

Regular Meeting
Monday, August 5, 2013
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, August 5, 2013 at 6:00 pm at the Chowan County Public Safety Center. Present: Chairman Keith Nixon, Commissioners Jeff Smith, Greg Bonner, Ellis Lawrence, Alex Kehayes and John Mitchener.

Commissioner Emmett Winborne was absent.

Staff present: County Manager Zee Lamb, Finance Officer Willie Mack Carawan and Board Clerk Susanne Stallings.

Chairman Nixon called the meeting to order and led the pledge.

Commissioner Bonner then provided the invocation.

Approval of Agenda

Commissioner Smith moved to approve the agenda. Chairman Nixon asked for all in favor, the motion passed unanimously (6-0).

Public Comment

All-star Recognition

Recreation Director Jason Petersen and the Board of Commissioners recognized the Edenton-Chowan Recreation 8U boy's All-star team and congratulated them on their State win.

Extension Annual Report

Extension Interim Director Katy Shook provided the Board with an update on the annual activities of Extension.

There was no further public comment

Consent Agenda

a. Approval of Minutes

Minutes of the June 18, 2013, June 27, 2013 and July 16, 2013 meetings for Board review and consideration.

b. Budget Amendments

BA 1213-089

	Account Code	Description	Increase	Decrease
	11-3471-890-00	Health Dept Septic Fees		\$299.00
	11-4710-499-00	Health Dept Septic Fees	\$299.00	
Justification:				
Appropriating the Health Department's Septic Fees that were collected and passed on to the Health Department				

BA 1314-002

	Account Code	Description	Increase	Decrease
	11-3438-360-00	2013 NCVMA Animal Welfare Grant	\$ 2,500.00	
	11-4381-610-00	2013 NCVMA Animal Welfare Grant	\$ 2,500.00	
Justification:				
Appropriating the 2013 NCVMA Animal Welfare Grant proceeds to the Animal Shelter				

BA1314-004

	Account Code	Description	Increase	Decrease
	11-3495-368-00	SHIIP Grant	\$ (2,653.00)	
	11-4950-600-00	SHIIP Grant	\$ 2,653.00	
	11-3616-539-00	Hospital Grant	\$ (3,000.00)	
	11-4268-603-00	Hospital Grant	\$ 3,000.00	
Justification:				
Appropriating the grant awards listed above				

c. Tax Release/Refunds (June and July 2013)

JUNE

Ward, F.	\$116.72	High Mileage
Copeland, W.	\$100.55	SITUS Perquimans Co
Racine, M.	\$189.95	SITUS Chatam Co
Town of Edenton	\$114.30	Owned by Town
Shields, L.	\$275.47	High Mileage
Farless, S.	\$190.48	Vehicle Sold
White, S.	\$180.17	Town of Edenton
Skidders Pt.	\$1,043.70	Listed in Dare County
CA Perry	\$693.96	Listed incorrectly/Vehicle turned in
White, L.	\$128.27	Debt Setoff overpayment
Copeland, J.	\$284.26	Debt Setoff overpayment
Howell, J.	\$856.51	Debt Setoff overpayment
Simpson, J.	\$105.20	Debt Setoff overpayment
Layton, C.	\$541.39	Debt Setoff overpayment
Britton, C.	\$366.47	Debt Setoff overpayment
Stevenson, L.	\$136.27	Debt Setoff overpayment
Holmes, L.	\$113.13	Debt Setoff overpayment
Hollowell, W.	\$157.90	Debt Setoff overpayment
Walton, D.	\$132.84	Debt Setoff overpayment
Dale, A.	\$115.07	Debt Setoff overpayment
Davis, F.	\$182.56	Debt Setoff overpayment
Eley, A.	\$153.97	Debt Setoff overpayment
Elsbree, D.	\$117.58	Debt Setoff overpayment
Howell, A.	\$190.89	Debt Setoff overpayment
Lavoie, L.	\$100.23	Garnished wrong account

JULY

Hardison, T.	\$104.07	Debt Setoff overpayment
Moser, W.	\$463.00	Debt Setoff overpayment
UPS	\$324.02	Taxed by Dept of Revenue
UPS	\$324.02	Taxed by Dept of Revenue
UPS	\$324.02	Taxed by Dept of Revenue
Sykes, T.	\$254.21	Customer already purchased tags
Klein, A.	\$116.99	SITUS California
Eisner, J.	\$129.88	Wrong SITUS
McNair, R.	\$117.18	Vehicle Sold
Olson, C.	\$123.92	Vehicle Sold

Ms. Stallings noted a correction to the minutes of June 18th.

The Board discussed the budget amendments and tax releases.

Commissioner Mitchener moved to approve the consent agenda with the correction to the June 18th minutes. Chairman Nixon asked for all in favor, the motion passed unanimously (6-0).

Worksession Items

Spay Neuter Services Agreement

Mr. Lamb stated he has reviewed the agreement as discussed at the previous Board meeting and has made the changes to the dates.

