

**REGULAR SESSION MINUTES OF THE
PAMLICO COUNTY BOARD OF COMMISSIONERS
MONDAY, JUNE 04, 2018**

The Pamlico County Board of Commissioners met on Monday, June 04, 2018 at 7:00 PM in the Patsy H. Sadler Room of the Pamlico County Courthouse. All Commissioners were present. Also present were County Attorney Dave Baxter, County Manager Tim Buck, Finance Officer Bill Fentress, and Clerk to the Board Courtney L. Norfleet.

Chairman Ed Riggs called the meeting to order.

Chairman Ed Riggs recognized Reverend Charles Hardison 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 minutes of the May 21, 2018 meeting. There being none, on a motion made by Commissioner Candy Bohmert and seconded by Commissioner Paul Delamar, the following resolution was unanimously approved.

BE IT RESOLVED, the regular session minutes of the Monday May 21, 2018 meeting are hereby approved and the Chairman’s signature is authorized thereon.

County Manager Tim Buck presented the Fiscal Year 2018-2019 Budget.

	<u>REQUESTED</u>	<u>RECOMMENDED</u>
Revenues	17,900,362	17,977,761
Expenses	<u>20,250,688</u>	<u>19,250,014</u>
Difference	(2,350,326)	(1,272,253)
Fund Balance Allocation		1,272,253

Water Fund

	<u>REQUESTED</u>	<u>RECOMMENDED</u>
Revenues	2,459,634	2,479,634
Expenses	<u>2,429,980</u>	<u>2,479,634</u>
Difference	(29,654)	0

Chairman Ed Riggs asked if there were any additions, and/or deletions to the agenda. There were four (4) additions. On a motion made by Commissioner Candy Bohmert and seconded by Commissioner Pat Prescott, the following additions were approved to be added to the correspondence agenda.

- Transfer unused EDTAP Funds to Jones County **Item #11**
- Fingerprint Machine Purchase **Item #12**
- Repairs to Styrontown Beach Pier **Item # 13**
- FY 2018-19 Selection of Insurance Carrier **Item #14**

On a motion made by Commissioner Candy Bohmert and seconded by Commissioner Missy Baskervill, 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 2017-2018

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-4310-539500	Training		\$2,000.00
10-4310-535300	M & R Auto	\$2,000.00	

Reason for Budget Revision: To move funds to cover the maintenance on the patrol vehicles.

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 2017-2018

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-0600-434262	Insurance Claims Loss-Sheriff	\$2,144.96	
10-4310-535300	M & R Auto	\$2,144.96	

Reason for Budget Revision: To recognize funds received for damaged vehicle and increase expenditure line for repairs.

Department: Commissioners

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FISCAL YEAR 2017-2018

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-4110-545000	Insurance & Bonds		\$3,200.00
10-4110-519900	Contracted Services	\$2,000.00	
10-4110-531000	Travel	\$ 500.00	
10-4110-549901	Miscellaneous	\$ 700.00	

Reason for Budget Revision: To move funds to cover the 2018 NCACC Annual County Commissioner Conference expenses and to cover line item overruns.

Department: DSS

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FISCAL YEAR 2017-2018

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-5550-548300	Chore Services IIIB		\$1,000.00
10-5550-531000	Travel		\$1,000.00
10-5550-523900	Medical Supplies & Materials		\$1,000.00
10-5550-519900	Contracted Services		\$3,500.00
10-5373-519900 III	Contracted Services Level III	\$6,500.00	

Reason for Budget Revision: To reflect actual spending pattern in Home and Community Care Block Grant.

Department: Senior Services

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FISCAL YEAR 2017-2018

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-0400-438306	Home Delivered Meals	\$25.00	
10-4933-522000	Food & Provisions	\$25.00	

Reason for Budget Revision: To recognize revenue and increase appropriate expense line item.

