

Windsor, North Carolina
March 3, 2014
Regular Meeting

The Bertie County Board of Commissioners met for their regularly scheduled meeting at 10:00AM in the Commissioners Room located at 106 Dundee Street Windsor, NC. The following members were present or absent:

Present: J. Wallace Perry, Chairman
Charles L. Smith, Vice-Chairman
John Trent
Ronald "Ron" Wesson
Rick Harrell

Absent: None

Staff Present: County Manager Scott Sauer
Clerk to the Board Sarah Seredni
County Attorney Lloyd Smith
Network Administrator Joe Wilkes
Finance Director William Roberson

Media members present included Barry Ward of the Bertie Ledger-Advance..

Other staff members present for a portion of the meeting included: Emergency Medical Services Director Matt Leicester and Tax Administrator Jodie Rhea.

Chairman Perry opened the meeting, and thanked all of those present for their attendance.

INVOCATION AND PLEDGE OF ALLEGIANCE

Vice Chairman Smith gave the Invocation and Pledge of Allegiance.

PUBLIC COMMENTS

Nick Shook of Windsor informed the Board that he was concerned about the lack of deputies on patrol during the overnight hours. Mr. Shook requested that the Board look into this matter.

There were no additional Public Comments.

APPOINTMENTS

NC 2-1-1 database effort presentation by East Carolina Behavioral Health's Keith Letchworth, M. Ed.

Mr. Keith Letchworth informed the Board of the new NC 2-1-1 initiative that services 19 counties in the State of North Carolina including Bertie County.

Mr. Letchworth stated that the NC 2-1-1 program is a statewide database of community services and resources that is maintained by the United Way. The types of resources that can be found in the database include: basic needs, child care, counseling/crisis intervention, consumer help, housing, senior services, etc.

The database can be accessed by dialing 2-1-1 in the 19 county service area, or by visiting www.nc211.org.

Mr. Letchworth also stated that new services are constantly being added and the contact information for all services is being verified on a regular basis.

Commissioner Trent recommended the service be advertised to local churches.

Chairman Perry inquired about whether a citizen could immediately dial 2-1-1 to receive counseling services. Mr. Letchworth stated that the database is mainly used for referrals, but that numbers to frequently used hotlines are made available upon request.

Commissioner Wesson also inquired about separate matter unfolding at East Carolina Behavioral Health regarding the lack of bed space available in their facility(s).

Mr. Letchworth stated that he would forward the inquiry to the appropriate individual.

Bertie County Mid-Year report by Dr. Michael Elam, President of Roanoke-Chowan Community College (RCCC)

Dr. Michael Elam, President of RCCC, provided the Board with a Mid-Year report regarding Bertie County residents currently enrolled at RCCC.

Dr. Elam's report showed that 201 of the 903 students at the college are Bertie residents. He discussed how current legislative changes on the State level have unfortunately cut funding to higher education, so additional resources would need to be utilized.

Dr. Elam introduced Michele Meischeid, Dean of Basic Skills, to update the Board on current GED and Career Readiness Certificate (CRC) standings as they relate to Bertie County.

Ms. Meischeid informed the Board of changes that will soon take effect regarding GED testing. She stated that the term, "GED," would become discontinued, and the test would soon be called the "Adult High School Equivalency."

Ms. Meischeid also stated that even though fees to complete each required high school equivalency test are lower than previous years, the overall cost continues to be a factor in an individual's decision to complete the program. She stated that this presents a concern for the County as this hinders the ability to provide an adequate workforce.

After some discussion, Chairman Perry inquired about the status of a potential placement of a Bertie resident on the RCCC Board of Trustees.

Commissioner Wesson stated that when an application was submitted by the Board, the response received from the RCCC Board of Trustees was that of a political nature. Mr. Wesson also demonstrated concern with the request to provide funding to RCCC, but to not have representation on the Board is not ideal.

Dr. Elam reiterated that he serves at the discretion of the Trustees, similar to how County Manager Sauer serves the Bertie County Board of Commissioners. He stated that he does submit applications of eligible candidates to his Board of Trustees, but that he does not have a say in the Board appointments. He followed up by saying that he is committed to keeping the County as informed as possible.

Commissioner Wesson reiterated that Bertie County students attending RCCC need to have a representative to speak on behalf of their best interests.

Commissioner Harrell mentioned that getting someone on the RCCC Board of Trustees, no matter their political affiliation, would be better than sending no representative from the County at all.

Dr. Elam assured the Board that they had the commitment from the RCCC Board of Trustees on this matter of representation.

