

April 6, 2015

The Washington County Board of Commissioners met in a regular session on Monday, April 6, 2015 at 6:00 PM in the Washington County Commissioners Room, 116 Adams Street, Plymouth, NC. Commissioners Johnson, Manning, Phelps, Sexton and Walker were present. Also present were County Manager Jerry W. Rhodes, Clerk to the Board Julie J. Bennett, Finance Officer Frank Milazi and County Attorney Curtis Potter.

Chair Sexton called for a motion to adjourn the March 30, 2015 recessed meeting. **Commissioner Phelps made a motion to adjourn the March 30, 2015 recessed meeting; Commissioner Manning seconded, motion passed unanimously.**

Chair Sexton called the April 6, 2015 meeting to order. Commissioner Walker gave the invocation; Commissioner Phelps led the pledge of allegiance.

ADDITIONS/DELETIONS: None.

CONSENT AGENDA: **Commissioner Johnson made a motion to approve the Consent Agenda with minor administrative changes to the minutes:**

- a) Approval of Minutes
- b) Tax Refunds & Releases and Insolvent Accounts
- c) Resolution of Endorsement: Alliance for Greater Eastern NC (AGENC) to Replicate the Manchester Bidwell Corporation's National Center for Arts and Technology (NCAT) in Washington County, NC
- d) Proclamation for Public Health Month
- e) Adoption of County Travel Policy by ABC Board
NC Education Lottery Public School Building Capital Fund:
Playground Equipment—CES \$39,234.52
Re-Keying of Interior and Exterior Door Locks \$15,925.45
\$55,159.97
- f) Title VI Plan for Riverlight Transit System
- g) Resolution Supporting the Application for a Grant from the NC 911 Board

Commissioner Walker seconded.

Commissioner Phelps noted MTW Health Department Director, Terrell Davis was in attendance and asked her to speak about what is going on for Public Health Month. Ms. Davis said that the week of April 25 is the "Week of the Young Child" and there will be an event held at the Vernon James Center for children to take their blood pressure, height weight, BMI and lectures about how hot it can get in vehicles. They will also be promoting safety. The event runs from 10:00 am until 2:00 pm. **Motion carried unanimously.**

PUBLIC FORUM: Sheriff Barnes introduced the County's new animal control officer Tracy Hassell. Sheriff Barnes also mentioned that later in the meeting the Board will be asked to approve some fee changes for animal control that Mr. Hassell has and will continue to collect.

PUBLIC HEARING: COMPREHENSIVE TRANSPORTATION PLAN:

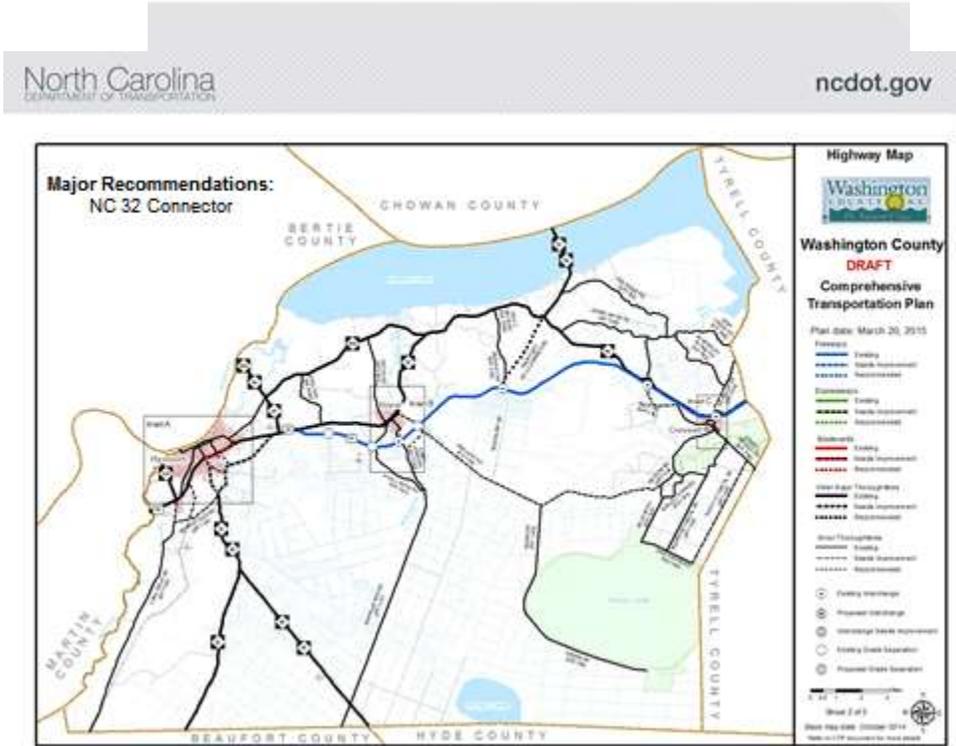
Commissioner Johnson made a motion to open the public hearing; Commissioner Phelps seconded, motion passed unanimously.

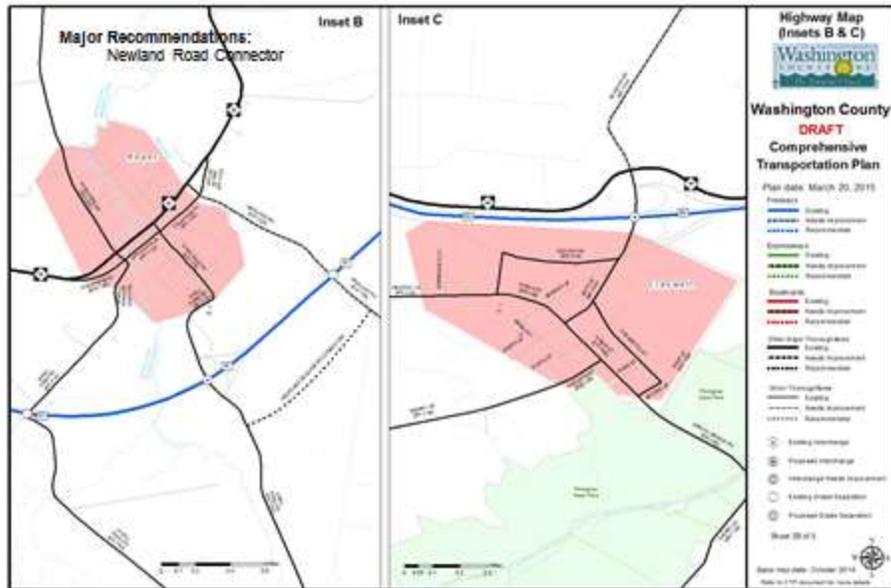
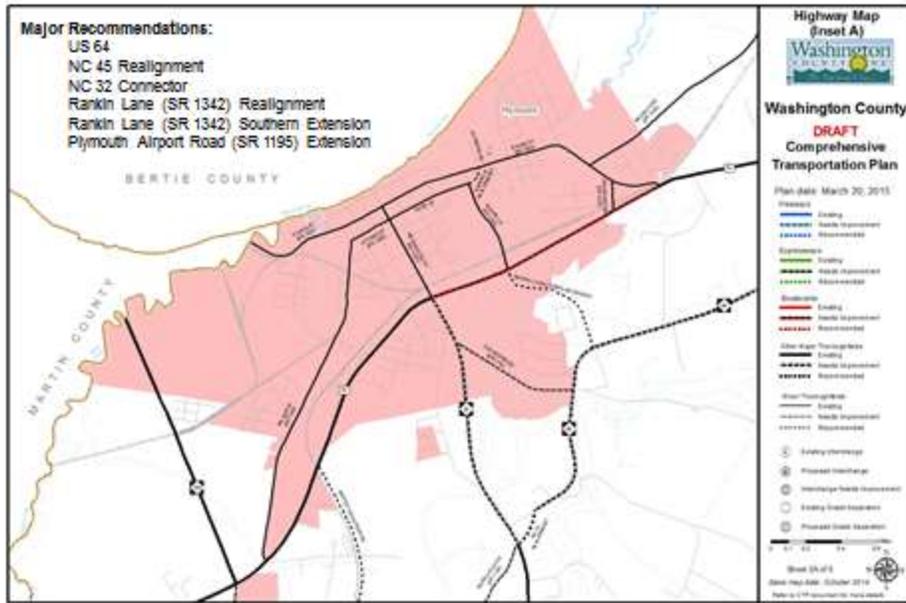
Ms. Hemal Shah, Project Engineer spoke to the Board about the Washington County Transportation Plan.



