

**REGULAR SESSION MINUTES OF THE
PAMLICO COUNTY BOARD OF COMMISSIONERS
MONDAY, OCTOBER 01, 2018**

The Pamlico County Board of Commissioners met in regular session on Monday, October 01, 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, Finance Officer Bill Fentress, and Clerk to the Board Courtney L. Norfleet

Chairman Ed Riggs called the meeting to order.

Chairman Ed Riggs recognized Commissioner Pat Prescott 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 changes, additions, and/or deletions to the regular session minutes of the Monday, September 24, 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 session minutes of the Monday, September 24, 2018 meeting are hereby 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 were three (3) additions. On a motion made by Commissioner Pat Prescott and seconded by Commissioner Candy Bohmert, the following additions were approved.

- Brady Quote – Courthouse Annex Compressor **Item 4a**
- Two (2) Budget Amendments
- Request for Closed Session

Chairman Ed Riggs asked if there were any members of the public to speak during public comment period. There was one (1).

1. Darrin Wall – Impact fees and refunds. Mr. Wall reminded the Board that he spoke to them at the January 2, 2018 meeting. He informed the Board that he found copies of the necessary documents to prove impact fees were paid. He requested the Board pay the principal of \$155,000 and nothing more. If not, he will take it to his lawyer.

The Board then turned their attention to the Correspondence Agenda.

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

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

Department: FMA-RL

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 2018-2019

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
22-4922-558104 HURL	Elevation Costs – (Hurley)	\$6,000.00	
22-4922-557201 HURL	Soft Costs – (Hurley)		\$6,000.00

Reason for Budget Revision: To redistrict funds for Hurley expenses.

Department: Recreation Department

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FISCAL YEAR 2018-2019

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-6120-519900	Contracted Services		\$80,080.00
10-6120-519900 DNCR	Contracted Services-DNCR	\$80,080.00	

Reason for Budget Revision: To move unused grant funds for completion of softball field to the correct account.

Department: Hurricane Florence

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FISCAL YEAR 2018-2019

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-0000-439900	Fund Balance Appropriation	\$500,000.00	
10-6600-519900 FLORE	Contracted Services – Florence	\$500,000.00	

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

Department: Board of Elections

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FISCAL YEAR 2018-2019

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
10-4170-517000	Per Diem		\$300.00
10-4170-532001	Postage	\$300.00	

Reason for Budget Revision: To move funds to cover additional postage needed to mail voters in the Grantsboro Precinct to inform them of a temporary transfer of polling location for the November 6, 2018 General Election due to FEMA occupying the Grantsboro Town Hall.

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 McClees Consulting contract for lobby services is hereby approved.

STATE OF NORTH CAROLINA

COUNTY OF PAMLICO

CONTRACT AND AGREEMENT

FOR SERVICES BY INDEPENDENT CONTRACTOR

THIS CONTRACT AND AGREEMENT for services by an independent contractor (herein referred to as the "Contract") is made and entered into this 1st day of October, 2018, by and between PAMLICO COUNTY, NORTH CAROLINA (herein "Client") and McCLEES CONSULTING, INC., of Pamlico County, NC (herein "Consultant").

BACKGROUND

Client is a duly organized county of the State of North Carolina, and having as its principal address: 202 Main Street, PO Box 776, Bayboro, North Carolina 28515.

Consultant is a corporation, incorporated and operating under the laws of North Carolina, and having as its principal address: 45 White Farm Road, PO Box 430, Oriental, North Carolina 28571.

Client is in need of the expertise and services of Consultant to lobby on behalf of Client, to include but not be limited to transportation issues, tax issues, educational issues, and any issues affecting Pamlico County that are specifically requested by the Chairman of the County Commissioners. Consultant has experience in lobbying, is familiar with the goals of Client, and has skills, knowledge, abilities, and experience to benefit Client.

The parties desire to enter into this lobbying agreement.

THEREFORE, in consideration of the premises and of the agreements, stipulations, and covenants herein contained, and for other good and valuable consideration, receipt of which is hereby acknowledged, the parties agree as follows:

1. **Consultation.**

(a) Client hereby engages Consultant to render lobbying services and Consultant agrees to provide such services upon the terms and conditions of this Contract.

(b) Consultant is being retained because of the personal skill, expertise, and experience of Joseph D. McClees. All services to be performed under this Contract shall be performed personally by Joseph D. McClees with the assistance of S. Henri McClees, Attorney at Law, unless Client gives its prior written consent to another arrangement.

(c) Consultant shall report to the Chairman of the Board of County Commissioners of Pamlico County, and shall keep the County Manager informed of all activities.

2. **Term.** The term of the Contract shall begin on the first day of January 2019 and continue through the 31st day of December, 2019.

3. **Consulting Fees.** Client shall pay to Consultant fees for services as follows:

(a) The sum of Twenty-Seven Thousand Five Hundred Dollars (\$27,500.00) for lobbying services, with Thirteen Thousand Seven Hundred Fifty Dollars (\$13,750.00) payable at the time of the execution of the Contract and Thirteen Thousand Seven Hundred Fifty Dollars (\$13,750.00) payable on or before the first day of January 2019.

(b) Client shall reimburse Consultant for all lobbyist and principal registration online filing fees, totaling Seven Hundred Fifty-Six Dollars (\$756.00), payable on or about the first day of January, 2019.

4. **Independent Contractor.** The parties acknowledge and agree the relationship of Consultant with Client is that of an independent contractor. Except as provided in this Contract, neither party shall exercise any control over the activities and operations of the other. Neither Client nor Consultant is liable or responsible for the acts, omissions, or defaults of the other in any manner. Consultant, as well as any employees or independent contractors of Consultant, shall not be considered, under the provisions of this Contract or otherwise, to be employees of Client for any purpose whatsoever.
5. **Applicable Law.** The laws of North Carolina shall govern this Contract.
6. **Entire Agreement; Amendment.** This Contract supersedes all prior understandings and agreements and informal working arrangements between the parties, written and oral. This Contract may not be amended orally, but only by a writing duly executed by both parties.

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 to reset public hearing for Voluntary Agriculture District (VAD) for November 5, 2018 is hereby approved.

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 quote from Bobby Cahoon Construction, Inc. to demolish the old Bayboro Water Treatment Plant in the amount of \$5,000 is hereby approved.

BE IT FURTHER RESOLVED, the County Manager and Finance Officer are hereby approved to make necessary budget amendments to facilitate abovementioned project.

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 quote from Brady to replace defective compressor on the Courthouse Annex air conditioning unit in the amount of \$11,755 is hereby approved.

As requested, the County Manager gave the Board Hurricane Florence updates.

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

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

No action was taken in closed session.

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

BE IT RESOLVED, the County Manager is hereby authorized to rescind contract with current Debris Monitoring Company, Landfall Strategies and then award to second lowest bidder DebrisTech.

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

BE IT RESOLVED, repairs made to the Sheriff's Office are hereby approved as long as they remain under \$30,000.

There being no further business, on a motion made by Commissioner Candy Bohmert and seconded by Commissioner Missy Baskervill, the Board adjourned until October 15, 2018 at 7:00 pm.

Chairman

Clerk to the Board