Department: Maintenance

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FISCAL YEAR 2017-2018

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-5000-535300	M & R Auto		\$ 800.00
10-5000-533000 JAIL	Electrical (Jail)		\$1,000.00
10-5000-529000 JAIL	Departmental Supplies (Jail)		\$2,000.00
10-5000-529000	Departmental Supplies		\$1,810.00
10-5000-519900 JAIL	Contracted Services		\$1,000.00
10-6120-529000	Departmental Supplies		\$1,000.00
10-6120-512600	Salaries & Wages P/T		\$1,688.00
10-5000-531000	Travel		\$ 106.00
10-5000-549959	Courtroom/Clerk of Court		\$ 96.00
10-5000-525100	Auto Supplies	\$ 800.00	
10-5000-533001 JAIL	Water & Sewer	\$3,700.00	
10-5000-519900	Contracted Services	\$5,000.00	

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

Department: Health Department

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FISCAL YEAR 2017-2018

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-5180-512100	Salaries & Wages		\$2,365.00
10-5180-519900	Contracted Services	\$2,365.00	

Reason for Budget Revision: To move funds to cover legal services.

Department: **Health Department**

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FISCAL YEAR 2017-2018

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-5168-512100	Salaries & Wages		\$2,110.00
10-5171-512100	Salaries & Wages	\$1,500.00	
10-5171-518100	FICA Expense	\$ 110.00	
10-5171-518200	Retirement Expense	\$ 250.00	
10-5171-518300	Group Insurance	\$ 250.00	
10-5180-512100	Salaries & Wages		\$5,300.00
10-5180-512700	Longevity	\$2,000.00	
10-5180-518300	Group Insurance	\$ 300.00	
10-5180-518600	Workers Comp.	\$3,000.00	
10-5191-529000	Departmental Supplies		\$ 350.00
10-5191-525100	Auto Supplies	\$ 350.00	
10-5111-512100	Salaries & Wages		\$ 300.00
10-5111-525100	Auto Supplies	\$ 300.00	

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

Department: **Board of Elections**

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FISCAL YEAR 2017-2018

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-4170-512100	Salaries & Wages		\$5,840.84
10-4170-512200	Overtime	\$ 443.90	
10-4170-512600	P/T Salaries & Wages	\$5,204.56	
10-4170-512700	Longevity	\$ 15.04	
10-4170-518300	Group Insurance	\$ 153.79	
10-4170-518600	Workers Comp.	\$ 23.55	

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

Department: County Manager

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FISCAL YEAR 2017-2018

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-4120-525100	Auto Supplies		\$50.00
10-4120-531000	Travel	\$50.00	

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

Department: JCPC

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FISCAL YEAR 2017-2018

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-0213-435831	Restitution		\$750.00
10-0213-435834	Administration	\$750.00	

Reason for Budget Revision: To align JCPC revenue budgets per JCPC.

Department: JCPC

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FISCAL YEAR 2017-2018

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-0213-435834	Administration		\$3,725.00
10-0213-435832	Stillwaters	\$3,725.00	

Reason for Budget Revision: To align JCPC revenue budgets per JCPC.

Department: JCPC

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FISCAL YEAR 2017-2018

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-5830-519900	Contracted Services		\$1,000.00
10-5833-500000	Administration	\$1,000.00	

Reason for Budget Revision: To align JCPC expense budgets per JCPC.

BE IT RESOLVED, the request to authorize Budget Officer to make necessary year end budget amendments is hereby approved.

BE IT RESOLVED, the request for approval of Department of Finance Policies Manual is hereby approved.

BE IT RESOLVED, a public hearing will be held on Monday, June 18, 2018 on the Fiscal Year 2018-2019 Budget.

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

BE IT RESOLVED, the request to appoint Ms. Lauren Murray, GIS Coordinator, as Map Review Officer 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 to appoint Mr. Chris Ireland as Pamlico County's Municipal Appointment to Down East RPO.

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

BE IT RESOLVED, the request to appoint a replacement to fill a vacancy on the Board of Health is hereby tabled until next meeting, per Board policy.

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

BE IT RESOLVED, the Community Rating System (CRS) activity report was presented to the Board, additionally there was a structure damaged in Hurricane Irene, (built in 2007), in which Commissioner Missy Baskervill with present additional information to County manager Tim Buck.