Commissioner Smith moved to approve the agreement between Chowan County and AWARE for a financial assistance program for spay and neuter services. Chairman Nixon asked for all in favor, the motion passed (6-0).

Solid Waste Commercial Fees

Chairman Nixon noted the Board previous reduced residential solid waste fees by \$1.50 effective September 1, 2013. He stated that the rates for the Town Commercial fees and Housing Authority were not adjusted. He stated he would support reducing these rates also to be consistent.

Mr. Lamb noted the fund could absorb the additional reduction.

Commissioner Kehayes moved to amend the rates to reduce all by \$1.50. Chairman Nixon asked for all in favor, the motion passed (6-0).

Code Enforcement Update

Planner Landin Holland stated that the Board ramped up its efforts to address Code Enforcement Issues two years ago. He stated that he plans to have the entire Planning and Inspections staff to deal with nuisance issues. He stated with issues such as tall grass a letter will be mailed to the property owner. The property will be monitored for 30 days and if nothing is done, staff will have to address the issue by paying someone to cut the grass and then put a lien on the property. He stated issues such as General Nuisance like trash debris will be handled differently. He stated he hopes to work with the property owner to get the yard cleaned up. He stated if working with the individual is unsuccessful a more hard line approach will need to be taken. He stated issues such as minimum housing (abandoned or dilapidated houses) must be addressed through the County's minimum housing code. He stated that the County has not maintained a proactive minimum housing enforcement program mostly because of funding. He stated that because of this and the quantity of homes in the County that may meet that standard, it is difficult to pick and choose which homes have to come down. He stated that staff's focus is on what homes need to be condemned. He stated that there are also State regulations which may prohibit what actions the County can take depending on the type of structure. He stated that he has learned of monies

available through the North Carolina Solid Waste Division for abandoned manufactured homes. He stated that modifications to the County's Solid Waste Ordinance will be necessary. He stated the funds are to be applied for annually for units needing attention. He asked for permission from the Board to pursue seeking these funds and possibly amending the ordinance.

The Board discussed the monies for modular home deconstruction.

Chairman Nixon opened the floor to public comment.

Mitch Doughty, 215 Apache Trail, in Arrowhead Beach stated his property is located near an abandoned mobile home. He stated that any help from the County would be appreciated and he stated his support of the state funds to remove abandoned mobile homes.

Carol Haynes of Chowan Beach stated her frustration with additional properties that she has identified as a nuisance since the original review of the neighborhood. She stated she would like more feedback from the Planner on the status of the actions against the property owners in Chowan Beach.

Chairman Nixon stated the Town has also become more aggressive in addressing nuisance properties. He noted that property owners have rights and protections that the County must also adhere to.

Jim Brock of Arrowhead Beach stated that as the President of the Home Owners Association at Arrowhead Beach, the only means to enforce violations of their association rules are to impose a daily fine which has to be turned over to collections or a lien has to be put on the property. He stated the costs for this enforcement is more than the fine. He stated his support of seeking grant monies.

Mr. Holland stated that originally the list for Cape Colony, Arrowhead Beach and Chowan Beach was long. He stated that some issues are aesthetics only and cannot be addressed under the nuisance ordinance. He stated the County will need to determine how proactive it wishes to be going forward. He stressed if the County is proactive in enforcement, it must be consistent. He stated they would begin working on an amendment to the Solid Waste Ordinance and application for the grant monies.

There was no Board objection.

Planning/Enterprise Committee Items

Farmers Market Relocation

Chairman Nixon stated the Farmers Market has requested permission to relocate from County property at the old DF Walker School on Oakum Street to the area near the Veteran's Monument on Court Street. He stated the Planning and Enterprise Committee discussed the request at their

last meeting and recommended that the County instead offer space to the Farmers Market at the Ag Extension Building on Granville Street.

The Board discussed the proposed offer with staff and there were no concerns with allowing them to utilize that space on Saturdays.

Commissioner Kehayes moved to allow the Farmers Market to relocate to the Ag Extension property on Granville Street upon reaching an agreement with staff regarding arrangements for weekend use. Chairman Nixon asked for all in favor, the motion passed unanimously (6-0).

Budget Amendment for Capital Improvements

Chairman Nixon stated the Committee reviewed several needs for capital improvements. He stated that over the past few years the Board has focused more on improving the financial standing of the County and the Committee feels now the County is in a position to begin addressing capital needs. He stated that while the audit is not completed, staff has indicated projections of approximately \$700,000 being appropriated to fund balance. He stated that the Committee has recommended appropriating \$100,000 of that fund balance to address capital needs. He stated that \$10,000 is for repairs to the Courthouse, \$20,000 for DSS sewer repairs, \$20,000 for Detention Center repairs, \$5,000 for the Jailers House and Jail repairs, \$30,000 for renovations to the Shepard Building at the Public Safety Center and \$10,000 for repairs to Swain Auditorium. He stated the committee discussed a future use for the Shepard Building as a possible DMV location to eliminate the current expense for rent.