Washington County Comprehensive Transportation Plan

Hemal Shah
April, 2015





Comprehensive Transportation Plan:

Multimodal

- Highway
- Public Transportation and Rail
- Bicycle
- Pedestrian

Recommendations

- Existing,
- Needs Improvements,
- Recommended (new location)

2

PUBLIC TRANSPORTATION AND RAIL

Fixed Deviated Route (Plymouth-Roper-Pea Ridge-Creswell)

The proposed route will use the following facilities from Plymouth to Creswell:

- East Main Street (SR 1325)
- US 64
- NC 32
- NC 94
- Alligood Road (SR 1310)
- Sixth Street (SR 1310)

Proposed Park-and-Ride locations:

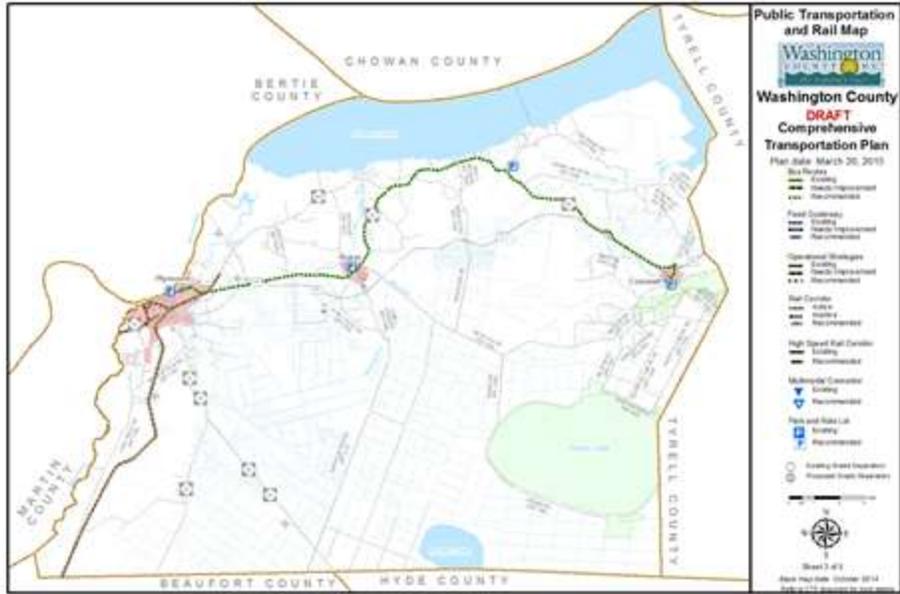
WASH0002-T: 103 East Water Street, Plymouth

WASH0003-T: Downtown Roper

WASH0004-T: Pea Ridge Civic Center

WASH0005-T: Downtown Creswell

6



7

BICYCLE

Bicycle recommendations are based on:

- The 2013 Albemarle Regional Bicycle Plan
- 2013 North Carolina Statewide Pedestrian and Bicycle Plan (WalkBikeNC)

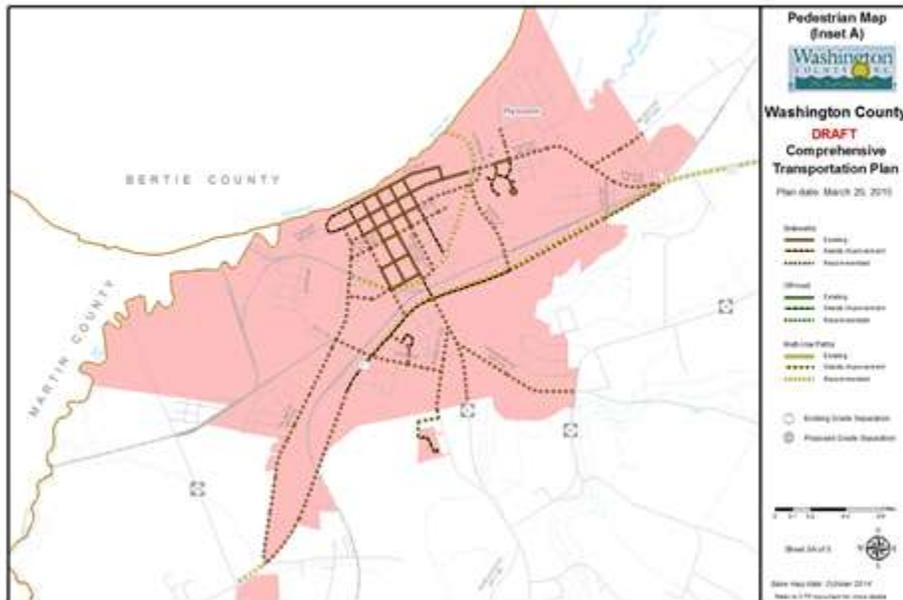
Additionally, the following bicycle improvements were recommended:

- Roosevelt Avenue (SR 1108)
- Thirty Feet Canal Road (SR 1160)

8



Pedestrian Map



Next Steps:

Present DRAFT CTP as an information item and Open 30 day public comment period:

- Washington County: April 6th
- Town of Plymouth: April 13th
- Town of Roper: April 13th
- Town of Creswell : April 13th

Public workshop: April 14th
(From 4:00pm to 7:00pm at Stradar Building in Plymouth, NC)

Present DRAFT CTP for adoption:

- Washington County: June 1st
- Town of Plymouth: June 8th
- Town of Roper: June 8th
- Town of Creswell : June 8th

The CTP will be endorsed by Albemarle RPO on July 22nd at the RPO Meeting

12

Future Questions or Concerns?

