

**REGULAR SESSION MINUTES OF THE  
PAMLICO COUNTY BOARD OF COMMISSIONERS  
MONDAY, JANUARY 04, 2021**

The Pamlico County Board of Commissioners met in regular session on Monday, January 04, 2021 at 7:00 pm in the Courtroom of the Pamlico County Courthouse. All Commissioners were present with the exception of Commissioner Pat Prescott who attended via Zoom. Also present were County Attorney Dave Baxter, Finance Officer Bill Fentress, and Clerk to the Board Courtney L. Norfleet. County Manager Tim Buck attended via Zoom.

Chairman Doug Brinson called the meeting to order.

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

Chairman Doug Brinson asked if there were any corrections, additions, and/or deletions to the Monday, December 07, 2020 regular session minutes. There being none, on a motion made by Commissioner Candy Bohmert and seconded by Commissioner Missy Baskervill, the following resolution was approved by the following roll call vote: Ayes: Commissioners Baskervill, Bohmert, Brinson, Ollison, Prescott, and Riggs. Nays: None. Absent: None.

**BE IT RESOLVED, the regular session minutes of the Monday, December 07, 2020 meeting are hereby approved, and the Chairman's signature is authorized thereon.**

Chairman Doug Brinson opened the floor for a motion to appoint Ms. Kari Forrest to the Pamlico County Board of Commissioners to fill the vacant seat of At-Large. On a motion made by Commissioner Missy Baskervill and seconded by Commissioner Candy Bohmert the following resolution was approved by the following roll call vote: Ayes: Commissioners Baskervill, Bohmert, Brinson, Ollison, Prescott, and Riggs. Nays: None. Absent: None.

**BE IT RESOLVED, the vacant seat of At-Large is hereby filled by Ms. Kari Forrest until the election of 2022.**

Judge Paul Delamar issued the oath of office to Ms. Kari Forrest. Ms. Kari Forrest took her seat at the Board of Commissioners' table.

Chairman Doug Brinson asked if there were any additions and/or deletions to the agenda. There were none.

Chairman Doug Brinson asked if there were any members of the Public to speak during Public Comment Period. There was one (1).

1. Dave Wickersham – Thanked former Commissioner Paul Delamar for his service to the County and its citizens and congratulated Commissioner Kari Forrest for her newly appointed seat as a Pamlico County Commissioner.

The Board then turned their attention to the Consent Agenda.

A motion made by Commissioner Candy Bohmert and seconded by Commissioner Missy Baskervill to approve the consent agenda was amended to include one change in the Board of Health Attendance Policy, item number four (4), to change the last sentence of the paragraph under Attendance to say “Board members are expected to attend at least four meetings per year.” was approved by the following roll call vote: Ayes: Commissioners Baskervill, Bohmert, Brinson, Forrest, Ollison, Prescott, Riggs. Nays: None. Absent: None.

**BE IT RESOLVED, the following Tax Release is hereby approved.**

Name:	Year	Tax/Ticket	Reason	Amount
Walter Webster	2020	6718726	Square Footage Error	\$ 203.61

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

*Department:* **Water 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 2020-2021**

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
307140-529000	Departmental Supplies	\$ 20,000.00	
307140-555000	Capital Outlays		\$ 20,000.00
307140-529000VAN	Departmental Supplies	\$ 600.00	
307140-529000MIL	Departmental Supplies		\$ 600.00

*Reason for Budget Revision:* To move funds to cover expenses for repairing hydrants.

*Department:* **Board of Elections**

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 2020-2021**

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
100600-400000	Miscellaneous Revenues	\$ 3,383.88	
104170-512600	Salaries & Wages P/T	\$ 3,383.88	

*Reason for Budget Revision:* To recognize revenue from State of NC and increase part-time salaries line for 1-stop bonus.

*Department:* DSS

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 2019-2020**

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
105491-500000	Expenditure		\$ 1,917.97
100212-435310	Administrative Reimb DSS		\$ 1,917.97

*Reason for Budget Revision:* To change Budget to reflect actual money received from the State.

*Department:* Soil & Conservation

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**FISCAL YEAR 2020-2021**

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
100000-439900	Fund Balance Approp.	\$ 249.48	
104961-519930	Contracted Stream Deb Removal	\$ 249.48	

*Reason for Budget Revision:* To move unused funds to correct fiscal year.

