

Regular Meeting
Monday, March 16, 2015
Chowan County Public Safety Center
305 West Freemason St.
Edenton, NC
6:00pm

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

Commissioner Ellis Lawrence was absent.

Staff present County Manager Kevin Howard, Finance Officer Willie Carawan and Board Clerk Susanne Stallings.

County Attorney John Morrison came in later.

Regular Meeting

Chairman Smith called the meeting to order and led all in attendance in the pledge of allegiance. Commissioner Bonner then offered the invocation.

Public Comment

Brain Ferriciao, 128 Rockfish Drive Edenton NC stated that he recently attended a presentation by the Edenton Chowan Schools Superintendent. He stated he was shocked with the current state of equipment (HVAC and building controls). He stated that he felt this type of thing would not be allowed in other public buildings. He stated he felt it is the duty of the Board of Commissioners to make improvements to these buildings. He recommended the Board of Commissioners host joint meetings with the Board of Education and develop a five year plan to address the capital needs in the schools. He stated he hoped both Boards would come together.

There was no further public comment.

Approval of Agenda

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

Consent Agenda

Chairman Smith presented the consent agenda.

- a. Minutes of the March 2, 2015 meeting.

Ms. Stallings noted corrections to the minutes as recommended by the Board members.

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

- b. Budget Amendments

Finance Officer Willie Mack Carawan provided the budget amendments in detail.

BA1415-034

Account Code	Description	Old	+ or (-)	New
62-3471-521-00	Electronics Recycling Program	-	(1,141.46)	(1,141.46)
62-4710-696-00	Electronics Recycling Program	-	1,141.46	1,141.46
62-3471-530-00	Scrap Tire Grant	(33,544.54)	(40,352.96)	(73,897.50)
62-4710-694-00	Scrap Tire Grant	33,544.54	40,352.96	73,897.50
62-3471-531-00	White Goods Grant	(10,278.01)	(1,062.85)	(11,340.86)
62-4710-695-00	White Goods Grant	10,278.01	1,062.85	11,340.86
Balanced:		-	-	-
Justification:				
<i>Budgeting ELECTRONICS, SCRAP TIRE and WHITE GOODS grants for Solid Waste Fund</i>				

BA1415-035

Account Code	Description	Old	+ or (-)	New
11-4710-499-00	Health Septic Fees	2,500.00	500.00	3,000.00
11-9900-999-00	Contingency	8,508.16	(500.00)	8,008.16
Balanced:		11,008.16	-	11,008.16
Justification:				
<i>Compared to it's revenues, the Health Septic Fees were understated</i>				

BA1415-036

Account Code	Description	Old	+ or (-)	New
11-3612-890-01	*Misc Rev - Bank Fees	-	250.00	250.00
11-6130-187-00	*Bank Fees	-	250.00	250.00
Balanced:		-	500.00	500.00
Justification:				
<i>Payment processing fees charged to credit card users that is remitted to the processing company</i>				

MBA1415-008 – (Management Budget Amendment, provided as FYI)

County Attorney John Morrison joined the meeting.

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

Budget Amendment Policy Change

Mr. Carawan requested that the Board consider a policy change to allow staff to prepare budget amendments for reoccurring pass through grants and provide the Board with FYI Management Budget amendments. He stated that any new grants would come before the Board for review and approval.

Chairman Smith stated that he felt this would be ok to handle as the Finance Officer requests. He stated that some of these monies include donations and discretionary funds.

Commissioner Bonner moved to approve the recommendation from staff to allow the County Manager and Finance Officer to budget reoccurring grants and pass through monies and send Management Budget Amendments to the Board of Commissioners as FYI each month.

Commissioner Nixon asked for examples of these types of pass-through monies or grants.

Mr. Carawan stated the SHIPP grants received by Extension is an example of a reoccurring pass through grant.

Commissioner Nixon asked if this would include the annual JCPC grant to Recreation.

Mr. Carawan stated that type of budget amendment would be presented and considered at budget time. He stated these budget amendment amounts are unknown at budget time.

Commissioner Nixon asked if the Board should set a limit on the amount allowed for a Management Budget Amendment.

Mr. Carawan stated that some of these grants, such as the scrap tire grant received annually are around \$40,000.

