

Regular Meeting  
Monday, January 3, 2011  
6:00pm  
Chowan County Public Safety Center  
305 West Freemason Street

MINUTES

The Chowan County Board of Commissioners held their regular meeting on Monday, January 3, 2011 at 6:00pm in the Chowan County Public Safety Center, 305 West Freemason Street Edenton NC. Present Chairman Eddy Goodwin, Vice Chairman Keith Nixon, Commissioners Emmett Winborne, Ellis Lawrence, Ralph Cole and Jeff Smith. Commissioner John Mitchener was absent. Staff Present Finance Officer Lisa Jones; County Manager Paul Parker and Board Clerk Susanne Stallings

Chairman Eddy Goodwin called the meeting to order and then led the group in the pledge, he then provided the invocation.

**Public Comment**

Chairman Eddy Goodwin asked for public comment in accordance with NCGS 153A-52.1.

Steve Karl, 219 East Queen Street stated his concern over the conditions and repairs needed at Bennett's Millpond. He urged the Board to consider funding or seek funding to execute the repairs as soon as possible.

Mr. Parker stated he planned to update the Board later in the meeting on this topic. He stated the County was not approved for FEMA funding however he would discuss this further with the Board for its plans on how to proceed.

Bob Harrell, 1601 Virginia Rd. stated that he felt the site was an asset to the County and he stated his support for repairs to the dam at Bennett's Mill Pond.

Mr. Parker stated that the Division of Wildlife and Water Resources were unable to locate funding for the repairs. He stated that he will continue to seek funding if the Board desires to do so.

Charles Racine 219 East King Street stated that the millpond is also a historic resource and stated his support for seeking funds to repair the dam.

Jimmy Nixon stated his support for repairing the dam and noted its importance for farmers using it for irrigating purposes on their farms.

There was no further public comment.

**Consent Agenda**

Chairman Eddy Goodwin presented the consent agenda. He asked for any questions for items a, b and c.

Commissioner Winborne noted one correction to remove “interim” before Manager in the December minutes.

There were no further questions or corrections to those items.

**a. Tax Release and Collector’s Report (attached)**

Due to year end close out, these releases will be provided at the January 18<sup>th</sup> meeting.

**b. Approval of Minutes**

Approval of the minutes of the December 6, 2010 meeting.

**c. Recommended Budget Amendments**

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**BA-1011-038**

3612	Recreation	\$	500	Increase revenue from Edenton Motors donation
6130	Recreation	\$	500	Increase expense for youth sports equipment

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**BA-1011-039**

3531	DSS	\$	4,252	Increase revenue for CRISIS funding – 100% federal funds
5372	DSS	\$	4,252	Increase expense to CRISIS related heating emergencies to eligible participants

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**BA-1011-40**

3326	Senior Cntr	\$12,244	Increase revenue from Albemarle Commission grant for Senior Center general purpose operations
4268	Senior Cntr	\$12,244	Increase expense for general operating purposes to include salary for part time fitness instructors, office & departmental supplies and travel (25% match required which will be covered by Senior Center Director’s salary

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**BA-1011-41**

3326	Senior Cntr	\$	962	Increase revenue from Albemarle Commission for Senior Center Health Promotions Grant
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4268 Senior Cntr \$ 902 Increase expense for health risk assessments & screenings, fitness & exercise programs and mental health services (10% match required covered by Senior Center Director's salary)

Vice Chairman Nixon asked about BT-1011-005. He discussed making an additional payment to reduce the debt. After discussion the Board voted to put this topic on the January 18<sup>th</sup> agenda for more discussion on the additional payment.

**d. Budget Transfers**

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**BT-1011-004**

9900	Contingency	\$18,082	Decrease contingency
8200	Central Svcs	\$18,082	Increase expense for annual unemployment benefits billing

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**BT-1011-005**

4350	Bldg Inspect	\$10,303	Decrease lease purchase expense for vehicle loan
9841	Reserve	\$10,303	Increase contribution to reserve for proceeds received from Water Dept for the transfer of Bldg Inspectors vehicle to Water fund

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Being no further questions or comments Vice Chairman Nixon moved that the Board approve the consent agenda as presented. Chairman Goodwin asked for all in favor, the motion passed unanimously (6-0).

**Albemarle RC&D Council Resolution of Support**

Mr. Parker stated that the Albemarle RC&D Council has requested that the Board consider a resolution of support he noted that this resolution is considered annually by the Board and used by RC&D during state and federal funding review.

