

**REGULAR SESSION MINUTES OF THE
PAMLICO COUNTY BOARD OF COMMISSIONERS
MONDAY, MARCH 6, 2017**

The Pamlico County Board of Commissioners met in regular session on Monday, March 6, 2017 at 7:00 p.m in the Patsy H. Sadler Room of the Pamlico County Courthouse. All Commissioners were present with the exception of Commissioner Carl Ollison. Also present were County Attorney Dave Baxter, County Manager Tim Buck, Finance Officer Bill Fentress, and Clerk to the Board Courtney L. Norfleet.

Chairman Paul Delamar called the meeting to order.

Chairman Paul Delamar recognized Reverend Grady Simpson to lead the assemblage in prayer. Chairman Paul Delamar led the assemblage in the Pledge of Allegiance.

Chairman Paul Delamar asked if there were any corrections, additions, and/or deletions to the regular session minutes of February 6, 2017, February 20, 2017, and the recessed session minutes of February 28, 2017 meetings. There being none, on a motion made by Commissioner Candy Bohmert and seconded by Commissioner Pat Prescott, the following resolution was unanimously approved.

BE IT RESOLVED, the regular session minutes of February 6, 2017, February 20, 2017, and the recessed session minutes of February 28, 2017 meetings are hereby approved and the Chairman's signature is authorized thereon.

Chairman Paul Delamar recognized Mr. Daniel Simpson, Cooperative Extension Director to give the annual Report to the People. Mr. Simpson recognized Ms. Kait Neeland who works directly with 4-H youth to briefly summarize the 4-H Program.

Chairman Paul Delamar recognized Mr. Mac Rubel with Pamlico Rescue Squad to give the 2016-2017 Mid-Year Update.

The consensus of the Board was to remove item eleven (11) – Request for approval for Variance for Mr. and Mrs. Paul Brant from the Agenda.

There were no members of the Public present to speak during Public Comment Period.

The Board then turned their attention to the Consent Agenda.

On a motion made by Commissioner Ann Holton and seconded by Commissioner Candy Bohmert, the following resolutions were unanimously approved.

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

Department: Sheriff's 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
10-4310-532000	Telephone	\$8,000.00	
10-4210-535200	M & R Equipment (Data Processing)		\$8,000.00

Reason for Budget Revision: To move funds to cover line item overruns.

Department: Elections Office

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FISCAL YEAR 2016-2017

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-4170-512600	Salaries & Wages – Part-time		\$1,500.00
10-4170-512200	Overtime		\$ 500.00
10-4170-531000	Travel	\$1,500.00	
10-4170-532001	Postage	\$ 500.00	

Reason for Budget Revision: To move funds to cover travel/training and postage expenses.

Department: Jail

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FISCAL YEAR 2016-2017

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-4320-533002	Natural Gas & Propane		\$200.00
10-4320-519900	SEMP Contracted Services (Electronic Mgmt. Program)	\$200.00	

Reason for Budget Revision: To move funds to cover line item overrun.

Department: Jail

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FISCAL YEAR 2016-2017

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-4320-512100	Salaries & Wages		\$21,000.00
10-4320-518300	Group Insurance		\$30,000.00
10-4320-535200	M & R Equipment	\$ 3,000.00	
10-4320-522000	Food & Provisions	\$23,000.00	
10-4320-519900 SEMP	Contracted Services-Electronic Monitor Prog.	\$24,000.00	
10-4320-519900	Contracted Services	\$20,648.00	
10-0400-435900	Installment Loan Proceeds	\$ 8,600.00	
10-0200-434326	Jail Fees Other	\$11,048.00	

Reason for Budget Revision: To move funds to cover projected line item overruns.

Department: Planning

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FISCAL YEAR 2016-2017

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-4920-518300	Group Insurance	\$847.23	
10-4350-518300	Group Insurance		\$847.23

Reason for Budget Revision: To move funds to cover the insurance portion of Skip Lee's Planning Board salary.

