

**PASQUOTANK COUNTY, NORTH CAROLINA
AUGUST 19, 2013**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, August 19, 2013 in Courtroom C in the Pasquotank County Courthouse.

MEMBERS PRESENT: Joseph S. Winslow, Jr., Vice-Chairman
Lloyd E. Griffin, III
Cecil Perry
Dr. William R. Sterritt
Gary G. White
Frankie Meads

MEMBERS ABSENT: Jeff Dixon, Chairman *(Due to illness)*

OTHERS PRESENT: Rodney Bunch, Interim County Manager
R. Michael Cox, County Attorney
Karen Jennings, Clerk to the Board

The meeting was called to order at 7:00 PM by Vice-Chairman Joe Winslow. Commissioner Lloyd Griffin gave the invocation and Vice-Chairman Winslow led in the Pledge of Allegiance to the American Flag.

1. COMMENTS FROM SUE MATOUSEK:

Vice-Chairman Winslow recognized Ms. Sue Matousek to address the Board. Ms. Matousek stated that she has lived in Pasquotank County for eight years. She said she has not gotten to know a lot of people because she has been fending off hate crimes from people in her neighborhood. She said she has been retaliated against, beaten up, set up, raped, defamed, and illegally banned on the lies of certain people. She said she has been the victim of false charges when she was just standing up for her rights and has also been given excessive bonds. She stated that she was given a \$10,000 cash bond for a crime she did not commit. She said she continues to be attacked and is afraid to call 9-1-1. She stated that she is innocent and she will prove it on August 26. She said she is not a criminal, but is a parent, teacher, coach, and an advocate. She stated that she has a disability and it's not a crime. She said she and her son will continue treatment and she will probably have to file civil suits against the people who pulled her into the system.

2. COMMENTS FROM BERNIE BLYSTONE:

Vice-Chairman Winslow called on Mr. Bernie Blystone who said he is here to express his concerns about the negotiations between the county, Albemarle Hospital, and Sentara Hospital. He stated that he was advised by Mr. David Twiddy that a letter of intent had been executed. He said he is concerned that the private practitioner will get lost in this process. He explained that large medical systems try to monopolize to keep all of the money coming into the system, often at the expense of private practitioners. He advised that he has worked with Sentara and has done their home care for the past fifteen years through Coastal Rehab. He stated that Coastal Rehab charges \$75 per visit which is all they can charge through Medicare for the time they are with a patient. He said for every Sentara patient he sees, Sentara charges the patient \$175. He noted that Medicare pays Sentara differently than they pay Coastal Rehab. He stated that he cannot get referrals and now that Sentara's footprint is getting bigger in the area, they are taking the work that he would have gotten and giving it to their own people. He said they have also opened an outpatient office in Currituck to directly compete with Coastal Rehab in that small county. Mr. Blystone asked if there are further negotiations with Sentara that Albemarle Hospital patients be given the opportunity to choose their home care providers and that Optima insurance be open to all private practitioners, not just the ones related to Sentara. He also recommended that the electronic information systems Sentara puts in place be open to everyone. Mr. Blystone also asked that he be considered for membership on the Hospital Board to make sure they are doing things fair and open. He added that he wants a good hospital and wants good doctors and quality care in this area and he wants to be a part of it. Commissioner Griffin told Mr. Blystone that he and his colleagues should have attended the public hearings and made their comments at that time which might have affected the outcome.

3. COMMENTS FROM STEVE HARRIS:

Mr. Steve Harris said he is the practice manager for Coastal Rehab. He said he would like to point out a few things for the Board to consider in its continuing negotiations with Sentara. He stated that he hopes a non-compete clause is being considered and will be put in place. He explained that small businesses cannot compete with large corporations and the same is true in the medical field. He stated that the small independent practitioners like Coastal Rehab and the small doctors will disappear. He encouraged the Board to take time to negotiate with Sentara to look at a non-compete clause to protect those practices that have been here for many years and have given quality care to the citizens of the area. He pointed out that Coastal Rehab employs 40 people, 27 full-time with full benefits, and the others are part-time with very good benefits. He said they are an important part of the community and these people are expecting Coastal Rehab to provide their livelihoods. He again asked the Board to take time to consider what large corporations can do and protect those small businesses that are providing local and home care for individuals in the Elizabeth City area.

