

**REGULAR SESSION MINUTES OF THE
PAMLICO COUNTY BOARD OF COMMISSIONERS
MONDAY, APRIL 05, 2021**

The Pamlico County Board of Commissioners met in regular session on Monday, April 05, 2021 at 7:00 pm in the Courtroom of the Pamlico County Courthouse. All Commissioners were present with the exception of Commissioner Carl Ollison who attended via Zoom. Also present were County Attorney Dave Baxter, County Manager Tim Buck, Finance Officer Bill Fentress, and Clerk to the Board Courtney L. Norfleet.

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, March 15, 2021 regular session minutes and the Monday, March 29, 2021 budget workshop minutes. There being none, on a motion made by Commissioner Candy Bohmert and seconded by Commissioner Missy Baskervill, the following resolution was unanimously approved by the following roll call vote: Ayes: Commissioners Baskervill, Bohmert, Brinson, Forrest, Ollison, Prescott, and Riggs. Nays: None. Absent: None.

BE IT RESOLVED, the regular session minutes of the Monday, March 15, 2021 meeting and the Monday, March 29, 2021 budget workshop are hereby approved, and the Chairman's signature is authorized thereon.

Chairman Doug Brinson asked if there were any additions and/or deletions. There were two (2) additions. On a motion made by Commissioner Missy Baskervill and seconded by Commissioner Candy Bohmert, the following additions were approved by the following roll call vote: Ayes: Commissioners Baskervill, Bohmert, Brinson, Forrest, Ollison, Prescott, and Riggs. Nays: None. Absent: None.

- Request for approval to Add Fee to Water Department Fee Schedule **Item 7a**
- Request for approval to Purchase IT Equipment **Item 7b**

There were no members of the public to speak during public comment period.

The Board then turned their attention to the Correspondence Agenda.

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

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

Department: Health 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
105167-512100	Salaries & Wages		\$ 11,000.00
105167-518100	FICA Expense		\$ 700.00
105167-518101	Medicare Expense		\$ 100.00
105167-518300	Group Insurance		\$ 1,500.00
105167-519900	Contracted Services	\$ 13,000.00	
105168-512100	Salaries & Wages		\$ 11,000.00
105168-518100	FICA Expense		\$ 700.00
105168-518101	Medicare Expense		\$ 300.00
105168-518300	Group Insurance		\$ 1,000.00
105168-519900	Contracted Services	\$ 13,000.00	

Reason for Budget Revision: To transfer funds to cover contract employee.

Department: Sheriff Department

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FISCAL YEAR 2020-2021

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
104310-529000MAJ	Departmental Supplies	\$ 9,000.00	
104310-519900	Contracted Services		\$ 3,000.00
104310-519000	Professional Services		\$ 1,500.00
104310-531000	Travel		\$ 4,500.00

Reason for Budget Revision: To transfer funds to cover two PO requests for WatchGuard Video.

Department: Recreation/Public Buildings

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FISCAL YEAR 2020-2021

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
106120-529000MAJ	Departmental Supplies		\$ 4,000.00
105000-519900JAIL	Contracted Services	\$ 4,000.00	
105000-531000	Travel		\$ 500.00
105000-525100	Auto Supplies		\$ 426.00
105000-521200	Uniforms	\$ 926.00	

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

Department: Recycling

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FISCAL YEAR 2020-2021

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
104721-535100	M&R Grounds		\$ 1,600.00
104721-512200	Overtime	\$ 1,600.00	

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

Department: Animal Control

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FISCAL YEAR 2020-2021

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
100600-400000	Miscellaneous Revenue	\$ 41.66	
104380-519900	Contracted Services	\$ 41.66	

Reason for Budget Revision: To recognize revenue for Animal Control and increase contracted services line.

