

**REGULAR SESSION MINUTES OF THE  
PAMLICO COUNTY BOARD OF COMMISSIONERS  
MONDAY, FEBRUARY 05, 2018**

The Pamlico County Board of Commissioners met in regular session on Monday, February 05, 2018 at 7:00 pm in the Patsy H. Sadler Room of the Pamlico County Courthouse. All Commissioners were present with the exception of Commissioner Ann Holton. Also present were County Attorney Dave Baxter, County Manager Tim Buck, and Clerk to the Board Courtney Norfleet.

Chairman Ed Riggs called the meeting to order.

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

Chairman Ed Riggs asked if there were any corrections, additions, and/or deletions to the regular and closed session minutes of the January 16, 2018 meeting. There being none, on a motion made by Commissioner Candy Bohmert and seconded by Commissioner Missy Baskervill, the following resolution was unanimously approved.

**BE IT RESOLVED, the regular and closed session minutes of the January 16, 2018 meeting are unanimously approved and the Chairman's signature is authorized thereon.**

Chairman Ed Riggs asked if there were any additions and/or deletions to the agenda. There was one (1) addition. On a motion made by Commissioner Paul Delamar and seconded by Commissioner Candy Bohmert, the following addition was approved.

- Tax Administrator's 2017 Delinquent Tax Report (Item 8a)

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 Paul Delamar and seconded by Commissioner Candy Bohmert, the following resolutions were unanimously approved.

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

Name:	Year	Tax/Ticket	Reason	Amount
Keith Gaskins	13/14	6525839/6554897		
	15/16	6581183/6607489		
	2017	6633969	Error in Acreage	\$ 626.13
Jessie Cahoon	13/14	6532647/6562082		
	15/16	6588704/6615457	Double Wide Mobile Home was double listed	
	2017	6643687		\$ 897.83
Magaline Webster C/O Harold Webster	13/14	6531463/6560927		
	15/16	6587583/6614361		
	2017	6638664	Error in Acreage	\$ 1344.63
C&J Investments of Kinston	13/14	6515917/6545276		
	15/16	6571835/6598410		
	2017	6625730	Error in Acreage	\$ 546.65
Danielle Williams	14/15	6539378/6565807	Mobile Home not in county since 2014	\$ 576.58
	16/17	6592268/6619180		\$ 4.66
	2017	6645957	Not in Town of Oriental	\$ 250.00
James Pearson	2017	6635020/6618709	Release of Returned Check Fee/Clerical Error	\$ 84.04
Peter & Sandra Courey	2017	6619499/6619500	Boat & Motor listed in Chatham County	\$ 4.92
Tom Donaldson	2017	6646056	Renewed within a timely manner	\$ 21.95
Callis Bridgers III	2017	6646046	Does not own per taxpayer	\$ 37.82
Justin Ferguson	2017	6627122	Boat was junked	\$ 197.49
Theodore Waterman	2017	6665881/6592334	Mobile Home was double listed with land	
Theodore Waterman	15/16	6622416/6622417		
Robert Millican	2017	6622418	Wrong Owner	\$ 5.91
George Hill	2017	6622418		

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

*Department: Public Buildings*

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 2017-2018**

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-5000-519900	Contracted Services		\$100.00
10-5000-535600 JAIL	M & R Buildings – Jail	\$100.00	

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

*Department: DSS*

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**FISCAL YEAR 2017-2018**

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-5310-535600	M & R Buildings	\$7,800.00	
10-5310-555000	Capital Outlay		\$7,800.00

*Reason for Budget Revision:* To move funds to reflect actual spending.

*Department: Health*

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**FISCAL YEAR 2017-2018**

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
10-5190-519900	Contracted Services	\$2,000.00	
10-5190-512100	Salaries & Wages		\$2,000.00

*Reason for Budget Revision:* To move funds to cover the cost of services provided by NOVA and Dr. Carperos.

