

**REGULAR SESSION MINUTES OF THE
PAMLICO COUNTY BOARD OF COMMISSIONERS
MONDAY, MAY 03, 2021**

The Pamlico County Board of Commissioners met in regular session on Monday, May 03, 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, April 19, 2021 regular and closed session minutes, the Monday, February 15, 2021 and the Monday, March 01, 2021 closed session minutes. There being none, 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, Ollison, Prescott, and Riggs. Nays: None. Absent: None.

BE IT RESOLVED, the regular and closed session minutes of the Monday, April 19, 2021 meeting, the closed session minutes of the Monday, February 15, 2021 and the Monday, March 01, 2021 meetings are hereby approved, and the Chairman's signature is authorized thereon.

Chairman Doug Brinson recognized Dr. Jim Ross, Pamlico Community College President and Scott Frazer, VP of Campus Operations/Chief Information Officer to present Pamlico Community College's Fiscal Year 2021-2022 budget request.

On a motion made by Commissioner Pat Prescott and seconded by Commissioner Ed Riggs, 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, Pamlico Community College capital budget for Fiscal Year 2020-2021 is increased by \$87,000 to a total of \$181,000, designated to replace an HVAC unit serving the Delamar Center.

BE IT FURTHER RESOLVED, the finance officer and county manager are hereby authorized to make necessary budget amendments to fund the additional allocation.

Chairman Doug Brinson asked if there were any additions and/or deletions. There was one (1) addition. On a motion made by Commissioner Missy Baskervill and seconded by

Commissioner Candy Bohmert, the following addition was approved by the following roll call vote: Ayes: Commissioners Baskervill, Bohmert, Brinson, Forrest, Ollison, Prescott, and Riggs. Nays: None. Absent: None.

- Request for closed session pursuant to NCGS §143.318-11(a)(3)(6).

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 Candy Bohmert and seconded by Commissioner Missy Baskervill, 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 following Budget Amendments are hereby approved.

Department: Inspections

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 |
|----------------|---------------------|-------------------------|------------------------|
| 104350-512100 | Salaries & Wages | \$ 29,000.00 | |
| 104140-512100 | Salaries & Wages | | \$ 29,000.00 |
| 104350-518200 | Retirement Expense | \$ 2,000.00 | |
| 104140-518200 | Retirement Expense | | \$ 2,000.00 |

Reason for Budget Revision: To move funds to cover increased salary expense.

Department: Sheriff Department

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FISCAL YEAR 2020-2021

| ACCOUNT NUMBER | ACCOUNT DESCRIPTION | AMOUNT (+) INCREASED | AMOUNT(-) DECREASED |
|----------------|-----------------------------|-------------------------|------------------------|
| 100213-434352 | Panasonic Mobile Data Grant | \$ 35,000.00 | |
| 104310-549901 | Miscellaneous | \$ 35,000.00 | |

Reason for Budget Revision: To set up budget for Panasonic Mobile Data Terminal Grant (Sheriff) Grant 2019-DJ-BX-0067.

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 received by 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 |
|-----------------------|----------------------------|---------------------------------|--------------------------------|
| 104930-525100 | Auto Supplies | | \$ 1,047.43 |
| 104930-555000 | Capital Outlays | \$ 1,047.43 | |

Reason for Budget Revision: To cover the remaining balance to pay for furniture on a credit card request.

Department: Governing Body

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FISCAL YEAR 2020-2021

| ACCOUNT NUMBER | ACCOUNT DESCRIPTION | AMOUNT (+) INCREASED | AMOUNT(-) DECREASED |
|-----------------------|----------------------------|---------------------------------|--------------------------------|
| 100600-400000 | Miscellaneous Revenue | \$ 3,230.00 | |
| 104110-549901 | Miscellaneous | \$ 3,230.00 | |

Reason for Budget Revision: To recognize revenue received from auction on Gov Deals and increase expenditure line to pay fees.

Department: Senior Services

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FISCAL YEAR 2020-2021

| ACCOUNT NUMBER | ACCOUNT DESCRIPTION | AMOUNT (+) INCREASED | AMOUNT(-) DECREASED |
|-----------------------|----------------------------|---------------------------------|--------------------------------|
| 100214-434937 | MIPPA Grant | \$ 6,610.00 | |
| 104948-526000MIPPA | Office Supplies | \$ 6,390.00 | |
| 104948-532001MIPPA | Postage | \$ 220.00 | |

Reason for Budget Revision: To increase revenue for funds received from the NC Department of Insurance.