Department: County Manager

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FISCAL YEAR 2016-2017

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-4120-534000	Printing & Binding		\$ 50.00
10-4120-535300	M & R Auto		\$100.00
10-4120-549100	Dues & Subscriptions	\$150.00	

Reason for Budget Revision: To move funds to cover line item overruns.

Department: Health Department

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FISCAL YEAR 2016-2017

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-5191-531000	Travel	\$1,041.20	
10-0211-435181	Food & Lodging	\$1,041.20	

Reason for Budget Revision: To recognize revenue from grant money and increase the travel budget for Tammy Rodriguez to attend the NC Food Safety and Defense Task Force Annual Conference in May.

Department: Soil Conservation

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FISCAL YEAR 2016-2017

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-4961-531000	Travel		\$100.00
10-4961-525100	Auto Supplies	\$100.00	

Reason for Budget Revision: To move funds to cover the cost of two new tires for the Soil Conservation truck.

Department: Sheriff's Department

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FISCAL YEAR 2016-2017

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-4310-531000	Travel	\$3,250.00	
10-4320-539500	Training		\$3,250.00

Reason for Budget Revision: To move funds to cover the cost of travel to Conference request.

Department: Sheriff's Department

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FISCAL YEAR 2016-2017

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-4310-529000	Departmental Supplies	\$5,314.04	
10-4310-539500	Training		\$5,314.04

Reason for Budget Revision: To move funds to cover the cost of (3) new computers.

Department: Maintenance/Recycling/Recreation

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FISCAL YEAR 2016-2017

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-5000-518300	Group Insurance		\$1,400.00
10-5000-521200	Uniforms	\$1,000.00	
10-5000-532000	Telephone	\$ 400.00	
10-4721-525100	Auto Supplies		\$2,000.00
10-6120-529000 MAJ	Departmental Supplies (Major)		\$2,000.00
10-6120-529000 `	Departmental Supplies		\$2,000.00
10-4721-529000 WG	Departmental Supplies (White Goods)	\$6,000.00	

Reason for Budget Revision: To move funds to cover projected line item overruns.

Department: Maintenance

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FISCAL YEAR 2016-2017

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-5000-549959	Courtroom/Clerk of Court	\$9,000.00	
10-5000-538100	Programming		\$9,000.00

Reason for Budget Revision: To move funds to cover Clerk of Court expenses.

BE IT RESOLVED, the following Budget Amendment for Sheriff Overtime is hereby approved.

Department: Jail

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FISCAL YEAR 2016-2017

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-4320-518500	Unemployment		\$4,494.00
10-4321-512200	Overtime		\$4,000.00
10-4320-533002	Natural Gas		\$2,000.00
10-4320-512200	Overtime	\$10,494.00	

Reason for Budget Revision: To move funds to cover overtime in the Jail.

BE IT RESOLVED, the following Resolution is hereby approved.

**Pamlico County Board of Commissioners
Resolution of Vote of No Confidence
in the
North Carolina Marine Fisheries Commission**

WHEREAS, this Vote of No Confidence by the Pamlico County Board of Commissioners in the North Carolina Marine Fisheries Commission is an alternative method to bring forth serious concerns relative to their support of the Petition for Rulemaking submitted by the North Carolina Wildlife Federation; and

WHEREAS, the shrimp fishery is North Carolina's most important fishery economically; and

WHEREAS, the rules proposed in the Petition would close the internal coastal waters and near-shore oceanic waters of North Carolina to trawling unless opened by the North Carolina Division of Marine Fisheries ("DMF"), and restrict the taking of shrimp to daylight hours and three days per week; and

WHEREAS, the proposals will have a substantial economic impact on many small businesses, have significant negative effects on coastal communities and negatively impact the availability of North Carolina shrimp to consumers; and

WHEREAS, the petition should have been denied because the cost factors described in the petition are clearly inadequately described. This omission is significant because the shrimp fishery is North Carolina's most important fishery economically; and

WHEREAS, the petition will designate all coastal fishing waters not already designated as nursery areas as special secondary nursery areas, including the ocean out to three miles; and