Contact: Hemal Shah, Project Engineer
by phone: (919) 707-0992 or email: hjshah@ncdot.gov

Wayne C. Davis, PhD, PE, Triad Supervisor
by phone: (919) 707-0987 or email: wcdavis@ncdot.gov

Gretchen Byrum, Division Planning Engineer
By phone: (252) 482-1879 or email: gabyrum@ncdot.gov

Angela Welsh, Albemarle Rural Planning Organization
by phone: (252) 426-5775
or email: awelsh@albemarlecommission.org



13

Commissioner Johnson asked Ms. Shah about the Park and Ride using Riverlight Transit that was mentioned. Ms. Shah said that it will be for folks to drive to a location and catch Riverlight Transit on its route. The exact site for this has not been pinpointed yet.

Ms. Shah said that she would be back at the June 1, 2015 Board of Commissioners meeting to ask them to approve the Washington County Comprehensive Transportation Plan. Chair Sexton thanked Ms. Shah for her presentation.

Commissioner Manning made a motion to close the public hearing; Commissioner Phelps seconded, motion passed unanimously.

RECOGNITION OF FORMER SHERIFF JAMES KELVIN ROSS: Chair Sexton presented former Sheriff Ross with his service weapon, resolution and a plaque from the Board and thanked him for his many years of service to the County.

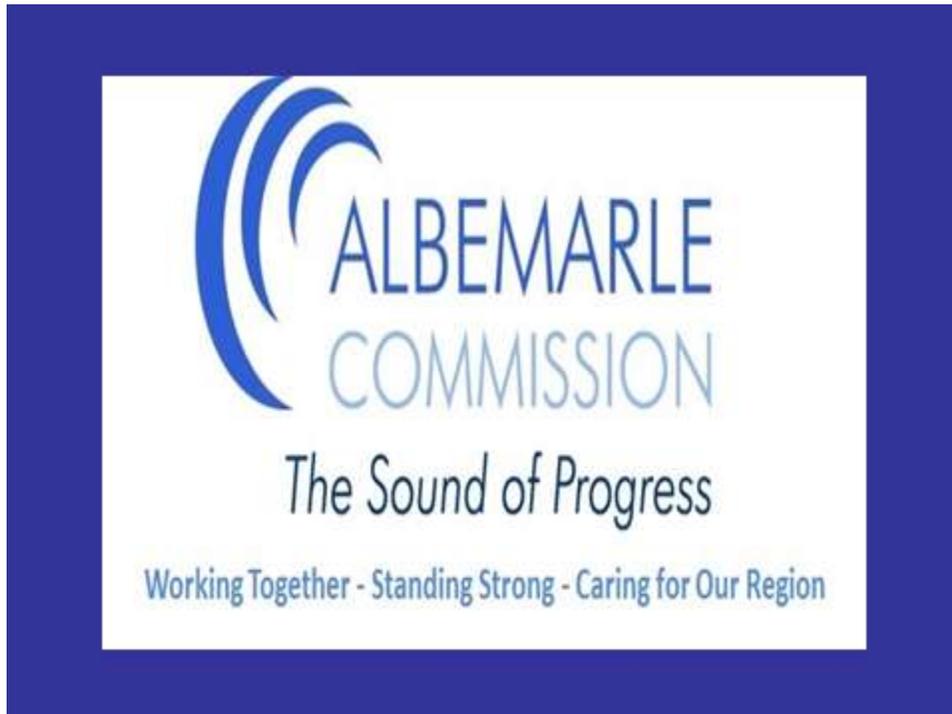
BOARD OF EQUALIZATION AND REVIEW: Ms. Bennett gave oaths to the Commissioners so they could convene as the Board of Equalization and Review.

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

Ms. Bennett noted that Ms. Sherri Wilkins, Tax Administrator could not be here tonight but left word that there were no appeals at this time.

Commissioner Phelps made a motion to recess the Board of Equalization & Review until May 4, 2015 at 6:00 PM. Commissioner Manning seconded, motion carried unanimously.

ALBEMARLE COMMISSION'S STEWARDSHIP REPORT: Ms. Cathy Davison gave a presentation to the Board.



Stewardship Report for Washington County FY 2014

The Albemarle Commission

- Founded in 1969 by the General Assembly
- **Mission:** improve member governments ability to enhance quality of lives of citizens
- **Objective:** Provide direct Services, grant writing, planning and assessment, program development and management
- **Represent:** Counties of Camden, Chowan, Currituck, Dare, Gates, Hyde, Pasquotank, Perquimans, Tyrrell, and Washington

Senior Nutrition

Meals Served: 10,075

of Clients: 102

County's Cost: \$41,533 or
\$4.12 per meal

Actual Cost

Per Meal: \$5.80 or \$58,435.00

Difference: \$1.68 or \$16,902.00

Area Agency on Aging

Services Provided: 7,980

of Clients: 98

County's Cost: \$16,801.00
\$2.11 per service

Actual Cost

Per Service: \$28.50 or \$227,423.00

Difference: \$26.39 or \$210,622.00

Workforce Development

Services Provided:	10
# of Clients:	10
County's Cost:	\$0
Actual Cost Per Service:	\$56,102.23
Difference:	\$56,102.23

Rural Planning Organization

Services Provided:	1
# of Clients:	1
County's Cost:	\$2,164.00
Actual Cost Per Service:	\$14,453.10
Difference:	\$12,289.10

Economic Dev. & Admin

Services Provided:	1
# of Clients:	1
County's Cost:	\$8,398.00
Actual Cost Per Service:	\$39,289.15
Difference:	\$30,891.15

Contact

Cathy Davison, ICMA-CM

Phone: 252-426-5753 ext. 227

cdavison@albemarlecommission.org

www.albemarlecommission.org

Ms. Davison noted 20 people have signed up from Washington County for the Senior Games this year. They will be held all over the region.

Ms. Davison let it be known that if someone owns a business and are looking for training for workers, the Albemarle Commission works with Beaufort County Community College and College of the Albemarle.

The Albemarle Commission will pay 50% for a person to get the skills they need to do the job....if the workers have the soft skills—comes to work dressed nice, is polite and courteous, works till the job is done but lacks the tangible skills. This is part of the Workforce Development Program. The Albemarle Commission also has a Single Family Rehabilitation program.

DSS & SENIOR CENTER UPDATE: Ms. Rhonda Woolard, DSS Director, spoke to the Board. She wanted to make the Board aware of Senate Bill SB14 regarding Medicaid through NCFAST. Because of the delays in working in NCFAST, Medicaid is behind. This bill is to have a state audit of the program for re-certifications. The DSS staff is working very hard; however, half of her staff is new. Washington County DSS is doing well but there is a possibility that Medicaid may be pulled out from under the Department of Health and Human Services. Commissioner Johnson asked where it would be moved to. Ms. Woolard said it may be moved to a provider network. Commissioner Walker asked about training of new staff. Ms. Woolard said in the past DSS had an on-site training representative here, but those services have now been directed to other areas of the state. Ms. Woolard said new staff is catching on quicker because they didn't know the old system.

Ms. Vanessa Joyner, Senior Center Director gave the Board an update on the Senior Center.

