

February 6, 2017

The Washington County Board of Commissioners met in a regular session on Monday, February 6, 2017 at 6:00 PM in the Commissioners' Room, 116 Adams Street, Plymouth, NC. Commissioners Johnson, Phelps, Riddick and Sexton were present. Also present were Interim County Manager/County Attorney Curtis Potter, Clerk to the Board Julie J. Bennett and Finance Officer Missy Dixon. Commissioner (Chair) Walker was unable to attend.

In Chair Walker's absence, Vice Chair Johnson called the February 6, 2017 meeting to order.

Commissioner Riddick gave the invocation. Commissioner Phelps led the pledge of allegiance.

ADDITIONS/DELETIONS: None.

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

- a) Approval of Minutes
- b) Tax Refunds & Releases and Insolvent Accounts
- c) Resolution: Designation of April as Senior Games Participation Month
- d) Letter of Non-Support: Occupancy Taxes and IBX Authority
- e) Resolution Supporting the Upgrading of US Highway 17 in Northeastern North Carolina to Interstate Standards

**Commissioner Phelps seconded, motion carried unanimously.**

PUBLIC FORUM: Mr. Russ Tipping, Barber Road, Roper, stated that Hurricane Sandy eradicated the end of Barber Road. The only thing left there is his driveway. Bus drivers turn around in his driveway. The Department of Transportation (DOT) took out concrete and put in pea gravel which doesn't hold up. This last storm took that part of the road out again. He's the only one that calls and has trash picked up on the road. The bus driver keeps knocking down the trash cans. Commissioner Johnson asked Mr. Tipping to call the County Manager's office tomorrow to get Mr. Wesley Stokes number [he is in charge of buses] to discuss the bus driver issue. The County Manager's office will give him DOT's number also.

Ms. Gloria Davenport Wynn, 216 Old Roper Road, Plymouth, stated she is an advocate for the people of Washington County. She said that tonight's agenda is very good. Communication is very important and the web page has not been updated with meetings in two (2) months. She said that two girls work in the office and feels things should move faster than that. Ms. Wynn also said that roads need to be marked on 64 better and that the County did not turn in a plan to DOT for road improvements. She says it has been done every January and has not seen it on the agenda.

Ms. Melanie Ashe, Mt. Tabor Road, Creswell, introduced Mr. Terry Amstutz, the new Washington County Hospital CEO, from AK. Dr. Nancy Feral will be joining WCH as the

Emergency Room Director in April. Mr. Amstutz thanked the community for their continued support. His number is (870) 904-5009. Call him anytime. He said he will be moving here soon. He's been here 24 hours. He said there is a great group of people at the hospital.

Mr. Tom Harrison, River Road, Plymouth, NC, stated that he started the North Carolina Black Bear Festival in 2015, and won the award that year for Best New Festival in 2015, and just won for the Best Festival in 2016 (Event of the Year) for the 2<sup>nd</sup> Annual NC Black Bear Festival held in June of 2016.

Mr. Potter told the Board that Mr. Rob Purvis, the district manager of Republic Services (from Aulander), was in the audience and invited him to speak to the Board. Mr. Purvis said he knows that there have been issues with trash pickup. The weather hasn't helped but they have also had other challenges and they are trying to do better. Mr. Purvis also said that the number on the trashcan does not work anymore. The correct number is 800-647-5777 and it goes to Republic's Service Center in Charlotte. Citizens won't get someone who knows the area, but they can get to someone who can help them.

Commissioner Phelps said he appreciated Mr. Purvis attending tonight's meeting. Commissioner Phelps said that Republic's services have been unacceptable to the citizens of this community. There were no public statements made when there were issues. Commissioner Phelps said he received over 30 calls about the trash not being picked up. Commissioner Phelps also said that the trash services will be up for bid this year.

