

May 5, 2014

The Washington County Board of Commissioners met in a regular session on Monday, May 5, 2014 at 6:00 PM in the Strader Building Auditorium, 128 E. Water Street, Plymouth, NC. Commissioners Johnson, Manning, Phelps and Sexton were present. Also present were County Manager Jerry W. Rhodes, Clerk to the Board Julie J. Bennett, County Attorney Curtis Potter and Finance Officer Frank Milazi. Commissioner McCray was unable to attend.

Chair Johnson adjourned the April 7, 2014 Board of Commissioners meeting.

Chair Johnson called the May 5, 2014 meeting to order. Commissioner Sexton gave the invocation; Commissioner Phelps led the Pledge of Allegiance.

ADDITIONS/DELETIONS: Ms. Bennett requested an addition to the Boards & Committees: JCPC appointees. Chair Johnson also added Personnel to the Closed Session-- 143.318.11 (a) (6).

CONSENT AGENDA: **Commissioner Phelps made a motion to approve the Consent Agenda:**

- a) Approval of Minutes
- b) Resolution Authorizing County Manager to Negotiate Short Term Lease

Commissioner Sexton seconded; motion carried unanimously.

PUBLIC FORUM: Keith Letchworth from East Carolina Behavioral Health (ECBH) spoke to the Board regarding ECBH and the benefits they provide to Washington County. NC211 is a service—information and referral service—provided through United Way and is brought to 17 of the 19 ECBH counties including Washington County. When a citizen calls ‘211’ they are connected to a Call Center and they can ask any question about where to find information about Washington County. Public and private agency information is available. The NC211 app can be downloaded on your smartphone. There is an on-line database also-- www.nc211.org.

Lloyd Jones, Roper, encouraged everyone to vote tomorrow.

Chair Johnson asked for a moment of silence for those affected in the Domtar accident today.

BOARD OF EQUALIZATION AND REVIEW (E&R):

Commissioner Phelps made a motion to re-convene as the Board of Equalization and Review. Commissioner Sexton seconded; motion carried unanimously.

Ms. Sherri Wilkins, Tax Administrator, spoke to the Board and stated that there were no appeals at this time.

Commissioner Sexton made a motion to adjourn the Board of Equalization & Review. Commissioner Phelps seconded; motion carried unanimously.

PUBLIC HEARING: AMENDMENT TO ZONING ORDINANCE, ARTICLE 2:
GENERAL REGULATIONS (T)—WALLS AND FENCES:

The Planning Board has recommended the following changes to the Zoning Ordinance. A public hearing must be held before approving the changes.

Commissioner Sexton made a motion to open the public hearing on the Amendment to Zoning Ordinance, Article 2: General Regulations (T)—Walls and Fences. Commissioner Phelps seconded, motion carried unanimously.

Article II: General Regulations

T. Walls and Fences

Existing Language:

Walls and fences, berms and similar items which may restrict passage or vision or simply enhance private property may be located within required yards as defined by building setbacks except as restricted herein:

Recommended Language:

Walls and fences, berms and similar items which may restrict passage or vision or simply enhance private property may be located within 3 feet of adjoining property lines unless otherwise expressly stated herein, and subject to any and all additional restrictions set out herein including but not limited to the following:

Commissioner Phelps asked about the reason for the change. Ms. Keyes stated that a 15 foot setback is never needed.

Al Joyner, Plymouth questioned the change to 3 feet. Can the fence be on the line? Ms. Keyes said the abovementioned change is all that has been discussed.

Commissioner Sexton made a motion to close the public hearing on the Amendment to Zoning Ordinance, Article 2: General Regulations (T)—Walls and Fences. Commissioner Phelps seconded; motion carried unanimously.

Commissioner Manning made a motion to approve the Amendment to Zoning Ordinance, Article 2: General Regulations (T)—Walls and Fences. Commissioner Sexton seconded; motion carried unanimously.