*Department:* DSS

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**FISCAL YEAR 2019-2020**

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
105481-500018	Pandemic LIEAP Expense	\$ 38,848.23	
100212-435476	Pandemic LIEAP Assistance	\$ 38,848.23	

*Reason for Budget Revision:* To recognize funding received from the State.

*Department:* Board of Elections

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**FISCAL YEAR 2020-2021**

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
104170-531000	Travel	\$ 2,000.00	
104170-529000	Departmental Supplies		\$ 2,000.00
104170-532001	Postage	\$ 2,000.00	
104170-529000	Departmental Supplies		\$ 2,000.00
104170-537000	Advertising	\$ 300.00	
104170-529000	Departmental Supplies		\$ 300.00

*Reason for Budget Revision:* To move funds to cover costs of the November 2020 General Election.

*Department:* COVID 19

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**FISCAL YEAR 2020-2021**

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
100000-439900COVID	Fund Balance Approp.	\$ 42,415.53	
106600-518100COVID	FICA Expense	\$ 1,887.31	
106600-518101COVID	Medicare Expense	\$ 441.43	
106600-512200COVID	Overtime	\$ 32,383.13	
106600-518200COVID	Retirement Expense	\$ 3,302.11	
106600-518300COVID	Group Insurance	\$ 4,401.55	

*Reason for Budget Revision:* To move funds to cover COVID 19 Overtime Expense – FEMA Reimbursement Expense.

*Department:* Sheriff Department

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**FISCAL YEAR 2020-2021**

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
104320-519900	Contracted Services	\$ 10,005.60	
104320-555000	Capital Outlays		\$ 10,005.60

*Reason for Budget Revision:* To move funds to cover a one-time contract amount from Willo.

*Department:* DSS

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**FISCAL YEAR 2019-2020**

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
100212-435434	COVID Adv 2020- Foster Care	\$ 200.00	
105310-549710	COVID Adv- Foster Care Exp.	\$ 200.00	

*Reason for Budget Revision:* To recognize additional state COVID funds expenses and revenue for Foster Care.

*Department:* Water Department

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**FISCAL YEAR 2020-2021**

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
307140-529000	Departmental Supplies	\$ 7,000.00	
307140-529000KER	Departmental Supplies		\$ 2,000.00
307140-529000GRT	Departmental Supplies		\$ 3,000.00
307140-529000MIL	Departmental Supplies		\$ 2,000.00

*Reason for Budget Revision:* To move funds to cover expenses for leak repairs and new tap installations.

**BE IT RESOLVED, the following Adjudication and Attendance Policies are hereby approved.**

**Board of Health Adjudication**

**Purpose:**

BOH Adjudication of public health legal matter

**Policy:**

The Pamlico County Health Department has the power and duty to enforce public health laws and rules prescribed by and under the supervision of the Pamlico County Board of Health and the NC Department (NCGS 130A-41). This enforcement may in some circumstances involve the institution of an administrative penalty in accordance with NCGS 130A-22.

Any appeal of the enforcement by the Pamlico County Health Director shall be in accordance with NCGS 130A-24. The Pamlico County Board of Health shall serve as the adjudication body for any appeals concerning local public health rules or concerning the imposition of administrative penalties by the Health Director. The Pamlico County Health Director will notify the Board of Health Chair/BOCC when a request to appeal a decision has been received.

The Chair will establish a date for the hearing and the Pamlico County Health Director and/or designee will notify the Board of Health/BOCC members, the appealing party and legal counsel of the date, time and location of the hearing.

The Board of Health/BOCC shall hold a quasi-judicial hearing and shall either confirm, modify or reverse the challenged action. A person who wishes to contest the Board of Health's/BOCC decision may appeal to the jurisdiction's district court in accordance with NCGS 130A-24(d).

**Definitions: N/A**

**Applicable Law, Rules, and References:**

**Reference: NC General Statutes 130A-24, 130A-22, 130A-41**

**Reviewed Dec 2020 SDL**

### **Purpose**

The policy is intended to support full contribution of all board members. All board members receive a copy of this official policy. The policy is reviewed once a year and maintained in each member's Board Manual.