**PUBLIC HEARING: FLOOD DAMAGE PREVENTION ORDINANCE:**  
**Commissioner Phelps made a motion to open the public hearing. Commissioner Sexton seconded.**

Ms. Ann Keyes said that at the last meeting of the Board of Commissioners they were told about the Washington County Planning Board meeting held on December 15, 2016, the Washington County Planning Board where they discussed flooding issues associated with "Hurricane Matthew". After a lengthy discussion including base flood elevation, water in yards, flooded ductwork and increasing freeboard, the Washington County Planning Board unanimously approved a motion to recommend the following to the Washington County Board of Commissioners:

The recommendation to amend the Washington County Flood Damage Prevention Ordinance, Specific Standards, to increase the lowest floor elevation to no lower than two feet above the base flood elevation from the existing one foot above base flood elevation.

Ms. Keyes said that structures that are already in place are grandfathered. If someone has to rebuild over 50%, they would have to go by the new guidelines. This could result in as much as ~\$200 savings on insurance premium.

**Commissioner Phelps made a motion to close the public hearing. Commissioner Sexton seconded.**

**Commissioner Sexton made a motion to approve the amendment to the Flood Damage Prevention Ordinance, Specific Standards, to increase the lowest floor elevation to**

**no lower than two feet above the base flood elevation from the existing one foot above base flood elevation. Commissioner Riddick seconded, motion carried unanimously.**

RESOLUTION: “STEPPING UP INITIATIVE TO REDUCE THE NUMBER OF PEOPLE WITH MENTAL ILLNESSES IN JAILS”: Commissioner Johnson stated that this initiative has been forward by North Carolina Association of County Commissioners (NCACC) because of our jails housing inmates with mental illnesses. Commissioner Johnson mentioned that Washington County’s resolution has been modified so that Washington County can support this initiative. The NCACC will allow us to partner with another County at the May 9<sup>th</sup> Stepping Up meeting so Washington County can be at the table to discuss this important issue.

**Commissioner Phelps made a motion to approve the Resolution--Stepping Up Initiative to Reduce the Number of People with Mental Illnesses in Jails. Commissioner Riddick seconded, motion carried unanimously.**

RESOLUTION OF SUPPORT FOR ADEQUATE FUNDING TO MEET THE MENTAL HEALTH, INTELLECTUAL AND DEVELOPMENTAL DISABILITIES, AND SUBSTANCE USE DISORDER SERVICE NEEDS FOR CITIZENS OF WASHINGTON COUNTY: Commissioner Johnson explained that this resolution also deals with mental health and the need for adequate funding for the needs of the citizens of Washington County.

**Commissioner Phelps made a motion to approve the Resolution of Support for Adequate Funding to Meet the Mental Health, Intellectual and Developmental Disabilities, and Substance Use Disorder Service Needs for Citizens of Washington County. Commissioner Riddick seconded, motion carried unanimously.**

RESOLUTION AMENDING TAX COLLECTION AGREEMENT WITH THE TOWN OF CRESWELL: Mr. Potter spoke with the Board about a resolution amending our tax collection agreement with the Town of Creswell. This amendment is needed to remove the automatic expiration of the contract in provision 11, clarify what “special assessments” means as requested by our foreclosure attorney, and allow the Town of Creswell to take advantage of having accounts referred to foreclosure under our foreclosure agreement and pay a lower cost when parcels are jointly referred by both the Town and County.

The consensus of the Board was to have the Town of Creswell sign it before the Commissioners sign it. This will be brought back at the March 6, 2017 Board of Commissioners meeting.

TAX COLLECTOR’S REPORT: Ms. Wilkins spoke to the Commissioners and stated that in accordance with NCGS 105-369(a), the following represents the total of unpaid 2016 taxes that are liens on Real Property as of month-end January 31, 2017: \$827,607.63. This is more than last year but the County has had the addition of discovery taxes that have been added and the tax rate was increased this year so the balances due are more.

Ms. Wilkins also stated that the County Delinquent Tax Coordinator, Darlene Harrison, has continued with wage garnishments, bank attachments, debt set-off and foreclosures.

Ms. Wilkins said the Tax Office is offering payment plans till June 2017 on the 2016 taxes.

Ms. Wilkins also noted that the ‘Notice of Lien Advertisement’ (2<sup>nd</sup> Notice Letters) and the Debt Set-off Letter will be combined this year and mailed in March. Delinquent taxes for 2016 will be advertised in April.