Department: Health Department

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FISCAL YEAR 2020-2021

| ACCOUNT NUMBER | ACCOUNT DESCRIPTION | AMOUNT (+) INCREASED | AMOUNT(-) DECREASED |
|-----------------------|----------------------------|---------------------------------|--------------------------------|
| 105110-549100 | Dues & Subscriptions | \$ 2,800.00 | |
| 105110-529000 | Departmental Supplies | | \$ 500.00 |
| 105110-531000 | Travel | | \$ 500.00 |
| 105110-535100 | M&R Grounds | | \$ 500.00 |
| 105110-535200 | Maint & Repair-Equipment | | \$ 500.00 |
| 105110-537000 | Advertising | | \$ 400.00 |
| 105110-535300 | M&R Auto | | \$ 400.00 |

Reason for Budget Revision: To cover possible shortfalls.

Department: Sheriff Department

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FISCAL YEAR 2020-2021

| ACCOUNT NUMBER | ACCOUNT DESCRIPTION | AMOUNT (+) INCREASED | AMOUNT(-) DECREASED |
|-----------------------|----------------------------|---------------------------------|--------------------------------|
| 100213-434354 | Cellebrite Grant | \$ 17,399.00 | |
| 104310-539500 | Training | \$ 17,399.00 | |

Reason for Budget Revision: To set up budget for 2018 PCSO- Cellebrite Grant PROJ012935.

Department: Governing Body

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FISCAL YEAR 2020-2021

| ACCOUNT NUMBER | ACCOUNT DESCRIPTION | AMOUNT (+) INCREASED | AMOUNT(-) DECREASED |
|-----------------------|----------------------------|---------------------------------|--------------------------------|
| 100000-439900 | Fund Balance App | \$ 300,000.00 | |
| 104110-555001 | Special Boards Projects | \$ 300,000.00 | |

Reason for Budget Revision: To provide funding for settlement agreement.

Department: PCC

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 |
|-----------------------|----------------------------|---------------------------------|--------------------------------|
| 100000-439900 | Fund Balance App | \$ 87,000.00 | |
| 105921-563100 | Capital Outlays | \$ 87,000.00 | |

Reason for Budget Revision: To provide funding for new HVAC for Delamar Building.

BE IT RESOLVED, the request for approval of K-9 Retirement and Transfer of Ownership to Russell Underwood is hereby approved.

BE IT RESOLVED, the request for approval of the 4-lot subdivision at the intersection of Cowell Loop Road and NC HWY 304 is hereby approved.

BE IT RESOLVED, the request for approval of the following JCPC items is hereby approved.

JUVENILE CRIME PREVENTION COUNCIL CERTIFICATION STANDARDS

Instructions: N.C.G.S. § 143B-846 specifies suggested members be appointed by county commissioners to serve on local Juvenile Crime Prevention Councils. In certain categories, a designee may be appointed to serve. Please indicate the person appointed to serve in each category and his/her title. Indicate appointed members who are designees for named positions. Indicate race and gender for all appointments.

| Specified | Name | Title | Designee | Race | Gender |
|--|-------------------|-------------------------------------|-------------------------------------|-------------------|--------|
| 1) School Superintendent or designee | Henry Rice | Director of Administrative Services | <input checked="" type="checkbox"/> | White | Male |
| 2) Chief of Police or | | | | | |
| 3) Local Sheriff or designee | Wade Sawyer | Lieutenant | <input checked="" type="checkbox"/> | White | Male |
| 4) District Attorney or designee | Stephanie Moser | Asst. District Attorney | <input checked="" type="checkbox"/> | Black or African- | Female |
| 5) Chief Court Counselor or | Stacy Huss | Chief | | White | Female |
| 6) Director, Local Management Entity/ Managed Care | Susan Hall | System of Care Coordinator | <input checked="" type="checkbox"/> | White | Female |
| 7) Director DSS or designee | Debbie Green | Director | | White | Female |
| 8) County Manager or | Courtney Norfleet | Clerk to the Board | <input checked="" type="checkbox"/> | White | Female |
| 9) Substance Abuse | | | | | |
| 10) Member of Faith Community | Tonya Shaw | Pastor | | Black or African- | Female |
| 11) County Commissioner | Candy Bohmert | Commissioner | | White | Female |
| 12) A Person Under the Age | | | | | |
| 13) A Person Under the Age of 21, or a member of the public representing the | | | | | |
| 14) Juvenile Defense Attorney | | | | | |
| 15) Chief District Judge or | Pam Spain | Magistrate | <input checked="" type="checkbox"/> | White | Female |
| 16) Member of Business | | | | | |
| 17) Local Health Director or | Scott Lenhart | Director | | White | Male |
| 18) Rep. United Way/other non-profit | Cody Edwards | Dir. Upper School, ACS | | White | Male |
| 19) Representative/Parks and Rec | Garry Cooper | Dir. Public Services | | Black or African- | Male |
| 20) County Commissioner appointee | Aniyah Avrawhawm | Concerned Citizen | | Black or African- | Female |
| 21) County Commissioner | Derek Godwin | PCC Instructor | | White | Male |
| 22) County Commissioner | Jenna Taylor | Court Counselor | | White | Female |
| 23) County Commissioner appointee | Sheila Stansberry | DSS Program Manager | | White | Female |

| | | | | | |
|-------------------------|------------------|----------------|--|-------|------|
| 24) County Commissioner | Steven Hollowell | Clerk of Court | | White | Male |
| 25) County Commissioner | | | | | |
| 26) County Commissioner | | | | | |

BE IT RESOLVED, Commissioner Candy Bohmert is hereby reappointed to serve a four (4) year term on Pamlico Community College Board of Trustees.

