

Regular Meeting
Monday November 2, 2009
6:00 pm
Chowan County Public Safety Center
305 West Freemason Street

MINUTES

The Chowan County Board of Commissioners held their regular meeting on Monday, November 2, 2009, at 6:00 pm in the lobby of the Chowan County Public Safety Center, 305 West Freemason Street.

Present, Chairman Eddy Goodwin, Vice Chairman Emmett Winborne, Commissioner Jimmy Alligood, Commissioner Louis Belfield, Commissioner Kenny Goodwin, Commissioner Ralph Cole and Commissioner Keith Nixon. Staff Present: County Manager Peter Rascoe, Finance Officer Lisa Jones and Clerk to the Board Susanne Stallings.

Chairman Eddy Goodwin called the meeting to order and led the group in the pledge.

Commissioner Alligood then offered the invocation.

Public Comment

Chairman Goodwin then opened the floor to public comment in accordance with NCGS 153A-52.1.

John Mitchener, 1000 West Queen Street, asked for an update on the States of the VA Clinic.

Mr. Rascoe said he was told two weeks ago that he should be hearing from them in or around the first week of November. He said he still has not heard from them.

Consent Agenda

Chairman Goodwin then presented the consent agenda and asked the Board if there were any items that they wanted to discuss.

a. Tax Release and Collector's Report (attached)

Alexander, J.	\$106.43	Vehicle traded
Christine, T.	\$172.42	SITUS South Carolina
Davis, C.	\$138.33	Military SITUS Pennsylvania
Dixon, R.	\$100.38	Vehicle put in daughter's name
ELRAC Inc.	\$216.53	SITUS South Carolina
Long, C.	\$102.70	SITUS Perquimans Co.
Riddick, J.	\$116.80	Vehicle turned in
Tynch, S.	\$175.96	Priced wrong per pricing guide

b. Minutes

Minutes of the October 5, 2009 meeting.

c. Recommended Budget Amendments

BA-0910-67

3524	Maint.	\$ 4,500	Decrease revenue from Boys & Girls Club for cost share of utility expense at Old D F Walker
4249	Maint.	\$ 4,500	Decrease expense for utility at Old D F Walker

BA-0910-68

3431	Sheriff	\$ 5,640	Increase revenue from Dept of Justice Grant (ARRA) to supplement extra duty and overtime budgets to increase officer's presence thereby reducing crime rates
4310	Sheriff	\$ 5,640	Increase expense for deputy overtime

BA-0910-69

3431	Sheriff	\$10,000	Increase revenue from Sheriff's Office Writ of Execution Collections
4316	Sheriff	\$10,000	Increase expense to Clerk of Court's Office for Writ of Execution disbursements

BA-0910-70

3839	Misc	\$ 8,966	Decrease revenue from Town of Edenton for savings from Planner resignation
4350	Inspect/Plan	\$ 8,966	Decrease expense for salary & benefits of Planner

BA-0910-71

3326	Soil & Water	\$ 200	Decrease revenue from State of NC for matching funds reduction due to state budget cuts
4730	Soil & Water	\$ 200	Decrease expense to disburse State match funds to Soil & Water Board

BA-0910-72

3500	DSS	\$ 429	Increase revenue from NC Dept of Transportation for Work First Transportation grant to reflect actual State allocation
5374	DSS	\$ 429	Increase expense for Work First transportation costs for eligible clients

BA-0910-73

3495	EFNEP	\$ 3,000	Increase revenue from Chowan Hospital Foundation for the Expanded Food & Nutrition Education Program
4952	EFNEP	\$ 3,000	Increase expense form supplies for nutrition education programs

BA-0910-74

3531	DSS	\$ 2,346	Decrease revenue from DHHS for Domestic Violence funding
5351	DSS	\$ 2,346	Decrease expense for domestic violence services

BA-0910-75

3531	DSS	\$42,796	Increase revenue from DHHS for Smart Start Daycare
5333	DSS	\$42,796	Increase expense for Smart Start Daycare services

d. Recommended Budget Transfers

BT-0910-05

9900	Contingency	\$ 3,502	Decrease contingency
4120	Admin	\$ 3,502	Increase professional services for Robert Segal, CPA contract for revenue enhancement – county sales tax reallocation services. Vendor investigation revealed the need for a sales tax reallocation resulting in a savings to the County

Commissioner Louis Belfield asked for clarification on BT-0910-05 (d).

Mr. Rascoe stated that Mr. Segal was working for the County to locate cost savings. He said that this review has been performed twice in the past two years. He said that Mr. Segal located a sales tax reallocation.

Ms. Jones noted his fee for finding the savings is 30% of the total savings.

Chairman Eddy Goodwin asked if the savings were recent allocations.

Ms. Jones said this was for 3 years back 05/06, 06/07 and 07/08.