On a motion made by Commissioner Paul Delamar and seconded by Commissioner Candy Bohmert, the following resolution was passed by majority vote with Commissioners Ed Riggs and Carl Ollison casting dissenting votes.

BE IT RESOLVED, the Pamlico County Board of Commissioners hereby give Mr. Michael Jay Fuller, Jr., Esq. of the law firm McHugh Fuller Law Group, PLLC the Authority to Represent in a civil suit against those legally responsible for the wrongful distribution of prescription opiates and damages caused thereby.

BE IT FURTHER RESOLVED, the following resolution supporting legal action regarding the opioid crisis is hereby approved.

PAMLICO COUNTY

Resolution Supporting Legal Action Regarding the Opioid Crisis

WHEREAS, Pamlico County is in the midst of an opioid crisis that is taking an enormous toll on the people and families of Pamlico County, as well as impacting Law Enforcement, Emergency Management, and Health and Human Services with significant increased demand for services; and

WHEREAS, large amounts of opioid prescription pills were dispensed in 2016-2017 to Pamlico County residents resulting in increased numbers of overdoses; and

WHEREAS, an unacceptable percent of children entering foster care enter as a result of substance use by a parent or parents; and

WHEREAS, beyond the fiscal impact, the human impact of this epidemic on the parents, spouses, children, siblings, and friends who have witnessed and experienced the suffering – and all too often the loss of life – of a loved one is beyond measure. The loss of the gifts and talents of those individuals to their families, communities, and employers remains forever; and

WHEREAS, treatment options for people with substance use disorders are limited, particularly for the under and uninsured; and

WHEREAS, the usage of Narcan by EMS increased greatly in 2016-2017; and

WHEREAS, several units of local government across the nation have filed lawsuits against prescription pain manufacturers in an effort to hold the same accountable for their role in the opioid epidemic; and

WHEREAS, the North Carolina Attorney General is working with a bipartisan coalition of a majority of the state Attorneys General across the country in an ongoing

investigation to evaluate whether manufacturers have engaged in unlawful practices in the marketing and sale of opioids; and

WHEREAS, such investigations are sometimes a precursor to litigation, which could be an appropriate avenue for the recovery of damages for Pamlico County; and

WHEREAS, Pamlico County strongly believes that it may be entitled to recovery against painkiller manufacturers and wishes to pursue recovery in the most efficient way possible. It further believes that the state is in the best position to efficiently procure such a result; however, the County is willing to proceed on its own if any action or inaction by the state does not appropriately address its concerns.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for the County of Pamlico as follows:

1. That it supports the state of North Carolina's involvement in the bipartisan coalition of the majority of states across the country investigating whether prescription painkiller manufacturers have engaged in unlawful practices in the marketing and sale of opioids.

2. That it recommends legal action be taken and compensation be sought by the State of North Carolina on behalf of North Carolina counties if it is found that painkiller manufacturers have engaged in unlawful practices in the marketing and selling of opioids.

3. That, notwithstanding its recommendation above, the County of Pamlico intends to investigate the feasibility of taking legal action itself against prescription painkiller manufacturers.

4. That the Pamlico County Attorney is instructed to monitor the ongoing investigation by the State and other counties, and evaluate its effect on the County, and to investigate the feasibility of joining any lawsuits or potential lawsuits, and to investigate potential attorney(s) and/or law firm(s) competent to handle any litigation the County might pursue and to report the findings to the County Manager.

5. That, by and with the consent of the County Attorney, County staff is hereby instructed to proceed with this undertaking and all acts and doings of officers, employees and agents of the County, whether taken prior to, on, or after the date of this Resolution, that are in conformity with and in the furtherance of the purposes and intents of this Resolution as described above shall be, and the same hereby are, in all respects ratified, approved and confirmed.

6. That the Chairman and County Manager, or either of them, or their designee(s), are hereby authorized to execute such documents as may be required to affect the purposes and intents of this resolution and to interview and/or evaluate prospective law firms that respond to the aforementioned Request for Information.

7. That this resolution shall become effective upon its adoption.

ADOPTED THIS 4TH DAY OF JUNE, 2018.