4. COMMENTS FROM TOM THOMPSON REGARDING NC 20:

Vice-Chairman Winslow recognized Mr. Tom Thompson from NC 20. Mr. Thompson said he is here tonight to try to convince the Board to re-join NC 20. He explained that NC 20 is a non-profit corporation that essentially fights for the economic development of the 20 CAMA counties. He said they are primarily a defensive economic development organization and fight excessive regulation. He pointed out that they successfully fought the efforts of the state through the Coastal Resources Commission to impose a 39 inch sea level rise and fought efforts by the insurance industry to increase rates for homeowners insurance. He said their current battle is with regard to flood insurance because of the Biggert-Waters Flood Insurance Act that was passed last year by the federal government. He stated this act takes the problems in New Orleans that were caused by the failure of the levies in a town that was built below sea level and the problems in New York and New Jersey as a result of Tropical Storm Sandy and spreads the cost to all other flood policy holders. Mr. Thompson said NC 20 is fighting this now and is asking the Governor to lead the effort to get the federal government to rescind the Biggert-Waters Act and get back to a sane flood insurance policy. He stated that NC 20 also gets involved in other issues such as land use planning, wetlands delineation, and stormwater runoff. He pointed out that the 20 coastal counties have to stick together as a region because the leadership in North Carolina is no longer in Eastern North Carolina, but is now in the Piedmont area between Raleigh and Charlotte. He explained that legislation is being passed and decisions are being made that will have adverse impacts on the local area. He added that the 20 counties have to work together and fight for Eastern North Carolina. He asked that Pasquotank County consider re-joining NC 20. He advised that the dues are 10¢ per capita. He noted that NC 20 has no employees and he volunteers his time. The Board requested that this issue be placed on the next Finance Committee agenda for consideration. The Board thanked Mr. Thompson for his report.

5. PUBLIC HEARING ON CLOSEOUT OF 2010 SCATTERED SITE HOUSING PROJECT:

Vice-Chairman Winslow recognized Ms. Carolyn Morris, administrator for the 2010 CDBG Scattered Site Housing Project. Ms. Morris explained that a \$400,000 CDBG grant was submitted in November 2010 and was approved for funding on April 5, 2011. All funds were released on February 9, 2012 after completion of an in depth environmental review and an analysis of impediments. Ms. Morris said through the grant project three housing units were demolished and reconstructed in the C-1 project and emergency repairs were completed for three housing units in the L-1 project. She stated that additional funds were set aside in the L-1 project to do more urgent repairs, but the individuals who applied were over the income limit because the stipulation is that the family has to be no more than 50% of the county's median income. Ms. Morris stated that a house at 304 East Cypress Street was going to be torn down using project funds, however the State Historic Preservation Office got involved and said that the house could not be torn down. The Division of Community Investment suggested that everything else in the project be completed first and if funds were remaining to rehab the house on Cypress Street to do it last. Ms. Morris said a house on Mill Pond Road was torn down and replaced with a new stick-built home at a cost of \$57,230; a house in Oak Grove was torn down and replaced with a new stick-built home at a cost of \$80,970; and three emergency repairs were completed. She said a total of \$179,000 was remaining in the project budget so rehabilitation of the house at 304 East Cypress Street was completed at a cost of \$159,737.

Vice-Chairman Winslow declared the meeting to be a public hearing on the closeout of the project and he asked if anyone would care to comment. There being no comments, the public hearing was closed.

Motion was made by Lloyd Griffin, seconded by Cecil Perry to approve the closeout of the 2010 Scattered Site Housing Project. The motion carried 6-0.

Commissioner Griffin said at the Finance Committee meeting this afternoon there was a question about additional administration fees for the project. Mrs. Morris advised that \$3,886.39 in CDBG funds are remaining in the project after all work has been completed and all bills have been paid. She requested that her contract for administration of the project be amended to pay her the additional funds because of the many hours of additional time she was required to spend due to the rehabilitation of the house on Cypress Street rather than returning the funds to the state. She added that she never bills the county for every hour that she works on the county's CDBG projects.

Motion was made by Lloyd Griffin, seconded by Cecil Perry to approve the addendum to the contract for professional services for administration of the 2010 CDBG Scattered Site Housing Project with Carolyn Morris to increase the contract by an amount not to exceed \$3,886.39, the balance remaining in the project account.

Discussion followed and Commissioner Frankie Meads asked if Ms. Morris has the backup paperwork to document the additional hours worked. Ms. Morris stated that she will provide the backup paperwork.