WHEREAS, the North Carolina General Assembly, through the Fisheries Reform Act, clearly desired that such comprehensive changes in management measures for important recreational and commercial species in North Carolina be developed through Fisheries Management Plans ("FMPs"); and these issues were recently discussed and addressed by the 2015 Shrimp FMP after two years of development; and

WHEREAS, this Petition for Rulemaking has a component for potential regulation on property owners abutting these newly formed secondary nursery areas. Pamlico County boasts many valuable and beautiful waterfront properties. In fact, the current tax value of all waterfront properties in Pamlico County is approximately \$600 million which generates over \$3.5 million in tax dollars for the County. The potential for regulations on these properties not only negatively affect one of the County's greatest assets, but also has a negative impact on all citizens because of the potential loss of tax revenue; and

WHEREAS, this Petition for Rulemaking could also prove to be a hindrance to any needed and necessary dredging along our shoreline; and

WHEREAS, the Pamlico County Board of Commissioners at their January 17, 2017 regular meeting, adopted a Resolution in support of denying the Petition for Rulemaking submitted by the North Carolina Wildlife Federation; and

WHEREAS, at the January 17, 2017 hearing meeting in New Bern, there were five other advisory boards in attendance; those five boards were comprised of 40

different members; 32 of those members recommended to the Commission that they not enforce this new trawling ban and that the petition be denied; and

WHEREAS, on February 16, 2017, the North Carolina Marine Fisheries Commission met in Wilmington and against the advice of their advisory groups, granted this petition which has significant economic implications for Pamlico County; and

WHEREAS, while the North Carolina Marine Fisheries Commission did not violate the law and it is within their parameters to make such decisions, their decision was not within the spirit of the Fisheries Reform Act which calls for science to make decisions and not political science; and

WHEREAS, this Resolution is no reflection on the dedicated people that work in that Division; no criticism of the biologists; and no criticism of the Fisheries Reform Act; and

NOW, THEREFORE, BE IT RESOLVED, that the Pamlico County Board of Commissioners stand steadfast in their resolve outlined in their January 17, 2017 Resolution, and stand behind and in support of our fishing industry within Pamlico County; and

BE IT FURTHER RESOLVED, by a unanimous vote of those Commissioners present, that this action by the Pamlico County Board of Commissioners shows a Vote of No Confidence in the North Carolina Marine Fisheries Commission because they clearly demonstrated that they do not have the objectivity to make sound decisions on this issue.

Adopted this the 6th day of March, 2017

BE IT RESOLVED, the recommended engineering firm, Rivers and Associates, for the Reelsboro Elevated Water Tank Project and request for authorization for the Chairman, County Manager, and Finance Officer to sign contracts for the service is hereby approved.

BE IT RESOLVED, the request to issue a public notice of the intent to lease the following county owned, flood buyout properties is hereby approved.

- M031-53, 14911 NC 304/33 HWY, Hobucken
- M0331-54. 15031 NC 304/33 HWY, Hobucken

BE IT RESOLVED, the request to purchase Courthouse Camera System for \$16,264 and authorization for finance officer and county manager to make budget amendments necessary to accommodate the purchase is hereby approved.

BE IT RESOLVED, the request to increase the pool inspection fee schedule is hereby approved.

- **\$125.00 per inspection for every required compliance visit (initial).**
- **\$75.00 revisit fee for pools that fail initial inspections that have been assessed in the past.**

BE IT RESOLVED, the request to sell the below listed county owned properties at the price offered by the respective interested parties is hereby approved.

<u>Property</u>	<u>Interested Party</u>	<u>Offer</u>	<u>Taxes</u>
H041-282	Kenneth L. Miller	\$2,800	\$4618.02

BE IT FURTHER RESOLVED, the following Resolution authorizing the sale of above property is hereby approved.

