

**REGULAR SESSION OF THE PAMLICO COUNTY BOARD OF COMMISSIONERS  
MONDAY MAY 4, 2015**

The Pamlico County Board of Commissioners met in regular session on Monday May 4, 2015 at 7:00 p.m. in the Patsy H. Sadler Room of the Pamlico County Courthouse. All Commissioners were present with exception of Commissioners Kenny Heath and Carl Ollison. Also present were Attorney Dave Baxter, County Manager Tim Buck, Finance Officer Bill Fentress and Clerk to the Board Kathy P. Cayton.

Chairman Pat Prescott called the meeting to order, delivered the invocation and led the assemblage in the Pledge of Allegiance.

Chairman Pat Prescott asked if there were any corrections, additions and/or deletions to the April 16, 2015 minutes. There being none, on a motion made by Commissioner Paul Delamar and seconded by Commissioner Ann Holton, the following resolution was unanimously approved.

**BE IT RESOLVED, the minutes of the April 16, 2015 meeting are hereby approved and the Chairman's signature is authorized thereon.**

Chairman Pat Prescott recognized Dr. Cleve Cox, Pamlico Community College President who came before the Board to present their 2015-2016 Budget Requests. He stated their Plant Operations/General Administration request was less this year than their 2014-2015 allocation. Dr. Cox requested funding for the paving of the parking lot at the Bayboro Center and for additional sidewalks on campus. The Board thanked Dr. Cox for his presentation.

Chairman Pat Prescott asked if there were additions and/or deletions to the agenda. There were two (2).

A motion was made by Commissioner Ann Holton and seconded by Commissioner Paul Delamar and unanimously approved to add the resolutions for Veterans Status and Military Appreciation Month to the Consent Agenda.

There were no members of the public to speak during public comment period.

The Board then turned their attention to the Consent Agenda.

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

**BE IT RESOLVED, that a public hearing regarding the amendment to the Pamlico County Flood Damage Prevention Ordinance will be held on Monday May 18, 2015.**

**BE IT RESOLVED, the following Budget Amendments are hereby approved.**

*Department: Maintenance*

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 2014-2015**

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
10-6120-512600	Salaries & Wages P/T		\$700.00
10-6120-525100	Auto Supplies		\$800.00
10-6120-529000	Departmental Supplies		\$500.00
10-6120-531000	Travel		\$530.00
10-6120-545000	Insurance & Bonds		\$700.00
10-5000-519900	Contracted Services	\$3,230.00	

*Reason for Budget Revision:* To move money to cover additional expenses.

*Department: DSS*

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 2014-2015**

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
10-5310-533002	Natural Gas	\$500.00	
10-5310-526000	Office Supplies		\$500.00

*Reason for Budget Revision:* To adjust the budget to reflect actual spending pattern.

*Department: Data Processing*

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 2014-2015**

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
10-4210-535200	M & R Equipment	\$1,000.00	
10-4210-538100	Programming		\$1,000.00

*Reason for Budget Revision:* To move funds to cover expenses.

*Department: DSS*

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 2014-2015**

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
10-5800-548703	EDTAP-DSS	\$ 220.00	
10-5800-548706	EDTAP-PCC	\$ 518.00	
10-0000-439900	Fund Balance Appropriated	\$4,259.62	
10-5800-548704	EDTAP-Senior Services		\$ 188.38
10-5374-548709	Work First/Employment		\$ 347.00
10-5801.548708	Rural General Public (RGP)		\$7,330.00
10-0212-435800	EDTAP Revenue		\$3,829.00
10-0212-435803	Work First/Employment Revenue		\$ 228.00
10-0212-435808	RGP Revenue		\$7,330.00

*Reason for Budget Revision:* To reflect the actual FY 2015 ROAP Grant.

*Department: Soil Conservation*

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**FISCAL YEAR 2014-2015**

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
10-4962-523000	Education Supplies	\$80.00	
10-4962-531000	Travel		\$80.00

*Reason for Budget Revision:* To move funds to cover expenses.

