

Minutes
Regular Meeting
Hertford County Board of Commissioners
County Commissioners' Meeting Room
Monday, May 20, 2013
7:00 P.M.

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

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

The invocation for the meeting was provided by Vice-Chairman William F. Mitchell, Jr.

MINUTES

On a motion by Farmer and a second by Gatling, the Board voted unanimously to approve the minutes of the March 18, 2013, Regular Meeting as presented.

On a motion by Farmer and a second by Mitchell, the Board voted unanimously to approve the minutes of the April 1, 2013, Regular Meeting as presented.

On a motion by Mitchell and a second by Gatling, the Board voted unanimously to approve the minutes of the April 1, 2013, Board of Equalization and Review as presented.

On a motion by Mitchell and a second by Farmer, the Board voted unanimously to approve the minutes of the April 15, 2013, Regular Meeting as presented.

PERSONNEL

No new employees were present to be introduced as scheduled. Holly Brooks, Human Resources Director/Risk Manager, was instructed to remind the supervisors that introduction of new employees to the Board is required.

PUBLIC COMMENT PERIOD

No one was present to make comments during Public Comment Period.

BUDGET AMENDMENTS

On a motion by Farmer and a second by Gatling, the Board voted unanimously to approve the following Amendment No. 10 to the FY 2012-2013 Hertford County Budget Ordinance as presented by Robbin Stephenson, Finance Director:

**AMENDMENT TO THE HERTFORD COUNTY BUDGET ORDINANCE
2012/2013
(Amendment No. 10)**

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:

General Fund

Operating Transfer to Fund 40 – EDC Infrastructure Projects	\$ 6,203.00
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Human Services

Office of Aging – Fans for Senior Citizens	\$ 700.00
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Total	\$ 6,903.00
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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:

Fund Balance Appropriated	\$ 6,203.00
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Miscellaneous Revenues – Dominion North Carolina Power	\$ 700.00
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Total	\$ 6,903.00
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This amendment:

- Funds are needed to provide the 5% match agreed upon by the County to Metal Tech (\$5,000) and Alfiniti Logistics, LLC (\$13,255) for the grant funds they received from the Rural Center. We now have \$12,052 of this in place and we need \$6,203 additional funds.
Source of Funding: General Fund Balance
- Donation received by the Office of Aging to purchase fans for the Seniors.
Source of Funding: Dominion North Carolina Power

On a motion by Gatling and a second by Farmer, the Board voted unanimously to approve the following Amendment No. 1 to the FY 2012-2013 Hertford County EDC Infrastructure Project Budget Ordinance as presented by Robbin Stephenson, Finance Director:

**AMENDMENT TO THE HERTFORD COUNTY
EDC INFRASTRUCTURE PROJECT BUDGET ORDINANCE
2012/2013**

RESOLUTIONS

On a motion by Mitchell and a second by Hunter, the Board voted unanimously to approve the following resolution as presented by Commissioner Farmer:

A RESOLUTION TO PRESERVE THE RIGHTS OF CITIZENS TO BEAR ARMS

WHEREAS, the Second Amendment to the United States Constitution states “*A well-regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed;*” and

WHEREAS, Article I, Section 30 in the North Carolina Constitution states “*A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed;*” and

WHEREAS, a “militia” when properly formed, is in fact the people themselves ... and includes ... all citizens capable of bearing arms; and

WHEREAS, it being “*...necessary to the security of a free State*” means that the right of the people to bear arms was, and remains, the ultimate barrier to government tyranny; and

WHEREAS, the lawless are unaffected by prohibitions imposed upon law abiding citizens’ natural rights; and

THEREFORE, the Hertford County Board of Commissioners resolves as representatives of the people to defend the Second Amendment to the United States Constitution and Article I, Section 30 of the North Carolina Constitution and will not consent to unconstitutional laws, executive orders, or foreign/domestic tyranny. Furthermore, the Commissioners call upon the Governor and General Assembly of North Carolina to pass legislation that will guarantee the protection of our God-given right in the defense of our liberty and our persons for all North Carolinians to bear arms.

Adopted this the 20th day of May, 2013.