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

c. Tax Collections Report and Tax Refund/Release Report

Forehand, J.	\$420.98	Double Taxed on a building
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Commissioner Mitchener moved to approve the Tax release as presented. Chairman Smith asked for all in favor, the motion passed unanimously (6-0).

East Carolina Behavioral Health- Consolidation Proposal and Resolution

Mike Kupecki Vice President, External Operations of East Carolina Behavioral Health provided the Board with a PowerPoint presentation regarding a proposed consolidation of Coastal Care and East Carolina Behavioral Health and the creation of a new area Board to govern mental

health services. He also provided the Board with a resolution of support for an alternative governance structure for the area authority. (a copy of the PowerPoint and the Resolution is in the meeting file labeled March 16, 2015). He noted that 550 people in Chowan County are currently served by East Carolina Behavioral Health. He stated that Chowan County would be in the Northern Region of the Regional Board. He stated that each county would be allowed to appoint two members to the Regional Board.

Commissioner Kehayes stated that he had concerns with 3 year terms. He stated that with 10 Counties in the Northern Region would take 27 years to rotate back to Chowan County having representation. He stated he could not support this resolution.

Commissioner Mitchener stated his concern with the terms for each County. He discussed his concerns with Medicaid reimbursements and provider recruitment.

Commissioner Nixon moved to table the resolution until the April Board meeting to allow the Commissioners more time to review the proposed organization of the regional Board.

Tax Foreclosure Proposal

Tax Administrator Hosea Wilson stated that Chowan County has 522 parcels that are at least 2 years delinquent representing in excess of \$734,000 across all tax codes. He stated that of the 522 parcels, 244 have taxes due that total less than \$500 leaving 278 parcels with amounts owed greater than \$500. He stated that he felt these amounts demonstrate the need of the County to contract for foreclosure services.

Mark Bardill provided the Board with a PowerPoint from his company Zacchaeus Legal Services on his proposal for a comprehensive Tax Foreclosure Program. (A copy of the proposed contract and PowerPoint is in the meeting file labeled March 16, 2015.) He stated his firm has 29 years of experience. He noted the Counties in the area that are current clients with his firm. He stated that his firm can collect delinquent revenue that is otherwise uncollectable. He provided statistics on successes his firm has realized in neighboring counties. He stated his services will provide great benefit with little cost. He stated that most suits settle without dispossessing anyone of their property.

Chairman Smith stated that based on the contract, it would take approximately 6 months for Zacchaeus to pick up all the delinquent accounts.

Mr. Bardill stated that the County's collection rate is good, and appears to be in line with other counties the size of Chowan.

Chairman Smith asked if an owner owns more than one parcel would that be grouped into one account.

Mr. Bardill stated that his fee is based per parcel. He noted that other firms will charge 50-100% more than other firms.

Mr. Morrison stated he was impressed with the out of pocket expense based on the amount of title research and work that is required to track down all the owners and beneficiaries of properties. He asked Mr. Wilson what was the percentage of collections over the past 10 years.

Mr. Wilson stated the average collections per year is 95-97.5%. He stated he did not have a 10 year average.

Mr. Morrison asked if the County would have any flexibility or accommodation for these accounts.

Mr. Bardill noted that if a property is 3 years delinquent, the property has already been noticed 10 times. He stated that consideration would be done in all cases but in order to keep the program effective the County would need to be careful to be uniform with all cases.

Town Manager, Anne-Marie Knighton stated that she feels the Town of Edenton's Town Council would be interested in participating in the program. She stated she came to the meeting to hear the process but she could not speak on the Town's participation until the program is presented to the Town Council.

Chairman Smith asked if the Town's contract would be separate from the County's.

Mr. Bardill stated that the County currently collects the taxes for the Town. He stated he felt the Contract should be together and not separate.

The Board discussed whether or not the County should or could approve the contract until an agreement is reached with the Town on the split cost for Town delinquent accounts.

Mr. Bardill noted he would recommend the expense be split in half with the Town.

Ms. Knighton discussed the current agreement between the County and Town for tax collection. She stated the Town bills the landfill expense for the Town residents in exchange for the County collecting the Town taxes.