*Department: Soil Conservation*

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 2014-2015**

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
10-0223-434970	NRCS-Stream Restoration Debris	\$38,724.00	
10-4961-519900	Contracted Services	\$38,724.00	

*Reason for Budget Revision:* To recognize revenue for the Stream Debris Removal project.

Department: DSS

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FISCAL YEAR 2014-2015

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-0212-435310	Administrative Revenue	\$ 7,500.00	
10-5310-519200	Professional Services	\$15,000.00	
10-0000-439900	Fund Balance Appropriated	\$ 7,500.00	

*Reason for Budget Revision:* To adjust the budget due to increase need for attorney cost in CPS.

**BE IT RESOLVED, the following resolution is hereby approved.**

**A RESOLUTION OF THE NORTH CAROLINA PAMLICO COUNTY BOARD OF COMMISSIONERS IN SUPPORT OF ALTERNATIVE METHOD OF RECOGNITION FOR VETERANS STATUS TO WW II COASTWISE MERCHANT MARINERS**

**Findings 1:** Some US Merchant Marine Seamen of WW II gained veteran status under a court ruling via Schmacher, Willner, et al, V. Secretary of the Air Force Edward C. Aldridge, Jr 665 F Supp 41 (D.D.C 1987). The USCG later **required** they meet certain eligibility requirements.

**Findings 2:** Some 10,000 to 30,000 **coastwise** seagoing tug and barge merchant seamen have been or may be denied recognition upon application because actions taken by government agencies (prior to P. L. 95-202) have removed required eligibility records from being available to the veteran.

**Findings 3:** Commandant, USCG Ltr 5739 Ltr of 09 Apr 2010 states, "**The US Government did not issue mariner credentials to females during the World War II.**"

**Findings 4:** USCG Information Sheet #77 (April 1992) identifies **acceptable forms of documentation** for eligibility meeting the requirements pursuant to Schmacher V. Aldridge, 655 41(D.D.C 1987)

- a. Certificate of Discharge (Form 718A)
- b. Continuous Discharge Books (ship's deck/engine logbooks. (Non-military document)
- c. Company letters showing vessel names and dates of voyages. (Non-military document)

**Findings 5:** Commandant USCG Order of 20 March, 1944 **relieves masters** of tugs, towboats and seagoing barges **of the responsibility of submitting reports of seamen shipped or discharged on forms 718A**. This action removes item (a) from the eligibility list in Findings 4.

**Findings 6:** USCG Information Sheet # 77 (April, 1992) further states “Deck logs were traditionally considered to be the property of the owners of the ships. After World War II, however, the deck and engine logbooks of vessels operated by the War Shipping Administration were turned over to that agency by the ship owners, and **were destroyed during the 1970s because they were too burdensome to keep and too costly to maintain.**” This action effectively eliminates item (b) from the eligibility list in Findings 4

**Findings 7:** Company letters showing vessel names and dates of voyages are highly suspect of ever existing due to the strict orders prohibiting even the discussion of ship/troop movement. Then consider item (c) of Findings 4 should be removed from the eligibility list. USCG Info Sheet # 77, page 2 refers

**Findings 8:** Excerpts from Pres. Roosevelt’s fireside Chat 23: On the Home Front (Oct. 12, 1942):“In order to keep stepping up our production, we have had to add millions of workers to the total labor force of the Nation. “In order to do this, we shall be compelled to use **older men, and handicapped people, and more women, and even grown boys and girls**, wherever possible and reasonable, to replace men of military age and fitness; **to use their summer vacations, to work somewhere in the war industries.**” Underage combatants had served in all of America’s wars from the time of the Revolution. The unknown number who served in the Second World War perpetuated that legacy. They served with distinction and valor, and indisputably demonstrated that, despite their age, they could serve as well as those around them.

**Findings 9:** Post the Revolutionary War; many Acts of Congress were enacted to provide pensions to those veterans applying for support. Thousands of servicemen were without documented service and remained without any viable means to prove service. Excerpts from documents retained at the NARA provide: **Generally the process required an applicant to appear before a court of record in the State of his or her residence to describe under oath the service for which a pension was claimed.** This establishes precedence for using certified oaths in conjunction with the Social Security documents as alternative documentation.