The motion to approve the addendum to the contract carried 6-0.

Commissioner Griffin suggested that Ms. Morris provide the information by the next Finance Committee meeting.

6. PUBLIC HEARING ON AMENDED DANGEROUS DOG ORDINANCE:

County Attorney Mike Cox stated that what is being proposed tonight is amending the county's Dangerous Dog Ordinance. He said most of the changes are fairly minor with the exception of a change in the structure of the Animal Control Board. The seven members of the Board of Commissioners currently sit as the Animal Control Board and the amendment would change that to a five member board made up of two county appointees, two city appointees, and a representative from the SPCA recommended by the SPCA Board of Directors and jointly appointed by each governing body. The other minor changes that were made were to make the ordinance identical to the city's Dangerous Dog Ordinance. Mr. Cox advised that he and the City Attorney will split duties representing the Animal Control Board depending on whether it is a county or a city issue.

Mr. Cox noted that since this is a police power ordinance, it must have a unanimous approval of all members of the Board of Commissioners on first reading. He said because Chairman Dixon is not here tonight, this will have to come back to the Board for a second vote.

Vice-Chairman Winslow declared the meeting to be a public hearing on the amended Dangerous Dog Ordinance and he asked if anyone would care to address the Board regarding the ordinance. At the absence of comments, the public hearing was closed.

Motion was made by Lloyd Griffin, seconded by Gary White to approve the amended Dangerous Dog Ordinance on the first reading and to move it forward to the Consent Agenda for the next regular meeting for final action. The motion carried 6-0.

7. AMENDMENTS TO THE AGENDA:

Vice-Chairman Winslow asked if there were any amendments to the agenda.

It was requested that the agenda be amended to add the following items recommended by the Finance Committee at its meeting today to the consent agenda: 1) Approval of recommendations from the Building & Grounds Committee; 2) Cancellation of contract with United Salvage & Auto, Inc.; and 3) Approval of agreement for mowing grass on the Camden County parcel. It

was also requested that an item be added under New Business to discuss an appropriation for the Joint Redevelopment Commission.

Motion was made by Lloyd Griffin, seconded by Gary White to approve the amendments to the agenda as recommended. The motion carried 6-0.

8. APPROVAL OF APPOINTMENTS TO THE LIBRARY BOARD OF TRUSTEES:

At the August 5 meeting the Board voted to accept the recommendations from the Appointments Committee to nominate Randy Cartwright, Rowena Roby and Scarlett Newbern for appointment to the Library Board and to take final action at tonight's meeting.

Motion was made by Cecil Perry, seconded by Gary White to approve the appointments of Randy Cartwright, Rowena Roby and Scarlett Newbern to the Library Board of Trustees. The motion carried 6-0.

9. APPROVAL OF CONSENT AGENDA:

The Board considered the following consent agenda:

- a. Approval of Minutes of July 29 and August 5, 2013 Commissioner Meetings
- b. Approval of Tax Releases, Refunds and Solid Waste Fee Releases
The Finance Committee has recommended approval of the following tax releases, refunds and solid waste fee releases:

Releases:

	County	City
1. Alexander Scott Jones	129.58	
2. Belk Inc. 108	147.36	115.78
3. Marie M. Harris & Diane Sawyer Markham	223.02	
4. Benjamin Franklin, Jr.	1,200.51	866.12
5. Jerome Bailey	132.93	
6. Toxie Lee & Maggie Diana Gallop	873.80	
7. Toxie Lee Gallop	240.13	
8. Gladys M. Stewart	180.38	
9. Clarence H. & Ruth H. Jennings	105.46	
10. Ian Shane Maclure	119.54	100.44
11. Elizabeth City State University Foundation	334.26	185.49
12. Darrell L. & Rebecca Cross	1,774.80	1,204.20
13. Adams Landing NC LLC	203.49	159.89
14. Joseph Daniel Lacue Jr.	238.76	195.62
15. Daniel Adam Triola	174.10	
16. US Bank National Association	196.50	154.39
17. First South Leasing LLC	348.39	
18. Idra B. Jennings	529.83	
19. Idra B. Jennings	222.39	
20. Idra B. Jennings	155.61	
21. Elizabeth Ann Kaplan	118.54	93.91
22. Konata Damany Spellman	125.00	
23. Ambrose Signs Inc.	1,158.57	1,020.65
24. David Wayne Twine	136.71	107.53
25. Dorothy Barcliff Newby	141.05	112.61
26. Christopher Timothy Ruppert	157.54	
27. United Rentals N America Inc.	376.17	295.56
28. Steven Douglas Williams	102.56	80.59
29. Steve Edward Cerveny	103.04	87.27
30. Calvin Lee Gutman, Jr.	149.61	
31. Sophie V. Holley	144.00	
32. Donnie & Cheryl Russell	144.00	