Senior Center Update

1. Working on a Grant to obtain new exercise equipment
Vidant Community Benefit Grant - \$3000
 2. Weekly inspiration – asked sixteen ministers to spend 15-20 minutes with seniors
 3. Survey – asking seniors to rate center and for new ideas .
 4. Talked to BCC and MCC what they can offer seniors example: IT classes, couponing, crafts, fitness, photographer.
 5. New craft – scrapbooking-May 13, 2015 six weeks for \$20.00
 6. New Volunteer – offer new activity (Memory game) with seniors
 7. Class – Introduction to IPAD/Tablets-April 10, 2015 at 9:30 – 11:30 a.m.
 8. Senior Games – April 7, 2015 -19 participants and 10 volunteers – Explorers – obtained transportation and drivers – Zion Chapel Church bus, Recreation Activity bus or DSS Van if needed
 9. Trips - Amish Dutch County – June 22-24, 2015 \$254
 10. Day Trips – April 11, 2015 African American A Celebration of Spirituals: Music of the Spirit – Museum of the Albemarle 10:00 – 4:00 African Artifacts & 6:00 – 8:00 Learn how Negro Spirituals began, survived and continue
-
- May 6, 2015 Spirit of Norfolk \$48.00
- In June looking to schedule Smithfield, Manteo, New Bern, Bowling
11. Training – Recertification – S.C.O.P.E (Senior Center Operations and Program Evaluation), ServSafe, Healthy Living, Ann Johnson Institute, Dementia
 12. Senior Center of Excellence Recertification – We have to have 10 fundraisers in the next three years – we are looking at a pancake breakfast/supper and yard sale in May/June (we are looking at purchasing a larger TV to watch movies and exercise with and purchase paint to paint the lobby area).

13. Classes to be taught –

Walk with Ease – Beginning April 20 – M-W-F at 5:30- 7:00 p.m. for six weeks

Healthy Living – Chronic Disease Self-Management Program Beginning May 1 at 1:00 – 3:30 p.m. once a week for six weeks

14. Searching for new exercises to be taught – Zumba, Aerobics, new crafts to be taught

15. Looking to extend the hours of the Center to attract working seniors who want to exercise.

16. Salad Bar will be implemented April 28, 2015

17. Working with Maintenance to do small repairs to facility

18. Working on CDL License, Zumba Instructor Certification, and AARP Tax Preparer

19. The furniture in the Lobby area has been there for over 20 years, needs to be replaced and the phone system. We are looking for ways to raise money to help with the cost.

Ms. Woolard said that Ms. Joyner has done a phenomenal job at the Senior Center but there other re-certifications that need to be completed to bring the center back up to an excellent rating. Ms. Woolard also noted that the Senior Center Advisory board will have to be restructured.

CRESWELL MEDICAL CLINIC LEASE DISCUSSION: Michael McDuffie and Michael Baker from Metropolitan Community Health Services (MCHS) spoke to the Board. Mr. Baker stated he has 30 years of FQHC experience and Mr. McDuffie has 15 years. MCHS wants to bring access to primary health care to Washington County. They currently have a site in Martin County that will host medical, dental and behavior health and they are getting ready to open a pharmacy. They have a 5,000 sq. ft. facility obtained with a FIP grant in 2012. MCHS leveraged funding with that building and went to KBR Trust to get operating money. They had a little rocky start. MCHS has had a meeting with Terrell Davis, Martin-Tyrrell-Washington Health Department Director since MTW won't be providing adult primary care to residents any more. FQHC provides healthcare costs based on income—there is a sliding fee scale. MCHS would write a grant and find a site for government funding. MCHS is not able to get a grant for operating services. MCHS operates on enhanced Medicaid billing. The hospital had a problem with the Creswell Medical Clinic because Creswell only has ~ 500 residents. It is hard to run a for-profit clinic with so few residents. Mr. Baker said he has opened places in small counties. He wants to bring a massive amount of resources to the area. MCHS is a 501 (c)(3) and they have friends 'on both sides of the aisle'. Mr. Baker spent most of his time in Sampson, Bladen, and Harnett County. MCHS has only lost one site (in New Bern) 20 years ago. Commissioner Phelps asked what specific services would MCHS offer. Mr. Baker said they would offer medical, dental and pharmacy, however they may pull out dental services so as not to compete with the MTW Health Dept.

Mr. McDuffie said that primary care medical service—preventive medicine, will need a mid-level provider with a FNP or PA and have an MD rotate through there and a full time pharmacist (340B program) would have to be there 32 hours of a 40 hour week. They would like to be a presence in Plymouth as well. Behavioral health would be an option also.

Mr. McDuffie said that FQHC does not have to go through the MCO or LME.

They plan to operate 4 days a week—8:00 am – 5:00 pm and possibly stay open late on Mondays until 7:00 pm. Commissioner Phelps said he would like to see consistent hours. He also asked how MCHS would market the clinic. Mr. McDuffie said they would hire outreach staff from folks in this area.

Commissioner Johnson asked if MCHS would put a local person on their Board.

Mr. Rhodes asked the Commissioners to direct himself, Mr. Milazi and Mr. Potter to meet with MCHS and bring their proposal back to the Board.

Commissioner Phelps made a motion for Mr. Rhodes, Mr. Milazi and Mr. Potter to meet with MCHS and bring back a proposal to the Commissioners. Commissioner Johnson seconded, motion carried unanimously.

COASTAL CARE/ECBH GOVERNING BOARD CONSOLIDATION: Mr. Dave Peterson, ECBH Central Regional Director, spoke to the Board and gave the following presentation.

CoastalCare/ECBH Consolidated Governing Board of Directors Model



Revised 3-11-13

Regional Model

- As we move toward consolidation of MCOs, a regional model is essential for broad community representation.
- North Carolina is a large and diverse state where other departments employ regional models, i.e. Child Development Service Agencies, Health Planning Regions, CCNC Regions, etc.

Revised 3-12-13

The CoastalCare/ECBH Consolidation Board Structure

- The CoastalCare/ECBH governance structure was designed by the CoastalCare/ECBH Board Consolidation Steering Committee
- The proposed two-tiered board structure will keep governance close to the communities we serve through Regional Advisory Boards, which in turn elect representatives to the governing Board of Directors.

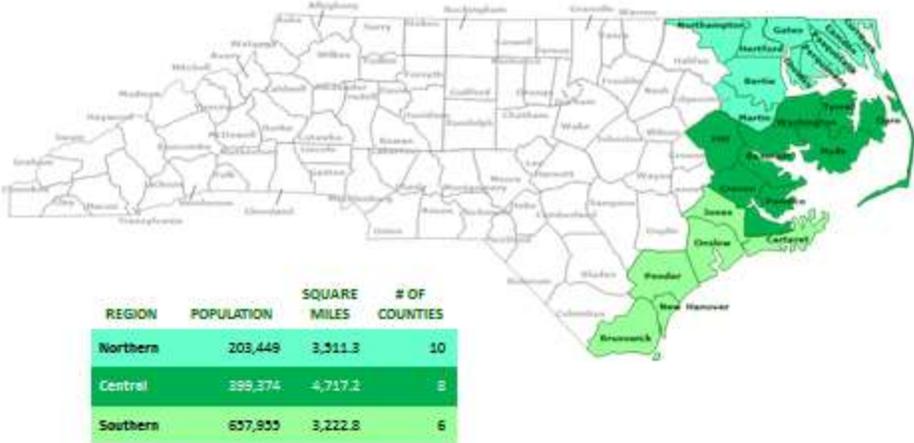
Revised 3-12-13

Consolidation Board (continued)