**Findings (10):** US CG Official Shipping/Discharge documents (Forms 718A) were obtained from the National Archives and Records Administration, Wash. DC that contained information proving Active Duty (AD) services for some WW II coastwise barge and tug Mariners. Together with information obtained via a FOIA request to the National Maritime Center, research brought forth additional information. **Research conducted between June-August 2013, in concert with the NMC**, using official records of 1172 coastwise mariners and the USCG Merchant Marine Casualties of WW II report of 1950 identified:

### **WW II Coastwise Mariners Listing: Excel Sheet #1**

- 1172 Mariners identified via official USCG Shipping/Discharge Forms 718A
  - 84 Mariners may be women according to their feminine sounding names; OR 7.2%
- 1058 Mariners' ages were specified. Ages ranged from 10 to 78.
- 583 Mariners identified within draft age and included those in 4F status; OR 55.1% of known ages.
- 525 Mariners identified at over the draft age of 37; OR 49.6% of known ages.
- 114 Mariners with age not specified; OR 09.7%
  - 47 Mariners who served were under the age of 17; OR 4.4% of known ages.
- 16 Mariners KIA with 1 receiving DD Form 1300.

### **National Maritime Form DD 214 Listing: Excel Sheet #2**

- 794 Mariners were identified on NMC Coastwise Mariners listing identifying Active Duty services.
- 291 Mariners on NMC listing had no USCG MMLD numbers listed; OR 36.6%
  - 85 Mariners **issued** DD Form 214 from NMC listing, OR 10.7% of NMC; OR 7.2% of WW II CMM

### **Merchant Marine KIA & MIA Casualties from all causes = 9521** \* (usmm.org)

- 5662 Mariner Casualties from USCG per 1950 Report \* (USCG 1950 casualty report)
- 3859 Mariner Casualties from Other Sources \* (Additional sources = Art. Moore and US Congress)

### **Merchant Marine Casualties recognized by all sources = 414**

- 344 Mariner Casualties from USCG 1950 Casualty Report \* (USCG 1950 casualty report)
  - 70 Mariner Casualties from NMC report & not listed on USCG 1950 Casualty List \* (NMC DD 1300 Report)
  - 1 Mariner in NMC DD 1300 files as having received Form DD 1300 yet 16 identified on WW II CM listing

**Rationale: 9521 Merchant Mariners KIA or MIA** serving and **only 414** receiving Veteran status.

**Findings 11:** The USCG **cannot** provide a **true estimate** of merchant mariners serving in WW II. **GAO/HEHS-97-196R** refers. Estimates range from 250,000 to 840,000 from recognized historians and GAO audit... None of these historians were aware of these 10,000 to 30,000 coastwise merchant seamen where many served without proper credentials and were not included in above estimates. **Some were elderly handicapped; others women and some were school children** who served in billets, drew wages and paid taxes. They served on the same vessels in the same hostile war zones and performed the same services alongside others who were documented. **Yet, only about 91,000 merchant mariners have been recognized as veterans with just 1192 of these veterans in receipt of compensation or pension benefits the VA refers.** This is a vast disparity in ratio of the other service branches.

**Findings 12:** DOD and NARA Agreement **N1-330-04-1 of Jul, 08, 2004** puts in place a procedure to transfer military personnel files of individuals from all services, (including civilian personnel or contractual groups who were later accorded military status under the provisions of Schmacher, Willner, et al, V. Secretary of the Air Force Edward C. Aldridge, Jr 665 F Supp 41 (D.D.C 1987). This agreement affects military personnel records of individuals **62 years** after separation from service. Action has taken place for all **except** the US Merchant Marine IAW above stated court order. This **inaction** by the **Department of Homeland Security via (COMDT USCG)** has caused many of the mariners to have **gone unrecognized** for their services. Many seafarers have passed without ever gaining recognition or benefits and soon all will be History. National Personnel Records Center estimate there are between 1400 to 2500 Cubic feet of Shipping/Discharge documents being stored at the NARA district offices and NMC yet to be transferred to the National Personnel Records Center in St. Louis, Missouri. NMC cites **about 91,000 out of 250,000 to 840,000 have ever received recognition** as veterans; and, with many unable to gain access because of age and health condition requiring assistance for others outside family. Had compliance taken place, these records would have been available to all and providing the mariner a chance to being recognized many years ago and enjoying the benefits awarded to them via court order.

