

REGULAR SESSION OF THE PAMLICO COUNTY BOARD OF COMMISSIONERS

MONDAY, NOVEMBER 21, 2016

The Pamlico County Board of Commissioners met in regular session on Monday, November 21, 2016 at 7:00 pm in the Patsy H. Sadler Room of the Pamlico County Courthouse. All Commissioners were present with the exception of Commissioners Kenny Heath and Carl Ollison. Also present were County Manager Tim Buck, County Attorney Dave Baxter, and Clerk to the Board Courtney L. Norfleet.

Chairman Pat Prescott called the meeting to order.

Chairman Pat Prescott asked if there were any corrections, additions and/or deletions to the regular and closed session minutes of the November 7, 2016 meeting. There being none, on a motion made by Commissioner Paul Delamar and seconded by Commissioner Christine Mele, the following resolution was unanimously approved.

BE IT RESOLVED, the regular and closed session minutes of the November 7, 2016 meeting are hereby approved and the Chairman's signature is authorized thereon.

Chairman Pat Prescott recognized Mr. Nick Calcavecchia to speak on behalf of concerned citizens regarding Minnesott Golf and Country Club. Mr. Calcavecchia stated that he is a retired IT technician and that he moved to Minnesott Beach in 2005. He told the Board that Minnesott Golf and Country Club opened in 1969 with 233 members, today it has 180 members. Due to aging members and low membership, the Golf Club is struggling and without further support may have to close its doors. The members are working hard to promote membership, hold fundraisers, and partnering with schools.

Chairman Pat Prescott declared the public hearing regarding the Solar Ordinance open. Chairman Pat Prescott asked if there were any members of the public to speak. There was one (1). Mr. Graham Groves told the Board he thought that the proposed Ordinance needs to be stronger, he presented the Board with approximately fifty (50) petitions, and he made it clear that he is opposed to any solar farms in Pamlico County. Chairman Pat Prescott declared the public hearing closed.

The Board then turned their attention to the Consent Agenda.

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

BE IT RESOLVED, the following Tax Reliefs and Releases are hereby approved.

Name:	Year	Tax/Ticket	Reason	Amount
Diane McDaniel	2016	6611107	SCE Applied	\$ 390.69
Floyd Hopkins	2016	6565917	Double Listed w/ Txpr 2514600	\$ 7.54
Robert Tabor	2016	6613377/6613378	Boat sold in 2015	\$ 92.00
Richard Preston	14/15	6539409/6565836		
	2016	6592293	Double Listed w/ Txpr 26104	\$ 384.33
Pamlico Co. Rescue Squad	2016	6598349	Exempt Property	\$1318.94
Michael Bowe	2016	6592787	Boat Listed in Hertford County	\$ 285.66
Floyd Hopkins	2015	6565917 REFUND	Double listed w/ Txpr 2514600	\$ 7.54
Forest Williams, Jr.	15/16	6587944/614708	Double listed w/ Txpr 0040251	\$ 29.34

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

Department: Health Department

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 2016-2017

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-5110-531001	Travel In County		\$2,750.00
10-5110-549100	Dues & Subscriptions	\$2,750.00	

Reason for Budget Revision: To transfer money to cover NCALHD dues.

Department: Economic Development

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FISCAL YEAR 2016-2017

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-0213-449350	Golden Leaf Grant	\$1,200,000.00	
10-4920-539500-ACS	Training (Arapahoe Charter School)	\$ 300,000.00	
10-4920-539500-PCS	Training (Pamlico County Schools)	\$ 300,000.00	
10-4920-539500-PCC	Training (Pamlico Community College)	\$ 600,000.00	

Reason for Budget Revision: To establish revenue budget for Economic Development Grant, Golden Leaf and associated expenditure lines.

Department: Senior Services

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 2016-2017

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-4930-512100	Salaries & Wages		\$3,800.00
10-4930-535100	M & R Grounds	\$3,800.00	

Reason for Budget Revision: To move funds to cover the new flooring at the Senior Center.

