

Regular Meeting
Tuesday, January 19, 2016
Chowan County Public Safety Center
305 West Freemason St.
Edenton, NC
6:00pm

This meeting was recorded, a copy of the recording is in the meeting file labeled January 19, 2016.

Present: Chairman Jeff Smith, Commissioners Keith Nixon, Greg Bonner, Alex Kehayes, Emmett Winborne, Ellis Lawrence and John Mitchener.

Staff present: County Manager Kevin Howard, County Attorney Lauren Arizaga-Womble and Clerk Susanne Stallings.

Chairman Smith called the meeting to order.

Commissioner Winborne offered the invocation.

Approval of Agenda

Chairman Smith noted an addition to the agenda of a check presentation from Trillium Health. Commissioner Mitchener moved to approve the agenda as presented. Chairman Smith asked for all in favor, the motion passed unanimously (7-0).

Public Comment

Dr. Stuart Bethune 200 Osprey Drive Edenton, NC stated that he is a supporter of sustainable energy. He stated that recent actions of the Board of Commissioners has raised red flags in his opinion, he stated the Board has ignored its citizens. He stated the Board ignored the red flags raised by one Commissioner with medical training regarding the health impacts of (wind turbines). He stated his concerns with public statements made by Chairman Smith in support of the current ordinance with his financial interest and having been advised to be recused. He stated he hoped the Board would make this a model project for ordinance.

Kristy LaLonde 330 Sandy Ridge Rd. Edenton, NC stated her concerns with wind energy advocates and the impact of wind turbines on birds and bats. She stated they slaughter birds and bats will direct the eco system, fanning and the citizens. She said there is nothing green, clean or environmentally friendly about these turbines. She discussed how these turbines are also directly linked to world environmental and humanitarian issues. She asked the Board why they have the right to disregard its citizen's voices and concerns. She asked if these turbines would be in the back yards of the commissioners since they will be in her back yard.

Hardy Gilliam 211 Lakeside Drive Edenton stated that Perquimans County is currently reviewing and strengthening its ordinance. He stated it was apparent that the Chowan Commissioners has made up their minds. He asked why the Board ignored 800 citizens. He stated he spoke with Commissioner Bonner stated that the Board made a decision that is best for

the people in the County. He stated Mr. Bonner has not met with him to look at factual information he has gathered. He stated that people in the area he represents will suffer the most financially. He stated that many of the Commissioners have not attended the meetings but have had lunch with Apex representatives. He stated that Chairman Smith was quoted in not needing to look at its ordinance and his family have a financial interest in the project and he felt that Chairman Smith has tried to influence decisions made by the Board of Commissioners since he cannot vote. He stated that Chairman Smith should not comment on the matter publically. He stated that Commissioner Kehayes is the only Commissioner who wants a stronger ordinance and do research.

Presentation from Trillium Health

Amy Corbitt with Trillium Health presented Chowan County with a \$300,000 grant for inclusive playground equipment to be constructed at the Northern Chowan Community Center. She stated the addition of this equipment would place Chowan County on a National Registry of playground equipment that is all inclusive.

Chairman Smith thanked Trillium for the grant and the enhancement of the Community Center.

Representatives were photographed with County Officials.

Consent Agenda

a. Minutes

Chairman Smith asked if there were any additions or corrections to the minutes of January 4, 2016.

Commissioner Kehayes moved to approve the minutes as presented. Chairman Smith asked for all in favor, the motion passed unanimously (7-0).

b. Budget Amendments

MBA1516016

Account Code	Description	Old	+ or (-)	New
Central Services				
11-8200-451-00	Insurance- Property & Liability	\$131,871	(1,000.00)	130,871.00
		-		
Soil Conservation				
11-4910-692-00	Contracted Services Beaver Control	-	1,000.00	1,000.00
	Balanced:			
Justification:				
	<i>Funding is needed for Beaver Control.</i>			

Mr. Howard provided the Board with MBA 1516-016. He stated that no monies were budgeted for beaver management. He stated that there has been a need to spend some monies this fiscal year.

Chairman Smith noted the Beaver monies were moved to Hydrilla because there was not large beaver problem. H stated that since budget adoption, there has been an increase in beaver nuisance.

Commissioner Nixon moved to approve the budget amendment as presented. Chairman Smith asked for all in favor, the motion passed unanimously (7-0).

c. Tax Release

Copeland, D.	\$468.56	Paid Twice
Chilcoat, J.	\$1613.72	Paid Twice
Federal Home.	\$1469.44	Paid Twice
Randolph, H.	\$203.54	Paid Twice
Nixon, H.	\$380.17	Paid Twice
Creighton, A.	\$1,147.30	Paid Twice

Commissioner Nixon moved to approve the Tax Release as presented. Chairman Smith asked for all in favor, the motion passed unanimously (7-0).