**Whereas: (1)** By court order, Schumacher v. Aldridge 665 F Supp 41 (D.D.C. 1987) **provided for veteran status** to certain US Merchant Marine seamen during WW II (07 December, 1941 to 31 December, 1946) with the same benefits accorded all veterans as administrated by the Veterans Administration. There were **no provisions** for the elderly handicapped, women or schoolchildren to even be considered for their services as mariners serving anywhere within the US Merchant Marine providing an avenue to veteran status.

**Whereas: (2)** The USCG Information Sheet #77 of Apr. 1992 identifies specific criteria to be used to prove active duty performed by an individual seaman for the purpose of attaining veteran status and findings (5), (6) & (7) identified specific **official government actions** that **removed** these particular documents from the reach of the mariner. This **clearly identifies the requirement** to put in place a method of utilizing **alternative** documentation and other approved methods to replace specific documents removed from use by the government actions cited elsewhere in this document.

**Whereas: (3)** Women **were removed** from ships at the onset of WW II and not allowed to serve in any capacity by direction of the War Shipping Administrator, Admiral Emory S. Land. The Captains of the Ports (USCG COTP) were given specific directions to **deny** official USCG maritime credentials to any woman requesting them. They **served but without official credentials** in every capacity on most vessels. Families were the sole crew on many barges throughout the WW II and afterwards. Companies **welcomed this** arrangement because **critical** crew replacements were **reduced** considerably. This allowed those barges to move the bulk war materials more quickly

and freed the more abled bodied seaman to man the larger seagoing ships taking vital supplies to troops on all the fronts, keeping the enemy from our doors. A **win win** situation vital to war defense. **To date** there is **no law or other avenue** recognizing women as veterans of the US Merchant Marine during WW II

**Whereas: (4)** President Roosevelt's speech of 12 Oct, 1942 **puts in place the use of elderly and handicapped individuals, school children and women in an effort to support war efforts** by replacing men of military age and fitness, and in stepping up our production of war materials for those on the front lines. Because of this speech, women, the elderly disabled and schoolchildren entered the varied war defense plant services in droves and many found their way into the coastwise barge and tug trades as well.

**Whereas: (5)** DOD & NARA Agreement N1-330-04-1 of July 08, 2004 **provides for the transfer** of military records to the National Personnel Records Center, St. Louis, MO for use as archival records, open to the public. But **inaction by the DHS for the mariner in over 10** years has caused the veteran loss of due access of his records that may have accorded him recognition as a veteran. Recommend Congressional inquiry into delay of WW II Merchant Mariners personnel records.

**Whereas: (6)** Previously attempted bills, HR 1288 and S-1361, would have provided for **alternative records** to be used in place of **records lost, destroyed or denied** for coastwise seamen affected; and allowed women and school children be recognized for their services rendered for the first time ever. There are **no laws** in place to allow for resolution of this issue.

**Whereas: (7)** The elderly disabled, children and women have served in every war this nation has ever known. Most have served without recognition but history is replete with actions of young children stepping up to serve, some receiving our highest honors and others serving in our highest ranks of service, congress and the presidency; e.g. President Andrew Jackson (age **13**); America's first Admiral, David Glasgow Farragut was appointed a midshipman at (age **9**) by President James Madison; Willie Johnson (age **11**) was recipient of the Medal of Honor; Albert Cohen of Memphis TN who enlisted at age **11** & KIA age **15**. History is filled with children defending this nation and Coastwise Mariners had their fair share of them. **Findings #9 & #10 provide support info.**



**Whereas: (8)** Although they served gallantly and with honor, actions taken against those that were elderly and disabled, school children and women by denying them official credentials during WW II is considered **discrimination** today.