Mid-East Commission Office Building project and draft Interlocal Agreement/Resolution presentation by Executive Director Timothy Baynes

Mr. Timothy Baynes, Executive Director of Mid-East Commission, provided the Board with a report regarding the current Return of Investment for the County in regards to dues currently being paid to maintain membership.

After some discussion, Mr. Baynes then introduced the Mid-East Commission's Chairman of the Board of Directors, Doug Mercer.

Mr. Mercer discussed Mid-East Commission's Interlocal Agreement and their request for support in regards to financing a new office building. Mr. Mercer presented a handout regarding the expenses of the current building, as well as provided details about a potential new facility.

Mr. Mercer requested concurrence on the Interlocal Agreement from the County as well as their intent on staying with the Commission.

The Board presented concerns regarding the long term effects of a favorable decision on future Bertie County Commissioners especially as it relates to debts incurred.

County Attorney Lloyd Smith pointed out errors in the proposed agreement.

Mr. Baynes stated that the current agreement is a draft and was never intended to be signed immediately. He stated that the Commission was looking to receive feedback from all of the County Board's before presenting a finalized document.

Roanoke-Chowan Domestic Violence Task Force (RCDVTF) update by Honorable Judge W. Rob Lewis, II.

Honorable Judge W. Rob Lewis, II. and Chief of Ahoskie Police, Troy Fitzhugh, informed the Board that due to lack of financial resources, the RCDVTF is no longer operating the Offender Program.

Judge Lewis stated that a non-profit organization called Rural Initiatives Changing Communities Every Day, Inc. (RICCE) has agreed to operate the program in collaboration with the RCDVTF.

An executed copy of the Memorandum of Understanding between the two non-profit agencies was included in the Board's Agenda Packet. Finance Officer William Roberson reminded the Board of the year end deficit which resulted from the Task Force's lack of grant funding, as they consider how to bring closure to this program.

Legislative update video provided by the North Carolina Association of County Commissioners (NCACC)

The Board watched a short video provided by the NCACC regarding the North Carolina General Assembly's legislative short session that will begin on May 14th, 2014.

Neil Emory, NCACC Outreach Associate, was present for this portion of the meeting.

County Manager Sauer stated he had received further correspondence from the NCACC requesting that the Board provide representation at their annual County Assembly Day on May 28th, 2014.

Mr. Sauer also reminded those present of the 2014 District Meeting that will be held on April 9, 2014 at the Cashie Convention Center.

DISCUSSION AGENDA

Update on County's Health Benefits program by Donna Nixon of Pierce Group Benefits

Donna Nixon of Pierce Group Benefits provided the Board with a PowerPoint presentation detailing the County's current Health Benefits program.

She provided a year by year comparison of costs associated with the following: inpatient/outpatient procedures, Emergency Room visits, and pharmacy costs.

Ms. Nixon stated that most aspects of the County's health plan are compliant with the new Affordable Health Care Act, but that there are some places that need improvement in order to become compliant.

Ms. Nixon suggested that the County allow her to shop the market for other potential plans, to negotiate with the County's current health insurance carrier, as well as to present her findings at a potential work session in the near future.

Ms. Nixon then answered questions from the Board as needed and explained that the County's current healthcare coverage could experience an 18.1% rate increase next year.

Discuss County Tax Services Inc. providing audits for the County

Johnny Bailey of County Tax Services, Inc. provided information to the Board regarding the services that his company could provide to the County regarding a Business Personal Property Audit program to assist taxpayers with accurately filing their annual listing forms.

Mr. Bailey was present to answer questions as the Board openly discussed their options.

County Manager Sauer stated that no decision was needed immediately but that the County had seen two vendors at this point that could provide a Business Personal Property Audit. He indicated that Mr. Jodie Rhea, Tax Administrator, would be analyzing the proposals and bringing a recommendation back to the Board in the near future.

South Windsor Water Association transition of financial reports and accounting procedures as recommended by County Auditor Jeff Best

County Manager Sauer recommended that the Board approve the transition of financial reports and accounting procedures agreement drafted by County Auditor Jeff Best as it relates to the South Windsor Water Association.

Mr. Anthony Ward of the South Windsor Water Association was present for this portion of the meeting.

Agreement of Operation and Acquisition of Water System as prepared by the County Attorney

County Manager Sauer also recommended that the Board approve the Agreement of Operation and Acquisition of Water System as prepared by County Attorney Smith.

