISCO System) proposed \$238,127; CenturyLink proposed

\$174,063.88. In comparison, Confiance has less parts to worry about replacing; while CenturyLink has more parts to replace. The proposal from Confiance listed one exception; while CenturyLink listed ten exceptions. When we finish construction and move to the new Administration building, only handsets will need to be purchased from Confiance; while CenturyLink would require purchase of additional servers and additional capacity. CenturyLink's expandability is more limited and redundancy is also an issue. Confiance should have lower maintenance cost.

The County Attorney reviewed the legalities of not accepting the apparent lowest bidder and explained that the total cost of ownership can be considered.

Some Commissioners expressed the importance of expandability.

On a motion by Hunter and a second by Gatling, the Board finds that the Confiance Telephone System proposal, of \$238,127, is the most appropriate solution for the county telephone system replacement package, based on the county's Request for Proposals, in light of all factors in G. S. 143-129.8 and G. S. 143-135.9, specifically but not limited to expandability, redundancy, and maintenance factors.

ABC PERMIT

On a motion by Hunter and a second by Farmer, the Board voted unanimously to approve the issuance of an ABC Permit for On-Premise Malt Beverage (Beer) and Unfortified Wine to Mr. Herbert Lee Hart, Jr. (Sandy Shore Lakeside Lounge in Como) as presented by Shelia W. Matthews, ABC Permit Officer.

RESOLUTIONS/COURTHOUSE

On a motion by Hunter and a second by Farmer, the Board voted unanimously to approve the following Resolution Authorizing the Filing of an Application for Approval of Financing Agreement for Courthouse Project:

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF FINANCING AGREEMENT AUTHORIZED BY NORTH CAROLINA GENERAL STATUTE 160A-20

WHEREAS, the Board of Commissioners of Hertford County, North Carolina desires to construct an administration building and county courthouse (the "Project"); and

WHEREAS, the Board of Commissioners of Hertford County, North Carolina desires to finance the Project by the use of an installment contract authorized under North Carolina General Statute 160A, Article 3, Section 20; and

WHEREAS, findings of fact by this governing body must be presented to enable the North Carolina Local Government commission to make its findings of fact set forth in North Carolina General Statute 159, Article 8, Section 151 prior to approval of the proposed contract;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Hertford County, North Carolina, meeting 15th day of October, 2012 make the following findings of fact:

1. The proposed contract is necessary or expedient to facilitate the construction of an administration building and county courthouse to adequately and safely accommodate and house court functions and peripheral service provision and to meet all existing ADA requirements.
2. The proposed contract is preferable to a bond issue because of the favorable interest rate offered through installment financing and the low fixed cost as compared to a bond issue. The cost of the undertaking is approximately \$11.2 million which exceeds the amount that can be prudently appropriated from available fund balance in light of the County's percentage as it relates to general fund operations.
3. The cost of financing under the proposed contract is believed to be less than the cost of issuing general obligation bonds, considering expenses related in holding a special referendum and obtaining bond counsel.
4. The sums to fall due under the contract are adequate and not excessive for the proposed purposes due to the County's successful voter-approved additional one-quarter cent county sales tax levy of which is currently set aside to be allocated for installment contract financing.
5. The County of Hertford's debt management procedures and policies are in compliance and the County is well below its debt margin with no defaults on debt service payments.
6. The increase in taxes necessary to meet the sums to fall due under the proposed contract will be one cent per \$100 valuation and is not deemed to be excessive.
7. The County of Hertford is not in default in any of its debt service obligations.
8. The attorney for the County of Hertford will render an opinion that the proposed Project is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of North Carolina.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the County Manager is hereby authorized to act on behalf of the County of Hertford in filing an application with the North Carolina Local Government Commission for approval of the Project and the proposed financing contract and other actions not inconsistent with the Resolution.

This resolution is effective upon its adoption this 15th day of October, 2012.

On a motion by Hunter and a second by Gatling, the Board voted unanimously to schedule a Public Hearing for 7:30 P.M. on November 19, 2012, regarding financing for the Courthouse and County Administration Building Project, using installment financing as authorized by North Carolina General Statute 160A-20 and the filing of an application for approval of this installment purchase financing with the Local Government Commission of the North Carolina Department of State Treasurer.

EASEMENTS/ HIGHWAY 158 WIDENING PROJECT

On a motion by Hunter and a second by Farmer, the Board voted unanimously to approve Grant of Temporary Construction Easement to Piedmont Natural Gas Company on Parcel No. 6906-49-1356 at the Industrial Park in relation to the Highway 158 Widening Project.

BOARD APPOINTMENTS

Shelia W. Matthews, Clerk to the Board, reviewed a list of board vacancies with terms expiring that will be advertised and posted on the County's website as follows:

BOARD VACANCIES

The following Board vacancies will be advertised in the R-C News-Herald and listed on our website:

<u>Board</u>	<u>Term Expiration</u>	<u>Positions</u>
East Carolina Behavioral Health Board	06-30-12	1
Medical Services Transportation Advisory Council	06-30-12	2
Region Q Workforce Development Board	06-30-12	1
Hertford County Economic Development Commission	01-01-13	3
Hertford County Planning Board & Zoning Board	01-01-13	2
Industrial Facilities & Pollution Control Financing Authority	12-01-12	4
Mid-East Board	12-01-12	2
Regional Housing Authority & Redevelopment Commission	12-31-12	1
Tri-County Airport Authority	10-01-12	1

Still Pending

At this time, Commissioner Farmer asked the Board not to include the Tri-County Airport Authority in the advertisement. He added that Mr. Tom Fretwell was a vital member of that Board and recommends reappointment of Mr. Fretwell.

On a motion by Farmer and a second by Hunter, the Board voted unanimously to reappoint Mr. Tom Fretwell to the Tri-County Airport Authority for another three-year term to expire on October 1, 2015.

PUBLIC COMMENT PERIOD

There was no one wishing to speak during Public Comment Period.

COUNTY MANAGER'S UPDATE

- Elks Shrine has terminated the lease agreement (recreation) with Hertford County
- Agenda will begin including a monthly revenues and expenditures report
- Courthouse Pre-Bid Conference was held on October 11 with 14 in attendance
- Courthouse Bid Opening will be at 3:00 P.M. on November 1, 2012

COMMISSIONERS' COMMENTS

- Commissioner Farmer shared an informative handout from a meeting he recently attended regarding the agricultural impact on northeast North Carolina

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

COMMISSIONERS

A Work Session has been scheduled for November 5th after the Regular Board Meeting.

There was an interest expressed to have only one meeting per month when business was light. Another interest was expressed to stay with two meetings per month. The Board will visit this again after the first of the year.

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