**Commissioner Sexton made a motion to approve the Tax Collectors Report on Unpaid 2016 Taxes That Are Liens On Real Property, January 31, 2017. Commissioner Riddick seconded, motion carried unanimously.**

**NACO FLAG DISPOSAL BOX PROGRAM:** Mr. Potter said he saw an article in the NACo newsletter regarding a Flag Disposal Box Program and wanted to bring it to the Board to see if they were interested in the County doing this. Mr. Potter said the Clerk checked with non-profits in the County (the VFW/American Legion) to see if they would assist us with this program and they said that they would.

Mr. Potter said the boxes would be located at the Library, the County Manager’s Office, Cooperative Extension, the Courthouse, DSS, Senior Center and the Town of Creswell office. The VFW/American Legion holds a ceremony once a year to dispose of flags.

**Commissioner Phelps made a motion to approve the County participating in the NACo Flag Disposal Box Program. Commissioner Riddick seconded, motion carried unanimously.**

**EMS FEE SCHEDULE:** Mr. Andrew Coccaro spoke about the increase he would like to see made in the EMS and Non-emergency Transport Fee Schedule. This should be done every so often to make sure we are keeping up with the costs that are changing. The changes would take effect in about a week.



Washington-Tyrrell County EMS  
958 US Hwy 64 East Plymouth, NC 27962  
252-793-7636

EMS and Non-emergency Transport Fee Schedule

Charge List	Fee
BLS Non-Emergent	\$275
BLS Emergent	\$440
ALS Non-Emergent	\$330
ALS 1 Emergent	\$525
ALS 2 Emergent	\$750
ALS Treat (No Transport)	\$175.00
Mileage	\$12.50/per. mile

**Commissioner Riddick made a motion to approve the changes to the EMS Fee schedule as presented above. Commissioner Phelps seconded, motion carried unanimously.**

PROS AND CONS OF FORMING FIRE DISTRICTS: Mr. Potter stated that during the last regular meeting on January 3, 2017, the Board received a recommendation from the Fire Commission presented by Planning & Safety Director Ann Keyes to use special district taxation to fund fire services in Washington County instead of using a portion of the ad-valorem property tax to do so which has been the historical practice. Staff was directed to bring pros and cons of using district taxation back to tonight's meeting for further discussion.

Since the last Board meeting, the Interim County Manager/County Attorney, Planning & Safety Director, and Tax Administrator met to discuss the pros and cons of using district taxation, and then met with the Fire Commission on January 30, 2017 to discuss this matter further. At that meeting, after discussing the various possible forms that district taxation could take, and the pros and cons of each, the Fire Commission voted to withdraw its previous recommendation and to recommend that the County continue to fund fire services using a portion of the ad valorem tax rate.

Mr. Potter said essentially there are 2 main ways to fund fire services using district taxation.

1. Rural Fire District Model: Requires a petition of 35% of the owners within each district, a ballot referendum on the question of whether to levy a special tax for fire services, and separate administration of the funds collected within each district. This is not recommended.
2. Service District Model: Requires a report submitted to Commissioners (including a district map, justification for the service to be provided, justification for why that service should be provided on a district rather than county wide basis, review of the districts population and tax base characteristics), a public hearing, a finding by Commissioners that the service should be provided using a service district model, and annual assessment of the tax to be levied in each district by the Commissioners. A different district could be established for each fire district, or a single county wide district (excluding the Town of Plymouth) could be established. If a service district model is pursued, it is strongly recommended by staff that a single service district be established to reduce the administrative burden each new district places on county staff/resources in the areas of tax, finance, and budgeting.

Mr. Potter went on to say that despite management being generally favorable to the concept of creating a single countywide service district (excluding the Town of Plymouth) to be used to assess and fund fire services separately from the ad-valorem property tax, based on the most recent recommendation from the Fire Commission after meeting with staff to continue funding fire services using the ad-valorem property tax rather than using district taxation, and due to the currently limited staffing/software resources available to administer a district tax in Washington County, staff concurs with the Fire Commission and recommends that the Board table its review of this matter for another fiscal year.