- Under current North Carolina General Statute 122C-118.1, area mental health board authorities are governed by Area Boards established by the Boards of Commissioners in each catchment area. 122C-118.1 states:
 - “an area board shall have no fewer than 11 and no more than 21 members. The board of county commissioners, or the boards of county commissioners within the area, shall appoint members”
 - “The boards of county commissioners within a multicounty area with a catchment population of at least 1,250,000 shall have the option to appoint members of the area board in a manner or with a composition other than as required by this section by each county adopting a resolution to that effect and receiving written approval from the Secretary”
 - With CoastalCare and ECBH, we exceed the 1,250,000 population

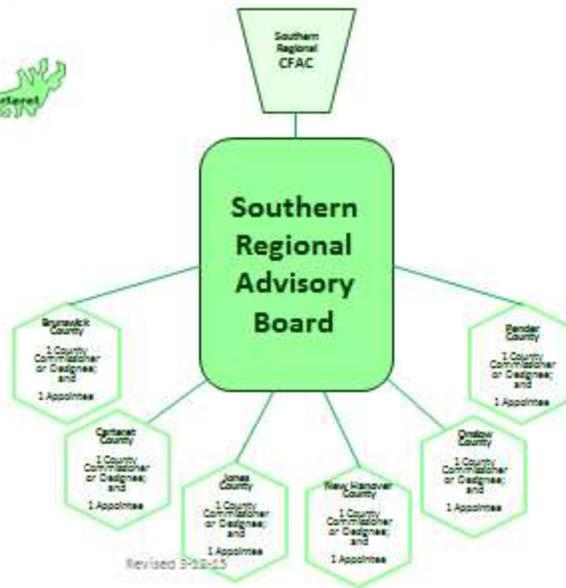
Revised 3-12-15

Three Proposed Regions

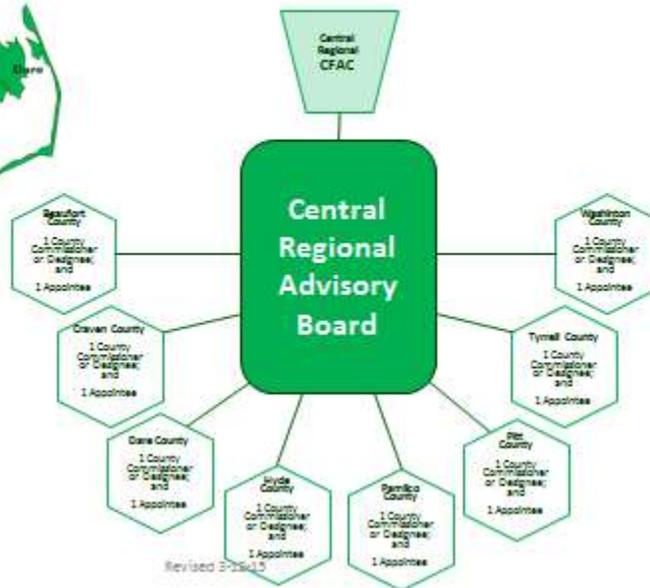


Revised 3-12-15

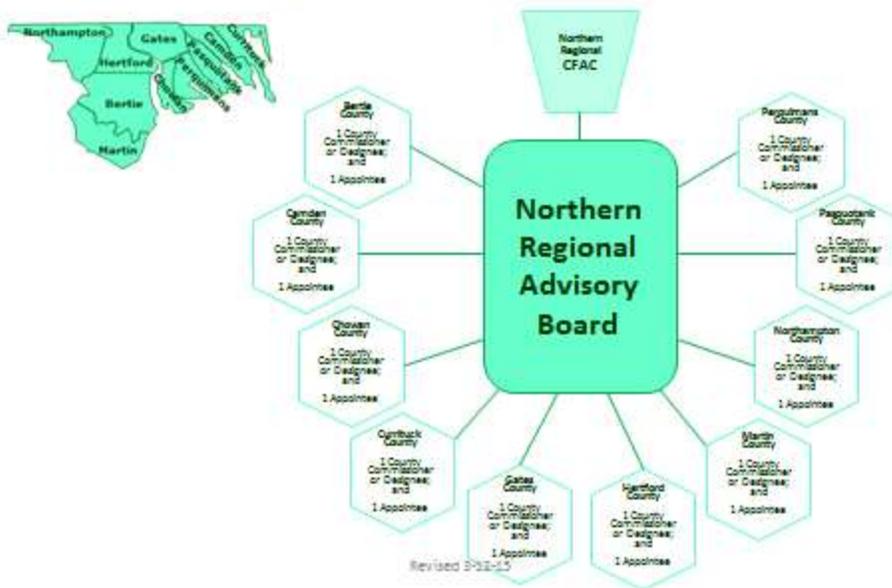
Three Regional Advisory Boards



Three Regional Advisory Boards



Three Regional Advisory Boards



Regional Advisory Boards Purpose

- To involve local stakeholders to respond to unique community needs and priorities
- To promote understanding and collaboration at the local level
- To provide local participation in monitoring the performance and services within each region

Regional Advisory Boards Responsibilities

- Advise the CEO on evaluation and hiring of future Regional Directors
- Recommend priorities for expenditures of state/county funds for development of the annual budget
- Recommend priorities for the area wide strategic plan
- Identify community needs and concerns
- Monitor resolution of issues

Revised 3-12-13

Regional Advisory Boards Responsibilities (continued)

- Monitor performance at the regional level:
 - Access to Care
 - Financial Status and Expenditures
 - Service Delivery
 - Provider Network Size and Composition
 - Consumer Satisfaction
- Identify gaps and needs; make recommendations on the service array

Revised 3-12-13

Governing Board of Directors Responsibilities

- Determining policy
- Strategic planning, including consideration of local priorities as determined by the Regional Advisory Boards
- Budgets
- Hiring and evaluation of CEO
- Monitoring of deliverables, e.g., overall performance and financial management
- Governmental affairs and advocacy

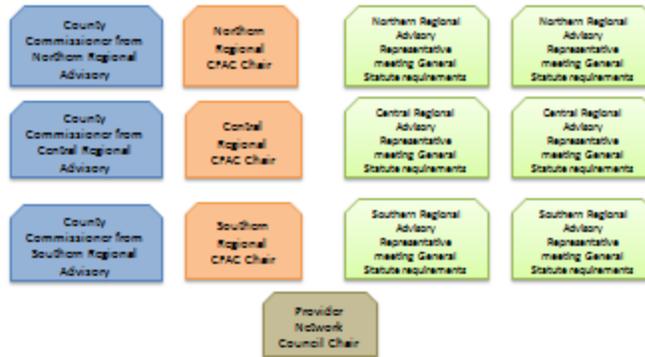
Revised 3-12-13

Governing Board of Directors Responsibilities, *continued*

- Reporting to constituent counties
- Responding to concerns and feedback from the Regional Advisory Boards
- Reviewing, revising and approving the Regional Advisory Board bylaws
- All other responsibilities outlined in N.C. law for Area Authority Boards

Revised 3-12-13

Governing Board of Directors



Revised 3-12-13

Summary

- 3 Regions covering 24 Counties
- 3 Regional Advisory Boards to maintain a local presence
- Direct representation of Regional Advisory Boards on the Governing Board of Directors
- Local advocacy of consumers and family members
- Accountability of services within communities

Revised 3-12-13

Mr. Peterson stated that 92% of their money goes into services and 8% is for administrative costs.