BE IT RESOLVED, the request for approval of Intent to Lease County Owned Properties that were advertised in New Bern Sun Journal on October 19, 2016 is hereby approved.

- Tract 1: +-1 acre located at 15569 NC 304/33 HWY, Hobucken;
- Tract 2: +-1 acre located at 15590 NC 304/33 HWY, Hobucken;
- Tract 3: +-1 acre located at 5212 Lowland Road, Lowland

BE IT RESOLVED, the request for approval of Language Access Plan required by USDA for any programs that are federally assisted by USDA is hereby approved.

County of Pamlico, NC
Language Access Plan for
Limited English Proficiency

Introduction

As a result of a Four Factor Analysis, the County of Pamlico has identified the following types of language assistance to be provided on an as needed basis by the County of Pamlico throughout implementation of our Federally Assisted Programs.

Purpose

In compliance with Executive Order 13166, County of Pamlico has developed the following Language Access Plan (LAP) for Limited English (LEP) Persons.

Title VI of the Civil Rights Act of 1964 is the federal law which protects individuals from discrimination on the basis of their race, color, or national origin in programs that receive federal financial assistance. In certain situations, failure to ensure that persons who have limited English proficiency can effectively participate in, or benefit from, federally assisted programs may violate Title VI's prohibition against national origin discrimination.

Persons who, as a result of national origin, do not speak English as their primary language and who have limited ability to speak, read, write, or understand English may be entitled to language assistance under Title VI in order to receive a particular service, benefit, or encounter.

Plan Summary

The County of Pamlico has developed this LAP/LEP to help identify reasonable steps for providing language assistance to persons with limited English proficiency who wish to access services provided by the County of Pamlico. As described in Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English.

Limited English Proficiency Population

According to the 2010 U.S. Census Data the County of Pamlico, NC has a population of 13,100. The table below from the web site factfinder.census.gov/faces/tableservices provides a breakdown of the number of persons whose first language is not English. It further breaks down those percentages by indicating how many of these can also speak English less than "very well".

LANGUAGE SPOKEN AT HOME				
Population 5 years and over	12,525	+/-19	12,525	(X)
English only	11,776	+/-183	94.0%	+/-1.5
Language other than English	749	+/-183	6.0%	+/-1.5
Speak English less than "very well"	307	+/-86	2.5%	+/-0.7
Spanish	472	+/-118	3.8%	+/-0.9
Speak English less than "very well"	234	+/-62	1.9%	+/-0.5
Other Indo-European languages	110	+/-57	0.9%	+/-0.5
Speak English less than "very well"	50	+/-44	0.4%	+/-0.4
Asian and Pacific Islander languages	130	+/-105	1.0%	+/-0.8
Speak English less than "very well"	15	+/-18	0.1%	+/-0.1
Other languages	37	+/-37	0.3%	+/-0.3
Speak English less than "very well"	8	+/-11	0.1%	+/-0.1

Based on this data, the County of Pamlico, NC does not meet the 1,000 or 5% LEP persons threshold for individuals that speak English less than "very well". There are

307 individuals that are classified as speaking English less than very well which represents approximately 2.5% of the population.

Spanish, Indo-European, Asian and Pacific Islander are the languages spoken in households other than English.

Provisions for Language Assistance

Pamlico County Department of Social Services employs an individual that is proficient in written and spoken Spanish. The individual serves as a translator for D.S.S. and is available for assistance in other departments in the county. When publishing mandatory public notices and press releases, we state the information is available upon request in Spanish. We use the free translation.com website to translate this information. Our County departments have the free Language Identification Flash Card available and use this to help identify unrecognized languages. Also, the public hearing notices will be placed on our website advising the Spanish community the documents are available to them upon request. The Health Department has a contract for translation services and all Pamlico County Departments can utilize this service.