Mr. Wilson stated that he would not submit the Town accounts if an agreement is not reached between the Town and County.

Mr. Bardill noted that if the Town were to opt out of the program, it does not bind the County and the Town could become a party to the suit for in-town delinquent collections.

The Board discussed if the current agreement for the County collection of Town taxes gives the County the authority to enter into the contract for the collection of the delinquent accounts.

Ms. Knighton stated she felt the program would be beneficial and that she looked forward to working out an agreement with the County. She noted the Town current has some nuisance liens on some of these delinquent accounts.

Commissioner Bonner moved to table the approval of the contract to allow the Town Council time to review it and put on the agenda for the next meeting of the Board of Commissioners.

The Board discussed approving the contract contingent on the Town's approval. The Board also discussed whether or not there were any time constraints on approving the contract. It was determined there were none. The Board discussed their intent to approve the agreement and indicated to Ms. Knighton that they would approve this contract with Bardill.

Mr. Morrison requested that staff provide him with a copy of the Tax collections agreement between the County and the Town.

Commissioner Nixon stated that he would like for the Managers of the County and Town to work out the agreement for splitting the cost before the matter is brought back to the Board.

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

Boys and Girls Club Week Proclamation

Ms. Stallings stated that the Boys and Girls Club have requested the Board consider a proclamation declaring March 22 through March 28, 2015 as Boys and Girls Club week in Chowan County as part of National Boys and Girls Club Week celebrations.

Commissioner Mitchener moved to approve the resolution as presented. Chairman Smith asked for all in favor, the motion passed unanimously (6-0).

Proclamation

WHEREAS, the young people of Chowan County are tomorrow's leaders; and

WHEREAS, many such young people need professional youth services to help them reach their full potential ; and

WHEREAS, there is one Boys & Girls Club organization in Chowan County – in Edenton providing services to more than 126 young people annually; and

WHEREAS, Boys & Girls Clubs are places where great futures start. They are at the forefront of efforts in programming geared toward academic success, healthy lifestyles, and good character and citizenship; and

WHEREAS, Boys & Girls Club organizations in our state help ensure that our young people keep off the streets, offering them a safe and supportive place to go and providing them with quality programs; and

WHEREAS, Boys & Girls Clubs of Chowan County will celebrate National Boys & Girls Club Week, 2015 along with some 4,000 Clubs and more than two million young people nationwide.

NOW, THEREFORE, I Jeffery Smith, Chairman OF THE CHOWAN COUNTY BOARD OF COMMISSIONERS DO HEREBY PROCLAIM MARCH 22 THROUGH MARCH 28, 2015, AS BOYS & GIRLS CLUB WEEK IN Chowan County.

And call on all citizens to join with me in recognizing and commending the Boys & Girls Club organizations in our state for providing comprehensive, effective services to the young people in our communities.

Transfer Ownership of Generator

Surplus Equipment at Center Hill Crossroads Fire Department

Commissioner Winborne stated that Centerhill Crossroads Fire Department (CHCRFD) received a generator from Carolina Telephone. He stated that the Volunteer Rescue (Unit 3) is in need of a generator. He noted that currently at the Water Department, there is a generator that was donated to the County is currently not in use. He stated that the Fire Department has requested that the generator that they have, be declared surplus along with declaring surplus a 250 PSI compressor. He stated the Fire Department would like to have these two items auctioned and sold on Gov Deals. He stated the Fire Department has requested that monies from the sale of these two items be returned to the fire department.

Mr. Carawan stated the items should first be declared surplus, and it would need to be determined if any of the equipment was purchased with Fire Fund monies. He also noted that CHCRFD does not have its own revenue line.

Mr. Kehayes asked what the use of the compressor was.

Mr. Winborne stated that it was used to refill the breathing tanks. He noted the Fire Department has a new compressor that has more capacity. He noted that the Town of Edenton and Belvidere Fire Department refill their tanks on the new equipment at CHCRFD.

Commissioner Winborne moved to declare the generator and the 250psi air compressor as surplus.

Chairman Smith asked if the generator was gifted to CHCRFD then could the monies from the sale of the generator go into CHCRFD donation line.

Mr. Carawan stated they could create a pass-through line item.