Mr. Peterson said that ECBH is excited about consolidating with Coastal Care--they operate the same as ECBH. This effort is supported by the Governor and designed by the two Board chairs and their CEO's and they are putting together Regional Advisory Boards.

Commissioner Phelps asked about the network being closed therefore making it harder for new providers to be able to join. Mr. Peterson said the governing Board can decide who can join based on their qualifications and services.

The new Board will consist of 24 counties (instead of 19) and there will be three (3) regions.

Mr. Rhodes asked when the consolidation will become effective. Mr. Peterson said that 12 counties signed off on the changes this morning. Mr. Peterson said he will be working with Washington County for the Commissioner nomination and Appointee by July 1.

Commissioner Walker made a motion to approve the Resolution of Support for an Alternative Governance Structure for the Area Authority (Coastal Care/ECBH) serving Washington County. Commissioner Manning seconded, motion passed unanimously.

SB554—SCHOOL BUILDING LEASING REFORM: Chair Sexton asked for guidance from the Commissioners to move forward with a resolution of support for the aforementioned bill.

Commissioner Johnson made a motion for the Board to move forward with resolution of support for SB554—School Building Leasing Reform. Commissioner Phelps seconded. Commissioner Phelps also noted that Senator Smith-Ingram supports this bill. **Motion passed unanimously.**

AUDITOR'S RFPS: Mr. Milazi stated he put the RFP out for an auditor and received two proposals. The Commissioners have been unhappy with the current auditor because our audits have been filed late with the State and we were not informed of this until receiving a letter from the State. The current auditor has been unresponsive to us.

Mr. Milazi said the first proposal, received from Andrew Harris, CPA PLLC does not include doing the DSS audit.

Mr. Milazi said the second proposal is from our current auditor Carr, Riggs & Ingram, LLC. They have said they will make sure that we have a different auditor from their organization, not the same one we have used for numerous years.

Mr. Milazi recommended that the County go with Carr, Riggs & Ingram.

Commissioner Phelps said he wants to make sure that Mr. Chris Burton will not be the County's auditor. Mr. Rhodes said that if the Board chooses to go with Carr, Riggs & Ingram that Mr. Potter will write up the contract with specific expectations regarding the managing

partner that handles our account and maybe even a chance to receive a cut in cost if Carr, Riggs & Ingram do not hold to their contract.

Commissioner Johnson made a motion to approve the RFP from Carr, Riggs & Ingram for the County's audit services to include a different managing partner. Commissioner Walker seconded, motion carried unanimously.

WATER COMMITTEE REPORT: Mr. Potter asked the Board if they had any questions based on the report that was distributed to them.

WWRC REPORT & RECOMMENDATIONS

I. Legal Framework:

- a. Washington County is authorized by NCGS §153-275 to provide water supply and distribution services as a public enterprise to customers of its water system, and pursuant to applicable laws including without limitation NCGS §153A-277 may fix and enforce the rates charged for such services.
- b. Local governments operating public enterprises have some flexibility under the applicable statutes to vary rates, fees, charges, and penalties for the same class of services provided to different areas, or for different classes of services provided. However, they are generally prohibited by law from unreasonably discriminating in the distribution of enterprise services and in the setting of rates, fees, charges, and penalties for such services. Unreasonably discriminating has been described as charging different rates for public enterprise services to similarly situated customers.
- c. Likewise a local government most likely cannot unreasonably discriminate in its collection practices for debts owed for public enterprise services on a case by case basis without relying on more objective or consistent standards to justify different collection actions or remedies pursued among its customers. This includes local government decisions on collecting debts owed by customers for water services
- d. Washington County therefore has a general duty to consistently enforce the collection of all debts owed for water supplied and distributed to customers of its water system in accordance with applicable laws including the Waterworks Rules & Regulations Ordinance adopted by the Washington County Board of Commissioners (“BOCC”), and to apply the same in non-unreasonably discriminatory manner.

II. Waterworks Review Committee (“WWRC”) Background:

- a. In the fall of 2014, several water customers received high water bills and complained to the BOCC after unsuccessfully attempting to resolve their disputes through the Utilities Director.
- b. Among the complaints made were allegations the bills were directly caused or somehow indirectly related to replacing older water meters throughout the county with newer electronic meters.
- c. To address these complaints, on September 2nd, 2014 the BOCC passed a resolution establishing the Washington County Waterworks Review Committee (“WWRC”), tasked with evaluating four (4) referred disputed water accounts along with more generally evaluating and suggesting changes to current water billing regulations, practices, and policies.

- d. Division of Tasks: The WWRC met approximately once per month following its formation to discuss its delegated tasks and divided these tasks into three main categories as follows:
 - i. Review of four (4) referred accounts;
 - ii. Review of current Waterworks Rules & Regulations Ordinance;
 - iii. Review of other administrative supportive documents, bills, etc.

III. Description of WWRC Review Process for Referred Accounts:

- a. The WWRC sent out the attached Initial Bill Review Letter dated November 10th, 2014 requesting additional information from each of the referred account holders.
- b. All four (4) account holders responding using the attached WWRC Response Forms.
- c. The WWRC reviewed and discussed this information for each account and made additional inquiries of the Utilities Director, Water Billing Department, and County staff.
- d. Account holders were afforded the opportunity to meet in person with the WWRC but were not penalized for failing to do so.
- e. The meters associated with the largest disputed bills were tested and found to be within normal parameters according to the attached test reports.

IV. Summary, Analysis, and Conclusion for Referred Accounts:

Woodley c/o Taylor: 2806 Ambrose Road

- a. Summary: Acknowledges leak occurred but requests forgiveness of some or all of bill based on several factors including his timely payment history of the minimum monthly service charge for years without actually using water, and argues the water content contributing to pipe/appliance breakdown.
- b. Optional Meeting: Did not request optional meeting with WWRC due to distance.
- c. Analysis: The WWRC acknowledges the apparent prior history of this account holder remaining in good status and paying the minimal service charge without using any actual water over a period of many months/years. However, allowing such relief would not only be unauthorized and potentially discriminatory to the other customers that continue to pay a monthly service fee without using water, but could establish a precedent that would be detrimental to the financial sustainability of the water system itself. Although the payment of a mandatory minimum service availability charge is a constant complaint among many customers who do not use water on a regular basis, or who have other options such as wells, the County is still required to produce and distribute enough water to supply every customer at any time whenever they decide to use County water due to seasonal presence, convenience, cost effectiveness, or for any other reason. The ability to budget and rely upon a minimum required service fee charge to each customer is critical to maintaining the water system itself and is non-discriminatory among customers of the system.

- d. Conclusion: There is no authority under the Waterworks Rules & Regulations Ordinance to discharge the debt owed under this account for the water bill in question.

Frances Ober: 6145 Mackeys Rd.