Refund:

1. Ambrose Signs, Inc.	1,158.57	1,056.65
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Solid Waste Releases:

Owner's Name	Parcel ID Number	Reason for Release
Willie S. & Paula M. Keith	P120-215	House unlivable
Rosma S. James & Robert K. Skinner	26-A-6	House unlivable
Edward B. & Jo Ann Jezard Hollomon	P143B-58	House vacant since 2008
James E. Poole Heirs	P64-60	House unlivable/collapsed
Henry Bailey Heirs	P59-29	House unlivable/torn down
Willie Wilson Jennings	P120-153	House vacant since 1995
Julius Johnson Estate	55-F-23-24	House torn down in 2011
Alice L. Trueblood Heirs	P38-35	House vacant since 2010
James E. Mullen Heirs	31-D-6	House needs work/vacant since 2006
Kirk D. & Debra Williams	55-E-27 & 30	House needs work/vacant since 2009
Mary Elizabeth Gibson	P63-4	House unlivable/vacant since 1992
Carrie J. Barnard	P132A-222	Vacant since 2009
Carrie J. Barnard	P132A-114	Vacant since 2008
Philip M. & Julia Schulz	P31-29	House vacant since 2011
Samuel T. Williams Heirs	P77-3	House unlivable/vacant since 2001
Janice & Hattie Poole	P95-21	House needs work/vacant since 2005
DFV Holdings LLC	3-C-4	House vacant since 2005
DFB Holdings LLC	P90-33	House vacant since 1992
J. Winton Sawyer Heirs	31-B-9	House needs work/not livable
Saint Stephens Missionary Baptist Church	40-G-40	House vacant since 2011
Loretta M. Bartley	P133A-72	House vacant since 2006
Sterling & Shirley Griffin	P80-84A	Vacant since 2008
Mary Anderson	P120A-57	House not livable
Lou Carnell Ricks	P108-40	Lot vacant since 2010
Jordan Thornton Heirs	P112-62	House vacant
Glen Spencer	33-E-25	House vacant since 2011

c. Approval of Family Subdivision Request FS 13-06 by Daniel Jennings to Give a Gift Lot to a Son

Staff recommends approval of Family Subdivision Request FS 13-06 by Daniel Jennings. Mr. Jennings is requesting to create a 1.01 acre gift lot for a son, William Jennings, in accordance with Article 5, Section 303 of the Pasquotank County Subdivision Ordinance. A total of 215 feet of road frontage is provided to the parcel off of Simpson Ditch Road. Birth certificates have been provided as documentation that the plat qualifies as a family subdivision. Staff advises that the request meets the minimum requirements for a family subdivision and recommends approval.

d. Approval of Recommendations from the Building & Grounds Committee

The Finance Committee has recommended that the Board accept the following recommendations from the Building and Grounds Committee:

- To make part-time employee, William Hall, a full-time employee effective September 1 at pay grade 7, step 1.
- To approve a maximum of thirty hours per month of overtime pay for maintenance employees Carlton Himelwright and Bobby Olson in order to complete several current projects.

e. Approval of Cancellation of Contract with United Salvage & Auto, Inc.

The Finance Committee has recommended that the Board not renew the contract with United Salvage & Auto, Inc. for recycling white goods and scrap metal when the current term expires on September 30, 2013. The Board must give 30 days notice of its intent to not renew the contract or it will automatically renew for an additional two years.

f. Approval of Agreement Concerning Grass-Mowing for Camden Parcel

The Finance Committee has recommended that the Board approve an agreement to address grass-mowing for the parcel of property in Camden that Pasquotank County is acquiring from the hospital. Once all transfers are complete the property will be jointly owned by Pasquotank County, Camden County, and East Carolina Behavioral Health. Camden County would like for Pasquotank County to approve an interlocal agreement for management of the property due to the grass mowing issue. The Finance Committee has recommended that the Board agree to pay its one-third of the cost of grass-mowing for the parcel with a more comprehensive agreement to be considered at a later date.

