

Minutes
Regular Meeting
Hertford County Board of Commissioners
County Commissioners' Meeting Room
Monday, August 19, 2013
7:00 P.M.

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

Absent: Ronald J. Gatling

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 Hunter and a second by Mitchell, the Board voted unanimously to approve the minutes of the May 6, 2013, Regular Meeting as presented.

On a motion by Mitchell and a second by Hunter, the Board voted unanimously to approve the minutes of the May 6, 2013, Board of Equalization and Review Meeting was presented.

On a motion by Hunter and a second by Mitchell, the Board voted unanimously to approve the minutes of the May 20, 2013, Regular Meeting as presented.

On a motion by Hunter and a second by Mitchell, the Board voted unanimously to approve the minutes of the June 3, 2013, Regular Meeting as presented.

On a motion by Hunter and a second by Mitchell, the Board voted unanimously to approve the minutes of the June 26, 2013, Regular Meeting as presented.

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

RESOLUTIONS

On a motion by Hunter and a second by Mitchell, the Board voted unanimously to approve the following Resolution of Appreciation for Barbara B. Woodard:

**RESOLUTION OF APPRECIATION
FOR
BARBARA B. WOODARD**

The Hertford County Board of Commissioners adopted the following resolution with regard to the retirement of Barbara B. Woodard from the Social Services Department.

WHEREAS, *Ms. Woodard has served in the Social Services Department with twenty-eight (28) years of service, retiring in the position of Income Maintenance Supervisor II; and*

WHEREAS, *during her term of service, the citizens of Hertford County have benefited from her experience, ability and devotion to her work; and*

WHEREAS, *Ms. Woodard continuously updated her department to better serve the public and all the citizens of Hertford County.*

NOW, THEREFORE, BE IT RESOLVED, *by the Hertford County Board of Commissioners:*

- 1. That Hertford County has been fortunate to have had the efficient and devoted services of Ms. Woodard.*
- 2. That this Board of Commissioners hereby expresses its gratitude for her many years of diligent service.*
- 3. That this resolution be entered upon the minutes of this Board and a copy thereof presented to Ms. Barbara B. Woodard.*

This the 19th day of August, 2013.

All Commissioners shared remarks and compliments with Ms. Woodard.

PERSONNEL

Holly Brooks, Human Resources Director, announced that the Employee of the 2nd Quarter was Mike Bradley, Public Works Director. He received a \$250 Wal-Mart Gift Card and will be eligible for Employee of the Year.

PUBLIC COMMENT PERIOD

There were no citizens present to make comments.

SHERIFF/FINANCE/RESOLUTIONS

On a motion by Hunter and a second by Mitchell, the Board voted unanimously to award bids for six patrol vehicles as presented by the County Manager as follows:

Two (2) Chevrolet Tahoes	\$60,581	(Bobby Murray)
Two (2) Ford 4x4 Crew Cab Trucks	\$52,526.80	(Central Ford)

Two (2) Dodge Chargers

\$45,708

(Ilderton Dodge Chrysler)

On a motion by Hunter and a second by Mitchell, the Board voted unanimously to approve the following Resolution Approving Financing Terms for these patrol vehicles:

RESOLUTION APPROVING FINANCING TERMS

WHEREAS, the Hertford County (“County”) has previously determined to undertake a project for six (6) Police Vehicles (the “Project”), and the County Manager has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The County hereby determines to finance the Project through **Southern Bank**, in accordance with the proposal dated August 16th, 2013. The amount financed shall not exceed \$159,660, the annual interest rate (in the absence of default or change in tax status) shall not exceed **1.49%**, and the financing term shall not exceed three (3) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the “Financing Documents”) shall be consistent with the foregoing terms. All officers and employees of the County are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement as Southern Bank may request.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer’s satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by County officers or employers, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer’s release of any Financing Documents for delivery constituting conclusive evidence of such officer’s final approval of the Document’s final form.
4. The County shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The County hereby designates its obligations to make principal and interest payments under

the Financing Documents as “qualified tax-exempt obligations” for the purpose of Internal Revenue Code Section 165(b)(3).

5. All prior actions of County officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 19th day of August, 2013.

ORDINANCES/AMBULANCE SERVICE

On a motion by Hunter and a second by Farmer, the Board voted unanimously to accept the first reading (two readings required) of the proposed amendment to the “Ordinance Regulating the Provision of Ambulance Services and Granting of Franchises to Ambulance Service Providers” with a date correction in Section 16.2(a) – change August 19, 2013, to September 3, 2013. The proposed amendment is as follows:

"AN ORDINANCE REGULATING THE PROVISION
OF AMUBLANCE SERVICES AND GRANTING OF FRANCHISES
TO AMUBLANCE SERVICE PROVIDERS"

as enacted effective February 15, 2010, be amended as follows:

- A. That the current Section 14.2(a)(6), which reads as follows,

"(6). A representative of a rescue squad providing services in Hertford County, chosen by the Hertford County Board of Commissioners, with the expectation, but not a requirement, that this representative be rotated every year."

be deleted and replaced in its entirety by the following new Section 14.2(a)(6), to read as follows,

"(6) A Hertford County citizen, representative of the public, chosen by the Hertford County Board of Commissioners".