Being no further discussion, Commissioner Belfield moved that the Board approve the consent agenda as submitted.

Chairman Eddy Goodwin asked for all in favor, the motion passed unanimously (7-0).

Chowan County Convenience Sites

Commissioner Kenny Goodwin stated that at the October Board meeting, the majority of the Board recommended to table discussions until the November meeting on the operational hours for the convenience sites and to discuss potential budget savings. He stated that since the October meeting it was brought up that the Convenience site budgets were not set up for a shut down.

Mr. Rascoe added that there will be no lost revenue. He noted that if the Board decided to close 2 hours early would result in a savings of \$8,500 per year. He noted that if the Board decided to close for an extra day per week that would result in a savings of \$19,000 per year. He added that staff has recommended Monday as the potential additional day for closing because of the truck schedule.

Commissioner Nixon asked how the enterprise funds are looking.

Ms. Jones said the fund was ok.

Chairman Eddy Goodwin stated that he did not see the need to close the sites early if the current schedule was already built into the budget.

Commissioner Kenny Goodwin said that he agreed to not close early at this time, but he would want to consider the operating schedule and closing of an additional day later.

Wharf Landing Road Request

Mr. Rascoe stated that the developer of Wharf Landing has requested the Board's consideration of changing the name of "Wildlife Access Road" (SR 1288) to "Wharf Landing Road". He noted that a copy of the letter requesting the change is included in the Board's agenda packet. He stated that he has spoken with Wildlife, County Emergency Agencies, Department of Transportation and the Water Department and there were no concerns over the possible renaming of the road. He stated a public hearing would need to be scheduled to hear the request and accept public comment.

Commissioner Alligood asked why the road name could not be the same from the highway back into the development.

Mr. Rascoe said that addresses were assigned with the Wharf Landing Drive address and that process would be a burden for the property owners in the development.

Commissioner Alligood asked what the expense for the renaming would be.

Mr. Rascoe said the developer would pay for the new road signs and that cost would be \$218,

Commissioner Nixon asked if it was simple to key in the addresses.

Mr. Rascoe said that Land Records will key in the address.

Commissioner Winborne asked if the State's pier project at the end of the road would be affected.

Mr. Rascoe said that Wildlife had no problems with the proposal.

Commissioner Kenny Goodwin stated that the developer should cover the costs of the public hearing and notifications.

Commissioner Nixon said he wanted the developer to absorb the costs of the legal advertisements.

Mr. Rascoe said he would notify the developer.

Commissioner Alligood moved that the Board schedule a public hearing on the request for the December 7, 2009 meeting and require that the developer pay for all direct and indirect costs.

Chairman Eddy Goodwin asked for all in favor, the motion carried unanimously (7-0).

Resolution for appointment of Review Officer

Mr. Rascoe noted that a statutory requirement is in place to certify on plats that property exists. He said that Gail Forehand has retired and the Planner Wes Haskett is no longer working for the County. He stated that Julie Sharpe is in the land records office and is capable for certifying plats. He stated that there is a resolution for the Board's consideration to appoint the Land Records/GIS Coordinator, Julie Sharpe as review officer.

Commissioner Cole asked for clarification on Ms. Sharpe's credentials.

Mr. Rascoe said that she is familiar with the procedures and is certified in mapping and GIS.

Commissioner Cole moved that the Board approve the resolution.

Chairman Eddy Goodwin asked for all in favor, the motion carried unanimously (7-0).

RESOLUTION

WHEREAS, General Statutes 47-30.2 requires the Board of County Commissioners in each county, by resolution, to appoint a person to serve as Review Officer to review each plat before it is recorded and certify that it meets the statutory requirements for recording; and,

WHEREAS, it is the desire of the Chowan County Board of Commissioners to insure an expeditious review of all maps and plats as required by the General Statutes before they are presented to the Register of Deeds for recording.

NOW, THEREFORE, BE IT RESOLVED that the duties of Gail Forehand as Review Officer be dissolved and that the Land Records/GIS Coordinator is hereby appointed to perform all responsibilities as required for Review Officer under the appropriate North Carolina General Statutes and that the Land Records/GIS Coordinator may designate Deputy Review Officers as qualified and determined necessary for the performance of these responsibilities. Juliette L. Sharpe, presently serving as Land Records/GIS Coordinator, is hereby appointed as Review Officer.

BE IT FURTHER RESOLVED that this Resolution designating the Land Records/GIS Coordinator as Review Officer be recorded in the Chowan County Register of Deeds office, and that this Resolution shall become effective today, November 2nd, 2009 as specified in GS 47-30.2

Adopted November 2, 2009.

Susanne Stallings, County Clerk.

Susanne Stallings

Internal Committee Reports

Commissioner Nixon stated the Planning and Enterprise Committee met and had schedule a special meeting with COA to discuss future campus consolidation on November 17, 2009 at COA.