Motion was made by Lloyd Griffin, seconded by Cecil Perry to approve the Consent Agenda as amended. The motion carried unanimously.

The following tax releases have been approved by the Finance Officer:

Releases:

	County	City
1.	52.27	
2.	90.02	76.87
3.	55.25	43.41
4.	4.03	3.17
5.	51.71	46.28
6.	40.92	32.67
7.	62.87	
8.	32.36	30.84
9.	62.47	
10.	50.31	40.17
11.	22.44	
12.	2.29	1.83
13.	4.65	3.71
14.	51.68	
15.	15.90	
16.	60.20	53.06
17.	72.97	59.73
18.	7.87	11.29
19.	20.46	16.34
20.		47.97
21.	26.60	
22.	52.45	46.88
23.	4.65	3.71
24.	53.82	
25.	16.43	
26.	80.85	
27.		36.00
28.	88.23	71.17
29.	13.80	
30.	57.29	
31.	33.23	26.53
32.	50.34	
33.	18.17	
34.	17.67	14.11
35.	35.90	31.92
36.	17.96	14.11
37.	5.58	
38.	33.67	
39.	4.71	
40.	46.59	
41.	45.20	
42.	39.10	31.19
43.	2.85	
44.	12.59	
45.	71.88	56.48
46.	31.82	
47.	17.83	14.01
48.	47.12	37.63
49.	83.33	
50.	93.68	
51.	8.31	
52.	28.27	
53.	40.61	
54.	60.39	53.21
55.	33.36	
56.	84.69	72.62

57.	Eric Aubrey Fazekas	7.87	11.29
58.	Melinda Twine Culver	15.81	
59.	Steve Lavon Skinner	17.55	14.01
60.	Steve Lavon Skinner	4.09	3.27
61.	Jovin Natalie Viruet	7.56	6.04
62.	Suella Hicks Eiland	43.21	34.50
63.	James Granville Taylor, Sr.	77.13	
64.	Earline Johnson Bryant	5.02	4.01
65.	Seth A. Toy	65.84	
66.	Lorenzo Mendell Woods	25.42	
67.	Lorie Saunders Hassell	4.96	
68.	Roy Vervel Simmons	26.78	21.38
69.	Derrick White	12.87	
70.	Trevor Richard Cave	57.72	
71.	Wendy Faye Cave	21.95	
72.	Samuel L. Butcher	80.85	69.55
73.	Jeffrey Thomas Melson	93.37	79.55
74.	Carolyn James Throckmorton	68.45	
75.	Rosabelle Whitehurst Twiford	51.89	46.43
76.	CIT Finance LLC	3.53	

10. ANIMAL CONTROL BOARD APPOINTMENTS:

Commissioner Griffin recommended that the appointments to the Animal Control Board be delayed and that the Chairman of the Board of Commissioners be given the authority to make those appointments. The Board concurred with the recommendation.

11. PRESENTATION OF PROPOSED SCHEDULE OF VALUES FOR THE 2014 REVALUATION:

Vice-Chairman Winslow recognized Katherine Lane, Field Appraiser, and Robert Ezzell, Project Manager for Pearson's Appraisal Services, to present the Schedule of Values for the 2014 Revaluation.

Ms. Lane provided each Commissioner with a 774 page notebook containing a copy of the schedule of values, standards and rules to be used in appraising real property. She said they have been onboard in Pasquotank County since last April looking at sales and working with county officials. She stated that their slider vans have visited all of the more than 21,000 parcels of property in the county. She explained that the notebook includes new land tables, new land rates, commercial, residential, outbuilding rates, and depreciation tables. She said they have looked at sales in the different neighborhoods which have become the basis for the new standards to be in place for the next eight years. She stated they will continue to look at sales for the next four to six weeks before the notices are sent out to property owners. Ms. Lane said they look at foreclosures and do not discount those, but as a whole they want to know which neighborhoods are doing better than others and pick up trends and look at sales ratios. When questioned, Ms. Lane said so far values in the Queenswood and Stockbridge areas have increased, while values in the Pine Lakes area have decreased. She said at this point waterfront property has decreased by about 17%. Mr. Ezzell explained that commercial property values have decreased in some areas and increased in others with the best neighborhood right now being Halstead Boulevard. She noted that the downtown area is not doing so well. Ms. Lane stated that these values are subject to change as sales data continues to come in. She said notices will be sent out to property owners in the fall and they will have an opportunity to appeal their valuations with Pearson Appraisal through an informal appeal process. Those who want to appeal further will go before the Board of Equalization and Review.