PUBLIC HEARING: INSTALLMENT FINANCING CONTRACT: A public hearing must be held before approving the attached Resolution for Approving the Financing terms for the Martin-Tyrrell-Washington (MTW) Health Department Roofing project.

Commissioner Sexton made a motion to open the public hearing on the Installment Financing Contract for the MTW Health Department Roofing project. Commissioner Phelps seconded; motion carried unanimously.

Mr. Milazi told the Board that the roof on the MTW Health Department needed to be repaired. The work has been completed. Now the County must pay for it.

Commissioner Sexton made a motion to close the public hearing on the Installment Financing Contract for the MTW Health Department Roofing project. Commissioner Phelps seconded; motion carried unanimously.

Commissioner Sexton made a motion to approve the Installment Financing Contract for the MTW Health Department Roofing project. Commissioner Phelps seconded; motion carried unanimously.

NC DEPARTMENT OF COMMERCE INDUSTRIAL DEVELOPMENT FUND GRANT: Mr. Jerry Rhodes, County Manager spoke to the Board regarding a grant that has been approved for Washington County by the NC Department of Commerce Industrial Grant Fund in the amount of \$1,259,550 for water/sewer for the Commerce Building

The County submitted the pre-application on March 4 and was notified on March 27 that the County was approved for the \$1,259,550 grant. Since this was a large grant amount the NC Department of Commerce would like the County to provide 10% local funds (approx. \$186,000) for the grant.

If the Board votes to move forward with this grant there are steps to be taken before submitting the actual application.

Mr. Rhodes has spoken with Mark Poole of the NC Department of Commerce and was told that the NC Department of Commerce approved the IDF grant with the County being able to pay the local match. If the County receives additional funds from The Golden Leaf Foundation, the grant would have to go back before the IDF Board to be reconsidered and the IDF Board could approve or deny it.

Mr. Milazi stated that there is \$194,000 in reserve for Economic Development and \$18,000 in reserve for Recreation Economic Development (for buying land for beach access years ago). If the Recreation money is put in Economic Development, the County would have access to \$212,000.

Commissioner Sexton asked if the water line would stop at the Commerce Building. Mr. Rhodes said "yes" but with benefit of tying into the Plymouth Municipal Airport at a later date and as an additional project with the need for additional funds. Water/sewer will be coming from the Town of Plymouth. Commissioner Sexton asked if County water runs down Morratock Road and why couldn't we tie into that for the Commerce Building. Mr. Rhodes said he will check into seeing if using County water is an option. Commissioner Sexton stated that the County needs water/sewer at the Commerce Building to be able to get a tenant in there.

Commissioner Sexton made a motion to approve the resolution for the NC Department of Commerce Industrial Grant Fund. Commissioner Phelps stated that he

agreed with Commissioner Sexton but has difficulty spending \$186,000 of taxpayers' money; however, he will vote for this because he knows that no potential tenant will want the Commerce Building without water/sewer--although there is no guarantee of getting a tenant.

Commissioner Manning seconded; motion carried unanimously.

NCFAST: Ms. Rhonda Woolard, DSS Director, introduced Ms. Juanita Simms (on-site support person for NCFAST for Washington County), and staff members Teresa Downing, Caroline Gurganus and Carroll Carraway.

Ms. Simms gave a presentation on "A Day in the Life of a Caseworker". Ms. Downing spoke about changes in Food & Nutrition Services (FN&S) and Medicaid. Ms. Gurganus spoke about the Barriers of NCFAST—overtime, slow system, errors, touching the same case multiple times and lack of training. Ms. Downing spoke again about Teamwork: workers, supervisors and on-site support (from NCFAST).

Commissioner Phelps said he recently attended a NCACC meeting where they talked about more changes coming for DSS. Commissioner Phelps asked Ms. Woolard what DSS's vision for being able to meet deadlines is for the future. Will DSS be asking for additional positions? Ms. Woolard said this year's budget guidelines stated that if Directors didn't have funding for new positions, don't ask for them. Staff stated that they are always understaffed in DSS.