*Department: Sheriff's Department*

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**FISCAL YEAR 2017-2018**

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
10-0213-434328	Controlled Substance	\$4,223.49	
10-4310-539801	Controlled Substance	\$4,223.49	

*Reason for Budget Revision:* To recognize controlled substance revenue and increase expenditure line.

*Department: Emergency Management*

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**FISCAL YEAR 2017-2018**

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
10-0213-434330	Homeland Security Grant S01	\$9,000.00	
10-4330-529000 HSGP	Departmental Supplies-HSG	\$9,000.00	

*Reason for Budget Revision:* To set up budget for new Homeland Security Grant revenue and associated expenditure line.

*Department: Public Buildings*

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**FISCAL YEAR 2017-2018**

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
10-0000-439900	Fund Balance Appropriation	\$47,060.00	
10-5000-555000	Capital Outlay	\$47,060.00	

*Reason for Budget Revision:* To move funds to replace the HVAC unit at the Pamlico Human Services Center.

**BE IT RESOLVED, the request for approval to ratify vote to approve Change Order Number one (1) – Courthouse Crawl Space Repairs in the amount of \$66,025 is hereby approved.**

**BE IT RESOLVED, the request for approval of amendment to the Water Adjustment Policy that will allow leak adjustments for the declared winter storm even that occurred on January 03, 2018 is hereby approved.**

**BE IT RESOLVED, the request for approval of the following Resolution Opposing Changes to Definition of Commercial Fishing Operation is hereby approved.**

**RESOLUTION OPPOSING ANY CHANGE**

**IN THE DEFINITION OF A COMMERCIAL FISHING OPERATION**

**WHEREAS,** commercial fishing is a vital part of North Carolina’s history, heritage, and culture and represents a crucial component of the economy for Pamlico County and other coastal communities; and

**WHEREAS,** in the last 15 years in Pamlico County lost over 1,200 direct jobs and over 600 migrant jobs in the commercial fishing industry due to regulations, increased fuel costs, and foreign competition; and

**WHEREAS,** Pamlico County and other economically distressed rural communities have the necessity and duty to preserve the remaining commercial fishing heritage jobs that daily contribute to our history, local economies and tax base; and

**WHEREAS,** seafood caught by North Carolina commercial fishermen, draws tourists and recreational fishermen from around the world to our coastal and inland restaurants and local markets benefiting the economic well-being and tax base of all of North Carolina;

**WHEREAS**, according to the NC Division of Marine Fisheries, the sales impact of the harvesting and sale of commercial seafood is \$388,325,000 and the income impact of employed commercial fishermen is \$166,066,000; and

**WHEREAS**, the definition of what constitutes commercial fishing in North Carolina has been determined by the General Assembly and has long been established in section 113-168 of North Carolina's General Statutes; and

**WHEREAS**, the North Carolina Marine Fisheries Commission (MFC) is now undertaking an action to consider changes in the definition of a commercial fisherman; and

**WHEREAS**, among the items that the MFC proposes to consider is a requirement that those holding Commercial Fishing licenses must have 50 percent of their earned income from the Trip Ticket Program, generate 36 Trip Tickets per year, and require those who do not have Trip Tickets to show proof of \$10,000 or more income per year; and

**WHEREAS**, no other professional license issued by the State dictates a percentage of income or minimum income requirement or level of participation in order to qualify; and

**WHEREAS**, the requirements that are being considered by MFC, or any other adverse change they may propose to the definition of Commercial Fishing, would have a harmful effect on many of the hard working North Carolinians who now engage in commercial fishing and already suffer because of government overregulation that imposes severe quotas and unnecessary restrictions on fishing seasons, limits, and gear forcing many to take on additional jobs and engage in part-time businesses in order to responsibly support their families; and

**WHEREAS**, this latest attempt to redefine commercial fishing is not the first time that the Marine Fisheries Commission has looked at this matter; and

**WHEREAS**, over seven years ago, in October of 2010, the Marine Fisheries Commission empaneled a Fishing License Review Taskforce, which examined in detail the requirements for holding a commercial fishing license and concluded that the definition contained in the General Statutes was adequate and therefore there was no real need to modify the definition of what constitutes a commercial fisherman; and

**WHEREAS**, furthermore, the Final Report from the Fishing License Review Taskforce clearly stated its recommendation that "no changes are needed to the existing definition."