Ms. Lane said the Board will hold a public hearing on the Schedule of Values at the next Commissioner meeting. It was suggested that a GIS map of the county be prepared showing the overall areas where values have increased or decreased.

The Board thanked Ms. Lane and Mr. Ezzell for their work.

12. APPROVAL OF REFUND FOR BERGMAN-FILARECKI DEVELOPMENT LLC:

County Attorney Mike Cox asked for the Board's approval to compromise on the tax bill for Bergman-Filarecki Development LLC to refund \$2,505.65 in interest, to give the County

Manager the authority to sign a memorandum of understanding with the property owner, and to reject the appeal of Bergman-Filarecki for a full refund of the taxes.

Motion was made by Lloyd Griffin, seconded by Cecil Perry to accept the County Attorney's recommendation to refund \$2,505.65 in interest to Bergman-Filarecki Development LLC; to authorize the County Manager to sign a memorandum of understanding with the property owner, and to reject the appeal of Bergman-Filarecki for a refund of the taxes. The motion carried 6-0.

13. CONSIDERATION OF BUSINESS INVESTMENT PROGRAM:

The Board reviewed the Business Investment Program that was first presented at the joint City-County meeting on July 29. Interim County Manager Rodney Bunch explained that at the meeting it was agreed that this would go forward to the Committee of 100 which was done. He stated that some of the requirements for the investment have been reduced. A section has been added for the Downtown Central Business District where a property owner would only have to invest a minimum of \$10,000 and they would receive 90% of the existing property taxes back for a five year period. Mr. Bunch stated that he would question this last section because it is not based on an incremental increase in taxes as the other sections are, and he would suggest that the Board not approve that portion. He said he would recommend approval of the remainder of the plan. The requirements of the proposed plan are as follows:

Required Investment	Jobs Required	Wage Rate	Grant Amount
\$2 million	≥ 20	100% Average Annual Wage of Pasquotank County (AAW)	100% - 1 st year, decreasing by 10% each year for 10 years
\$2 million	≥ 10	125% AAW	100% - 1 st year, decreasing by 10% each year for 10 years
\$10 million	≥ 100	100% AAW	90% - 1 st five years; 80% - yr. 6; 70% - yr 7; 60% - yr 8; 50% - yr 9 40% - yr 10
Downtown Central Business District Only			
\$10,000 minimum investment	N/A	N/A	90% of existing property tax for 5 years (cannot exceed 50% of cost of rehabilitation)

Motion was made by Lloyd Griffin, seconded by Cecil Perry to approve effective September 1, 2013 the first three parts of the Business Investment Program as presented and to remove the portion that applies to the Downtown Central Business District Only for further review. The motion carried 6-0.

Mr. Bunch suggested that the Business Incentive Policy that is currently in place be repealed. He said this will be placed on the next agenda for action.

14. APPROVAL OF APPROPRIATION FOR JOINT REDEVELOPMENT COMMISSION:

The County Attorney stated that the Joint Redevelopment Commission was created by a joint resolution of the city and county in 1995 and is its own governing body. He explained that about four years ago he was given the task of taking over a lawsuit that had been filed against several heirs for the remaining four lots in the Fairgrounds Redevelopment Project. He said there are approximately 50 defendants in this case and it has been extremely difficult and time-consuming. He stated that he is at the point now where a trial date is set for October and he is trying to settle the claims with some of the heirs. He said there is now about \$1,500 in the bank account and the legal expenses currently total about \$7,500. He stated that the Joint Redevelopment Commission has discussed the settlement of some claims and is asking the county and the city to each appropriate \$6,000 to try to settle the claims, handle the outstanding legal fees, and close out the project. He added that he will be addressing City Council on this issue at its next meeting.

Motion was made by Lloyd Griffin, seconded by Gary White to appropriate \$6,000 from contingency for the Joint Redevelopment Commission to close out the Fairgrounds Redevelopment Project. The motion carried 6-0.

15. REPORT FROM INTERIM COUNTY MANAGER:

Interim County Manager Rodney Bunch reminded the Board that he will be out of town the first three weeks in September and will not be at the next two Board meetings. He said Finance Officer Sheri Small will be in charge during that time and the County Attorney and Clerk will be available to assist with any questions that might arise.