### **Attendance**

Regular attendance at the Board of Health meetings is essential so that items considered, and decisions made represent the board as a whole. In addition, regular attendance enables board members to be productive and helps ensure that issues are examined from a variety of perspectives. A Board of Health member may forfeit his or her appointment as a result of poor attendance. Attendance is defined as being present within thirty (30) minutes of the meeting start time and remaining throughout the agenda. Any member arriving later than thirty minutes will be considered absent unless prior approval has been granted by the Board Chairperson. Board members are expected to attend at least four meetings per year.

Board members with either 1) three consecutive absences in a twelve (12) month period or 2) more than six missed meetings in a twelve (12) month cycle will be contacted by the Board Chair asking the member to recommit to the Board of Health or relinquish their position to allow another individual to be appointed. This request will be followed by a letter to the board member signed and dated by the chairperson. If there is no agreement to recommit or response from the absentee board member within 15 days, the chairperson will present the infraction to the board at the next scheduled meeting. At this meeting, the chairperson will notify the board that a dismissal request for the member in question will be presented to the county commissioners for action.

### **Definition of a Board Attendance Problem**

A board-attendance problem occurs if any of the following conditions exist in regard to a board member's attendance to board meetings:

1. The member has three consecutive absences within a twelve (12) month period.
2. The member misses more than one-half of the total number of board meetings in a twelve-month period.

**BE IT RESOLVED, the recommended contractor, James L. Cayton, is hereby selected for the Bennett Road Water Main Extension Project at a price of \$90,829.**

**BE IT FURTHER RESOLVED, the County Manager and Finance Officer are hereby authorized to sign contract documents and to approve budget amendments necessary to establish adequate funding for the project.**

**BE IT RESOLVED, Mr. Maurice Benton is hereby reappointed to the ABC Board to serve a three (3) year term.**

**BE IT RESOLVED, the intent to lease flood buy out property located at 922 Meekins Road, Bayboro was advertised in New Bern Sun Journal on November 09, 2020 and staff is hereby authorized to enter lease with an interested party.**

On a motion made by Commissioner Candy Bohmert and seconded by Commissioner Pat Prescott, the following resolution was approved by the following roll call vote: Ayes: Commissioners Bohmert, Brinson, Forrest, Ollison, and Prescott. Nays: Commissioners Baskervill and Riggs. Absent: None.

**BE IT RESOLVED, Sheriff Davis' request to purchase two (2) new patrol cars at a cost of approximately \$77,000 including upfit is hereby approved.**

Chairman Doug Brinson recognized Health Director Scott Lenhart to give his quarterly report to the Board of Commissioners.

On a motion made by Commissioner Missy Baskervill and seconded by Commissioner Ed Riggs, the following resolution was approved by the following roll call vote: Ayes: Commissioners Baskervill, Bohmert, Brinson, Forrest, Ollison, Prescott, and Riggs. Nays: None. Absent: None.

**BE IT RESOLVED, Commissioner Candy Bohmert is hereby appointed to serve the unexpired term of former Commissioner Paul Delamar on Juvenile Crime Prevention Council (JCPC).**

On a motion made by Commissioner Ed Riggs and seconded by Commissioner Candy Bohmert, the following roll call vote was taken to go into closed session pursuant to NCGS § 143-318.11(a)(3) Attorney-Client Privilege to discuss *Bufflehead Point, LLC v. Pamlico County, Scott Lenhart, and North Carolina Department of Health and Human Services*: Ayes: Commissioners Baskervill, Bohmert, Brinson, Forrest, Ollison, Prescott, and Riggs. Nays: None. Absent: None.

On a motion made by Commissioner Ed Riggs and seconded by Commissioner Candy Bohmert, the following roll call vote was taken for the Board to go back into open session: Ayes: Commissioners Baskervill, Bohmert, Brinson, Prescott, and Riggs. Nays: None. Absent: Commissioner Ollison.

There being no further business, on a motion made by Commissioner Candy Bohmert, and seconded by Commissioner Missy Baskervill, the following roll call vote was taken to adjourn until Tuesday, January 19, 2021: Ayes: Commissioners Baskervill, Bohmert, Brinson, Forrest, Prescott, and Riggs. Nays: None. Absent: Commissioner Ollison.

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Chairman

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Clerk to the Board