Mr. Potter also suggested allocating the necessary resources as part of the upcoming budget planning cycle for fiscal year 2018, to be in a better position to handle the possible administration of a district tax if implemented in the future.

Commissioner Sexton asked if the current tax bills shows 4 cent going to the Fire Commission. Ms. Wilkins said it has been done in the past, but not recently.

Commissioner Sexton asked if Fire, EMS and the Sheriff's Dept. services could be shown on the tax bill to show the citizens how their tax money is being spent. Commissioner Riddick reiterated that the Fire Commission said they didn't want to lose their 4 cents. Commissioner Phelps echoed what Commissioner Sexton and Commissioner Riddick said.

BUSINESS PERSONAL PROPERTY (BPP) TAX AUDIT APPEAL: Mr. Justin Britt of Britt Logging, Inc., said his main concern is the values placed on his equipment. He wants to pay taxes on what the equipment is worth. Mr. Britt said he doesn't feel the amounts are fair and equitable. His family has been in business for 38 years and they want to stay in the County and have a good relationship and pay what is owed, but may move elsewhere. Mr. Britt explained that he didn't have a full understanding of how they were supposed to report their taxes. It has been a learning process. The BPP audit folks have been working with them. Mr. Britt said he would like to have the values looked at again and have the penalties waived. He wants to pay what is owed, but not overpay.

Commissioner Sexton asked what the trend schedule that the State uses is. Ms. Wilkins says it depends on what the piece of equipment is. Mr. Bailey (with the BPP Auditing company) said they use an 8 year schedule for logging equipment because this equipment takes a beating.

Commissioner Phelps said that if he read the information right, Mr. Britt owes ~\$40,000. Commissioner Phelps asked Mr. Britt what he feels is equitable.

Commissioner Sexton asked Ms. Wilkins if the Commissioners are allowed to adjust the values. Ms. Wilkins said yes, but she asked them to please consider that carefully. It would make it more difficult going forward.

Commissioner Phelps said he would like to hear how the Board could waive the penalties.

Mr. Potter said that this leads into the next item. Mr. Potter asked Mr. Bailey if the majority of counties waive penalties. Mr. Bailey said most do not. Mr. Potter said that some counties do have a policy that can waive penalties. There is a great deal of discretion that the Board has for waiving penalties.

Commissioner Sexton asked if the Commissioners could set a cap on penalties and would every case have to come before the Commissioners. Mr. Potter replied yes to both questions.

Commissioner Johnson asked Mr. Britt if he was asking for consideration on changing the values. Mr. Britt replied yes.

Mr. Potter said if Mr. Britt's values were changed, the penalties would have to be recalculated based on the changed values.

Commissioner Phelps said liked what Hanover County does---release the penalties if it's the "offenders" first time being listed/discovered.

Vice Chair Johnson called for a five (5) minute recess.

POLICY DISCUSSION ON WAIVING BPP TAX PENALTIES: Mr. Potter said the Board basically has already discussed the waiving of BPP tax penalties in the previous discussions.

Commissioner Phelps asked what the fee is that the auditors are getting for Mr. Britt's audit. Mr. Bailey said ~\$2,000.

**Commissioner Sexton made a motion to waive the BPP tax penalties less the auditor's fee for first time offenders. Commissioner Phelps seconded, motion carried unanimously.**

Mr. Potter said he will bring back a resolution regarding waiving BPP tax penalties less the auditor's fee for first time offenders to the February meeting.

Commissioner Phelps said he feels it is beyond the scope of this board to change the values of Mr. Britt's equipment.

BUDGET CALENDAR: Mr. Potter discussed the Budget Calendar for 2017-2018. Mr. Potter said he would like to have a Budget Planning Retreat with the Commissioners on February 17, 2017 between 9:00 AM – 1:00 PM in the Commissioners' Room. Mr. Potter explained that the Retreat is just for Commissioners, not the Department Heads so that the Commissioners can give direction to the Budget Officer in working on the budget.