Chairman Goodwin requested Richard Saunders with ARCD to come before the Board. He asked Mr. Rogers to describe the programs and contributions of ARCD to Chowan County.

Mr. Saunders stated that canoe launches at John's and Holliday Islands have been installed as well as improvements to drainage at various County locations have been applied.

Being no further discussion, Commissioner Ralph Cole moved that the Board approve the resolution as presented.

Chairman Goodwin asked for all in favor, the motion passed unanimously (6-0).

### **RESOLUTION OF SUPPORT**

WHEREAS, Albemarle RC&D Council, Inc. is a local non-profit tax exempt charity serving the Albemarle region which includes Chowan County, and

WHEREAS, Albemarle RC&D Council, Inc. has a mission to promote environmental quality and conservation while working to ensure sustained economic development, and

WHEREAS, Albemarle RC&D Council, Inc. has completed over 89 region-wide projects and 48 projects within the County since 1972 benefitting the citizens in the Chowan County service area, and

WHEREAS, Albemarle RC&D Council, Inc. is committed to continuing to serve the citizens in the Chowan County service area, and

WHEREAS, All programs and services of Albemarle RC&D Council, Inc. are offered on a non-discriminatory basis, without regard to race, color, national origin, religion, sex, sexual orientation, age, marital or family status, disability or political beliefs.

BE IT RESOLVED that we, the Chowan County Commissioners fully support Albemarle RC&D Council, Inc. and the work this organization does to make our communities better places in which to live and work.

BE IT FURTHER RESOLVED that this resolution be spread upon the Meeting Minutes of the Chowan County Board of Commissioners on January 3, 2011 as a permanent record of the achievements of Albemarle RC&D Council, Inc.

### **RBC Bank Resolution and Agreement**

Mr. Parker stated the Board is asked to consider a resolution and agreement adding the County Manager, Paul Parker as an authorized representative on the Chowan County RBC account.

Chairman Goodwin noted the Chairman, Finance Officer and Finance Assistant are already included on this authorization.

Commissioner Winborne asked why the document was already signed.

Board Clerk Susanne Stallings stated the resolution had only been prepared and will only be attested by the clerk and sent to the Bank by the clerk after Board approval.

Commissioner Smith moved that the Board approve the resolution. Chairman Goodwin asked for all in favor, the motion passed unanimously (6-0).



RBC Bank™

Resolution And Agreement  
For Deposit Account and Bank/Corporate Services

This Resolution and Agreement is submitted by COUNTY OF CHOWAN  
(hereinafter referred to as the "Customer") designating RBC Bank (USA) as a depository institution for the Customer.

If checked here, the Customer also operates under or is usually identified by a trade name, as follows:

The Customer is duly organized and operates as a: Public Funds

BE IT HEREBY RESOLVED, AUTHORIZED AND AGREED THAT RBC Bank (USA) (hereinafter "Bank") be, and it hereby is, designated as a depository institution for the funds of the Customer.

1. FURTHER RESOLVED, that any and all types of deposit accounts, including without limitation checking, savings, time, certificate receipts and certificates of deposit, and any other accounts may be opened in the Customer's name with the Bank in accordance with the applicable rules and regulations for such accounts.

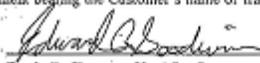
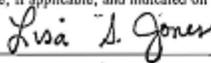
2. FURTHER RESOLVED, that any one of the persons named below in this paragraph 2 (hereinafter referred to as "Authorized Representatives") is HEREBY AUTHORIZED, on behalf of the Customer and in its name or trade name, if applicable, to sign checks, drafts, notes, bills of exchange, acceptances, certificate receipts, certificates of deposit or other orders for the payment of money relating to any account(s) in the Customer's name for which they have also signed the deposit agreement and/or signature card; to endorse checks, notes, bills, certificate receipts, certificates of deposit or other instruments owned or held by the Customer for deposit with the Bank or for collection or discount by the Bank relating to any account(s) in the Customer's name for which they have also signed the deposit agreement and/or signature card; to accept drafts, acceptances and other instruments payable at the Bank; to place orders with the Bank for the purchase and sale of foreign currencies on behalf of the Customer to deliver, cash, negotiate, obtain payment on or present any check, note, bill, draft or other instrument made or drawn to or endorsed by the Customer, and to waive presentment, demand, protest, notice of protest or notice of dishonor of any check, note, bill, draft or other instrument made or drawn to or endorsed by the Customer; to initiate or cause the initiation of electronic fund transfers through any access device (e.g., debit card, credit card, code) issued by the Bank or authorized by the Bank relating to any account(s) in the Customer's name for which they also signed the deposit agreement and/or signature card.