Commissioner Wesson made a **MOTION** to approve the document draft by County Auditor Jeff Best, as well as the document drafted by County Attorney Smith in regards to the transition of ownership of the South Windsor Water Association to the County. Commissioner Trent and Vice Chairman Smith **SECONDED** the motion. The motion passed unanimously.

Budget Amendment for County Attorney legal fees

The Board discussed the breakdown of attorney fees. Finance Director William Roberson presented the Board with a comparison of fees to previous years.

County Attorney Lloyd Smith stated that this year's fees are an anomaly as the County has been faced with various situations in which legal representation was needed to proceed with County business.

After a lengthy discussion, Vice Chairman Smith made a **MOTION** to approve Budget Amendment #14-03 as recommended by Finance Director William Roberson. Commissioner Trent **SECONDED** the motion. The motion passed unanimously.

Budget Amendment #14-03 reads as follows:

BUDGET AMENDMENT

14-03

10-4150-5192-01	\$	75,000	LEGAL	10-0090-4991-99	\$	75,000
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TO INCREASE BUDGET FOR LEGAL FEES

APPROVED 3/03/2014

BOARD APPOINTMENTS

Nursing Home/Adult Care Community Advisory Committee

The Board reviewed the request and application of Minnie Outlaw to the Nursing Home/Adult Care Community Advisory Committee.

Commissioner Wesson made a **MOTION** to appoint Minnie Outlaw to the Nursing Home/Adult Care Community Advisory Council. Commissioner Trent and Vice Chairman Smith **SECONDED** the motion. The motion passed unanimously.

Economic Development Commission

The Board reviewed the requests for appointment from Carl K. Bond and Alan Mizelle. The Board also reviewed the request for reappointment from Vivian Saunders.

Commissioner Harrell stated that he no longer wished to serve on the Economic Development Commission due to scheduling conflicts.

Vice Chairman Smith stated he was willing to stay on the Economic Development Commission as the Board of Commissioners' representative as required in the Commission's bylaws.

Vice Chairman Smith made a **MOTION** to appoint/reappoint Carl K. Bond, Alan Mizelle, and Vivian Saunders to the Economic Development Commission. Commissioner Trent **SECONDED** the motion. The motion passed unanimously.

Voluntary Agricultural District Advisory Board

The Board tabled this matter until recommendations were received from the Voluntary Agricultural District Advisory Board.

CONSENT AGENDA

Approve minutes for 2-17-14 and 2-20-14

County Attorney Lloyd Smith requested that the Closed Session minutes from 1-7-14, 1-16-14, and 1-17-14, and 2-20-14 continue to be deferred from approval due to pending matters that will be discussed in Closed Session.

The Board concurred.

Vice Chairman Smith made a **MOTION** to approve only the Open Session minutes from 12-17-14 and 2-20-14 while leaving all corresponding Closed Session minutes on the table for later approval as recommended by the County Attorney. Commissioner Wesson **SECONDED** the motion. The motion passed unanimously.

Approve a motion requesting the Board of Elections to hold a voter referendum to consider levying a (1/4¢) County Sales and Use Tax in accordance with NC Session law 2007-323

Commissioner Wesson made a **MOTION** to approve the resolution calling for a voter referendum on the May 6, 2014 primary ballot. Vice Chairman Smith **SECONDED** the motion. The motion passed unanimously.

The resolution reads as follows:

RESOLUTION CALLING FOR SPECIAL ELECTION TO CONSIDER AN ADDITIONAL ONE-QUARTER CENT COUNTY SALES AND USE TAX

WHEREAS, the General Assembly has authorized County Boards of Commissioners across the State of North Carolina to levy a One Quarter Cent (1/4¢) County Sales and Use Tax contingent on a referendum in which the majority of those casting ballots voted for the levy of the tax;

WHEREAS, the Bertie County Board of Commissioners have determined that the citizens of Bertie County should be entitled to determine whether or not they wish to have said One Quarter Cent (1/4¢) County Sales and Use Tax adopted as the same could be used to assist in financing public projects including debt service, and the existing debt service for the new Bertie High School which will open in the fall of the year of 2014;

WHEREAS, pursuant to N.C.G.S. §163-287, a county has the authority to call special elections as permitted by law if the governing body of the County adopts a Resolution specifying the details of the election and forthwith delivers a copy of the Resolution to the local Board of Elections;

WHEREAS, under said statute, the Resolution shall call on the local Board of Elections to hold the election described in the said Resolution and shall set the date on which the special election is to be conducted;

WHEREAS, the special election may be held at the same time as any other county, state, or municipal general election or at the same time as a primary election in any even given year;

WHEREAS, there is a primary election to be held in Bertie County on May 6, 2014 and the County would have adequate time to provide the public notice required by N.C.G.S. §163-287 (b); and

WHEREAS, it would be in the best interest of the citizens of Bertie County to determine whether or not to adopt said County Sales and Use Tax.