RESOLUTION

Tax Parcel Number H041-282, Pamlico County, North Carolina

THAT WHEREAS, Pamlico County has received an offer to purchase a parcel of property owned by the County, identified as Tax Parcel Number H041-282, and being more particularly described herein; and

WHEREAS, the Board of Commissioners is authorized to sell the County's interest in the property pursuant to North Carolina General Statute §160A-269; and

WHEREAS, the offer to purchase was advertised as required by said statute; and

WHEREAS, the final offer to purchase, after the upset bid period, was in the sum of \$2,800.00 by Kenneth L. Miller; and

WHEREAS, the Board of Commissioners deems it advisable and in the best interest of the County to sell its interest in the subject property to the successful bidder and to convey its interest in said property by quitclaim deed.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF PAMLICO COUNTY:

Section 1. That the last and highest bid of Kenneth L. Miller in the sum of \$2,800.00 for said parcel identified as Tax Parcel Number H041-282, and being more particularly described herein, be and the same is hereby accepted as to the County's interest in said property, and the Chairman, County Manager and/or Clerk be and they are hereby authorized and directed to execute a quitclaim deed to the purchasers for the County's interest in said property, and to further execute any and all other documents related to the sale of the same.

Section 2. That a copy of said quitclaim deed is attached hereto and incorporated herein by reference, and the original deed shall be delivered to said purchaser once the same has been executed on behalf of the County, upon payment of the purchase price.

Section 3. That the subject property is more particularly described as follows:

All that certain lot or parcel of land lying and being situated in Number Two (2) Township, Pamlico County, North Carolina, and being more particularly described as follows:

All of that certain property more fully described in Deed Book 613 at Page 73 in the Pamlico County Registry. This property is also commonly referred to by its tax parcel identification number which is H041-282.

ADOPTED THIS 6th DAY OF MARCH, 2017.

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

BE IT RESOLVED, the request for an additional \$55,000 allocation for Pamlico Rescue's FY 2016-17 (current year) budget to be funded from fund balance and authorization for finance officer to make budget amendments necessary to facilitate the request is hereby approved.

On a motion made by Commissioner Candy Bohmert and seconded by Commissioner Pat Prescott, the following resolution passed by majority vote with Commissioner Missy Baskervill casting a dissenting vote.

BE IT RESOLVED, the request to authorize Health Educator I position for immediate hire and bring the Health Educator II position back to the March 20, 2017 meeting is hereby approved.

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

BE IT RESOLVED, the following six (6) applicants that applied for Board of Health vacancies are hereby approved for a term of three (3) years.

- **Michele Parish**
- **Joshua C. Rose, DDS**
- **Sheri Rettew**
- **Starr Murphy**
- **Anita Mayo**
- **Susan Woods**

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

BE IT RESOLVED, Ms. Tye Roy is hereby approved to fill one (1) vacancy on Regional Aging Advisory Committee (RAAC) for a term of three (3) years.

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

BE IT RESOLVED, Ms. Patricia (Patty) Mills is hereby approved to fill one (1) vacancy on Regional Aging Advisory Committee (RAAC) for a term of three (3) years.

Chairman Paul Delamar directed Clerk to the Board, Courtney L. Norfleet to contact the remaining three (3) applicants with vacancies on other Boards/Committees.

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

BE IT RESOLVED, the Pamlico County Board of Commissioners would like to nominate Commissioner Candy Bohmert to fill one (1) vacancy on the Coastal Resources Advisory Council (CRAC).

On a motion made by Commissioner Ed Riggs and seconded by Commissioner Ann Holton, the Pamlico County Board of Commissioners met in closed session pursuant to NCGS § 143-318.11 (a)(3)(6) under Client-Attorney Privilege, and Personnel to discuss qualifications and entry level salary for two positions.

On a motion made by Commissioner Pat Prescott and seconded by Commissioner Candy Bohmert, the Board went back into open session.

Formal action was taken in closed session.

There being no further business, on a motion made by Commissioner Candy Bohmert and seconded by Commissioner Pat Prescott, the Board adjourned until Monday, March 20, 2017 at 7:00 pm.

Chairman

Clerk to the Board