

**REGULAR SESSION OF THE PAMLICO COUNTY BOARD OF COMMISSIONERS
MONDAY NOVEMBER 4, 2013**

The Pamlico County Board of Commissioners met in regular session on Monday November 4, 2013 at 7:00 p.m. in the Patsy H. Sadler Room of the Pamlico County Courthouse. All Commissioners were present with exception of Commissioner Carl Ollison. Also present were Attorney Dave Baxter, County Manager Tim Buck and Clerk to the Board Kathy P. Cayton.

Due to crowd capacity the meeting was moved to the Courtroom.

Chairman Ann Holton called the meeting to order.

Chairman Ann Holton delivered the invocation and led the assemblage in the Pledge of Allegiance.

Chairman Ann Holton asked if there were any corrections, additions and/or deletions to the minutes of the October 7, 2013 meeting. There being none, on a motion made by Commissioner Paul Delamar and seconded by Commissioner Jimmy Spain, the following resolution was unanimously approved.

BE IT RESOLVED, the minutes of the October 7, 2013 meeting are hereby approved and the Chairman's signature is authorized thereon.

Chairman Ann Holton declared the public hearing on the CDBG 2009 Project close out open.

Mr. David Harris, RSM Harris and Associates provide an overview of the project and stated they have applied for an extension, but have not heard if it was approved or not. Chairman Ann Holton asked if there were any members of the public to speak. There were none. Chairman Ann Holton declared the public hearing closed.

Chairman Ann Holton recognized Mr. Allen Propst who came before the Board to discuss the land clearing activities associated with a tract of land known as the Atlas Tract. Atlas Tract is a 4,658 acre tract of land between Florence Whortonsville Road and Trent Road. This land is part of the most important watershed on the lower Neuse River. Owners of the watershed, locally known as the Atlas Tract, are trying to convert those 4600 acres from a wetland forest to agriculture. Mr. Propst stated this could really arm the Neuse River and both the life within it and the life here on its shores. He is requesting that the Board to submit a letter to the Colonel of the Wilmington Branch of the US Corps of Engineers requesting a reconsideration of the Corps decision to classify the Atlas Tract as upland. He also asked that the Board to consider adoption of an ordinance that would regulate ditching, drainage, or hydrological alteration of forested land.

On a motion made by Commissioner Paul Delamar and seconded by Commissioner Christine Mele, the following resolution was unanimously approved.

BE IT RESOLVED, a letter will be sent to Colonel Steven A. Baker, Commander, Wilmington District U.S. Army Corps of Engineers and carbon copied to our Senators and Representatives requesting they review the determination that the 251 acre tract owned by Spring Creek Farms, LLC does not constitute wetlands, investigate previous drainage activities on this site were properly authorized.

BE IT FURTHER RESOLVED, the Board of Commissioners request that a representative appear before them with the conclusions of the investigation and their basis for a determination that the subject tract is not wetlands.

On a motion made by Commissioner Paul Delamar and seconded by Commissioner Christine Mele, the following resolution was unanimously approved.

BE IT RESOLVED, the following proposed language for an ordinance be referred to the Planning Board for further consideration:

Ditching, drainage or hydrological alteration of forested land may increase flooding of flood hazard areas. Ditching, drainage, or hydrological alteration of forested land, including forested land on which the trees were recently harvested, is prohibited without first notifying in writing by certified mail the U.S, Army Corps of Engineers regulatory office, the NC Division of Water Resources, NC Division of Coastal Management, NC Division of Energy, Mineral and Land Resources, NC Forest Service and the County Manager. The notification to the County Manger shall include notarized copies of the notifications to the US Army Corps of Engineers, the NC division of Water Resources, and the NC Forest Service as well as the affirmative written finding by each of these agencies that the proposed activities are consistent with all applicable federal and state laws and regulatory standard.

A motion was made by Commissioner Paul Delamar and seconded by Commissioner Kenny Heath to excused Commissioner Christine Mele from the meeting. The Board unanimously agreed.

On a motion made by Commissioner Paul Delamar and seconded by Commissioner Kenny Heath the following resolution was unanimously approved.

BE IT RESOLVED, that is to be requested to ask Senator Sanderson and Representative Speciale to introduce a local bill that could be drafted into a state law that could be defended by the Attorney General preventing to ditching, draining or hydrological alteration of forested land without notification to the proper authorities.