Staff Training

The County Manager viewed a webinar titled The RD LEP Implementation Strategy for Assisted Programs. It outlined a step-by-step approach to comply with the LEP requirements. It guided in collecting information relating to the LEP, conducting the 4-Factor Analysis and developing this Language Access Plan. The following steps will be taken to train and implement this LEP Plan.

- 1) An email will be sent to all employees advising of the LAP/LEP requirements.
- 2) A copy of this plan will be available to all staff
- 3) Language Identification Flash Cards will be presented to all administrative staff and available to all staff members.
- 4) Staff members will be advised to document any requests for language assistance.

Frequency of Contact with LEP Population

Based on a survey of customers, approximately 2% of individuals seeking service on a weekly basis are LEP. Of 539 walk-in customers that requested service during the survey period, approximately 1.5 % of the customers were Spanish speaking. Customers were also identified that spoke Middle Eastern and Asian languages but were less than 1% of the survey pool. LEP clients of Pamlico County Department of Social Services indicated that they utilized FNS, Medicaid, food voucher, and day care services. Water department customers communicated with staff to establish accounts, billing, and problem resolution.

Notices to LEP Persons

When publishing mandatory public notices and press releases, we state the information is available upon request in Spanish free of charge. We use trained employees or the free translation.com website to translate this information. Through LEP planning meetings our staff was introduced to the free Language Identification Flash Card and we will use this in the future. Also, the public hearing notices will be placed on our website advising the Spanish community the documents are available to them upon request.

This plan will be translated into Spanish using www.freetranslation.com and will be posted on our website. A notice in Spanish will also be posted on the doors of our high traffic areas (Pamlico County Courthouse and Water Department).

Vital Document Translations

Because the reported census data showing the percentage and population of LEP individuals is under the threshold of 5% and 1,000 of the service population, the County of Pamlico does not require vital documents to be translated. However certain documents are available in Spanish and are listed below:

- 1) Rules and Regulations of Pamlico County Water Department
- 2) Pamlico County Water Department –Application for Water Service
- 3) All applications for service at the Department of Social Services
- 4) Any federally mandated requirements for notices.

Monitoring and Updating the Language Access Plan

- 1) We will contact county departments and review documentation of requests for LEP assistance.
- 2) An annual review will be conducted via U.S. Census updates to determine the following:
 - Determine the current LEP population in the area
 - Determine whether or not the need for translation services have changed
 - Determine if there is a need for additional language populations
 - Determine if the needs of the LEP population have been addressed and how
 - Determine whether the LAP has been effective and sufficient
 - Determine if there is an increase or decrease in LEP contacts
 - Document and requests or complaints from the LEP population

Without a full Board present, no vote could be made. The Solar Ordinance will be presented to the Board again at the next regular meeting on December 5, 2016.

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

BE IT RESOLVED, the request for approval of Contract for Engineering Services with Thomas Engineering, PA to design and permit a new water line on Janeiro Road near the intersection of Martin Road required by DOT in the amount of \$9,092 with a total project cost of \$58,000 is hereby approved. DOT has indicated that they will reimburse the County for the work.

BE IT FURTHER RESOLVED, the request for authorization from County Manager Tim Buck to sign any documents and contracts associated with the project is hereby approved.

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

BE IT RESOLVED, the request for approval of River Dunes, Harbor Village III-B final plat is hereby approved.

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

BE IT RESOLVED, the request to table vacancy on Pamlico County Library Board until next meeting on December 5, 2016 as per Board policy is hereby approved.

On a motion made by Commissioner Paul Delamar and seconded by Commissioner Ann Holton, the Board met in closed session in pursuant to NCGS §143-318.11 (a)(3) Client-Attorney Privilege.

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

No action was taken in closed session.

There being no further business, on a motion made by Commissioner Christine Mele and seconded by Commissioner Ed Riggs, the Board adjourned until Monday, December 5, 2016 at 7:00 pm.

Chairman

Clerk to the Board