Commissioner Kenny Goodwin said the Sub Finance Committee met with Lee Carter of the North Carolina Capital Management Trust. He said that the committee also discussed budgeting with him. He noted the next item for discussion was brought forward by the Planning and Enterprise Committee.

Special Order by Consent – Valhalla Water Plant Wastewater Discharge Violation

Mr. Rascoe stated that the Planning/Enterprise Committee met on Thursday, October 15th and unanimously recommended that the State's Special Order of Consent for the Wastewater Discharge Permit violations at the Valhalla Water Plant be placed on the November meeting agenda for discussion of the full Board. He stated that the County has until December 31, 2011 to submit plans and specifications for necessary permits and plans to remedy the violations. He said that this will allow the County to begin planning and reviewing options on how to bring the violations into compliance. He asked the County Engineer Bill Diehl to describe the process of the study.

Mr. Diehl explained that if the County enters into the Special Order By Consent it will keep the County from being fined by the State for the violation. He said the first 12 months is a study period. He said that various scenarios have been discussed such as diverting the discharge to the river. He said that the study will see if other alternatives are more cost effective. He stated the salt discharge is the problem. He said the salt is used during the softening process. He stated they could shut down the softeners but that would result in higher levels of iron or manganese in the water and there would be water discoloration. He said there are other suggestions for softening the water and the 12 months would give him time to study and explore all options. He stated the second 12 months will allow staff to explore ways to fund the project and the last three years allow for plans, building and operations of the project.

Commissioner Kenny Goodwin asked if the County is currently in violation.

Mr. Diehl said yes because of the chloride levels.

Commissioner Winborne asked if Mr. Diehl is experiencing this problem in other counties that he is the engineer.

Mr. Diehl said that every plant that is similar to the Valhalla plant is flunking the ion exchange test. He said that the Division of Water Quality (DWQ) changed their rules 3-4 years ago.

Chairman Eddy Goodwin asked if options to join with other counties for a membrane plant.

Mr. Diehl said that the plant in Bethel is close to the plant at Yeopim.

Commissioner Nixon said that Pasquotank does not soften their water.

Mr. Diehl said that the quality of the ground water there is about 100 parts hardness, which is softer than the water in Chowan County. He said that over time the hardness in their water has risen.

He added that Pasquotank is building a reverse osmosis plant.

Commissioner Nixon asked about savings in the budget due to reduced salt purchases.

Mr. Diehl said the expense was reduced because of the reduction in salt for softening.

Commissioner Alligood discussed calcium build up and the effect it has on appliances.

Commissioner Cole suggested that Mr. Diehl talk with Randy Keeton in Pasquotank County.

Commissioner Kenny Goodwin suggested that the County bid out the specs for the study.

Mr. Rascoe said it could be bid out.

Commissioner Kenny Goodwin stated his concern with DWQ's rules in place and the possibility the rules may change before the study is complete.

Chairman Eddy Goodwin stated that if the County does not enter into the SOC with the State there would be monetary penalties assessed against the County through December if the County does not come into compliance with the SOC.

Commissioner Belfield moved that the Board approve the SOC as presented.

Chairman Eddy Goodwin asked for all in favor the motion passed (6-1 K. Goodwin).
(A copy of the SOC is in the meeting file labeled November 2, 2009)

Staff Recommended Budget Transfer 0910-04

Mr. Rascoe stated that since the Board has entered into, the State's proposed Special Order of Consent addressing the waste water discharge permit violations at the Valhalla Water Plant, it will require the County to immediately implement a professional study. He said the study will determine the most acceptable method of removing the violations. He stated that sufficient funding will be required to implement such a study. Mr. Rascoe stated that staff recommends a budget transfer within the Water Fund in the amount of \$75,000 from 61-7120-822 "Contribution to Reserve" to 61-7120-191 "Professional Services – SOC Study".

Commissioner Alligood moved that the Board approve the budget transfer.

Commissioner Winborne asked Mr. Diehl if the actual costs could be less than proposed.

Mr. Diehl said that this cost is not to exceed \$75,000. He said he would have to hire a Hydrologist and a Membrane Consultant for their input in the study. He said that he would look out for the County's best interest in the study and try to find the most cost effective means to remedy the violation.

Commissioner Winborne encouraged Mr. Diehl to work with neighboring counties.

Mr. Diehl said that was an advantage since he already works for or has access to other counties water systems.

Commissioner Cole thanked Mr. Diehl for his work in Chowan County and stated that he felt Mr. Diehl has done an outstanding work.

Mr. Rascoe said that the proposed budget transfer would use monies budgeted for future capital improvements in the Water Capital reserve fund.

Commissioner Nixon asked if the monies budgeted for the water tap fees could be used.

Mr. Rascoe said that this was discussed with the auditor and that money can only be used for expansion.

