

Regular Meeting
Tuesday March 19,2013
8:00 am
Chowan County Public Safety Center
305 West Freemason Street

Minutes

The Chowan County Board of Commissioners held their regular meeting on Tuesday, March 19, 2013 at 8:00 am at the Chowan County Public Safety Center. Present: Chairman Keith Nixon, Commissioners Jeff Smith, Ellis Lawrence, Greg Bonner, Emmett Winborne, Alex Kehayes and John Mitchener.

Staff present: County Manager Zee Lamb, Finance Officer Kim Woodley and Board Clerk Susanne Stallings.

Chairman Nixon called the meeting to order. He requested that the Board add to the agenda consideration of a resolution in support of the Museum of the Albemarle.

Commissioner Mitchener moved to add the item to the agenda and approve the agenda as submitted. Chairman Nixon asked for all in favor, the motion passed (7-0).

Public Comment

Chairman Nixon called for public comment there was none.

Finance Committee

Chairman Nixon stated that the finance officer was not at the meeting because he requested that she continue to work on the budget. He stated that there were no budget amendments.

Board members took an opportunity to thank Ms. Woodley for her 12 months of service to Chowan County as Finance Officer.

RiverSound Update

Matt Wilson representing RiverSound Development provided the Board with an update on the activities at RiverSound. He stated the majority of the treatment facility is completed. He stated that the plant is 90-95% completed. He stated testing will begin soon. He stated the vacuum station is 99% completed. He said he was waiting on dry weather to install a compost bed for the vacuum station. He stated the water lines have been mostly tested and the roads will be finished once the water and sewer are complete and heavy traffic is no longer in the development. He stated there were 2 weeks to 1 month of remaining punch list items before the testing on the equipment can begin. He stated that there is a concern with pumps failing when testing begins because they have sat so long. He stated he hoped to be complete within 6-8 weeks.

Commissioner Winborne stated that he heard there was some concern over the pipes in the ground that sat in the sun for months before being put in the ground.

Mr. Wilson stated that a study has been conducted on the pipes to alleviate concerns over UV degradation. He stated the pipes met all the testing standards and it retained its characteristics.

Mr. Lamb stated that there have been some issues with the pipes.

Mr. Wilson agreed that there are 6 areas that are leaking. He stated that the concern is that the leaks were due to improper installation. He stated the engineer is studying this matter now.

Commissioner Winborne stated he did not want to have problems with the lines in 5-10 years.

Mr. Wilson stated he has worked with Water Supervisor Nick Lokies since the leaks began. He stated the goal of working together is to ensure that there are no problems when the system is turned over.

The Board discussed the testing methods done on the pipes by the manufacturer.

Commissioner Lawrence asked who would bear the responsibility if there was pipe failure in the future.

Mr. Wilson stated that an engineer must sign off on the system and he felt that the system would be evaluated properly before an engineer signs off on a permit.

Water Supervisor Nick Lokies stated that he is working with Mr. Wilson and the County Engineer to resolve the leaks. He stated he hoped to have more information in the future on the cause of the leaks.

Mr. Lamb asked who would become responsible for the lines.

Mr. Wilson stated the County would assume responsibility of the lines when the development is turned over. He stated the County would need a warranty from the contractor.

Mr. Lamb asked if there was any interest in the HOA owning the system.

Mr. Wilson stated that he felt it would be beneficial for the development to own the water lines and pursue a utility to maintain the water and sewer.

Mr. Lokies noted that the County has the ultimate say in whether or not it will accept the system.

Chairman Nixon asked if there was any public comment on the matter, there was none. He thanked Mr. Wilson and Mr. Lokies and stated that if any additional issues arise he was confident that staff and the Manager would bring it to the Board's attention.

County Office Building

Discussion of a demolition permit

Chairman Nixon stated that at the last Board meeting there was a discussion on a time line for applying for a demolition permit for the County Office Building in the event the building would need to be demolished.

Town Manager Anne-Marie Knighton stated that she is still researching to find an opinion on how long a demolition permit is good for once being issued. She stated the answer leads back to statutes and interpretations of the law.