**Whereas: (9)** The process used to determine whether an individual performed service under honorable conditions that satisfies the requirements of a coastwise merchant seaman who is recognized as having performed active duty service under the court ruling via Schmacher, Willner, et al, V. Secretary of the Air Force Edward C. Aldridge Jr 665 f Supp 41 (D.D.C.1987). There are no considerations in any **existing** legislation that provides for women who served, under aged schoolchildren or elderly handicapped seaman any avenue to attain veteran status. **Nor** is there a current avenue to use alternative methods of recognition or other actions that have proved effective in past wars for use in lieu of documents that were denied and/or destroyed by several specific official government actions.

**The following actions are recommended:**

**(1) Initiate congressional actions to:** Provide sufficient response to support Merchant Mariners' provisions of HR 1288 (with wording intact to insure all coastwise barge and tugboat mariners who served during WW II (regardless of age, gender or disability) are recognized as veterans in accordance with or similar to: court ruling via Schmacher, Willner, et al, V. Secretary of the Air Force Edward C. Aldridge, Jr 665 F Supp 41 (D.D.C 1987, **granting veterans status**

**(2) Initiate congressional inquiry into:** Delay of WW II Merchant Mariners personnel records movement to National Military Personnel Center.

**(3) Initiate congressional actions to:** Recognize WW II Mariners identified as KIA/MIA as Veterans of this Nation.

Now, therefore, be it resolved that the Pamlico County, North Carolina Board of Commissioners hereby supports these efforts on behalf of the World War II Coastwise Merchant Mariners and urges our Representatives in the Senate (Senators Richard Burr and Thom Tillis) and in the House (Representatives Walter Jones and George K. Butterfield) to fully support and initiate all necessary actions , including full support of HR 1288, "WW II Merchant Mariners Service Act", to pass legislation approving the above findings and recommendations.

Adopted this 4th day of May 2015.

**BE IT RESOLVED, the following resolution was hereby approved.**

## **Resolution For Observance of Military Appreciation Month In May 2015**

**Whereas, Senate Joint Resolution 421 and House Joint Resolution 406 have been introduced in the North Carolina General Assembly to “Express Gratitude and Appreciation to the Men and Women of the United States Armed Forces” of the U.S. Department of Defense, the U.S. Department of Homeland Security, the North Carolina National Guard and related organizations; and**

**Whereas, the military’s presence in North Carolina accounts for more than 540,000 direct and indirect jobs in North Carolina and has a combined annual economic impact of more than \$48 billion in North Carolina; and**

**Whereas, the State of North Carolina is home to 106,400 active duty military personnel, some 12,000 members of the N.C. National Guard and nearly 800,000 Veterans of military service...and thousands of civilians employed by the government at military installations in North Carolina or work in private-sector jobs that provide goods or services in support of the military...as well as their family members; and**

**Whereas, Marine Corps Air Station Cherry Point and Fleet Readiness Center East combine to have an economic impact of more than \$2.1 billion for the four-county region (Carteret, Craven, Jones and Pamlico counties); and**

**Whereas, Pamlico County is home to Coast Guard operations at Hobucken; and**

**Whereas, the four aforementioned counties are collaborating on the development of a Cherry Point MCAS Regional Joint Land Use Study to guard against encroachment of the military sites by balancing military operational requirements and mission changes with local and regional land use plans, business development potential and infrastructure needs to achieve sustainability of military and environmental interests; and**

**Whereas, the month of May has been designated as “National Military Appreciation Month” to honor, remember, recognize and appreciate all military personnel past and present who have worn the uniform to give service, and their family members, and to memorialize all those who have given their lives in defense of our freedoms;**

**Now, Therefore Be It Resolved, the Pamlico County Board of County Commissioners formally and officially endorses Senate Joint Resolution 421 and House Joint Resolution 406 and requests that members of the North Carolina General Assembly vote unanimously to approve this important piece of legislation.**

**Adopted, this 4th Day of May 2015.**

The Board then turned their attention to the Correspondence Agenda.