Commissioner Manning asked how many caseworkers are in Washington County's DSS office. Ms. Woolard replied that there are 13 for FNS & Medicaid and 2 for Day Care.

Commissioner Sexton asked whose idea it was to make these changes. Mr. Rhodes said the Federal Government started talking about these 10-15 years ago and offered up money incentives for counties in NC to take over certain programs.

PRESENTATION OF DRAFT ORDINANCE FOR AMBULANCE FRANCHISE: Mr. Curtis Potter, County Attorney, presented the Board with a draft ordinance for regulating ambulance services and ambulance franchises. This does not require any action tonight; there must be a public hearing first. Mr. Potter pointed out a few items changed in the draft ordinance:

1. Age of Ordinance and changes to statutes and EMS terminology;
2. Changes to acceptable minimum insurance amounts and other standards
3. Decentralization of administration of private ambulance providers from state to local level;
4. Change in EMS System from 1 County to 2 County system;
5. Add flexibility to Ordinance for adoption by one county, or both, and for creating an ambulance commission if desired to oversee EMS/franchise functions;
6. Incorporation of oversight authority and remedies at direction of EMS Director and Medical Director;
7. Addition of application/franchise fee to offset costs of reviewing applications and overseeing franchised providers.

Chair Johnson encouraged the Commissioners to read over the draft Ordinance and send their questions to Mr. Potter. Chair Johnson asked Mr. Potter to compile the questions so all the Commissioners will know what is being asked.

ROPER GRADE SCHOOL MONUMENT DISCUSSION: Mr. Curtis Potter, County Attorney, spoke to the Board regarding the Roper Grade School Monument.

This is a request by the Board of Education (BOE) to consider whether the County wants to exercise or waive its statutory right of first refusal to purchase a 20' x 20' part of the School System's property in Roper where the gym is currently located. This 400sf property is being proposed as a site for a new monument by the Roper Grade School Alumni.

Mr. Potter stated that the rough estimation of the parcel of land, based on tax value, is \$1,200.

Mr. Lloyd Jones spoke to the Board to let them know that he is a member of the Roper Grade School Alumni which wants to erect this new monument. The Roper Grade School Alumni found out that the BOE owns the property. Mr. Jones stated that they tried to get a piece of property at or by the Beacon Arms, where the school building used to sit. The Roper Grade School Alumni went back to the BOE and hired an attorney to write the deed, but it is written to the Town of Roper because the Roper Grade School Alumni isn't incorporated. They want the property to erect a monument for the school and educators.

Commissioner Manning made a motion to waive its statutory right of first refusal to purchase a 20' x 20' part of the School System's property in Roper. Commissioner Sexton seconded. Discussion ensued. Chair Johnson said if the County waives its statutory right of first refusal and BOE waives theirs, this monument will become the Town of Roper's responsibility down the line. Mr. Potter stated that if the County waives its statutory right of first refusal they lose all rights to that property. Mr. Milazi stated that the Commissioners may want to make sure they have all the details before waiving their statutory right of first refusal because they can't change their minds after the deal has been completed.

Commissioner Phelps asked what staff's recommendation is. Mr. Potter said that the future planning for the remainder of that property should be considered.

Chair Johnson would like to see maps and have some more time to consider this request.

Latoya Howell (citizen) said she has seen this project tossed around by the BOE for years.

Commissioner Manning withdrew his motion to wait for maps and further information.

Commissioner Phelps asked that the members of the BOE and the members of the Roper Town Council be at the May 27, 2014 Board of Commissioners meeting, along with the maps of the area being discussed.

BOARDS & COMMITTEES: Natalie Rountree, of the Northeastern Workforce Development Board (NWDB) would like to re-appoint April Stotesberry to this Board. Ms. Stotesberry has indicated she would be willing to serve if reappointed.

Commissioner Sexton made a motion to re-appoint April Stotesberry to the NWDB. Commissioner Phelps seconded; motion carried unanimously.

The Washington County Library Board would like to appoint Joseph Biggs and Lori Swain, and re-appoint Joan Gee. All have indicated they would be willing to serve if appointed/re-appointed.