THIS SECTION MUST BE COMPLETED. (Please print or type.)

Names of Authorized Representatives	Title
<u>Edward C Goodwin</u>	<u>Chairman of Commissioners</u>
<u>Lisa Jones</u>	<u>Finance Officer</u>
<u>Kimberly Smith</u>	<u>Asst. Finance Officer</u>
<u>Paul B Parker</u>	<u>County Manager</u>
_____	_____
_____	_____

(These Authorized Representatives must also sign a deposit agreement and/or signature card.)

3. FURTHER RESOLVED, that Bank may pay or honor any of the instruments described in paragraph 2 above cashed, drawn against or deposited to any account in the Customer's name or otherwise charged against the Customer by any or all individuals whomsoever, whether authorized or unauthorized, who shall make use of a sample or other facsimile signature or endorsement bearing the Customer's name or trade name, if applicable, and indicated on the signature card or below:

   
Facsimile Signature Used By Customer

4. FURTHER RESOLVED, that, the Bank may cash checks, drafts or money orders payable to cash or to the Customer (irrespective of any special or restrictive endorsement thereon) when endorsed by an Authorized Representative in his or her individual capacity or representative capacity, and, further, that any Authorized Representative may from time to time designate in writing to Bank any other officers, employees, agents or persons who are authorized to cash checks payable in or to initiate electronic fund transfers in the Customer's name or trade name, if applicable, which authorization, unless limited by its terms, shall remain in effect until a written notice signed by any Authorized Representative is received by the Bank at the same office to which the original authorization was delivered.

5. FURTHER RESOLVED, that the Bank be, and it hereby is, authorized to honor, receive, certify or pay all instruments signed in accordance with the foregoing resolutions or electronic fund transfer initiated in accordance with the foregoing