Edenton-Chowan Schools Presentation

School Superintendent Rob Jackson and Facilities Director Brad Bass provided the Board with a PowerPoint presentation on the status of 2015-16 capital projects. (A copy of the presentation is in the meeting file labeled (January 19, 2016). Dr. Jackson also provided the Board with information on the North Carolina Department of Public Instruction Facilities Survey which is required to be submitted every five (5) years. Dr. Jackson noted that a copy of this survey has been submitted to the Board of Commissioners and does not constitute and endorsement of or commitment to fund the Facility Needs Survey.

Commissioner Nixon commented on the slide regarding the cost of utilities as John A. Holmes High School. He stated that the new agreement for the Town Electric could result in a savings for the School system. He asked the Superintendent would provide the Board of Commissioners with a projection of the new Town rates for the school at a later time.

Resolution Condemning the Action of NC Marine Fisheries Commission

Riley Williams stated he was requesting that the Board consider a resolution regarding the recent action of the NC Marine Fisheries Commission that uses the supplement process to restrict southern flounder. He stated he is a member of a subcommittee of the Commission. He stated this action was not brought before any sub committees, advisory committees or for public comment. He stated this resolution requests that the commission go back and follow its own regulations. He stated that the supplement process gave commercial fishermen little time to prepare and purchase new gear. He stated that the scientific information on the numbers of flounder brought in commercially has not decreased and he feels this does not support the recent decisions of the Marine Fisheries Commission. He stated he was also concerned that the Commission relied on the input from Recreational Fisherman and not Commercial Fishermen.

Commissioner Mitchener asked for clarification on the means for collecting data.

Mr. Williams stated that Commercial fisherman are required to report the number of fish they harvest.

Commissioner Nixon moved to table the request and to ask the Board's representative on the Albemarle Commission to review the request since many coastal counties are represented on this Board. He stated he is unfamiliar with the request and would like more time to consider it.

Commissioner Mitchener stated he would be willing to take it to the Commission.

Chairman Smith stated that Chowan County was built on agriculture and commercial fishing. He stated he felt the Board should support the local fishermen. He stated his concern with recreational fishermen dominating the decision making that impacts commercial fishermen. He stated that because of this he would vote against a motion to table the request.

Commissioner Mitchener stated his appreciation for the fishing industry in Chowan County and stated he too would like to take the request to the Albemarle Commission.

Commissioner Nixon stated he supports commercial fishing and stated this was a controversial issue. He stated that a recent trip to Raleigh he witnessed a big controversy over fishing legislation.

Commissioner Kehayes stated his sentiment was with fishermen, but stated he wanted to place his vote based on facts. He stated he did not like when legislative action puts people out of business however he needs to understand the issue.

Commissioner Bonner stated he did not fully understand the request and would like to know more about how this impacts commercial fishermen.

Mr. Williams stated he was not asking the Board to pick a side on the matter but rather to ask the State to follow the guidelines it has set for decision making. He stated he felt it is also important to rely on the science in making a decision and not a popular vote.

Chairman Smith asked for all in favor, the motion passed (4-3 Mitchener, Smith and Winborne)

GMA Phase II Assessment

Mr. Howard provided the Board with a proposal for phase II work at by GMA at the Valhalla Water Treatment Plant. He noted the total cost is \$14,900 is the total cost.

Chairman Smith noted the addendum to the packet .He asked was all this included in the proposal.

Mr. Howard stated yes.

Commissioner Winborne moved to authorize the manager to execute the contract with GMA.

Commissioner Kehayes asked if the release of the volition also relieved the County of the need to continue testing.

Mr. Howard stated that no, the County will continue testing and working on a solution with the State.

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

Chairman Smith called for a 5 minute recess. After 5 minutes he called the meeting back to order.

Salary Study Presentation

Mr. Howard provided the Board with a draft version of a plan to initiate a merit system for employees. He stated that employees who are less than \$500 below or above the market rate for their position are eligible for an increase of 0% to 4% of their salaries based on how they are rated on their performance evaluations.

√	RATING	EXPLANATION
	Outstanding	Received a total points of 95 or better on all factors rated. Eligible for 3.5 to 4% increase
	Exceeds	Received a total points of between 80 to 94 on all factors rated. Eligible for 2.5 to 3.4% increase
	Meets	Received a total points of between 61 to 80 on all factors rated. Eligible for .6 to 2.4% increase
	Below	Received a total points of between 51 to 60 on all factors rated. Eligible for .1 to .5% increase
	Unsatisfactory	Received a total points of 50 or less on all factors rated. Reevaluate within 60 days

He stated for employees who \$501 or more below the market rate are eligible for an increase up to 100% of the difference in their current salary and the market rate established for their position.

He stated their increase will be calculated by multiplying the percentage of points received to the total amount they are below the market rate.