Department: Senior Services

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FISCAL YEAR 2020-2021

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
104930-512100	Salaries & Wages		\$ 100,000.00
104930-512600	Salaries & Wages PT	\$ 11,000.00	
104930-518100	FICA		\$ 5,000.00
104930-518200	Retirement Expense		\$ 7,000.00
104930-518300	Group Insurance		\$ 13,000.00
104930-518600	Worker's Comp		\$ 3,000.00
104934-512100	Salaries & Wages	\$ 44,000.00	
104934-518100	FICA	\$ 3,500.00	
104934-518200	Retirement Expense	\$ 3,000.00	
104934-518300	Group Insurance	\$ 8,000.00	
104945-512100	Salaries & Wages	\$ 44,000.00	
104945-518100	FICA	\$ 3,000.00	
104945-518200	Retirement Expense	\$ 3,500.00	
104945-518300	Group Insurance	\$ 8,000.00	

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

Department: **Health Department**

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FISCAL YEAR 2020-2021

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
100211-435181	Food & Lodging	\$ 2,741.00	
105110-529000	Departmental Supplies-General	\$ 850.00	
105180-529000	Departmental Supplies-EH	\$ 1,891.00	

Reason for Budget Revision: To recognize increase in funding.

Department: **DSS**

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FISCAL YEAR 2020-2021

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
105491-500000	Expenditure-Duke Energy	\$ 228.00	
100212-435310	Administrative Reimb DSS	\$ 228.00	
105481-500000	Expenditure-Crisis Intervention Prog		\$ 13,750.00
100212-435310	Administrative Reimb DSS		\$ 13,750.00

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

Department: **Sheriff Department**

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FISCAL YEAR 2020-2021

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
100213-434328	Controlled Substance- Restricted	\$ 1,962.54	
104310-539801	Controlled Substance Expenses	\$ 1,962.54	

Reason for Budget Revision: To recognize revenue and increase associated expenditure line.

Department: COVID-19

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FISCAL YEAR 2020-2021

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
106600-512200	COVID Overtime	\$ 20,000.00	
106600-518100	COVID FICA Expense	\$ 2,000.00	
106600-518101	COVID Medicare Expense	\$ 1,000.00	
106600-518200	COVID Retirement Expense	\$ 3,000.00	
106600-518300	COVID Group Insurance	\$ 3,000.00	
106600-549920	Corona Virus 2020	\$ 7,600.00	
100000-439900	Fund Balance App.	\$ 36,600.00	

Reason for Budget Revision: To cover COVID expenses projected to be reimbursed by FEMA.

Department: Health Department

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FISCAL YEAR 2020-2021

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
100211-435517	543 ELC Enhancing Detect Rev	\$ 101,924.00	
105157-512100	Salaries & Wages	\$ 45,224.00	
105157-512200	Overtime	\$ 25,000.00	
105157-518100	FICA Expense	\$ 6,000.00	
105157-518200	Retirement Expense	\$ 7,000.00	
106600-549920	Group Insurance	\$ 2,200.00	
100000-439900	Contracted Services	\$ 16,500.00	

Reason for Budget Revision: To recognize increase in funding.

Department: Public Buildings

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FISCAL YEAR 2020-2021

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT(-) DECREASED
105000-519900	JAIL Contracted Services	\$ 9,776.00	
104721-512200	Contracted Services	\$ 5,659.00	
100000-439900	Fund Balance App.	\$ 15,435.00	

Reason for Budget Revision: To move funds to cover line item overruns for the remaining 13 weeks of Fiscal Year 20/21.

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

BE IT RESOLVED, the request for approval of Fireworks Displays is hereby approved.

YMCA Camp Sea Gull/YMCA Camp Seafarer
Display Operator: East Coast Pyrotechnics
Dates for Dual Shows:

April 17
April 24
May 1
May 8
May 15

BE IT RESOLVED, the request for approval of Order re: David Paul Schmidt Valuation is hereby approved.

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

BE IT RESOLVED, the following resolution in opposition to Senate Bill 196 is hereby approved.

**PAMLICO COUNTY BOARD OF COMMISSIONERS
RESOLUTION IN OPPOSITION TO THE PORTION OF
SENATE BILL 196 THAT PERTAINS TO COURT APPOINTED
COMMISSIONER'S FEES**

WHEREAS, Senate Bill 196 (the "Bill") has been introduced in the current session of the North Carolina General Assembly;

WHEREAS, a portion of the Bill pertains to the commissions earned by court appointed commissioners in tax foreclosures conducted on behalf of local governments under NCGS Section 105-374(i);

WHEREAS, persons and firms appointed in this capacity must complete many tasks and advance much expense, including but not limited to:

- advertising, posting and listing the property for sale, which includes for most firms that conduct this service, updating the firm website with the sale information
- conducting the public sale at the courthouse which includes
 - auctioning the property
 - collecting deposits
 - issuing receipts