Commissioner Nixon said he was concerned about using the monies for improvements to the water plant. He said he would like to find savings in the water department budget. He said he would suggest a partial payment in this budget and did not want the monies designated for such.

Being no further discussion, Chairman Eddy Goodwin asked for all in favor of the motion on the floor. The motion passed (5-2 K. Goodwin, Nixon).

The Board took a 5 minute recess, after the recess, the Chairman called the meeting back into order.

External Board/Committee Reports

Chairman Eddy Goodwin noted that the board members are asked to report on the activities of the external boards to which they have been appointed.

Commissioner Cole stated that the DSS Board has not announced a decision on the hiring of the new DSS director. He stated an announcement will be forthcoming.

Commissioner Belfield gave an updated on the activities of the Senior Center Advisory Board where fundraisers and hours of operation were discussed. He stated that the Albemarle Regional Health Services Board met and financial reports show it in good standing, he said that the Hospice program was discussed, seasonal flu is slow and the County's Mosquito lab is still being discussed for sale of the building. He asked Mr. Rascoe to discuss the RPO/TIP meeting.

Mr. Rascoe stated that that the priority projects for the Albemarle area are on the TIP (Transportation Improvement Plan) and are number 19 and 20. He said that number one project on their list was not a TIP project. He added that a copy of the memo was included in the Board packets.

Finance Officer Report

Finance Officer Lisa Jones provided the Cash Balance Summary and Cash and Investment Balance information for the month of September noting a total of \$4,406,166 total cash and investments. She added that the bank and investment statements are available for the Board to review. She also provided the Board with information on the ROAP project transfer of unused funds and the Debt Setoff 2010.

Maintenance Department Annual Report

Maintenance Director, Orville Mason provided the Board with an annual summary of the activities of Maintenance Department

Animal Control Annual Report

Animal Control Officer, Ginny White provided the Board with an annual summary of the activities of the Animal Shelter and Animal Control Department. (a copy of the PowerPoint presentation is in the file labeled November 2, 2009).

Manager's Report

County Manager Peter Rascoe provided the Manager's report highlighting the following topics:

- Survey is complete for the sale of the Albemarle Learning Center, closing to occur in coming weeks
- Virginia Road property survey should be ready in the coming weeks
- Tenant in the Mental Health building has moved out and water is off, electrical is still on.
- Still no word on the VA Clinic
- Animal Control Director, Mary Bass is on extended leave and one temporary person has been hired to assist Animal Control Officer Ginny White with the shelter duties
- Special meeting of the Board of Commissioners is scheduled for November 17th at COA
- Heliport at Hospital ribbon cutting will be announced soon.
- Register of Deeds, Sue Rountree will attend a ceremony hosted by the NC Secretary of State recognizing Chowan County for having the first Notary Public on record.

Commissioner Kenny Goodwin asked if the environmental survey was good for the Ag center property.

Mr. Rascoe said they are still waiting on that.

Timely and Important Matters

Chairman Eddy Goodwin asked if the Board members reviewed the letter from the ABC Board Chairman.

Commissioner Kenny Goodwin said he felt the proposed salaries were ridiculous.

Commissioner Winborne said he found the letter unfavorable.

Commissioner Belfield said he felt the Board salaries were reasonable given their responsibilities.

Commissioner Nixon asked if the Board of Commissioners approves the salaries of the ABC Board members.

Mr. Rascoe said that this Board operates under set precedence where they set their compensation. He said the previous Board operated with a store Manager as well as an Executive Secretary. He noted that Mr. Coston has provided the Board with a survey of surrounding county Board salaries. He said the Board may set the compensation under the statutes.

Chairman Eddy Goodwin said he would invite Mr. Coston to attend the next Board of Commissioners meeting.

Chairman Eddy Goodwin noted there is a letter in the Board packets from Albemarle Regional Health Services.

Board Appointment – Hospital Directors Council

Clerk to the Board, Susanne Stallings noted that Chowan Hospital Director’s Council has requested the Board of Commissioners to appoint Dr. Severa to replace the position filled by Dr. Chris Hope who has been appointed as Chief of Staff. She added that a copy of the letter and resume were included in the Board packets.

Commissioner Alligood moved that the Board appoint Dr. Severa.

Chairman Eddy Goodwin asked for all in favor, the motion carried unanimously (7-0).

Citizen Concern

Commissioner Kenny Goodwin said he was approached by Rob Emmins about Aquatic Weeds in the Arrowhead Beach area.

Mr. Rascoe said he had spoken with him also and the Soil and Water Conservation Office will apply for grant funds to remedy the weeds. He stated the grant requires a cash match and the citizens have agreed to pay for the match.

Being no further business, the meeting was adjourned.

Edward C. Goodwin, Chairman

L. Susanne Stallings, Clerk