8. **FURTHER RESOLVED**, that, in connection with electronic fund transfers authorized in the foregoing resolutions, any Authorized Representative is authorized to execute an Electronic Funds Transfer Agreement, if required or otherwise requested by Bank, the terms of which are hereby incorporated by reference, by and between the Customer and the Bank and is authorized to designate "Authorized Agents" thereunder on Authorization Forms supplied by the Bank. **FURTHER RESOLVED**, that in connection with electronic fund transfers, the Bank may from time to time (i) issue a debit card or other access device to any Authorized Representative; such debit card or other access device to be in the name of the Customer and have printed thereon the name of the Authorized Representative, (ii) designate an Authorized Representative as the person authorized to access any funds, redeem any points or other rewards which may be earned and pooled under the Customer's name from time to time as a result of electronic fund transfers through use of debit cards and other access devices issued by the Bank to Authorized Representatives, and (iii) undertake or refrain from undertaking any and all other acts or actions with respect to electronic fund transfers authorized under the resolutions as the Bank may deem necessary or appropriate.
9. **FURTHER RESOLVED**, that, any Authorized Representative is authorized to execute a Cash Management Agreement, Master Repurchase Agreement, and Sweep Service Agreement, the terms of which agreement(s) is/are hereby incorporated by reference, by and between the Customer and the Bank.
10. **FURTHER RESOLVED**, that, any Authorized Representative, or such other persons as may be named by an Authorized Representative by written notice to the Bank, are authorized to place verbal orders for the purchase of RBC Bank (USA) commercial paper, pursuant to the terms and conditions of the RBC Bank (USA) Unsecured Master Notes Terms set forth on each Confirmation, which terms are incorporated herein by reference, or purchase of Repurchase Agreements for the account of the Customer. Unless limited by its terms, the authorization of other persons to act under this paragraph 10 shall remain in effect until a written notice signed by any Authorized Representative is received by the Bank at the same office to which the original authorization was delivered.
11. **FURTHER RESOLVED**, that, any Authorized Representative is authorized to execute the Bank's Indemnity Agreement or other agreement required by the Bank to induce Bank to replace a lost check, instrument or security as described therein.
12. **FURTHER RESOLVED**, that the Bank is authorized to obtain information from ChexSystems or any other party concerning the Customer's previous banking deposit relationships, and the Bank may provide information to such services concerning the Customer's accounts with the Bank.
13. **FURTHER RESOLVED**, that, any Authorized Representative is authorized to execute a RBC Bank Online Money Management Enrollment Agreement or other agreement for the use of either Quicken® Microsoft Money® or Quickbooks® software, or for use of any other internet, web banking or other online service offered from time to time by the Bank, including, without limitation, online transfers, online bill payment and online account aggregation. Customer acknowledges that payments and transfers of funds may be made electronically through an online network to which personal computer(s) will be connected and that one or more access passwords and/or personal identification numbers (PINs) will be provided to or selected by an Authorized Representative in order to control access and provide security to Customer's accounts and to the network system. Further distribution and security of the access passwords and PINs will be the responsibility of that Authorized Representative. **FURTHER RESOLVED**, that Customer assumes all responsibility for security of software, access passwords and PINs and agrees to protect them from use by unauthorized persons, and that Customer agrees to indemnify and hold Bank harmless from any and all damages and costs and expenses, including without limitation reasonable attorney's fees, incurred or perceived to be incurred resulting from unauthorized internet, web banking or other online use of any of Customer's accounts.
14. **FURTHER RESOLVED**, that this Resolution and Agreement, and each resolution herein, shall be continuing in nature and is within the scope and powers provided in the Customer's governing documents (whether they be articles of incorporation, by-laws, partnership agreement or other agreements or rules governing the Customer); that if any material change therein shall occur or if any change in ownership or organization of the Customer shall occur, or if there shall be a change in any of the Authorized Representatives named above, the Secretary or an Assistant Secretary (if the Customer is a corporation) or a manager or managing partner, agent or representative (if the Customer is other than a corporation) shall immediately certify such changes to the Bank by submission of a new Resolution and Agreement and deposit agreement and/or signature card for any account(s) thereby affected; that the Bank shall be fully protected in relying on such certifications and shall be indemnified and saved harmless from any claims, demands, expenses, loss or damage, including without limitation reasonable attorney's fees, resulting from, or growing out of, honoring such certifications or refusing to honor any notice not properly certified; that receipt of such certification shall not affect any action taken by the Bank prior thereto in reliance on this Resolution and Agreement; and that in the event of any dispute pertaining to any account(s) of the Customer, the Bank's records shall govern.
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15. **FURTHER RESOLVED**, that, if the Customer is a corporation, the Secretary or an Assistant Secretary be, and hereby is, authorized and directed to certify these resolutions to the Bank and further to certify that the provisions hereof are in conformity to the Customer's charter and by-laws.
16. **FURTHER RESOLVED**, that if the following line is checked: , then an Addendum to this Resolution and Agreement is attached hereto (or is contained in a separate document) and all the provisions of such Addendum are incorporated into and made a part of this Resolution and Agreement as if fully set forth herein; provided, however, that a failure to check the foregoing line shall not affect the validity of any Addendum which clearly references that it constitutes a part of this Resolution and Agreement.
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## **2011 Commissioner Committee Appointment**

The Chairman stated he will provide a list of External and Internal Committee appointments of the Board of Commissioners for 2011 in the coming weeks.

## **External Board/Committee Reports**

Chairman Goodwin stated 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 COA Board met Monday. He added that the DSS Director will need to speak with the Board regarding the contract between Young Williams and Chowan County.

Commissioner Winborne stated he attended the East Carolina Behavioral Health Board meeting regarding Mental Health services for Chowan County. He stated that while he voted against a proposal, the majority of the Board approved a policy to require a minimum of \$2 per capita per county for Mental Health services. He stated that ECBH has a fund balance of \$22 million with \$13 million in the fund and \$7 million restricted. He stated he has requested a salary report.

Commissioner Smith asked what the total budget for mental health services was.

Mr. Winborne stated it was close to \$55 million.

### **Child Community Protection Team**

Chowan County DSS Social Worker Supervisor, Letecia Loadholt presented the Board with information on the Chowan County Child Community Protection Team (a copy of the report is in the meeting file labeled January 3, 2011). She stated she will request 4 additional appointments to the Board. Chairman Goodwin asked Ms. Loadholt to speak with the clerk about requesting additional citizen appointments.

