

Regular Meeting  
December 4, 2006

The Chowan County Board of Commissioners met in regular session on Monday, December 4, 2006 at 6:00pm in the Panel Room of the 1767 Courthouse.

Present: Jimmy Alligood, Louis Belfield, Ralph Cole, Jerry Downum, Bill Gardner, Harry Lee Winslow.

Vice Chairman Ralph Cole called the meeting to order and Commissioner Alligood presented the invocation.

#### Swearing-In of Commissioners

County Clerk Nancy Morgan received the oaths of office for recently re-elected Commissioners Jimmy Alligood and Louis Belfield.

#### Organizational Meeting

County Manager Cliff Copeland moderated the Organizational Meeting for the Board of Commissioners.

Commissioner Winslow nominated Vice-Chairman Ralph Cole as Chairman.

Commissioner Belfield moved that the nominations be closed and Vice-Chairman Cole be elected Chairman by acclamation.

Ayes 6

No 0

Commissioner Belfield nominated Commissioner Alligood as Vice-Chairman.

Commissioner Winslow moved that the nominations be closed and Commissioner Alligood be elected Vice-Chairman by acclamation.

Ayes 6

No 0

Commissioner Belfield moved that the meeting schedule of alternating months at 9:00 a.m. and 6:00 p.m. be continued.

Ayes 4

No 2

#### Consent Agenda

By motion of Commissioner Belfield, the Consent Agenda, including the following Budget Amendments, tax releases and the minutes of the November meetings, was approved.

Ayes 6

No 0

Budget Amendments

4268 Sr Center	\$1617	increase	Albemarle Commission grant
4370 EMS	\$14,000	increase	Chowan Hospital Foundation Grant – Public Access to Defibrillation Initiative

Tax Releases

CL Carroll	\$199.21	military, listed in Connecticut
CM Cooper	\$166.28	listed in Perquimans
CM Cooper	\$233.73	listed in Perquimans
CP Hall	\$107.64	vehicle sold
BD Miller	\$119.52	vehicle sold
RL Miller	\$225.36	vehicle traded
S Pompa	\$135.13	listed in Pasquotank
EL Watson	\$296.32	purchased weighted tag

Reschedule January Meeting

Vice Chairman Allgood moved that the January meeting be scheduled for the second Monday, January 8, 2006 at 9:00 a.m.

Ayes 6

No 0

Recognition – First Annual Golden Dipper Award

Chowan County's Sidney Wilkins, an employee of the Chowan County Water Department, and the person responsible for mosquito control spraying in Chowan County, received the First Annual Golden Dipper Award. This award is presented by the North Carolina Mosquito and Vector Control Association and is presented to an individual working in the field-level mosquito control program who goes above and beyond the call of duty, to serve the public by controlling mosquitoes.

Mr. Wilkins, under the technical direction of Walker Rayburn of the ARHS Regional Mosquito Control Program, was recognized for his initiation of a larviciding plan in Cape Colony following Hurricane Isabel.

Mr. Rayburn presented the award to Mr. Wilkins before the Board of Commissioners and commented on Mr. Wilkins' dedication to the program.

Chairman Cole thanked Mr. Rayburn for his assistance and Mr. Wilkins for the remarkable job for the County citizens.

Appointment – Workforce Development Board

Commissioner Belfield nominated Gwen Brown to serve as a representative of Chowan County on the Workforce Development Board.

Ayes 6

No 0

#### County Legislative Liaison – NC Association of County Commissioners

In response to correspondence from the Association of County Commissioners, Vice-Chairman Alligood nominated Chairman Cole to serve as County Legislative Liaison to the Association. This Liaison will assist the Association and the District Director to contact fellow Commissioners when quick communication between the Association and its members is critical.

Chairman Cole accepted the position.

Ayes 6

No 0

#### Voting Delegate Designation for Legislative Goals Conference

By motion of Commissioner Downum, Vice Chairman Jimmy Alligood was appointed Voting Delegate to the NC Association of County Commissioners Legislative Goals Conference for January 11-12.

Ayes 6

No 0

#### Chowan Hospital Directors' Council

By motion of Commissioner Downum, Dr. William Hope was nominated to fill the position on the Directors' Council, made vacant when Dr. Stafford Taylor completed his three-year term. Dr. Hope is the Vice Chief of Chowan Hospital's Medical Staff.

Ayes 6

No 0

#### Planning and Inspections/Enterprise Committee Report

Commissioner Winslow reported on the recent committee meeting with the Planning and Inspections Department and the Water Department. Planner Elizabeth Bryant said that the public continues to work well with the new Zoning Ordinance. Nuisance issues continue to progress to compliance at the Monds, Wheeler and Goodwin sites. State permits are being finalized for the RiverSound Development, with the final plat scheduled to be presented to the Planning Board and the Commissioners in March. A discharge permit for the Valhalla Treatment Plant has been issued by the State. Water System Engineer Bill Diehl continues to investigate improved treating methods. Wireless meters are still being considered but have not been purchased at this time, due to continuing improvements in the technology, and the cost of the equipment is beginning to decrease.

Finance Officer Lisa Jones reported that the Storm Preparedness Reserve Fund should be fully funded in approximately four years. A generator has been placed at the treatment plant and at three well sites by appropriations from this fund. The Water Development Fee Reserve contains \$148,000 as of October 31, and is earmarked for improvements to the Water System, such as replacing/increasing the number of water mains.