16. CONSIDERATION OF APPOINTMENT TO SOLID WASTE/LANDFILL COMMITTEE:

Motion was made by Frankie Meads, seconded by William Sterritt to appoint Mr. James Morris to the Solid Waste/Landfill Committee to observe, report, and give recommendations to the committee as a result of his findings which can in turn be carried to the Board of Commissioners on how to improve, conserve, and improve the safety of the Solid Waste Department.

Discussion followed and Commissioner Griffin said that Chairman Dixon chairs the Solid Waste Committee and this recommendation should be made to him.

Mr. Bunch noted that he believes a change would need to be made in the makeup of the committee because currently only three County Commissioners serve on the committee.

Mr. Meads stated that a majority of the Board could change that makeup. Commissioner Sterritt said if the motion passes, this body can do whatever it wants to do as far as increasing the number of people on a committee. He stated he does not feel this is a big issue and he seconded the motion because several months ago he suggested that Mr. Morris serve as an ombudsman and be given responsibility to report to the Chairman of the Solid Waste Committee who would report to the Board as to issues that Mr. Morris and other members of the committee feel should be discussed. He said his reason is that he would like to see citizen involvement within the existing committee and have suggestions made to the committee which would report back to the Board of Commissioners as a whole.

Commissioner Griffin said as a point of order and respect to the Chairman of the Board, he believes the Chairman should have this item brought to him, both as Chairman of the Solid Waste Committee and Chairman of the Board of Commissioners before any action is taken because this does change the structure of a committee in which he did have a hand in structuring.

Motion was made by Lloyd Griffin, seconded by Gary White to amend Mr. Meads' motion to delay action on the appointment to the Solid Waste Committee until the Chairman has had an opportunity to weigh in and review the proposal.

Discussion followed and Commissioner Sterritt said he does not see why the Board cannot operate with six people deliberating rather than seven. Commissioner Griffin said the Chairman reconfigured the Solid Waste Committee and as Chairman of the Board and the committee he is not here to take action and respond to questions.

Commissioner Perry asked the County Attorney about the legality of this action. Mr. Cox responded that he is not prepared to answer this question tonight as he does not have this information in front of him.

Commissioner Sterritt said in due respect to the Chairman who has been ill, the Chairman does not need to be here in order for the Board to make a decision, and the Board does not need to ask the Chairman if it can make this decision.

Commissioner White stated that he does not want to disrespect the Chairman and he believes the Chairman should have some latitude.

Commissioner Meads stated that the Chairman chose three people to serve on the committee and the motion is to just add one more person to that committee. He said this is not being disrespectful and he would still be chair of the committee.

Commissioner Griffin said he thinks Chairman Dixon should make this decision because he is the one who revamped the committee to remove the citizens and bring the committee in house. Commissioner White agreed.

Commissioner Meads stated that when the Board first talked about the Board of Commissioners committee appointments, he is the one who pointed out to the Chairman that the guidelines for appointments needed to be changed and the changes were made. He said he does not believe the Board is doing anything underhanded and is doing what it thinks is best for the county.

The vote on the amendment to the motion to delay action did not pass by a 3-3 vote with Commissioners Winslow, Griffin and White voting to delay and Commissioners Perry, Sterritt and Meads voting against delaying action.

The Board considered the original motion.

Vice-Chairman Winslow stated that he would also like for Chairman Dixon to be involved in this and he recommended it be brought up at the next meeting even though he is in favor of Mr. Morris being appointed to the committee.

Commissioner Perry said in the meantime he would like to see how the committee is structured and how it functions. He stated that most of the committees normally have an odd number of people to prevent tied votes.

The vote on the original motion to appoint James Morris to the Solid Waste/Landfill Committee carried 4-2 with Commissioners Winslow, Perry, Sterritt and Meads voting in favor of the motion and Commissioners Griffin and White voting against the motion.

Commissioner Griffin stated that the Board needs to follow protocol. He said this is a standing committee and the Chairman makes appointments to the standing committees. He added that there has been no review period or layover period and he believes there are protocol issues that need to be investigated.

Commissioner White said this action has eroded the Chairman's authority. He asked if it has not been the Chairman's prerogative to appoint internal committees. Mr. Cox said that has been the policy as long as he has been here. He stated that he will clarify this.