Chairman Ann Holton asked if there were any members of the public to speak there were seven (7).

1. Mr. John Alison: Lives on Bay River across the street from the project and said the attack on nurseries and large bodies of water will affect the fish, oysters and crab population.
2. Bill Hines: He is a volunteer creek keeper in Pamlico County. He is encouraging everyone to keep the waters as pristine as possible. The nurseries are a fragile environment. This project could also affect the real estate values.
3. Darell Wiard: He lives on Ball Creek. He is against the project and wants to make sure we protect our oyster, shrimp and fish industry.
4. Julian Broughton: He is 82 years old lives less than a mile from the project. He does not believe it is wetlands because he has not seen one bulldozer get stuck and if it were wetlands they would be pulling them out and he has not seen one being pulled out. He stated this project would bring employment and money into the county.
5. Jake Jacobson- Vice President of Neuse River Keeper Foundation. He asked that we take care of our wetlands. Algae blooms cause loss of oysters and loss of nutrients.
6. Laura Wargo: This project would devastate the area. Wetlands act as a sponge she has personally been out to the Atlas Tract and it will be devastating to plant and water life and she encourages the county to pursue further methods to prevent this from happening.
7. Grady O'Neal: He is 87 years old and is very skeptical when the government gets involved in progress. He is not convinced that this is wetlands and need to look at it further. He feels it is an attack on free enterprise.

The Board then turned their attention to the Consent Agenda.

On a motion made by Commissioner Paul Delamar and seconded by Commissioner Kenny Heath, the following resolutions were unanimously approved.

BE IT RESOLVED, the request to hold the Employee Luncheon on Friday December 13, 2013 from 11:30 a.m. until 2:30 p.m. at the Ned Delamar Center is hereby approved.

BE IT RESOLVED, the following Budget Amendment was hereby approved.

The original budget is being revised with this Budget Revision. A Budget Amendment will revise the total dollar amount, either increase or decrease, of the original Budget Ordinance. A Line Item Transfer will revise the dollar amounts allocated between different programs in a department with more than one budget code or different line items within a single department code but will not increase or decrease the Budget Ordinance.

FISCAL YEAR 2012-2013

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
100400 438312	SHERIFF- MISC. REVENUE	\$10,000.00	
104310 555000	CAPITAL OUTLAY	\$10,000.00	

Reason for Budget Revision: To recognize donation made to Sheriff's Dept.

BE IT RESOLVED, the request from County Manager Tim Buck to waive the \$25.00 service charge on four (4) customer accounts associated with cutoffs for non-payment due to a billing issue is hereby approved.

BE IT RESOLVED, the following tax releases and reliefs are hereby approved.

Name	Year	Tax/Ticket	Reason	Amount
Ostran, Peggy	2013	4320/6528951	Sold in 2012	\$ 15.93
Keller Family Trust	2013	7592/6532961	Clerical error	\$ 19.34
Stevenson, Richard	2013	18483/6513296	Clerical error	\$ 8.20
Barber, William	2013	36948/6509094	Double listed	\$ 250.67
Whitaker, Jon	2013	37575/6509289	Boat not in Cty	\$ 88.12
Hacker, Virgil	2013	19318/6514042	Boat sold	\$ 5.62
NC Coastal Land	2013	10021/6509758	Property exempt	\$ 101.32
Anton, Andrew	2013	16415/6511258	Boat sold	\$ 182.22
Jordan, Rodney Jr.	2013	20634/6515568	Boat sold	\$ 40.30
Phillips, Charlie	2013	19514/6514279	Boat sold	\$1025.53
Ross, Robin	2013	36951/6509099	SW Double listed	\$ 222.92
Roundtree, Donald	2013	8229/6533562	MH torn down	\$ 47.15
Bennet, Edward	2013	8895/6534109	Boat sold	\$ 88.77
Lord, Eleanor	2013	18453/6513267	Destroyed	\$ 10.96
Bysheim, Knute	2013	4768/6529720	Does not own	\$ 1.77
Vorhees, Robert	2013	18351/6513150	Boat sold	\$ 122.94
Smith, George	2013	5182300/6530293	Boat sold	\$ 78.61
Dugan, John	2013	19943/6514701	Boat in Craven	\$ 98.67
Williford, Dannett	2013	18693/6513437	Boat sold 12	\$ 72.99
Hopkins, Teresa	2013	2189/6517068	Does not own	\$ 43.59
Abbott, John	2013	1100/6510029	SCE not applied	\$ 294.84
Fears, Robert	2013	7048896/6448418	DMV released	\$ 55.91
Avery, Brenda	2011	7058408/6459171	DMV released	\$ 62.68
Saunders, Clinton	2013	4960000/6529912	SCE not applied	\$ 405.21
Davis, James	2013	5159/6530249	SCE not applied	\$ 199.14
Lind, Robert	2013	22748/6534498	SCE Applied	\$ 532.11
Barrow, John	2013	38685/6535808	Value reduced	\$ 35.93
Roberts, Mitchell	2013	29333/6525123	Coding error	\$ 61.11
Justice James	2013	30413/6526865	Value change	\$ 166.28
Lytle, James	2012	3430500/6470053	Clerical error	\$ 404.83
Sarageno, Susan	2012	24058/24058	Error	\$ 127.77
Barber, William	2012	2012/6464061	Double listed	\$ 241.61