Mr. Copeland reported to the Committee that the sewer feasibility study is complete but the projected cost per household is approximately \$150 monthly, so other funding sources are being sought.

Mr. Rascoe is still working on a drainage plan and also a project to identify failing septic tank systems. The scope of work for sampling includes approximately 1100 homes. Grant applications to the Clean Water Management Fund are being submitted.

#### Commissioner Seat Vacancy

Now that the election results have been certified, it is in order that the Board of Commissioners officially declare the District 1, Seat 2 Commissioner seat vacant, due to the death of Chairman Wayne Goodwin.

Commissioner Gardner made a motion that the Chairman of the Democratic Party be officially notified by letter of the vacancy, and that the Board of Commissioners request that the Democratic Party submit a nomination for the position by the January 8 meeting of the Board of Commissioners.

Ayes 6

No 0

#### Public Comment

None offered.

#### Manager's Report

County Attorney Peter Rascoe presented a request from Sheriff Dwayne Goodwin that the County reauthorize the mutual aid agreements under the new Sheriff's authority. By motion of Commissioner Winslow, a mutual aid agreement between Chowan County and other County Sheriffs, Town Police Departments, State and Federal agencies was approved.

Ayes 6

No 0

(The Resolution is included at the end of these minutes.)

Chairman Cole congratulated Sheriff Goodwin, saying that he looks forward to working with him. Chairman Cole told Sheriff Goodwin, "I guess you can look at this as the first day of the rest of your life!"

Mr. Rascoe also discussed the permitting system now imposed on the Forestry Service by the NC Department of Transportation. The employee at DOT responsible for the permitting of overweight vehicles on State roads has imposed the restrictions on fire fighting equipment as well. When a fire call is made, this restriction forces the Forestry Service to acquire a permit to transport the overweight equipment before it can be moved to the site of the fire, requires the Forest Service to secure an escort by law enforcement, and other restrictions. Acquiring this permit from NCDOT can take several hours, especially at nights, on weekends and holidays. Mr. Rascoe, Mr. Copeland and Commissioner Winslow agreed that an angry fire being pushed by any kind of wind can cause a lot of damage while the firefighters are waiting for a permit to get equipment to a fire.

Mr. Rascoe said that he understands that a meeting to examine DOT's "Emergency Rule Making" procedures for overweight equipment for use in emergencies, particularly fire

fighting equipment, is being held this week. He understands that a permit to authorize emergency equipment under a continuous permit is being considered. He will stay in contact with DOT and the Forestry Service to learn of any adjustments to the rules as quickly as possible.

Vice Chairman Alligood made a motion that the County Attorney be authorized to submit a letter of opposition to these restrictions placed on the Forestry Service if no settlement is reached during these meetings.

Ayes 6

No 0

Mr. Copeland said that the meetings of the committee studying ways that the community can work to provide affordable housing have been delayed because the consultant working with the group has been hospitalized. He understands that she is well now and her report is expected in the next two weeks.`

Construction on the Public Safety Center and the renovation of the Library projects are underway.

Vice Chairman Alligood asked that the ditch drainage at Cowpen Neck Road and Macedonia Road, across from the Advance Ruritan Building be checked.

The meeting was adjourned.

Nancy B. Morgan, County Clerk

Resolution Adopting a Policy for Mutual Assistance  
With Other Law Enforcement Agencies

WHEREAS, pursuant to North Carolina General Statutes 160A-288, the governing body of a county may adopt appropriate guidelines for the purpose of mutual assistance with other municipal and county law enforcement agencies; and,

WHEREAS, pursuant to said laws, the law enforcement assistance to be rendered authorizes lending officers to work temporarily with officers of the requesting agencies, including in an undercover capacity, and lending equipment and supplies; and,

WHEREAS, it is deemed to be in the best interests of the citizens of Chowan County to adopt a reasonable policy and guidelines whereby reciprocal law enforcement assistance can be both rendered to and obtained from other governmental jurisdictions; and,

WHEREAS, such reciprocal assistance is necessary for effective law enforcement for the protection of the citizens of Chowan County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF CHOWAN COUNTY THAT:

1. The Sheriff is hereby authorized to enter into mutual assistance arrangements with other municipal and county law enforcement agencies, provided that the head of the requesting law enforcement agency makes such a request in writing.
2. The Sheriff is hereby authorized to permit officers of the Chowan County Sheriff's Office to work temporarily with officers of the requesting agency, including in an undercover capacity, and the Sheriff may lend such equipment and supplies to requesting agencies as he deems advisable.
3. All such requests and authorizations shall be in accordance with NC General Statutes 160A-288, as applicable.
4. While working with a requesting agency, an officer shall have the same jurisdiction, powers, rights, privileges and immunities (including those relating to the defense of civil actions and payment of judgments) as the officers of the requesting agency in addition to those the officer normally possesses.

5. While on duty with the requesting agency, an officer shall be subject to the lawful operational commands of the officer's superior officers in the requesting agency, but the officer shall for personnel and administrative purposes, remain under the control of the officer's own agency, including for purposes of pay. An officer shall furthermore be entitled to worker's compensation and the same benefits to the extent as though he were functioning within the normal scope of the officer's duties.
6. The Sheriff is hereby authorized to enter into mutual assistance agreements with other law enforcement agencies in accordance with such reasonable arrangements, terms and conditions as may be agreed upon between the respective heads of the law enforcement agencies.

Adopted today, December 4, 2006, by the Chowan County Board of Commissioners.  
Nancy B. Morgan  
County Clerk