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 for approval of Fire Department Contracts between each of the nine (9) fire departments and the County for provision of fire protection services is hereby approved.

THIS AGREEMENT, made and entered into this fourth day of June 2018, by and between PAMLICO COUNTY, a body politic and corporate of the State of North Carolina, hereinafter called "the County"; and Olympia/Grantsboro-Silverhill/Triangle/SouthEast Pamlico/Vandemere/Goose Creek Island Volunteer Fire Department, Inc., a North Carolina corporation with its principal office in the Olympia/Grantsboro-Silverhill/Triangle/SouthEast Pamlico/Vandemere/Goose Creek Island Community, Pamlico County, North Carolina, hereinafter called "the Fire Department";

WITNESSETH

WHEREAS the Fire Department was organized and operates for the purpose of furnishing fire protection to the Olympia/Grantsboro-Silverhill/Triangle/SouthEast Pamlico/Vandemere/Goose Creek Island Fire District and adjacent areas; and

WHEREAS the County has adopted an ordinance entitled ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF THE PAMLICO COUNTY FIRE CHIEF'S COMMISSION, THE OFFICE OF PAMLICO COUNTY FIRE MARSHAL AND PROVIDING FOR FINANCIAL ASSISTANCE TO CERTAIN FIRE DEPARTMENTS IN PAMLICO COUNTY, copy of which is attached hereto and is by reference incorporated herein, hereinafter called "the Ordinance"; and

WHEREAS the Fire Department has established the Olympia/Grantsboro-Silverhill/Triangle/SouthEast Pamlico/Vandemere/Goose Creek Island Fire District pursuant to Section 1 of Article V of the Ordinance, and its boundaries are shown on the map attached hereto; and

WHEREAS the Fire Department had applied to the County for financial assistance and has met the requirements of the Ordinance;

Now, THEREFORE, the parties agree:

1. The Fire Department agrees to continue to meet the requirements of the Ordinance during the two-year period beginning June 4, 2018. The Fire Department agrees to furnish fire protection to the Olympia/Grantsboro-Silverhill/Triangle/SouthEast Pamlico/Vandemere/Goose Creek Island Fire District during the said two-year period.
2. The County will pay to the Fire Department on or before the 25th day of each month an amount to be approved by the County Board of Commissioners annually.
3. Should the Fire Department fail to maintain the standards set forth in the Ordinance, the County may discontinue payment of the monthly sum set forth in foregoing Section 3 hereof, but it will resume such payments when compliance with the standards has been re-established.
4. The term of this contract shall be automatically renewed for two years upon the expiration of the term hereof and the renewal terms shall continue to be renewed automatically every two years unless one party shall give to the other, written notice of its intention to terminate the contract at least thirty (30) days before the then current term.

IN WITNESS WHEREOF, the County has caused this Agreement to be signed by the Chairman of its Board of Commissioners, attested by the Clerk to said Board, and its official seal to be hereto affixed, all by authority of said Board duly given, and the Fire Department has caused this agreement to be signed by its President, attested by its Secretary, and its corporate seal affixed, all by authority of its Board of directors, all the day and year first above written.

PAMLICO COUNTY

BY: _____
Chairman of the Board of
Commissioners

ATTEST:

Clerk to the Board of Commissioners

Olympia/Grantsboro-Silverhill/Triangle/SouthEast Pamlico/Vandemere/Goose Creek Island
Volunteer Fire Department, Inc.

BY: _____
President

BY: _____
Chief

ATTEST:

Secretary

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Act.

Finance Officer, Pamlico County

THIS AGREEMENT, made and entered into this fourth day of June 2018, by and between PAMLICO COUNTY, a body politic and corporate of the State of North Carolina, hereinafter called "the County"; and Arapahoe/Reelsboro Fire-Rescue, Inc., a North Carolina corporation with its principal office in the Arapahoe/Reelsboro Community, Pamlico County, North Carolina, hereinafter called "the Fire Department";

WITNESSETH

WHEREAS the Fire Department was organized and operates for the purpose of furnishing fire protection to the Arapahoe/Reelsboro Fire District and adjacent areas; and