Mr. Potter went on to explain that he plans to have a budget kickoff meeting on March 1, 2017 with all the Department Heads.

**Commissioner Sexton made a motion to approve the budget calendar for 2017-2018. Commissioner Riddick seconded, motion carried unanimously.**

**Washington County, North Carolina  
Budget Calendar  
Fiscal Year 2017-2018**

<b>2017 DATES</b>		<b>BUDGET PROCEDURES</b>	<b>ACTION BY</b>	
			<b>Party</b>	<b>Statutes</b>
Mon*	2/6	Presentation of Proposed Budget Calendar & Discussion/Scheduling of Budget Retreat	CM/Board	
Fri	2/17	Budget Planning Retreat 9AM-1PM	Board	
Wed	3/1	<b>Budget Kickoff Meeting</b> Distribution of Budget Forms & Instructions	CM/CFO DHs (MANDATORY)	
	3/2 - 3/15	<b>Budget Consultations/Formulation</b> Ask for Assistance if needed	CM/CFO DHs (MANDATORY)	
Fri	3/17	<b>Deadline for the submission of budget requests</b> both expenditure & revenue to Finance	DHs	159-10 (April 30)
n/a	3/20 - 4/7	County Manager and Finance to meet with Departments, Schools, and other agencies to discuss requests and recommendations	CM/CFO/DHs BOE/FireComm/etc	
Fri	3/31	Update of tax valuation due from Tax Department	Tax	
Tues	4/18	Recommended budgets sent to departments	CM/CFO	
Mon	4/24	Final of tax valuation from Tax Department	Tax	
Tues	4/25	Recommended budget must be balanced	CM/CFO	
Wed	4/26	Budget message is reviewed/written	CM	
Mon*	5/1	<b>Recommended Budget Published &amp; Presented</b> With CM's Message to Board Filed with Clerk to the Board	CM	159-11 (June 1) 159-11(b) 159-12(a)
Wed	5/10	Publish in newspaper notice stating that budget has been filed and is open for public inspection & setting time & place for public hearing on budget	Clerk	159-12(a)
n/a	5/8 - 5/26	Commissioners work sessions to review budget with departments, agencies, school board	Board CM/CFO/DHs	
Mon**	5/22	<b>Official public hearing on the budget</b>	Board/Public	159-12(b)
Mon*	6/5	<b>Adoption of Budget Ordinance</b> <i>Budget Ordinance may not be adopted until (1) ten days have elapsed from date budget is filed &amp; (2) public hearing is held.</i>	Board	159-13 (July 1)
<b>NOTES:</b>				
* = Reg Board Mtg Date				
** = Extra Board Mtg Date				
<b>All dates are subject to changes or adjustment as deemed necessary by the WC Board of Commissioners or County Management</b>				



DISCUSSION OF A PLAN FOR THE PROPERTY AT THE CRESWELL PRIMARY CARE SITE: Commissioner Phelps told the Board that the County's 20 year plan was put together in 2006. There is a lot of the property still available at the Creswell Primary Care Site. Commissioner Phelps said he is talking with Congressman GK Butterfield and folks at Golden LEAF. He is also going to attend a Creswell Town meeting to see if they would like to partner with the County in doing something on that property.

BOARDS & COMMITTEES: Ms. Bennett went over the following requests.

**Albemarle Commission, Area Agency on Aging, Community Advisory Board (CAC)**

The Washington County Community Advisory Committee CAC (of the Albemarle Commission Area Agency on Aging) has had a member to resign thus creating a vacancy on this committee. They are asking the Commissioners to appoint someone to the CAC. This was tabled at the October meeting.

Ms. Vanessa Joyner, Senior Center Director, nominated Ms. Rosa Brown for the appointment to this Board.

**MTW Health Department Board**

Ms. Terrell Davis, MTW Health Department Director, is asking the Washington County Board of Commissioners to appoint another person as the Public Member on their Board. (The previous appointee no longer lives in the County.)

Commissioner Johnson nominated Mr. Charles Sharpe for the appointment to this Board.