The Board discussed the fact that the compressor was purchased with fire fund monies and that those monies should be returned to the fire fund,

Commissioner Winborne asked to amend his previous motion to stated that the property (Generator and 250psi Air Compressor) be declared surplus for sale on Gov Deals auction and the monies from the sale of the generator be put in a donation pass through line for Center Hill Crossroads Fire Department and the monies from the sale of the air compressor be placed in the Fire Fund.

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

Donated Generator at Water Department to Unit 3

Commissioner Winborne moved to transfer the generator from the Water Department to Unit 3. He stated that there would be no cost to the County to install the generator except labor to lift the generator onto a trailer. He stated Unit 3 has raised funds to pay for the installation of the generator.

Mr. Morrison discussed the legal requirements of transferring County property to non-profits.

EMS Director Colin Ryan noted that EMS pays for the utilities at the Unit 3 building. He stated that the Board could transfer ownership of the generator to the EMS fund if there are issues with transferring it to Unit 3.

Commissioner Winborne stated he would like to withdraw his previous motion.

The Board discussed loaning the generator to Unit 3.

Commissioner Nixon moved to transfer the generator at the Water Department to the EMS fund as a loan to Unit 3 and to include the generator in the EMS inventory.

Chairman Smith asked for all in favor of the motion from Commissioner Nixon. The motion passed unanimously (6-0).

External Board and Committee Report

Commissioner Mitchener reported on the activities of the Chowan Hospital Board.

Manager's Report

Joint Meeting with School Board

Mr. Howard noted that he and the Clerk are currently working to hold a joint meeting with the Board of Education. He noted the dates that the Superintendent has indicated would work. He asked that Board members review their schedules and notify the Clerk as soon as they are able.

Hotel Hinton

Mr. Howard reported that fuel tank removal will begin in the next 2-3 weeks.

Timely and Important Matters

Eco-Tourism Appointment Request

Ms. Stallings stated that the Chairman received a request from the Fish and Wildlife service to appoint a participant to a steering committee to assist in designing a fall workshop. She stated that Fish and Wildlife have recommended the Tourism Director Nancy Nicholls to serve on this committee. She noted that the Albemarle Commission is a partner in this effort to promote eco-

tourism in the area. She added that Ms. Nicholls has indicated that if appointed, she would be willing to serve.

Commissioner Nixon moved to appoint Ms. Nicholls to this committee. Chairman Smith asked for all in favor, the motion passed unanimously (6-0).

Mediacom

Chairman Smith noted that Mediacom has provided the County with information on a change in programming with the addition of several channels.

Homecare

Commissioner Nixon noted that the Health Department Board is working to make a decision regarding the Homecare program. He stated that he hoped to be able to provide an update at the next meeting.

Closed Session

Commissioner Mitchener moved that the Board go into closed session, in accordance with NCGS 143-318 (11) (a) (3, 5), attorney client privilege and contract negotiations. Chairman Smith asked for all in favor, the motion passed unanimously (6-0).

The minutes of the closed session are sealed.

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

Timely and Important Matters

School Joint Meeting

Board members discussed the upcoming joint meeting between the Board of Commissioners and the School Board. Commissioners discussed the recent forums that are being held at each of the Schools by the Superintendent regarding capital needs at the schools. Some Commissioners indicated that they have attended these forums and have heard the presentation.

Commissioner Nixon stated his concern was that these capital items have not been presented to the Board of Commissioners as a request. He stated his concern with the presentation slide used by the Superintendent that that indicates the County has access to both designated and undesignated fund balance to address school capital needs. He stated he felt that if these capital projects were priority to the Schools, why they were not included on the Tier I project list in the previous budget request submitted to the County. He stated that at previous budget meetings with the Schools, he brought his concerns to the School Board regarding the condition of the high school gym and the School Board chose to request monies to remodel the administrative offices and entrance at the high school rather than prioritize the gymnasium. He stated that he wanted Commissioners to be aware of these presentations and the information that is being distributed.

Adjourn

Being no further business, Commissioner Bonner moved that the meeting be adjourned. Chairman Smith asked for all in favor, the motion passed unanimously (6-0).

Jeffery Smith, Chairman

Susanne Stallings, Clerk