- B. That the current Section 16.2(a), which reads as follows,

"(a) This Ordinance is amended and hereby restated as of February 15, 2010, replacing the Ordinance enacted on August 19, 2002, which was effective November 1, 2002, as previously amended on October 3, 2005."

be deleted and replaced in its entirety by the following new Section 16.2(a), to read as follows,

"(a) This Ordinance is amended and hereby restated as of **August 19, 2013, (change to September 3, 2013)** replacing the Ordinance enacted on August 19, 2002, which was

effective November 1, 2002, as previously amended on October 3, 2005, and February 15, 2010."

C. That these amendments be effective upon enactment, following the passage of same at a first reading to be held at a regular meeting of the Hertford County Board of Commissioners on August 19, 2013, and a second reading at the regular meeting to be held on September 3, 2013, and that a revised ordinance be filed thereafter.

COMMISSIONERS

On a motion by Farmer and a second by Mitchell, the Board voted unanimously to appoint Commissioner Howard J. Hunter, III, as the voting delegate at the NCACC Annual Conference being held in Guilford County on August 22-25, 2013.

Commissioner Hunter shared that the late Commissioner DuPont L. Davis will be inducted into the NCACC Hall of Fame during the conference.

BOARD APPOINTMENTS

Mid-East Board

On a motion by Hunter and a second by Mitchell, the Board voted unanimously to appoint Quinton Turman to the Mid-East Board to fill the unexpired term of Commissioner Hunter, who is resigning from the Board. This term will expire on December 1, 2014.

On a motion by Farmer and a second by Hunter, the Board voted unanimously to publish the ad for upcoming Board vacancies in the newspaper and on the website.

On a motion by Hunter and a second by Mitchell, the Board voted unanimously to recess Regular Session and go into a meeting of the Northern and Southern Rural Water Districts Governing Board.

NORTHERN AND SOUTHERN RURAL WATER DISTRICTS GOVERNING BOARD

On June 26, 2013, the Northern and Southern Rural Water Districts Governing Board adopted a Modification of Commercial Water Rate Schedule effective July 1, 2013. The GEO Group is the largest user, as well as the most affected user. The GEO Group has submitted a counter offer effective January 1, 2014, to be considered since this was such a large increase in the middle of the year and their budget was already in place. The County Manager is recommending the proposal.

On a motion by Hunter and a second by Mitchell, the Board voted unanimously to adopt the following Modification of Commercial Water Rate Schedule for all commercial customers:

NORTHERN AND SOUTHERN RURAL WATER DISTRICTS
BOARD OF COMMISSIONERS

MODIFICATION OF COMMERCIAL WATER RATE SCHEDULE

Water Rates for Commercial Customers

Effective dates as set forth below

Base Charge:	Monthly	
July 01, 2013	First 2,000 gallons	@\$25.00 Minimum
	Next 2,000 gallons	@\$4.50/1,000 gallons
	Next 2,000 gallons	@\$3.00/1,000 gallons
	6,001 – 1,000,000 gallons	@\$2.50/1,000 gallons
	ALL OVER 1,000,000 gallons	@\$1.75/1,000 gallons
Jan. 01, 2014	First 2,000 gallons	@\$25.00 Minimum
	\$2.48 per 1,000 gallons over 2,000 gallons monthly (Uniform Rate)	
Jan. 01, 2015	First 2,000 gallons	@\$25.00 Minimum
	\$3.23 per 1,000 gallons over 2,000 gallons monthly (Uniform Rate)	
Jan. 01, 2016	First 2,000 gallons	@\$25.00 Minimum
	\$4.00 per 1,000 gallons over 2,000 gallons monthly (Uniform Rate)	

The water rate schedule modification for commercial customers which was approved on June 26, 2013 is hereby retroactively repealed.

The water rate schedule modification for residential and multi-residential customers which was approved on June 26, 2013 is hereby reaffirmed.

Adopted this 19th day of August, 2013.

On a motion by Farmer and a second by Hunter, the Board voted unanimously to leave the meeting of the Northern and Southern Rural Water Districts Governing Board and return to Regular Session.

REGULAR SESSION

COUNTY MANAGER'S UPDATE

- Discussion on temporary easement for cleaning and deepening ditches for proper drainage on courthouse property and ASP property
- Update on Tunis Sewer Project – Still Behind Schedule – May consider taking action at next meeting
- Thank you letter from R-CCC

COMMISSIONERS' COMMENTS

- Commissioner Hunter announced he has five days left as President of NCACC

- Commissioner Farmer yielded his time to Dr. Michael Elam, R-CCC President, who thanked the Board for their support. He invited the Board to a reception being held in his honor on September 24 from 5:00-6:30.
- Chairman Freeman shared the Convocation Invitation for Hertford County Schools will be held August 22 at 1:30 P.M. at Hertford County High School

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. 143-218.11 (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

COUNTY PROPERTY

On a motion by Farmer and a second by Hunter, the Board voted unanimously to evict the occupant of County-owned property at 208 Lloyd Street, Ahoskie.

On a motion by Hunter and a second by Farmer, the Board voted unanimously to arrange the demolition of the property at 208 Lloyd Street, Ahoskie, following eviction of the occupant.

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

Shelia W. Matthews
Clerk to the Board

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