Score	Ltr.	Classification	Meaning
9	O	Outstanding	Exemplary performance far exceeding performance criteria
8,7	E	Exceeds Expectations	Performance which exceeds the level supervisor normally expects
6,5,4	M	Meets Expectations	Generally meets supervisor's expectations on performance criteria
3,2	B	Below Expectation	Erratic performance, falls short of that normally expected--requires remedial attention
1	U	Unsatisfactory	Unacceptable performance which must receive immediate attention
	N/A	Not Applicable	Evaluation of the factor or criterion is inappropriate for the employee being rated

Commissioner Lawrence stated his concern with the percentages.

Commissioner Kehayas asked about the experience of the persons providing the evaluations.

Mr. Howard stated that the point's portion of the plan is new to employees. He stated that Chowan is the only County doing this on a 0 to 9 scale. He stated Forsythe uses a 5 point scale.

Commissioner Lawrence stated his concern on how some positions are able to exceed expectations.

Mr. Howard stated the evaluations will vary based on the responsibilities of the department. He used the difference in the responsibilities of EMS and Recreation. He stated department heads will be instructed to provide fair and honest assessments. He stated they will need some training however he feels that he will be able to work through it. He stated the plan is more detailed now than before.

Commissioner Kehayas asked if this is a commitment to provide salary increases in future budgets.

Mr. Howard stated the amount of money to be used for salaries can be set each year. He stated Chowan has not used a merit system in a while. He stated for this program to work monies should be budgeted annually.

Commissioner Mitchener asked for clarification on the employees who rank unsatisfactory.

Mr. Howard stated it would depend on the situation but a reevaluation would be done.

Commissioner Bonner asked if the amounts below market not addressed in one year would be addressed in the next year.

Mr. Howard stated that yes it would roll over and the employee would still be eligible for a percentage of the difference.

Commissioner Bonner asked if the employee would be eligible for another raise in the current year.

Mr. Howard stated no, it would be the next fiscal year.

Commissioner Lawrence discussed that some positions will have difficulty in reaching the 4% (Outstanding) ranking. He stated his concern with this.

Commissioner Nixon asked the Manager what amount of money he is requesting the Board to set aside.

Mr. Howard stated he needs \$136,907. He noted this is for retroactive to October. He stated a full year is \$182,000.

Commissioner Nixon asked if \$182,000 is for all departments or just the General Fund.

Mr. Howard stated \$136,000 includes EMS and one half of the DSS.

Mr. Howard stated that each adjustment will be retroactive to October 1, 2015. He stated that next year it will be based on anniversary dates. He stated he estimates using 75% of those monies.

Commissioner Mitchener asked for clarification on the funds to be set aside annually.

Mr. Howard stated that other counties budget 3-5% annually He stated the key to making the system work is to make sure evaluations are fair and do not show favoritism.

Chairman Smith discussed the Board's ability to review the amounts annually.

Commissioner Lawrence stated that if the manager has experience with a similar program he does not have any problem with tying it and reevaluating it each year. He moved to accept the Manager's recommended plan for the current fiscal year in the amount of \$136,907.

Commissioner Nixon stated he would like for Human Resources to review each appraisal that comes in. He stated he wanted the manager to review all general fund employee evaluations that are done. He stated his concern that some departments have all the employees making the same amount of money stating there was no incentive to do a good job. He stated he would like human resources to train department heads on how to do evaluations. He stated for the plan to work, the department heads will need to know how to do evaluations.

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

External Board and Committee Reports

Commissioner Winborne stated the Animal Shelter Advisory Committee met and discussed the monies raised by volunteers for expansion at the shelter. He stated that the Shelter may ask each county for an additional \$20,000 from each County next fiscal year.

Commissioner Nixon reported that the TDA Board agreed to match the \$5,000 with the County for improvements to the historic jail.

Manager's Report

Mr. Howard reported that the public meeting regarding water softening was a success. He stated that many in attendance were happy that the County is able to continue softening the water for now.

Mr. Howard reported that the Insurance Company will begin biometric screenings. He stated the first 25 participating employees will receive a fit bit. He noted all information will remain confidential.

Timely and Important Matters

Commissioner Mitchener asked for an update on the Shepard Building.

Mr. Howard stated he and the Maintenance Director are working on the building.

Chairman Smith stated that as of that day he and his family have not entered into a contract with Apex. He stated that for the record he would like to state that his entire family lives within the proposed windfarm area and he does have skin in the matter.

Commissioner Mitchener discussed the importance of doing individual research.

Closed Session

Commissioner Bonner moved to go into closed session in accordance with NCGS143-318.11.a.5 and 6 personnel and contract negotiations.

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

The minutes of the closed session are sealed.

Commissioner Mitchener moved to come out of closed session. Chairman Smith asked for all in favor, the motion passed unanimously (7-0).

Adjourn

Commissioner Kehayes moved to adjourn the meeting. Chairman Smith asked for all in favor, the motion passed unanimously (7-0).

Jeffery Smith, Chairman

Susanne Stallings, Clerk