NOW THEREFORE, be it resolved by the Bertie County Board of Commissioners that:

1. Pursuant to N.C.G.S. §163-287 (a), Bertie County hereby calls a special election to be held on May 6, 2014 to determine whether or not a majority of the voting citizens of Bertie County favor or oppose the levy of said One Quarter Cent (1/4¢) County Sales and Use Tax;

2. The question to be placed on the ballot and determined by the voting citizens of Bertie County in said referendum will be:

QUESTION: Should Bertie County levy an additional One Quarter Cent (1/4¢) County Sales and Use Tax in addition to all other County and State Sales and Use Taxes in Bertie County.

For: _____

Against: _____

3. The local Board of Elections conducting the primary election on May 6, 2014 will conduct an election on this question on May 6, 2014 which election shall be held at the same time and at the same locations as the primary election in the year 2014.

4. Scott T. Sauer, the Bertie County Manger, is directed to forthwith deliver a certified copy of this Resolution to the Bertie County Board of Elections.

Said Resolution was introduced by Commissioner Ronald Wesson and seconded by Commissioner Charles Smith and unanimously adopted this the 3rd day of March, 2014.

ATTEST: BERTIE COUNTY

Sarah Seredni
Clerk to the Board of
Commissioners
(SEAL)

BY: _____
J. Wallace Perry, Chairman of
the Board of Commissioners of
Bertie County

Tax Administrator's Report

Tax Administrator Jodie Rhea updated the Board regarding current delinquent taxes, and requested approval from the Board to place an advertisement in the Bertie-Ledger Advance disclosing those individuals who have still not paid their 2013 property taxes.

Vice Chairman Smith made a **MOTION** to have Mr. Rhea proceed with publishing the delinquent individual's advertisement. Commissioner Harrell **SECONDED** the motion. The motion passed unanimously.

COMMISSISONERS' REPORTS

Commissioner Wesson gave remarks about a flyer that had been circulated to various homes and churches in the County over the past few days.

Commissioner Wesson responded to false claims made in the hand out concerning cost of living raises rendered to County employees, the proposed curbside solid waste & recycling program, and current tax rates in the County.

Mr. Wesson recommended that the County draft a press release in response to the flyer's claims.

The Commissioners had no further remarks at this time.

PUBLIC COMMENTS CONTINUED

There were no Public Comments.

COUNTY MANAGER'S REPORTS

County Manager Sauer informed the Board that in order to be compliant with grant restrictions, the County would need to hold at least two Public Hearings in regards to Green Engineering's proposed telemetry controls for the water system.

County Manager Sauer proposed the first hearing to take place at the regularly scheduled Board of Commissioners meeting on Monday, March 17, 2014 at 7:00pm. Mr. Sauer also proposed the second hearing to be held on Monday, March 24, 2014 at 7:00pm.

COUNTY ATTORNEY'S REPORTS

County Attorney Lloyd Smith informed the Board that the North Carolina Bar Association would like to present a donation check to the County at their regularly scheduled Board meeting on Monday, April 7, 2014. The fund will contribute to the Courthouse stabilization project. County Attorney Smith also stated that the Association would like to participate in a photo opportunity with the Board.

County Attorney Lloyd Smith also requested that the Board go into Closed Session pursuant to N.C.G.S. § 143-318.11(a)(3) to go into closed session to consult with the County Attorney in order to preserve the attorney-client privilege that exists between the attorney and this public body and pursuant to N.C.G.S. § 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of employment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

CLOSED SESSION

Upon request by County Attorney Smith, the Board entertained a vote to go into Closed Session pursuant N.C.G.S. § 143-318.11(a)(3) and N.C.G.S. § 143-318.11(a)(6).

Vice Chairman Smith made a **MOTION** to go into Closed Session as recommended by the County Attorney. Commissioner Wesson **SECONDED** the motion. The motion passed unanimously.

The Board went into Closed Session.

Vice Chairman Smith made a **MOTION** to return to Open Session. Commissioner Trent **SECONDED** the motion. The motion passed unanimously.

PUBLIC COMMENTS CONTINUED

There were no Public Comments in this section.

ADJOURN

Chairman Perry adjourned the meeting at 2:12pm.

J. Wallace Perry, Chairman

Sarah Seredni, Clerk to the Board