WHEREAS the County has adopted an ordinance entitled ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF THE PAMLICO COUNTY FIRE CHIEF'S

COMMISSION, THE OFFICE OF PAMLICO COUNTY FIRE MARSHAL AND PROVIDING FOR FINANCIAL ASSISTANCE TO CERTAIN FIRE DEPARTMENTS IN PAMLICO COUNTY, copy of which is attached hereto and is by reference incorporated herein, hereinafter called "the Ordinance"; and

WHEREAS the Fire Department has established the Arapahoe/Reelsboro Fire District pursuant to Section 1 of Article V of the Ordinance, and its boundaries are shown on the map attached hereto; and

WHEREAS the Fire Department had applied to the County for financial assistance and has met the requirements of the Ordinance;

Now, THEREFORE, the parties agree:

1. The Fire Department agrees to continue to meet the requirements of the Ordinance during the two-year period beginning June 4, 2018.
2. The Fire Department agrees to furnish fire protection to the Arapahoe/Reelsboro Fire District during the said two-year period.
3. The County will pay to the Fire Department on or before the 25th day of each month an amount to be approved by the County Board of Commissioners annually.
4. Should the Fire Department fail to maintain the standards set forth in the Ordinance, the County may discontinue payment of the monthly sum set forth in foregoing Section 3 hereof, but it will resume such payments when compliance with the standards has been re-established.
5. The term of this contract shall be automatically renewed for two years upon the expiration of the term hereof and the renewal terms shall continue to be renewed automatically every two years unless one party shall give to the other, written notice of its intention to terminate the contract at least thirty (30) days before the then current term.

IN WITNESS WHEREOF, the County has caused this Agreement to be signed by the Chairman of its Board of Commissioners, attested by the Clerk to said Board, and its official seal to be hereto affixed, all by authority of said Board duly given, and the Fire Department has caused this agreement to be signed by its President, attested by its Secretary, and its corporate seal affixed, all by authority of its Board of directors, all the day and year first above written.

PAMLICO COUNTY

BY: _____
Chairman of the Board of
Commissioners

ATTEST:

Clerk to the Board of Commissioners

Arapahoe/Reelsboro
Fire-Rescue, Inc.

BY: _____
President

BY: _____
Chief

ATTEST:

Secretary

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Act.

Finance Officer, Pamlico County

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 to transfer excess EDTAP funds in the amount of \$5,500 to Jones County and authorizing the County Manager and Finance Officer to make necessary Budget Amendments to facilitate the transaction is hereby approved.

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

BE IT RESOLVED, the request to purchase a new fingerprint machine currently used by the public in the amount of \$21,000 and authorizing the County manager and Finance Officer to make necessary Budget Amendments to facilitate the purchase is hereby approved.

Department: Sheriff's Department

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FISCAL YEAR 2017-2018

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-0000-439900	Fund Balance Appropriation	\$21,000.00	
10-4310-555000	Capital Outlay	\$21,000.00	

Reason for Budget Revision: To move funds to replace the finger print machine currently used by the public.

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

BE IT RESOLVED, the request for a Budget Amendment not to exceed \$12,000 to make needed repairs to Styrontown Beach Pier and authorizing the County manager and Finance Officer to make necessary Budget Amendments to facilitate the purchase is hereby approved.

Department: Recreation

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FISCAL YEAR 2017-2018

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-6120-512600	Salaries & Wages P/T		\$9,240.00
10-6120-525100	M & R Auto		\$2,500.00
10-6120-529000	Departmental Supplies		\$ 125.00
10-6120-535100	M & R Grounds	\$11,865.00	

Reason for Budget Revision: To move funds to repair the boardwalk at the Styron Town Beach Pier.

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

BE IT RESOLVED, the request for approval for the County Manager and Finance Officer to sign contracts with MetLife as the carrier for dental and life insurance and with Community Eye Care for vision insurance for Fiscal Year 2018-2019 is hereby approved.

There being no further business, on a motion made by Commissioner Ann Holton and seconded by Commissioner Paul Delamar, the Board adjourned until Monday, June 18, 2018 at 7:00 PM.

Chairman

Clerk to the Board