

**PASQUOTANK COUNTY, NORTH CAROLINA  
MAY 25, 2012**

The Pasquotank County Board of Commissioners met today in a special meeting in the Community Room at the W.C. Witherspoon Memorial Library.

**MEMBERS PRESENT:**

Lloyd E. Griffin, III, Chairman  
Jeff Dixon, Vice-Chairman  
Bill Trueblood  
Cecil Perry  
Dr. William R. Sterritt  
Gary G. White  
Joseph S. Winslow, Jr.

**MEMBERS ABSENT:**

None

**OTHERS PRESENT:**

Randy Keaton, County Manager  
Rodney Bunch, Assistant County Manager  
R. Michael Cox, County Attorney  
Sheri Small, Finance Officer  
Michael Etheridge, Solid Waste Director  
Karen Jennings, Clerk to the Board

The meeting was called to order at 8:30 AM by Chairman Lloyd Griffin. He stated that the agenda needs to be amended to add discussion and update on the 2012-13 county budget.

Motion was made by Gary White, seconded by Jeff Dixon to amend the agenda for today's meeting to add discussion on the proposed 2012-13 county budget. The motion carried unanimously.

**1. CONSIDERATION OF PROPOSALS FOR OPERATION OF THE LANDFILL:**

Chairman Griffin stated that the Solid Waste Commission at its last meeting recommended that the Board accept a proposal from Stevenson Sand/R&D Excavating to operate the C&D and LCID areas of the landfill, and that the County's Solid Waste Department operate the transfer station in house. The estimated cost savings compared to the current cost is approximately \$75,000 per year. Chairman Griffin explained that the recommendation from the Solid Waste Commission was on the May 25 Finance Committee agenda. At that meeting, Albemarle Equipment Service presented a counterproposal for consideration. County Attorney Mike Cox stated that the Finance Committee recommended that this matter go to the Solid Waste Commission and in order for the Board to consider it today, the Board needs to reverse that recommendation. He said it would also be appropriate for the Board to reject the bid that came in beyond the stated deadline.

Motion was made by Bill Trueblood, seconded by Joe Winslow to reject the recommendation from the Finance Committee to send the proposals for operation of the landfill back to the Solid Waste Commission and to instead send them to the full Board for consideration. The motion carried unanimously.

Motion was made by Bill Trueblood, seconded by Joe Winslow to reject the bid from Albemarle Equipment Service that came in after the May 15 deadline. The motion carried unanimously.

County Manager Randy Keaton explained that after the bids were opened on May 15, they were reviewed by staff. He said two proposals were received, a joint proposal from Stevenson Sand/R&D Excavating and a proposal from Albemarle Equipment Service. He stated that both proposals included all of the required information. He presented a comparison of the costs included in the two proposals. He said based on the tonnage used in the request for proposals the county would save about \$75,000 per year by using a combination of the Stevenson/R&D proposal for C&D and LCID and the county operating the transfer station in-house. He advised that the Solid Waste Commission voted to recommend this combination of proposals. Mr.

Keaton explained that when the option of the county taking over the entire landfill operations was discussed at the Board's retreat, there was some concern about the initial costs involved in purchasing equipment to operate the landfill. Because of this the request for proposals asked the contractors to submit a price for C&D, LCID and transfer station or the C&D and LCID alone. Solid Waste Director Mike Etheridge outlined the costs for the county to operate the transfer station. It was noted that a new backhoe and a used yard jockey will need to be purchased at a total cost of about \$100,000. He said one employee will need to be hired and existing staff will be restructured to provide a second person to work at the transfer station. He stated that ongoing operating costs if the county operates the transfer station in-house are estimated to be \$81,032 annually which comes out to \$2.53 per ton and will result in a savings of approximately \$53,368 over the current contract.

Members of the Board discussed the proposals and the recommendation from the Solid Waste Commission at length and asked questions.

Commissioner Gary White reported that Tommy Stevenson, owner of Stevenson Sand, one-half of the Stevenson/R&D Excavating proposal, is his brother-in-law. He stated that he does not have a financial relationship with Mr. Stevenson. He said he has discussed this previously with the County Attorney in case there were some concerns about a conflict of interest and questions about his integrity. He asked that the County Attorney advise the Board on this issue. County Attorney Mike Cox read an excerpt from G.S. 153A-44 which states that the Board may excuse a member from voting but only upon questions involving the member's own financial interest or official conduct. He said the Board's Rules of Procedures also state that it is each member's duty to vote unless excused by a majority of the Board. He may be excused from voting only upon questions involving his own financial interest or official conduct. Mr. Cox read an excerpt from the conflict of interest statute which states that no public officer or employee involved in making or administering a contract on behalf of a public agency may derive a direct benefit from the contract. He said a public officer or employee derives a direct benefit from a contract if the person or his or her spouse has more than 10% ownership or other interest in an entity that is party to the contract, derives any income or commission directly from the contract, or acquires property under the contract. Mr. Cox asked Commissioner White if any of the above statements apply. Commissioner White said none of the statements apply and he asked if any of his fellow Commissioners would like for him to recuse himself from voting on this matter. No motion was made to recuse Commissioner White. Chairman Griffin said Commissioner White will be casting his vote.

Motion was made by Bill Trueblood, seconded by Jeff Dixon to accept the recommendation from the Solid Waste Commission to approve the proposal from Stevenson Sand/R&D Excavating for operation of the LCID and C&D areas of the landfill and to move operation of the transfer station in-house when the contract with Whaley Contractors expires on November 30, 2012. The motion carried by a four to three margin with Commissioners Griffin, Dixon, Trueblood, and White voting in favor and Commissioners Perry, Winslow and Sterritt voting against the motion.

## **BUDGET WORK SESSION:**

The Board held a work session on the 2012-13 county budget and discussed the school system's budget request further as well as other departmental budgets. It was agreed to schedule another budget work session on Tuesday, May 29 at 12:00 noon.

Motion was made by Bill Trueblood, seconded by Gary White to adjourn the meeting. The motion carried and the meeting was adjourned at 10:05 AM.

  
CLERK TO THE BOARD

  
CHAIRMAN