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 County Attorney is hereby authorized to draft a Resolution Opposing Senate Bill 349 and House Bill 401.

**RESOLUTION
of
PAMLICO COUNTY**

WHEREAS, Senate Bill 349/House Bill 401 (2021) entitled, “AN ACT TO PROVIDE REFORMS TO LOCAL GOVERNMENT ZONING AUTHORITY TO INCREASE HOUSING OPPORTUNITIES AND TO MAKE VARIOUS CHANGES AND CLARIFICATIONS TO THE ZONING STATUTES” was introduced on March 25, 2021 in the North Carolina General Assembly; and

WHEREAS, Chapter 160D of the North Carolina General Statutes gives authority to local governments to regulate the development of lands and buildings located within their jurisdictions; and

WHEREAS, local governments are in the best position to determine appropriate regulations to promote orderly development while meeting the housing needs of its current and future residents while also promoting the health, safety, and welfare of its current and future residents; and

WHEREAS, Senate Bill 349/House Bill 401 seeks to limit the authority of local governments to determine the local regulations that are necessary for promoting orderly development while meeting the housing needs of its current and future residents while also promoting the health, safety, and welfare of its current and future residents; and

WHEREAS, portions of Senate Bill 349/House Bill 401 create restrictions on local regulations with broad and vague language that will likely result in litigation in order to definitively determine legislative intent, including but not limited to, “substantial compliance” and “minor omissions” with regard to permit application requirements in vested rights determinations; and

WHEREAS, portions of Senate Bill 349/House Bill 401 create health, safety, and welfare concerns with regard to the requirement that accessory dwelling units be allowed under local regulations.

NOW THEREFORE, be it RESOLVED that Pamlico County does hereby oppose the passage of Senate Bill 349/House Bill 401.

Adopted this ___ day of _____, 2021 by Pamlico County.

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

BE IT RESOLVED, the following Resolution Opposing Senate Bill 717 is hereby approved.

**RESOLUTION
of
PAMLICO COUNTY**

WHEREAS, Senate Bill 717 (2021) entitled, "AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE FOR TAXPAYER PROTECTIONS THAT LIMIT THE GROWTH OF STATE SPENDING TO INFLATION PLUS POPULATION GROWTH, REQUIRE YEARLY DEPOSITS IN A SAVINGS RESERVE OR UNFUNDED LIABILITY RESERVE, RETURN EXCESS REVENUE TO TAXPAYERS, AND SUBMIT TAX INCREASES TO A VOTE OF THE PEOPLE" was introduced on April 19, 2021 in the North Carolina Senate; and

WHEREAS, voters in North Carolina elect representatives at the state and local levels to make fiscal decisions on behalf of the residents and citizens of the State of North Carolina; and

WHEREAS, unanticipated situations may arise in which elected officials must make swift decisions regarding fiscal matters; and

WHEREAS, the current taxation and spending powers found in the North Carolina Constitution coupled with state and local elections of representatives provide adequate taxpayer protection regarding taxing and spending while balancing the flexibility needed in order to respond to the fiscal needs found in governing at the state and local level; and

WHEREAS, Senate Bill 717 (2021) seeks to severely limit the flexibility necessary to respond to the fiscal needs at the state and local level; and

NOW THEREFORE, be it RESOLVED that Pamlico County does hereby oppose the passage of Senate Bill 717 (2021).

Adopted this ___ day of _____, 2021 by Pamlico County.

On a motion made by Commissioner Missy Baskervill and seconded by Commissioner Candy Bohmert, the Board met in closed session pursuant to NCGS §143-318.11(a)(3)(6) to discuss personnel matters and to discuss Attorney-Client Privilege.

On a motion made by Commissioner Ed Riggs and seconded by Commissioner Pat Prescott, the Board went back into open session.

No action was taken in closed session.

On a motion made by Commissioner Missy Baskervill and seconded by Commissioner Ed Riggs, 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 resignation letter with a retirement date of June 25, 2021 of Health Director Scott Lenhart is hereby accepted.

There being no further business, on a motion made by Commissioner Missy Baskervill and seconded by Commissioner Candy Bohmert, the Board adjourned until May 17, 2021 at 7:00 pm by the following roll call vote: Ayes: Commissioners Baskervill, Bohmert, Brinson, Forrest, Ollison, Prescott, and Riggs. Nays: None. Absent: None.

Chairman

Clerk to the Board