- a. Summary: Disputes the use of 13,000 gallons of water. No leaks observed, fixtures changed anyways as precautionary measure. This bill has already been paid.
- b. Optional Meeting: Did not request optional meeting with WWRC.
- c. Analysis: No evidence or information was presented to or discovered by the WWRC suggesting that the disputed water bill resulted from anything other than the water actually being used or leaking.
- d. Conclusion: There is no authority under the Waterworks Rules & Regulations Ordinance to discharge the debt owed under this account for the water bill in question.

Robbins: 25 Albemarle Beach Road

- a. Summary: Disputes existence of any leaks, and possibility of 57,000 gallons of water leaking without notice. Argues charges were based on failure to properly carryover meter readings between old and new meters. Upset about staff communications.
- b. Optional Meeting: Requested optional meeting with WWRC and appeared, reiterated written concerns.
- c. Analysis: The WWRC questioned the Utilities Director concerning the possibility the old meter was read or recorded incorrectly during swap out with the new meter. The water used occurred before the new meter was installed eliminating this issue and the Director carefully reviewed the records to determine this had not occurred. The WWRC requested that the old meter be tested to insure the reading was not a faulty meter error. The meter in place during the water usage was tested and determined to be within normal parameters as reflected in the attached test report. Although the WWRC initially found it hard to accept that the quantity of water at issue could be used or leak without the knowledge of the account owner, after further research and consultation with the Utilities Director, the WWRC believes that such a leak is possible. Inconsistent and undetected leaks of this size are most often associated with unauthorized water usage via theft, or a stuck toilet flapper valve allowing water to run freely through a toilet fixture until discovered or inadvertently corrected by operation of the toilet resulting in a proper valve closure. No other evidence or information was presented to or discovered by the WWRC suggesting that the disputed water bill resulted from anything other than the water actually being used or leaking.
- d. Conclusion: There is no authority under the Waterworks Rules & Regulations Ordinance to discharge the debt owed under this account for the water bill in question.

Bill Herrington: 6384 Mackeys Rd.

- a. Summary: Attended the Board meeting at which Mr. Robbins (located nearby) spoke to the Board about the impossibility of this much water (57,000 gallons) being able to leak without notice. Questioned coincidence of amount used being the same as Mr. Robbins.
- b. Optional Meeting: Requested meeting with WWRC, did not appear.
- c. Analysis: Essentially the same as Robbins account analysis.
- d. Conclusion: Same as Robbins account conclusion.

V. WWRC Recommendations:

- a. Referred Account Recommendations: Based on the facts and circumstances of these accounts, there appears to be no authority under the Waterworks Rules & Regulations Ordinance to simply discharge or forgive the debt owed under these accounts for the water bills in question. However, there does appear to be authority under Article VII (B) LEAKS, to permit the account holders of these disputed water bills to request an abatement of ½ of the consumption billed for over 2000 gallons in a single month during any twelve (12) month period subject to the conditions stated in the Ordinance. This should enable the account holders to seek some relief from the bill in question if not other abatement has been granted within twelve (12) months of the time during which the leak occurred, and if the account holders will acknowledge that a leak could have caused the water usage for which they were billed and that steps have been taken to correct and prevent additional leakage.

More specifically the WWRC recommends that the BOCC direct Washington County staff to send a letter to each of the four (4) account holders notifying them of the BOCC's final decision, and unless otherwise determined by the BOCC, containing the following:

- i. The option to apply for an abatement for the disputed water bill if the conditions for such an abatement are satisfied and the account holder is willing to sign a document to that effect by: **5:00 PM, May 4th, 2015 (same as due date for April water bills)**.
 - ii. The option to enter into a written payment installment plan before the deadline stated above with the Utilities Department to pay the balance of the disputed bill in three (3) equal monthly installments (if bill is abated), or in six (6) equal monthly installments (if bill is not abated).
 - iii. The elimination of all interest, penalties, and/or fines related to the disputed bill amount only if the balance is paid in full, or a written payment installment plan has been entered into with the Utilities Department no later than the deadline stated above. Otherwise all such amounts will become due and payable with all other outstanding charges as of the date originally billed, and water service will be cut off as early as mid-May as part of normal cut-off operations.
- b. Waterworks Rules & Regulations Ordinance Recommendations:

Water bill disputes are a natural consequence of operating any water system, and the Utilities Department is structured to internally handle disputes more efficiently in order to prevent the expenditure of resources by other departments and Management on resolving water bill disputes which could be more constructively directed toward other County business.

Unfortunately the existence of the WWRC has created the perception within the community that it serves as a standing appellate body for unfavorable decisions regarding water bills and issues. This undermines the authority and effectiveness of the Utilities Director and Utility Department, and requires additional and considerable time and effort spent by the BOCC, County Management, and other staff to attempt to address these issues through a committee process. Therefore, the WWRC strongly recommends that it be disbanded to prevent this effect from continuing to develop.

Commissioner Johnson asked why the committee has decided to disband. Mr. Potter said that the committee was created to solve the 4 issues in question at that time. Those issues have been resolved. The committee should not be held responsible for the issues that can be handled by the Waterworks Director. Mr. Rhodes stated that there are 2,600 customers and this would create an avenue for residents to continually appeal and the Waterworks Director needs to be able to have the authority to do his job. Customers sign the Waterworks Ordinance and nowhere in that ordinance does it say the customer is entitled to an appeal. Customers are entitled to an abatement.

If the Waterworks Committee stays in place, there will always be disputed charges. A lot of work will be created and the authority of the Waterworks Director will be undermined.

Commissioner Manning asked about the new meters that were installed. He thought that the County was supposed to have less issues. Mr. Potter said two disputes occurred with the old meters.

Mr. Potter said he has done a tremendous amount of work on how waterworks is handled in other areas. It is an ongoing problem everywhere. With no way to show a misread or accounting error there is no way to forgive those water bills.

Chair Sexton said he had an experience with a water bill for his mother-in-law and Mr. Manring met her at her residence and was shown a report that shows the water usage almost down to the hour. She did have a water pipe bust even though she thought the water was shut off. So, she had to pay the bill.

Chair Sexton asked about the abatement process. Mr. Potter said a resident can apply for an abatement once per 12 month period to pay 1/2 of the bill over the minimal \$21 charge.

One of the recommendations is to be able to set up a payment plan for high water bills.

Chair Sexton said the County needs to educate our residents on this.

Mr. Rhodes said the Board needs to follow the ordinance and allow the Public Utilities Director to do his job. Part of the ordinance is referenced on the bill itself—the customers just need to read it.

Mr. Rhodes said those residents with the disputes were asked to come talk to the Waterworks committee. One came; however, others did not, but it was not held against those who did not. Mr. Rhodes noted that nothing new was brought forward from the folks to warrant any change to their outcome.

Commissioner Walker made a motion to approve the recommendations of the Water Committee mentioned above. Commissioner Phelps thinks that disbanding the committee would be doing a disservice to the citizens and he does not support it. **Motion died due to lack of a second.**

Mr. Potter said he would discuss other options in Closed Session.