BE IT RESOLVED, the request for a public hearing to be held on November 18, 2013 for public comment on the changes to the Mobile Home Park Ordinance is hereby approved.

BE IT RESOLVED, the MOU between Pamlico County and the Babe Ruth Inc. for the installation of the ball field irrigation system is hereby approved.

The Board then turned their attention to the Correspondence Agenda.

On a motion made by Commissioner Paul Delamar and seconded by Commissioner Pat Prescott, the following resolution was unanimously approved.

BE IT RESOLVED, the request to renew the County's lobby contract with McClees Consulting Inc. is hereby approved. The renewal terms are for \$15,450 from January 1, 2014 to December 31, 2014.

On a motion made by Commissioner Kenny Heath and seconded by Commissioner Paul Delamar, the following resolution was unanimously approved.

BE IT RESOLVED, the request from Ms. Violet Ollison, Senior Services Director to hire temporary assistance to cover management duties while she out on medical leave and to assist in training approximately 12 weeks is hereby approved.

County Manager stated the September 30, 2013 Board Workshop, the Board authorized him to draft a proposal to allocate funding to two existing positions that are currently unfunded: Senior Center Front Desk Clerk and Environmental Health Clerk. The stipulations are that we use existing funds within the fiscal year 2013-14 budget. Funding for the positions is as follows:

Funding: Grant (SS)-\$11,680
Planning: Lag - \$20,489
Health Dept: Lag - \$19,000
Total: \$51,169

On a motion made by Commissioner Paul Delamar and seconded by Commissioner Pat Prescott, the following was passed by majority vote. Commissioner Jimmy Spain cast a dissenting vote.

BE IT RESOLVED, the request to fill two existing positions that were currently unfunded positions the Senior Services front Desk Clerk and Environmental Health Clerk is hereby approved.

BE IT FURTHER RESOLVED, the Senior Services front desk clerk will be put into place at the conclusion of the addition of help for 12 weeks of training.

OPTION	ADVANTAGE	DISADVANTAGE
Hire 2 full time Entry Level Employees. Total Cost - \$69,265	Full coverage of positions with no lapse.	Requires training of new employees and steep learning curve, especially for EH Clerk Highest Cost.

Chairman Ann Holton recognized Mr. David Harris who gave the Board a Hazard Mitigation Update.

On a motion made by Commissioner Kenny Heath and seconded by Commissioner Paul Delamar, the following resolution was unanimously approved.

BE IT RESOLVED, the request from Ms. Patricia Stenbridge, Jail Administrator to recognize revenue in the amount of \$15,000.00 to be used for the overtime budget for the jail is hereby approved.

A motion was made by Commissioner Paul Delamar and seconded by Commissioner Pat Prescott to go into closed session in accordance with G.S. 143.318.11(a) 3 and 6 for attorney/client privilege and a personnel issue.

A motion was made by Commissioner Paul Delamar and seconded by Commissioner Kenny Heath, the Board went back into open session.

There being no further business on a motion made by Commissioner Paul Delamar and seconded by Commissioner Kenny Heath, the Board adjourned until Monday November 18, 2013 at 7:00 p.m.

Chairman

Clerk to the Board