**NOW THEREFORE BE IT RESOLVED** that the Pamlico County Board of Commissioners supports the definition of commercial fishing that has been determined by the duly elected members of the North Carolina General Assembly and reflected in the North Carolina General Statutes.

**AND BE IT FURTHER RESOLVED** that the Pamlico County Board of Commissioners strongly opposes the unnecessary effort that is now underway by the Marine Fisheries Commission to reexamine the definition of commercial fishing, and urges all coastal communities to adopt similar resolutions, and encourages all residents to vigorously voice their concerns about the latest attempt by the Marine Fisheries Commission to once again redefine commercial fishing.

Adopted this the 5<sup>th</sup> day of February, 2018.

**BE IT RESOLVED, the request for approval of Grant Agreement for 2016 Flood Mitigation Assistance in the amount of \$173,933.00 to elevate a home at 177 Button Gut Road, Oriental is hereby approved.**

**BE IT RESOLVED, the request for approval of the following agreement related to asbestos inspection services for the 2015 Flood Mitigation Grant is hereby approved.**

ADDENDUM TO AGREEMENT FOR ASBESTOS  
SERVICES PAMLICO COUNTY AND ENVIRO  
ASSESSMENTS EAST, INC PAMLICO COUNTY  
ELEVATION PROJECTS

**WHEREAS**, the County of Pamlico (County) entered into an Agreement for Asbestos Inspection Services (Agreement) with Enviro Assessments East, Inc (EAE) on October 16, 2014 for asbestos inspection services for the FEMA HMGP 4019-031 Elevation Project; and

**WHEREAS**, Section A. Paragraph 1 of the Agreement provides for asbestos inspection services for an estimated 54 single-family dwellings, but the actual number of inspections to be performed will be based on the assignment of specific parcels by the County; and

**WHEREAS**, only 38 asbestos inspections were needed during the HMGP 4019-031 Elevation Project; and

**WHEREAS**, the NC Division of Emergency Management (NCEM) has provided additional FEMA funds to the County for the elevation of 5 houses as part of the FY15 Flood Mitigation Assistance (FMA) Repetitive Loss Project; and

**WHEREAS**, the County anticipates that NCEM will provide additional FEMA funds to the County for elevation of 10 houses as part of the FY16 Flood Mitigation Assistance (FMA) Repetitive Loss Project; and

**WHEREAS**, the County anticipates that NCEM will provide additional HMGP funds to the County for elevation of 6 houses as part of the HMGP 4019-031 Rescoping Project;

and

**WHEREAS**, the County desires for EAE to provide additional asbestos inspection services for the additional elevation and activities;

**NOW THEREFORE**, the County and EAE agree to the following additional services and compensation;

1. Completion of asbestos inspection services at 21 additional single-family dwellings in accordance with HMGP and FMA requirements at the current cost of \$85.00 per inspection and report, and \$12.00 per material sample sent to the laboratory as agreed to in the October 16, 2014 Agreement.
2. Incorporated into this Addendum is Attachment D STATEMENT OF ASSURANCES in accordance with the Hazard Mitigation Grant Agreements and Flood Mitigation Assistance Grant Agreements between Pamlico County and the NC Division of Emergency Management.
3. Due to the extended time period when Grant Agreements for the additional 21 elevations will be executed, no FMA or HMGP funds will be obligated until after the execution of the Grant Agreements by NCEM and the County and the County has issued a Notice to Proceed for each separate FMA or HMGP Grant Project.

The remaining terms and conditions stated in the Agreement remain the same.

Duly executed this 4<sup>th</sup> day of December, 2017

**BE IT RESOLVED**, the request for approval of CDBG Grant Application in the amount of \$1,000,000 related to Hurricane Matthew recovery is hereby approved.