Chairman Nixon passed the gavel to Vice Chairman Smith. He moved to approve the following budget amendment.

Account Code	Description	Increase	Decrease
11-3990-990-00	Fund Balance Appropriated	(100,000.00)	
11-9800-980-33	Transfer to Capital Reserve	100,000.00	
33-3980-980-11	Transfer from General Fund	(100,000.00)	
33-4192-014-01	Courthouse <i>(replace decorative wood panel)</i>	\$ 10,000.00	
33-4912-014-02	DSS Sewer <i>(resolve ongoing sewer issues)</i>	\$ 20,000.00	
33-4192-014-03	Jail <i>(Sally Port Doors & other maint issues)</i>	\$ 20,000.00	
33-4192-014-04	Jailer's House <i>(pressure wash, repair & paint roof and porch)</i>	\$ 5,000.00	
33-4192-014-05	Library <i>(replace HVAC in older portion of the bldg)</i>	\$ 5,000.00	
33-4192-014-06	Shepard Building <i>(to be renovation)</i>	\$ 30,000.00	
33-4192-014-07	Swain Auditorium <i>(clean stage floor & entrance, stage lighting & wall, brick moisture, replace HVAC returns)</i>	\$ 10,000.00	
Justification:			
The Enterprise Committee requests a \$ 100,000.00 fund balance appropriation be made from the General Fund to the Capital Reserve to address the specific building needs listed above			

Commissioner Smith stated that he agreed the projects need to be done but stated his concern about using funds above 25% that could be designated for tax relief.

Chairman Nixon stated that the Board will not know for several months the amount that will be needed for tax relief. He stated that he feels the projects need to be addressed.

Commissioner Bonner stated his support of the committee recommendation.

Vice Chairman Smith asked for all in favor the motion passed (6-0).

Vice Chairman Smith passed the gavel back to Chairman Nixon.

Maintenance Director Terry Rose provided the Board with quotes on various capital projects.

Courthouse Repairs

Mr. Rose provided the Board with three quotes. He stated that the Board has just appropriated \$10,000 however he is short \$13,000 for the repairs.

Mr. Lamb noted the additional monies can be located within the General Fund and many of the capital projects will come in under budget.

Mr. Rose stated he would recommend the quote from Tim Phelps in the amount of \$20,186.

Commissioner Mitchener moved to award the Courthouse repair bid to Tim Phelps.

The Board discussed the specifics of the contract and the budget.

Mr. Lamb stated the monies can be located within Central Services and if they were unable to locate the monies, staff may bring back for a small budget amendment.

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

Jailers House

Mr. Rose provided the Board with three quotes.

Chairman Nixon stated he would recommend using a painter instead of a general contractor or roofer to paint the roof.

The Board discussed the County policy to only utilize contractors with liability and workers comp insurance.

The Board discussed the proposals and recommended Mr. Rose bring back more information to a future work session.

Public Safety Center Window Sills

The Board discussed the proposals and took no action determining that the monies are already included in the maintenance budget.

DSS Sewer

Mr. Rose noted that because of the nature of the job he has only received one quote from Edenton Construction to repair the sewer for \$17,089/

Chairman Nixon noted the Board has previously reviewed other quotes and determined that the subcontractor on this project has offered the best price.

Commissioner Mitchener moved to award the contract to Edenton Construction. Chairman Nixon asked for all in favor, the motion passed unanimously (6-0).

Fireworks Display

Edenton Fire Chief Craig Forlines provided the Board with information as required by statute requesting permission from the Board of Commissioners to provide the fireworks display at the Chowan County Fair on September 25, 2013. The company providing the display is Hale Artificer, Inc. Chief Forlines noted that all required documentation has been provided and he will perform his inspections the day of the event.

Commissioner Kehayes moved to approve the request. Chairman Nixon asked for all in favor, the motion passed (6-0).

External Board and Committee Reports

Chairman Nixon noted the printed report provided by Commissioner Mitchener for the Workforce Development Board.

Commissioner Lawrence provided the COA report.

Timely and Important Matters

Chairman Nixon discussed scheduling a meeting with COA and discussing at a future worksession a plan for capital project requests from COA.

Closed Session

Commissioner Smith moved to go into closed session in accordance with NCGS 143-318 (11)(a)(5). Chairman Nixon asked for all in favor, the motion passed unanimously (6-0).

The minutes of the closed session are sealed.

Commissioner Smith moved to close the closed session. Chairman Nixon asked for all in favor, the motion passed unanimously (6-0).

Commissioner Bonner moved to adjourn the meeting. Chairman Nixon asked for all in favor, the motion passed unanimously (6-0).

D. Keith Nixon, Chairman

Susanne Stallings, Clerk