**Parks and Recreation Advisory Board**

As a new member of the Parks and Recreation Advisory Board, Commissioner Riddick asked the Commissioners to look at the list of members which shows 3 members' terms expired as of December 31, 2016. Commissioner Riddick would like for each Commissioner to appoint or re-appoint someone to the Parks and Recreation Advisory Board to fill those expired terms.

Commissioner Phelps nominated Ms. Rona Norman for re-appointment.

Commissioner Riddick nominated Mr. Roy Hines for appointment.

Commissioner Sexton nominated Mr. Tommy Peed for re-appointment.

**Commissioner Phelps made a motion to approve all of the abovementioned appointments and re-appointments to the various boards. Commissioner Riddick seconded, motion carried unanimously.**

FINANCE OFFICER'S REPORT: Ms. Dixon presented Budget Amendments and Budget Transfers.

**Commissioner Sexton made a motion to approve the budget amendments BA#2017-018, BA# 2017-019 along with budget transfers BT#2017-020, BT# 2017-021 and BT# 201-022. Commissioner Riddick seconded, motion carried unanimously.**

Commissioner Phelps requested that the Coastal Pipeline money is to be spent on recreation equipment.

Ms. Dixon said on TTA after the audit, the payback of \$28,000 has been paid back to the County. We have also received Medicaid/Medicare cost allocations ~\$142,000. Commissioner Sexton asked Mr. Coccoaro if EMS is on track with receiving these costs. Mr. Coccoaro said we are heading in the right direction.

OTHER ITEMS BY CHAIRPERSON, COMMISSIONERS, COUNTY MANAGER, CLERK OR ATTORNEY: Commissioner Phelps said he received an email from Vickie Blackwell of Pelican Lane. She said the structure on Pelican Lane was supposed to be demolished in January. Ms. Keyes and Ms. Barnes said they were waiting on the Mr. Potter. Mr. Potter said he will talk with the Planning Office tomorrow.

Commissioner Phelps stated that he and Commissioner Riddick will be going to the Essentials of County Government course and Veteran Officials Workshop this week. Commissioner Riddick said she was excited about going to training this week.

Commissioner Johnson thanked Mr. David Tawes for selling the water meters. Commissioner Johnson also saw in the Department Head reports that Randy Fulford received the Dick Knox award from the State. She said it was nice for it to come to Washington County and that everyone should congratulate Mr. Fulford when they see him.

Mr. Potter said he attended the County Manager' Conference last week. He met with a lot of people and learned quite a few things that we can use in the County.

Mr. Potter also mentioned that over the next couple of years there is going to be a push to add post-employment benefits to audits.

Mr. Potter told the Board that the Albemarle Commission has a broadband survey out and has been put on our Facebook page.

Mr. Potter noted that the County has received the back-payment on the fire truck from Roper Fire Department.

**Commissioner Sexton made a motion to go into Closed Session pursuant to NCGS §143-318.11 (a)(6) (personnel), NCGS §143-318.11 (a)(3) (attorney-client privilege) and NCGS§143-318.11 (a)(5) (potential lease of real property from Domtar on Trowbridge Road for Public Safety Center). Commissioner Phelps seconded, motion carried unanimously.**

Back in Open Session, **Commissioner Phelps made a motion to approve the Hall Architects contract for the second opinion on the Pines Elementary School Roof and HVAC and that it be paid out of the 10-9800-983 fund and that the County Attorney can negotiate additional terms including, but not limited to, the timing of the project. Commissioner Riddick seconded, motion carried unanimously.**

**Commissioner Riddick made a motion to approve the scrap tire contract with Carolina Central Holding. Commissioner Phelps seconded, motion carried unanimously.**

**Commissioner Sexton made a motion to approve the terms of appointment for the Interim County Manager with adjustments made as presented. Commissioner Phelps seconded, motion carried unanimously.**

At 9:45 PM, with no further business to discuss, **Commissioner Phelps made a motion to recess the meeting to February 17, 2017 at 9:00 AM in the Commissioners' Room. Commissioner Riddick seconded, motion carried unanimously.**

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Julius Walker, Jr.  
Chair

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