**BE IT FURTHER RESOLVED**, the Chairman, County Manager, and Finance Officer are hereby authorized to sign the necessary documents.

**BE IT RESOLVED**, the request for approval of Tax Administrator's report of all 2017 Delinquent Taxes is hereby approved.

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

**BE IT RESOLVED**, the request for approval of a quote from Johnson Environmental & Disaster Consulting Services in the amount of \$9,310 for Fiscal Year 2018-19 and \$1,500 to vet the contracts for Fiscal Year 2019-20 is hereby approved.

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

**BE IT RESOLVED, the request for approval of Contract with engineer Mr. Ron Pledger for design and construction management HVAC units for Pamlico County Human Services Building in the amount of \$47,600 is hereby approved**

**BE IT FURTHER RESOLVED, the Chairman, County Manager, and/or Finance Officer are hereby authorized to sign the contract and other documents necessary for the project.**

**BE IT FURTHER RESOLVED, the following waiver of the Mini Brooks Act is hereby approved**

PAMLICO COUNTY  
RESOLUTION PURSUANT TO  
N.C.Gen.Stat. §143-64.32

**WHEREAS**, N.C.Gen.Stat. §143-64.31 requires the selection of firms to perform architectural, engineering, and surveying services by a County to be without regard to fee, after public announcement of such services; and,

**WHEREAS**, Pamlico County ("County") proposes to enter into an engineering service contract for design and project management related to HVAC Replacement at Human Services Building Project; and,

**WHEREAS**, the amount of professional fees under the proposed Service Contract is estimated to be less than Fifty Thousand and No/100 Dollars (\$50,000.00); and,

**WHEREAS**, N.C.Gen.Stat. §143-64.32 allows a County to exempt itself from the requirements of N.C.Gen.Stat. §143-64.31, when the amount of professional fees is estimated to be less than Fifty Thousand and No/100 Dollars (\$50,000.00); and,

**WHEREAS**, the County finds that it is in its best interest to exempt the proposed Service Contract from the provisions of G.S. §143-64.31.

**NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF PAMLICO COUNTY RESOLVES:**

Section 1. The above-described Service Contract is hereby made exempt from the provisions of G.S. §143-64.31 for the reasons stated in this resolution.

Section 2. This resolution shall be effective upon adoption.

Adopted this 5<sup>th</sup> day of February, 2018.



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

**BE IT RESOLVED, the Soil/Water Conservation Board’s request for approval of a contract in the amount of \$5,200 with Beaver Begone to remove beavers along approximately ten (10) miles of Goose Creek in conjunction with stream debris removal with a fund balance appropriation of \$5,200 to cover the cost of the project is hereby approved.**

*Department:* Soil Conservation

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**FISCAL YEAR 2017-2018**

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10-0000-439900	Fund Balance Appropriation	\$5,200.00	
10-4961-519900	Contracted Services	\$5,200.00	

*Reason for Budget Revision:* To move funds to cover the contract with Beaver Begone for beaver removal.

Commissioner Ann Holton arrived.

The consensus of the Board was to note for minutes the review of the Community Services Block Grant (CSBG) from Coastal Community Action.

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

**BE IT RESOLVED, the request for approval from Tax Administrator, Sarah Davis to post the GIS Coordinator position and hire the new candidate by March 1, 2018 with a fund balance appropriation of \$18,000 is hereby approved.**

*Department:* Tax Office

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**FISCAL YEAR 2017-2018**

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-0000-439900	Fund Balance Appropriation	\$18,000.00	
10-4140-512100	Salaries & Wages	\$18,000.00	

*Reason for Budget Revision:* To move funds to cover the costs for an interim hire in the Tax office.

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

**BE IT RESOLVED, the request for approval of change orders 2, 3, and 4 related to Water Department Office Renovation is hereby approved.**

There being no further business, on a motion made by Commissioner Paul Delamar and seconded by Commissioner Candy Bohmert, the Board adjourned until Monday, February 19, 2018 at 7:00 pm.

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Chairman

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Clerk to the Board