17. REPORTS FROM COMMISSIONERS:

Commissioner Sterritt reported that Parks & Recreation Director Bobbi White is supposed to be getting three estimates for making repairs to the deck at the boat ramp area at Sawmill Park where there has been considerable erosion around the launch area. He said he has received a call from a citizen who almost fell through an opening and he brought it up before the Recreation Advisory Committee. He said at some point there will be a request for funding to make the repairs.

Commissioner White reported that the Weeksville Water Plant has six wells out of commission that need to be replaced. Five of the wells are having mechanical problems and one of the wells has a bacteria problem. Commissioner White said three wells are being replaced and the casing on one well is being replaced. Commissioner Meads added that the Weeksville Plant is only pumping about six hours a day which is providing time for the wells to recover.

18. REPEAL OF APPOINTMENT TO SOLID WASTE/LANDFILL COMMITTEE:

Vice-Chairman Winslow was provided a copy of the Board's Appointments Policy by the County Attorney. Vice-Chairman Winslow read a portion of the policy which states that "The Chairman of the Board of Commissioners shall make appointments to all internal committees". He noted that he believes it would be proper to rescind the Board's previous motion to appoint James Morris to the Solid Waste/Landfill Committee based on this information. He said the policy was approved by the Board on April 1, 2013 and the Board would be going against its own policy by making that appointment.

Commissioner Sterritt said the Board could change that policy tonight.

Commissioner Meads noted that Mr. Morris had submitted an application to serve on the committee in February and no one else has submitted an application for the position.

Commissioner Griffin said this committee was brought into a three-member committee consisting of Commissioners so there is not a vacancy on the committee. He stated that the structure of internal committee would have to be changed to appoint another member, and additionally the policy states that the Chairman is responsible for appointments to internal committees.

Vice-Chairman Winslow stated that he believes the Board should follow protocol which was adopted in April, 2013 and should discuss this issue with Chairman Dixon before proceeding. He said if Chairman Dixon were here he would have had an opportunity to express his opinion on this issue. He added if the Board wants to change something it should at least give the Chairman the courtesy of letting him know and hearing his arguments. Commissioner Perry said he agrees that it would be proper to withdraw the approval and reconsider it at a later time.

Motion was made by Lloyd Griffin, seconded by Gary White to repeal the Board's previous motion to appoint James Morris to the Solid Waste/Landfill Committee based on the Appointments Policy adopted by the Board on April 1, 2013. The motion carried 4-2 with Commissioners Winslow, Griffin, White, and Perry voting in favor and Commissioners Sterritt and Meads voting against the motion to repeal.

It was requested that this be brought up at the next meeting.

19. CONTINUATION OF REPORTS FROM COMMISSIONERS:

Commissioner Cecil Perry stated that the Jail Commission met today and is working on a policy for the jail to approve standard salaries for officers and security guards. He also said he will be attending the NCACC Annual Conference this Thursday through Saturday and will bring a report back to the Board when he returns.

Commissioner Frankie Meads reported that the SPCA is doing a very good job and has raised almost \$200,000 of its \$275,000 goal for the new animal shelter. He also said it was reported to the Water Committee that the Water System has plenty of water. He added that North Carolina Power paid for all of the motors that were burned up.

Vice-Chairman Joe Winslow reported that the Hospital Board's Finance Committee met this morning and learned that the debt ratio figure is on track. He said things are beginning to progress for the transition to Sentara. He stated that at the Jail Commission meeting today it was reported that there are currently 53 federal inmates at the jail which has resulted in better than expected revenues.

Vice-Chairman Winslow said he was at the Newland Volunteer Fire Department a few days ago for a fundraiser and members of the fire department explained that the fire department is also used for voting. They asked him if the rock portion of the driveway could be paved all the way up to the concrete to provide better wheelchair access since it is used for voting. Vice-Chairman Winslow said this needs to be addressed if possible because of a problem with potholes. The Manager responded that any paving of the area up to the building would be the county's expense. He agreed to obtain a cost for asphaltting this area.

Vice-Chairman Winslow asked if there was any further business to come before the Board. There being no further business he asked for a motion to adjourn the meeting.

Motion was made by Cecil Perry, seconded by Gary White to adjourn the meeting. The motion carried unanimously and the meeting was adjourned at 9:25 PM.

Frankie Meads
CLERK TO THE BOARD

[Signature]
CHAIRMAN