**BE IT RESOLVED, the following resolution was unanimously approved.**

**RESOLUTION  
APPROVING EASTERN CAROLINA WORKFORCE DEVELOPMENT AREA  
CONSORTIUM AGREEMENT AND APPOINTING CHIEF ELECTED OFFICIAL**

**WHEREAS, the Counties of Carteret, Craven, Duplin, Greene, Jones, Lenoir, Onslow, Pamlico and Wayne have heretofore each adopted resolutions requesting the Governor of the State of North Carolina to designate said Counties as a Service Delivery Area under the Job Training Partnership Act during January 1986;**

**WHEREAS, the Counties of Carteret, Craven, Duplin, Greene, Jones, Lenoir, Onslow, Pamlico and Wayne have heretofore each adopted resolutions requesting the Governor of the State of North Carolina to designate said Counties as a Local Area under the Workforce Investment Act, which rescinded and superseded the Job Training Partnership Act;**

**WHEREAS, the Workforce Investment Act has been rescinded and superseded by the Workforce Innovation and Opportunity Act (Public Law 113-128—July 22, 2014) the Counties of Carteret, Craven, Duplin, Greene, Jones, Lenoir, Onslow, Pamlico and Wayne have requested the Governor of the State of North Carolina to designate said Counties as a Workforce Development Area;**

**WHEREAS, one requirement for the said Counties to act as a Workforce Development Area is for said Counties to form a Consortium pursuant to Section 106 of the Workforce Innovation and Opportunity Act;**

**WHEREAS, the proposed Eastern Carolina Workforce Development Consortium Agreement has been submitted to this Board of County Commissioners for review and approval;**

**WHEREAS, the Board of Commissioners deems the approval of said Agreement to be in the best interest of the County.**

**NOW, THEREFORE, BE IT RESOLVED that this County does hereby approve and agree to enter into the Agreement for the Eastern Carolina Workforce Development Area;**

**RESOLVED FURTHER, that Commissioner Christine Mele is hereby appointed and designated as the “chief elected official” of this County for all purposes as required by the Workforce Innovation and Opportunity Act and by the Agreement for the Eastern Carolina Workforce Development Area;**

**RESOLVED FURTHER, that the said “chief elected official” be and that person hereby is authorized and directed to execute on behalf of this County the Eastern Carolina Workforce Development Consortium Agreement and to take any and all other actions which may be appropriate to carry out the foregoing resolutions into effect,**

**RESOLVED FURTHER, that the said “chief elected official” shall serve in such capacity at the pleasure of this Board of County Commissioners.**

**Adopted on this the 4<sup>th</sup> day of May 2015**

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

**BE IT RESOLVED, the following contract awards for the Pamlico county HMGP Elevation Project Contract 2 is hereby approved.**

**Units 1 and 35 : B & B Construction for an aggregate price of \$205,000**

**Units 5 and 51: J.E. Dillahunt and Associates for an aggregate price of \$239,194**

**Units 12 and 49: Jeffrey Thompson Construction for an aggregate price of \$222,222**

**Units 26 and 54: Jeffrey Thompson Construction for an aggregate price of \$153,630**

**Units 17 and 42 J.E. Dillahunt and Associates for an aggregate price of \$148,292**

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

**BE IT RESOLVED, the following changes to the Pamlico County Water Department Leak Adjustment Policy are hereby approved. The effective date will be July 1, 2015**

#### Amended Leak Adjustment Policy

A customer with a high water bill due to a leak or busted pipe may request that the Water Department make an adjustment to the account in question:

1. The customer shall make application for adjustment. The customer shall provide all requested information to the best of his or her knowledge.
2. To be eligible for an adjustment:
  - a. The customer must make application for adjustment no later than the due date of the bill reflecting the leak or busted pipe (no swimming pool or irrigation adjustments are given).
  - b. The customer has not been granted a leak adjustment for a different leak on the same account within the last twelve (12) months.
  - c. The water bill to be adjusted is at least double the average bill for the proceeding twelve (12) month period. For leak adjustments where the consumer has less than twelve (12) months usage, the estimated normal usage will be figured using the current National Rural Water Association (NRWA) estimate of the number of gallons of water used per day per person multiplied by the number of people in the household.
  - d. All needed repairs or actions to prevent any further loss of water have been made.
3. The leak adjustment will be calculated as 75% of the leaked amount over the average. For example, a customer whose average bill is \$30 a month with a leak causing their bill to increase to \$100 would see 75% of the leaked amount forgiven. This adjustment would calculate as  $\$70 \times .75 = \$52.50$ . Therefore, the water bill after the adjustment would be  $\$100 - \$52.50 = \$47.50$ .

4. If it is determined that the leak occurred during a period which overlaps two consecutive billing periods, both bills may be adjusted provided both bills qualify for adjustment. No more than two bills may be adjusted for each request.
5. The office supervisor shall review the application to determine the eligibility of the request.
6. If the office supervisor denies a customer a leak adjustment, the customer may request a hearing with the County Manager to appeal the decision. The County Manager will determine if the Office Supervisor followed policy when making a decision. If the County Manager determines that the Office Supervisor did not follow policy, it may reverse the decision. Any request made by the customer outside of policy may be forwarded to the Board of Commissioners for consideration, at the request of the customer.

### **PAMLICO COUNTY WATER DEPARTMENT APPLICATION FOR LEAK ADJUSTMENT**

Pamlico County Water Department customers may request assistance with a high water bill resulting from leaks and/or busted pipes. (No swimming pool or irrigation adjustments are given). To be eligible for adjustment, the following must be true:

1. The request must be received by the due date on the bill.
2. No other adjustments have been granted within the last 12 months.
3. The bill to be adjusted must be at least double the average normal bill.
4. All needed actions have been taken to prevent further loss of water.

NAME:

\_\_\_\_\_ DATE: \_\_\_\_\_

SERVICE

ADDRESS: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_

ACCOUNT NUMBER: \_\_\_\_\_

DATE YOU FIRST NOTICED LEAK \_\_\_\_\_

DATE THE LEAK WAS REPAIRED \_\_\_\_\_

DESCRIBE LOCATION OF BUSTED PIPE OR LEAK

\_\_\_\_\_

# OF PEOPLE IN HOUSEHOLD: \_\_\_\_\_

DESCRIBE REPAIRS PERFORMED OR ANY ACTION TAKE TO PREVENT FURTHER LOSS OF WATER (Please attach copy of a receipt for the cost of repairs if available).

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

PLEASE PROVIDE ANY ADDITIONAL INFORMATION THAT MAY BE HELPFUL \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ You will be notified within 14 business days of the status of this application and if any further action or information is needed. If the adjustment is granted, please be aware that you waive your right to any future leak adjustments for the account above for a period of 12 months. Your signature confirms the above information as being true to the best of your knowledge.

\_\_\_\_\_

Signature

Date

<b>OFFICE USE ONLY</b>	
Bill #s: _____ _____	Faxed to BRMSD:
_____	BRMSD Adjustments:
12 month avg: _____ _____	Bill# _____ Amount:
OR	Bill # _____ Amount:
_____	
69.3 gals/per person/per day: _____	
Water adjustment taken by: _____	Sewer adjustment authorized by: _____
_____	

On a motion made by Commissioner Ed Riggs and seconded by Commissioner Ann Holton, the Board went into closed session in accordance with G.S. 143.318.11(a)6 to discuss the qualification and salary of a Nurse Practitioner applicant.

On a motion made by Commissioner Ed Riggs and seconded by Commissioner Ann Holton, the Board went back into open session.

Board Members discussed the initial qualification and salary for a Nurse Practitioner applicant for the Health Department.

There being no further business on a motion made by Commissioner Paul Delamar and seconded by Commissioner Ed Riggs, the Board adjourned until Monday May 18, 2015 at 7:00 p.m.

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Chairman

\_\_\_\_\_  
Clerk to the Board