Commissioner Winborne stated that he wanted everyone to know that tearing down the building is not the main priority or intention of the Board. He stated he viewed the demolition permit as a tool. He stated he would support applying for a permit on July 1, 2013 but requested that an answer be given as to how long the permit is good for.

Ms. Knighton stated she would locate an answer to that question.

Commissioner Smith recommended that the Board hold off until May to make a decision on applying for a demolition permit.

Board Clerk Susanne Stallings explained that prior to making an application to the Preservation Commission, the County is required to notify adjoining property owners and staff is required to advertise the application and hearing. She stated this process usually takes 3 weeks before the meeting which is only held once per month.

Appointment of a committee to market the building

Chairman Nixon stated that the Board agreed to appoint a committee as an advisory board to oversee the sale of the property. He stated that the following individuals have been recommended:

Preservation North Carolina (PNC) - Claudia Deviney

Destination Downtown (DD) - Jennifer Harriss

Edenton-Chowan Partnership (ECP) Frank Miglorie

Town Manager - Anne-Marie Knighton (Ex-Officio)

County Manager - Zee Lamb (Ex- Officio)

Chairman Nixon passed the gavel to Vice Chairman Smith and then nominated Sam Young to the committee.

Commissioner Smith nominated Commissioner Alex Kehayes to serve as the Committee Chairman.

Commissioner Winborne then recommended that the Town Council be given the opportunity to appoint a member.

Vice Chairman Smith asked for all in favor of the motion to appoint Sam Young. The motion passed (7-0)

Vice Chairman Smith asked for all in favor of the motion to appoint Commissioner Kehayes as Chairman. The motion passed (7-0)

Vice Chairman Smith asked for all in favor of the motion to appoint an Edenton Town Councilman. The motion passed (7-0)

Ms. Knighton thanked the Board for including the Town Council on this project.

Chairman Nixon then requested that Commissioner Kehayes be in charge of calling meetings of the committee.

Schedule a budget worksession

The Board discussed scheduling a budget worksession in April. The Board Clerk will poll the Board to determine a meeting date.

Worksession on EMS

The Board discussed scheduling an EMS worksession in April. The Board Clerk will poll the Board to determine a meeting date.

Employee Health Insurance

Joe Gupton with Jones Insurance presented the Board with a proposal to provide employee health insurance to Chowan County. A copy of the proposal is in the meeting file labeled March 19, 2013. He stated that the proposed plan will reduce the County's premium costs by over \$250,000 in the first year beginning July 1, 2013. He stated the plan is through United Healthcare.

Chairman Nixon stated his concern over the co-pay for urgent care. He stated that many people use urgent care as a primary care provider.

Commissioner Lawrence stated his support of the plan having no annual maximum for coverage.

Chairman Nixon asked if the plan offers a Health Savings Account (HSA).

Mr. Gupton stated that he would like to introduce an HAS plan the second year because of the transition logistics for employees during the first year.

Mr. Lamb requested that Mr. Gupton look into the Urgent care co-pay and see if there are options for employees who use them as a primary care provider. He asked if there were any pockets that were out of network for the area and the tidewater area.

Mr. Gupton stated that in the survey they did not find any within 50 milers.

Chairman Nixon requested a list of participating counties to be provided to the Board.

Commissioner Mitchener discussed dental coverage for major services and possible waiting periods.

Mr. Gupton stated that many plans do require a one year enrollment for major services.

Haywood Coston spoke on behalf of the ABC Board and stated that the ABC Board would like to continue to follow the County on health insurance.

Interim Finance Officer Appointment

Commissioner Smith moved to excuse Commissioner Lawrence from the meeting. Chairman Nixon asked for all in favor, the motion passed (7-0).

Commissioner Mitchener moved to appoint Zee Lamb as Interim Finance Officer effective Friday, March 22,2013. Chairman Nixon asked for all in favor, the motion passed (6-0).

Resolution Opposing the Disposal of Fracking waste in Eastern NC

Chairman Nixon stated this resolution was discussed at a meeting he attended with area Board Chairman and Manager. He stated the people at the meeting requested a unified voice in Raleigh to oppose the disposal of Fracking Waste in Northeast North Carolina.