- filing the Report of Sale
- providing information to interested bidders regarding the remaining processes
- monitoring the sale through the upset bid period
 - processing upset bids, which includes
 - receiving the upset bids from the Clerk's Office
 - mailing a copy of the upset bid to all the parties in the action
 - refunding deposits made at the public sale
- collecting the balance of the sales proceeds from the highest bidder after the upset bid period has expired
- drawing legal documents, including:
 - the commissioner's deed
 - the motion to confirm the sale
 - the order to confirm the sale
 - the account to the Clerk of Court as to the funds received and disbursed
- attending the hearing on the motion to confirm the sale
- recording the commissioner's deed
- transmitting every document filed with the Clerk to every party involved in the foreclosure action, including all lienholders and owners of record;

WHEREAS, these services are substantial, valuable, essential to the foreclosure process and have historically been delivered at no charge, except for the commission provided by the statute;

WHEREAS, the costs for these services under NCGS Section 105-374(i), as currently enacted, are paid out of the sales proceeds but if a party wishes to redeem a property from foreclosure and avoid its transfer to a new owner, the redeeming party pays the commission and the other costs of the action, along with the delinquent taxes to redeem the property, thereby alleviating the local government, and its taxpayers that pay their taxes on time, of the burden of the cost to foreclose on delinquent property tax liens;

WHEREAS, by disallowing the commissioner's fee if the property is redeemed between the time of the public auction and the filing of the order of confirmation, the Bill reverses the current treatment of these fees by pushing the costs of them to local government and their taxpayers that pay their taxes on time;

WHEREAS, the effect of this Bill will be unfair to the taxpayers of local government that pay their taxes on time and will increase the costs to local government, in that these substantial and valuable services are an integral part of the foreclosure process.

NOW THEREFORE, BE IT RESOLVED, that the Pamlico County Board of Commissioners does hereby oppose that portion of SB 196 that pertains to commissions earned by court appointed commissioners under NCGS Section 105-374 and requests that the pertinent portion of the statute remain as currently enacted.

This the 5th day of April, 2021.

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

BE IT RESOLVED, the request for approval to purchase a portable generator with a budget of \$100,000 for the Water Department.

BE IT FURTHER RESOLVED, the budget amendment increasing water department fund balance appropriation and water capital by \$45,000 each is hereby approved.

BE IT FURTHER RESOLVED, the County Manager is hereby authorized to solicit bids for the equipment and authorized to approve purchase contract with the winning bidder.

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

BE IT RESOLVED, the request to make an additional advance in the amount of \$70,000 to Pamlico Rescue on their budgeted allocation is hereby approved.

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

BE IT RESOLVED, the request for discussion of salary recommendations is hereby tabled until the April 19, 2021 meeting.

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

BE IT RESOLVED, the request for authority to charge \$200 to move a water meter up to ten (10) feet, effective when approved and to sunset June 30, 2021.

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

BE IT RESOLVED, the request to purchase IT equipment in the amount of \$9,000 is hereby approved.

On a motion made by Commissioner Candy Bohmert and seconded by Commissioner Missy Baskervill, the following resolution was unanimously 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 Carl Ollison is hereby recused from discussion in the closed session pursuant to NCGS § 143-318.11(a)(3) Attorney-Client Privilege.

On a motion made by Commissioner Missy Baskervill and seconded by Commissioner Candy Bohmert, the Board went into closed session by the following roll call vote: Ayes: Commissioners Baskervill, Bohmert, Brinson, Forrest, Ollison, Prescott, and Riggs. Nays: None. Absent: None.

Commissioner Carl Ollison left the meeting.

On a motion made by Commissioner Candy Bohmert and seconded by Commissioner Pat Prescott, the Board went out of closed session by the following roll call vote: Ayes: Commissioners Baskervill, Bohmert, Brinson, Forrest, Prescott, and Riggs. Nays: None. Absent: Commissioner Ollison.

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

BE IT RESOLVED, a settlement agreement for Bufflehead Pointe v. Pamlico County, and NCDHHS is hereby approved.

There being no further business, on a motion made by Commissioner Missy Baskervill and seconded by Commissioner Candy Bohmert, the Board adjourned until Monday, April 19, 2021 at 7:00 pm by the following roll call vote: Ayes: Commissioners Baskervill, Bohmert, Brinson, Forrest, Prescott, and Riggs. Nays: None. Absent: Commissioner Ollison.

Chairman

Clerk to the Board