RURAL WATER

Cofield Mayor Hermea Pugh, Sr., had arrived. He explained to the Board that the Town of Cofield’s normal water bill averaged \$4,000. They had a water leak (which has now been fixed), and their water bill spiked to \$9,428. He was requesting a water adjustment. On a motion by Mitchell and a second by Gatling, the Board voted unanimously to allow this one-time water leak adjustment to the Town of Cofield.

COUNTY MANAGER’S UPDATE

Loria D. Williams, County Manager, discussed the driveway at the new Courthouse property. The architects are researching the process for relocating the

access point onto the County's property prior to our initiating talks with ASP Riversedge for a permanent easement. The cost for providing a driveway on the ASP Riversedge property (as recommended by DOT) will cost an additional \$30,000. It was the consensus of the Board to research all options before considering any further expenses.

COMMISSIONERS' COMMENTS

- Commissioner Farmer discussed the need for enacting House Bill 638 increasing the number of Board Members on the LME Board. On a motion by Mitchell and a second by Hunter, the Board voted unanimously to approve the following resolution:

A RESOLUTION URGING MEMBERS OF THE NORTH CAROLINA GENERAL ASSEMBLY AND GOVERNOR MCCRORY TO ENACT HOUSE BILL 638 INCREASING THE NUMBER OF BOARD MEMBERS ON THE LME BOARD

WHEREAS, new membership requirements for the Boards of Local Management Entities (LME's) were enacted in the waning hours of the 2012 Session of the General Assembly; and

WHEREAS, these new requirements limit the participation of county commissioners from the nineteen (19) participating counties comprising EAST CAROLINA BEHAVIORAL HEALTH; and

WHEREAS, these new requirements also limit the total membership to twenty-one (21) members with most of the members having to be representative of a specific occupation or group; and

WHEREAS, these new requirements have to be implemented by October, 2013; and

WHEREAS, Representative Bob Steinburg and Representative Paul Tine have introduced HB 638 to increase the Board size to 30 members, which will allow more county commissioner participation on LME Boards serving ten (10) or more counties, understanding that counties and the State have a vested interest and obligation to provide adequate mental health services and oversight to our citizens in a responsible and realistic way;

NOW, THEREFORE, BE IT RESOLVED that the Hertford County Board of Commissioners urges the Members of the General Assembly to support the passage and enactment of HB 638.

BE IT FURTHER RESOLVED that copies of this resolution be sent to the Governor, the Secretary of the NC Department of Health and Human Services, the leadership of the NC General Assembly, and the House and Senate members of the General Assembly representing the EAST CAROLINA BEHAVIORAL HEALTH LME catchment area.

This the 20th day of May, 2013.

- Chairman Freeman shared that Hertford County was well represented by the Sheriff's Department at his church on Sunday for National Law Enforcement Day

On a motion by Gatling 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

On a motion by Mitchell and a second by Farmer, the Board voted unanimously to hold the first meeting in June on June 3, 2013, at 9:00 A.M. and hold the second meeting in June on Wednesday, June 26, 2013, at 7:00 P.M., instead of June 17, 2013.

PUBLIC HEARINGS/UNION FIRE

On a motion by Farmer and a second by Gatling, the Board voted unanimously to set a Public Hearing on the possible establishment of a Union Rural Fire Service District for Wednesday, June 26, 2013, at 7:05 P.M.

On a motion by Gatling and a second by Farmer, the Board voted unanimously to authorize mailing of a Notice of Public Hearing to all property owners in the proposed Union Rural Fire Service District by Friday, May 24, 2013, and making public the report prepared by the Union Rural Fire Department on possible establishment of Union Rural Fire Service District.

PUBLIC HEARINGS/BUDGET

On a motion by Mitchell and a second by Gatling, the Board voted unanimously to set the Public Hearing on the FY 2013-2014 Hertford County Budget Ordinance for Wednesday, June 26, 2013, at 7:30 P.M.

COUNTY PROPERTY/TAX FORECLOSURES

On a motion by Mitchell and a second by Farmer, the Board voted unanimously to reject all current bids on the Wesley Ray Stewart tax foreclosure property (PIN #6915-55-5342) and return all deposits.

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

Shelia W. Matthews
Clerk to the Board

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