Commissioner Sexton made a motion to appoint Joseph Biggs and Lori Swain and re-appoint Joan Gee to the Washington County Library Board. Commissioner Manning seconded; motion carried unanimously.

Nancy Hodges of the Juvenile Crime Prevention Council (JCPC) would like to re-appoint Kay Overton and Randy Fulford to this Board. She would also like the Board to appoint Bill Batchelor to this Board.

All have indicated they would be willing to serve if appointed/re-appointed.

Commissioner Phelps made a motion to appoint Bill Batchelor and re-appoint Kay Overton and Randy Fulford to the JCPC. Commissioner Manning seconded; motion carried unanimously.

FINANCE OFFICER'S REPORT: Mr. Frank Milazi, Finance Officer, distributed his report to the Commissioners.

Commissioner Phelps asked what is outstanding. Mr. Milazi stated that sales tax is always behind, as are some programs in DSS. Commissioner Phelps asked if Mr. Milazi anticipated closing the gap. Mr. Milazi said he feels confident we will receive the \$600,000 but can't guarantee the \$1M—he may need to take funds from the general fund. Mr. Rhodes stated that we are at 87.5% for revenues and at 80% for expenditures at this time.

Mr. Milazi stated that the landfill was the most profitable among the enterprise funds.

Commissioner Sexton questioned the deficit in EMS. Mr. Rhodes said that the billing company the County uses for EMS billing is writing off some of our claims (about 40%) so John Fleming, EMS Director, is researching other options. Mr. Rhodes thinks this will make a difference in our revenues. Mr. Milazi said that Medicaid reimbursement is not in this report because the County is waiting to see what payments will be received.

Commissioner Phelps asked if Mr. Milazi can tell what the shortfall will be at this time. Mr. Milazi said “no, not until the end of June when budget amendments are done on June 30”.

OTHER ITEMS BY CHAIR, COMMISSIONERS, COUNTY MANAGER, CLERK OR ATTORNEY:

Mr. Potter stated that the GIS Property Site is being updated on the County website. Mr. Potter also noted that the next meeting of the JLUS Policy Committee is on May 13, 2014. Mr. Potter mentioned that snagging and dragging has been happening on Kendricks Creek.

Mr. Rhodes said that he has had a conference call with the USDA folks regarding the FARM Service Lease application and they are interested in a lease with the County. They requested some additional information and we are getting it for them.

Chair Johnson asked if Roper is also in the running for getting that lease. Mr. Rhodes said he has heard rumors of such.

Chair Johnson asked about the statement in The Roanoke Beacon that the Town of Plymouth voted to take the back the collection of property tax. Mr. Rhodes stated that the Town had to give the County a 30 day notice which the Town did, but what they really want is to negotiate a lower percentage rate with the County of what we keep for collecting the Town's property taxes.

Commissioner Phelps asked about the 4-H vision and if the budget is on track to be distributed to them on May 13. Mr. Milazi replied "yes".

Ms. Bennett reminded the Commissioners that tonight's meeting will need to be recessed until May 27, 2014 for the presentation of the Budget message and the recommended budget to the Board. Also, in looking ahead, the Board will need to have three (3) additional meetings in June (after the regularly scheduled June 2 meeting) to accommodate the Budget calendar (June 9, June 23, and June 30).

Ms. Bennett reminded the Commissioners that the NCACC County Assembly Day is May 28, 2014. Early registration is waived for County Commissioners. Please let Ms. Bennett know if you plan to attend so she can register you.

Commissioner Sexton made a motion to go into Closed Session (attorney client privilege and personnel). Commissioner Phelps seconded; motion carried unanimously.

With no further business to discuss, Commissioner Sexton made a motion to recess the meeting until Tuesday, May 27, 2014. Commissioner Manning seconded; motion carried unanimously.

Tracey A. Johnson
Chair

Julie J. Bennett, CMC, NCCCC
Clerk to the Board