### **Land Records Annual Report**

Land Records Director Julie Sharpe provided the Board with an update on the annual activities of the Land Records Department. (A copy of the PowerPoint is in the meeting file labeled January 3, 2011).

### **Soil and Water Annual Report**

Soil and Water Technician Scott Alons provided the Board with an update on the annual activities of Soil and Water Conservation. (a copy of the PowerPoint is in the meeting file labeled January 3, 2011).

Additionally after providing the report Mr. Alons agreed to assist the County and ARCD in locating funding for the repairs of the dam at Bennett's millpond.

Commissioner Winborne encouraged the Board to remember Dillard's Millpond and the needed repairs to its dam as well.

### **Finance Officer Report**

Finance Officer Lisa Jones provided the Board with the finance report for November 2010 Cash and Investment Balance Report with a total of \$6,880,901 (a copy of the report is in the meeting file labeled January 3, 2011).

### **EMS Delinquent Account Billing**

Ms. Jones noted that Southern Credit is willing to match the collection rate as Security Collection Agency.

Commissioner Nixon stated that to be fair he would like to invite Southern Credit to a meeting to present and answer questions. Ms Stallings stated this would be placed on the January 18, 2011 agenda.

### **Audit Contract**

Ms. Jones noted the audit contract was for three years with a 3% increase each year.

Chairman Goodwin stated that he will be signing the 3<sup>rd</sup> and final year of the three year contract on behalf of the County.

### **Manager Items**

County Manager Paul Parker updated the Board on the following items:

#### **Dillard's and Bennett's Millponds direction on repair**

Mr. Parker stated that in February he will provide the Board with information and options for the repairs of the dam at Bennett's Millpond.

Commissioner Nixon suggested checking into Golden Leaf grant monies.

#### **Update on the County Office Building office move**

He stated that he will have cost estimates in the coming weeks for the move of the elections office. He stated that signs are in the works for the Public Safety Building.

#### **Update on Health Department move not approved for Rural Center HOPE Grant**

He stated that the health Department did not receive the grant in which it applied for. He stated he has informed the Health Department Director he has \$44,700 for the move.

#### **Child Support Enforcement Contract Administration has been moved from the County**

Mr. Parker stated that the previous administrator of the contract was the County Manager's Office. He stated he amended the contract to allow the DSS director to be the administrator of the contract.

Commissioner Cole stated he wanted to see the County Manager to oversee the contract.

Clifton Hardison DSS director stated his concern with the safety officer who has access to the state system. He stated this came to light when it was requested by Young Williams to add someone to provide security access. He stated the state requires three persons to have access. He added that he would need it in writing what his responsibility is for administrating the contract.

Mr. Parker stated that he felt the decision to make the DSS director the contract administrator was the most logical due to the knowledge of the DSS department with Child Support Services.

Mr. Hardison stated he recommends that that the Board put the contract back with the County Manager.

Chairman Eddy Goodwin stated he was of the same opinion as the County Manager that the contract should have oversight from DSS because of their knowledge of Child Support protocols.

Commissioner Nixon stated he felt that DSS could oversee accountability of Child Support Enforcement. He recommended that the DSS director and the Manager get together and discuss this.

Commissioner Smith stated he would like to see the contract with Young Williams.

Commissioner Winborne stated he was in agreement with the County Manager and the Chairman.

Commissioner Nixon stated that he would recommend getting together with Young Williams, County Attorney, County Manager, Chairman and DSS Director.

#### Agriculture/Extension Building roof

Mr. Parker stated that he is receiving quotes for repairs of the roof. He stated that the current quote is \$54,800.

#### **Timely & Important Matters**

##### 214 East Hicks Street

Ms. Stallings presented an offer for the property that was advertised and was the high bidder in the amount of \$10,212.

Commissioner Nixon moved that the Board accept the offer.

Chairman Goodwin asked for all in favor, the motion passed (6-0).

#### **Executive Session**

Commissioner Nixon moved that the Board go into Executive Session in accordance with: NCGS 143-318.11(a)(6).

Chairman Eddy Goodwin asked for all in favor, the motion passed unanimously (6-0).

The minutes of the executive session are sealed.

Commissioner Cole moved that the Board adjourn the Executive session. Chairman Eddy Goodwin asked for all in favor, the motion passed unanimously (6-0).

Being no further business before the Board, the meeting was adjourned.

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Chairman  
Edward C. Goodwin

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Clerk