RESOLUTION OPPOSING HUNTING ON SUNDAY: Chair Sexton heard from the Houndsmen Association and they are opposed to HB 640 Outdoor Heritage Act. Farm Bureau is opposed also. Commissioner Manning said this comes up every couple of years. He stated that about 75% of the hunters are opposed to hunting on Sunday. The recreational hunters who visit our area on the weekend are for it.

Chair Sexton called on Mr. Tracy Hassell, the animal control officer for his opinion. Mr. Hassell stated he is a member of the Houndsmen Association and he is against HB 640. His concern is for the kids running around on Sunday.

Commissioner Manning made a motion to approve the abovementioned resolution opposing HB 640 Outdoor Heritage Act (hunting on Sundays) and send on to the General Assembly. Commissioner Walker seconded, motion carried unanimously.

BOARDS & COMMITTEES: With the various turnovers in County positions, the membership of the Safety Committee needs to be updated. Ms. Ann Keyes provided the Commissioners with the following potential members.

WASHINGTON COUNTY SAFETY COMMITTEE

H-B

Mr. W.R. Sexton Washington County Commissioner Sexton Farm Road Plymouth, NC 27962	Ms Denise Waters Washington County Finance Office PO Box 1007 Plymouth, NC 27962	Delissa Johnson Washington Co. Communications PO Box 1007 Plymouth, NC 27962
Mr. Louis Boone Maintenance Technician PO Box 1007 Plymouth, NC 27962	Mr. Arlo Narman Washington Sheriff's Office PO Box 1007 Plymouth, NC 27962	Mr. Jerry Rhodes Washington County Manager PO Box 1007 Plymouth, NC 27962
Mr. John Flemming Washington County EMS PO Box 96 Plymouth, NC 27962	Ms. Rhonda Woolard Center for Human Services PO Box 10 Plymouth, NC 27962	Ms Billie Patrick MTW Health Department 2112 Hwy 94 North Columbia, NC 27925
Mr. Randy Fulford Washington County Recreation PO Box 553 Plymouth, NC 27962	Mr. Zebodee Taylor Rosnoke Development Center PO Box 967 Plymouth, NC 27962	Mr. LeVance Mitchell Washington County Detention PO Box 1007 Plymouth, NC 27962
Mr. John Barnes Washington County Sheriff's Office PO Box 1007 Plymouth, NC 27962	Ms. Vanessa Joyner Washington County Senior Center PO Box 10 Plymouth, NC 27962	Mr. Tracy Hassell Animal Control Officer PO Box 1007 Plymouth, NC 27962
Mr. Leo Davenport Probation/Parole Office 204-B East Water Street Plymouth, NC 27962	Ms. Julie Bennett Clerk of the Board PO Box 1007 Plymouth, NC 27962	Ms. Rebecca Liverman Washington County Agriculture 128 East Water Street Plymouth, NC 27962
Ms. Amy O'Neal Washington County Library 201 East Third Street Plymouth, NC 27962	Mr. Knapp Brabble Washington County Airport 1069 Airport Road Plymouth, NC 27962	Mr. Lou Manning Wash. Co. Utilities Director 396 West Millpond Road Roper, NC 27970
Ms. Maria Garrett Rosnoke Development Center PO Box 967 Plymouth, NC 27962	Ms. Marie Wallace PO Box 96 Plymouth, NC 27962	Ms. Lynn Swett Center for Human Services PO Box 10 Plymouth, NC 27962
Mr. Joey Thompson Building Inspector/Fire Marshall 205 E. Main Street Plymouth NC 27962	Mrs. Connie Barnes Planning/Safety 205 E. Main Street Plymouth NC 27962	Mrs. Ann Keyes Director of Planning and Safety 205 E. Main Street Plymouth NC 27962

Commissioner Phelps made a motion to approve the membership of the Safety Committee as presented to the Board. Commissioner Walker seconded, motion carried unanimously.

FINANCE OFFICER'S REPORT: Mr. Frank Milazi, County Finance Officer, noted that the PNC bank closed on March 20.

Commissioner Phelps made a motion to authorize Mr. Milazi to open a new account with Southern Bank. Commissioner Johnson seconded.

Mr. Milazi stated that he wants the County to be supportive of local banks but their fees are way too high. Also, BB&T and Gateway cannot provide services needed for the County.

Commissioner Johnson asked about the ATM services. Mr. Milazi said the ATM is working, but sometimes money needs to be deposited into different accounts and that can't be done at the ATM so someone must make a trip to take the money the PNC in Williamston.
Motion carried unanimously.

Mr. Milazi stated that budget sessions will be held all day on April 22-24 for the Commissioners. Commissioners will meet on Tuesday, April 21 @ 6:00 pm to begin their Budget Work Sessions.

Mr. Milazi discussed the following fees need that need to be added/increased for Animal Control. (10-3260-000) (002)

These fees do not currently exist in the fee schedule in the budget and should be added.

Pick-up/surrender dog \$15

Pick-up/surrender puppy \$10

Pick-up/surrender cat \$15

Pick-up/surrender puppy \$10

In the current fee schedule in the budget, the cost for adopting an animal is \$30. This needs to be increased to \$35 for dog/cat.

The housing fee currently in the budget will remain the same at \$5.00 a day for each animal.

The Sheriff's office is currently collecting these amounts.

Commissioner Manning made a motion approve the increase in fees listed above for Animal Control. Commissioner Johnson seconded, motion passed unanimously.

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

Chair Sexton said the Commissioners received correspondence from Harry Brown on the sales tax issue. He also told the Commissioners to be on the lookout for info from Berger on economic development.

Commissioner Phelps agrees with Commissioner Manning that the County should do a resolution on the sales tax redistribution.

Commissioner Johnson distributed lottery information that is specific to Washington County. She also mentioned the staff that administers the lottery funds will come to a fair and set up a booth to distribute their information and talk about what they do for that respective County.

Ms. Bennett noted that NCACC County Assembly Day is May 6, 2015 at the Quorum Center. Please let her know if you would like her to register you.

At the North Carolina Association of County Clerks Annual Spring Conference held March 26-28 in Alamance County, Ms. Bennett was installed as Vice-President for the NC Clerks Association.

Commissioner Manning made a motion to go into Closed Session pursuant to NCGS §143-318.11 (a)(3) (attorney client privilege). Commissioner Phelps seconded, motion carried unanimously.

Back in open session, **Commissioner Phelps made a motion to terminate the Creswell Medical Clinic Lease with Washington County Hospital, take possession and accelerate the remainder of the lease. Commissioner Manning seconded.** Discussion ensued. Commissioner Phelps stated, for the record, that there currently is no provider and the hospital is not in the Clinic and there are others who have expressed an interest in working in the Clinic. Mr. Potter said that by terminating the lease with Washington County Hospital, the County will be able to more easily negotiate with potential providers interested in the Creswell Medical Clinic. Mr. Rhodes and Mr. Potter will work with the potential providers who have shown an interest in the Creswell Medical Clinic and will bring proposals back to the Board. **Motion passed unanimously.**

At 9:20 PM, with no further business to discuss, Commissioner Manning made a motion to recess the meeting until April 21 at 6:00 pm (for a budget work session). Commissioner Phelps seconded, motion carried unanimously.

William R. Sexton, Jr.
Chair

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