Mr. Lamb noted that he was told the fracking would be done in the Piedmont area of North Carolina and the waste would be disposed through insertion into groundwater of the coastal counties.

Commissioner Mitchener stated his support of the resolution stating that research on the matter is incomplete regarding the impacts of fracking or fracking waste disposal.

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

WHEREAS, hydraulic fracturing, or "fracking," is a method of extracting natural gas that involves injecting, at an extremely high pressure, a mixture of water, sand, and toxic chemicals to break up shale or other rock formations otherwise impermeable to the flow of natural gas; and

WHEREAS, North Carolina does not currently allow either horizontal drilling or hydraulic fracturing, and the current North Carolina study of in-state shale gas resources and of the potential impacts of reversing this ban and allowing drilling and fracking to extract these resources was undertaken with insufficient time and without adequate funding; and

WHEREAS, Senate Bill 76, which would lift the state's ban on fracking, was co-sponsored by Senator Bill Cook, was passed by the Senate, and will be considered by the House of Representatives; and

WHEREAS, fracking operations in North Carolina would be concentrated in Western North Carolina, however it has been reported that there are no viable options for disposal of fracking waste in the western part of the state and that Eastern North Carolina might be an option for deep-well disposal of fracking waste; and

WHEREAS, the wastewater produced from hydraulic fracturing includes carcinogenic, coliform, and/or toxic salts, metals, chemicals and radioactive materials; and

WHEREAS, the disposal of fracking byproducts into the aquifer could have a detrimental impact on the environment, including contamination of drinking water wells and surface waters; and

WHEREAS, Section 5 of the North Carolina Constitution states that "It shall be the policy of the State to conserve and protect its lands and waters for the benefit of all its citizenry, and to this end it shall be a proper function of the State of North Carolina and its political subdivisions... to control and limit the pollution of our air and water. .. and in every other appropriate way to preserve as part of our common heritage of this State its forests, wetlands, estuaries, beaches, historical sites, open lands, and places of beauty"; and

NOW THEREFORE BE IT RESOLVED, that the Chowan County Board of Commissioners is greatly opposed to the disposal in Eastern North Carolina of fracking waste and byproducts from other areas of the state.

BE IT FURTHER RESOLVED, that the Chowan County Board of Commissioners urges the North Carolina General Assembly to take no action that would weaken existing laws barring hydraulic fracturing and horizontal drilling before a viable option for disposal of fracking waste is found that does not include Eastern North Carolina.

Resolution Supporting Gap Funding for the Mid Currituck Bridge

Chairman Nixon stated this resolution was presented with support from Pasquotank and Camden Counties.

Commissioner Mitchener stated he felt the bridge would help Chowan County. He moved that the Board approve the resolution as presented.

Chairman Nixon stated that the fact was discussed that with higher fees for the toll to Currituck that Chowan County would enjoy more tourism. He stated he hopes to see a resolution in support of finishing a connector from Hwy 64 to the Chowan River Bridge also. He stated this was something he hoped Chowan would pursue one day.

Commissioner Smith stated his concern in supporting the resolution in making sure the bridge would have a positive impact on Chowan County.

Being no further discussion, Chairman Nixon asked for all in favor, the motion passed (4-2 Smith, Kehayes).

Resolution for Museum of the Albemarle

Chairman Nixon stated that Museum of the Albemarle has requested that Chowan County support a request to legislators for continued funding for the museum. He asked if there would be any impact on the local historic site in Chowan County.

Commissioner Mitchener stated he was told that the position in Chowan County would be funded and the operation would remain here.

Peter Wood stated his support of the resolution and the Museum of the Albemarle. He stated that many people do not appreciate the regional impact of the museum and the regional representation on their Board. He stated he is a past member and requested that the Board consider support of the resolution.

Chairman Nixon requested that the Board put the resolution on the next meeting agenda with additional supporting documentation.

Timely and Important Matters

Sunday Hunting

Chairman Nixon stated he received a phone call from the Albemarle Houndsmen Association requesting that the County oppose proposed legislation to allow hunting on Sunday.

Mr. Lamb stated that the bill is in committee at this time.

Sheriff Goodwin stated that the Sheriffs Association is not supporting the bill however the Wildlife Resources Commission is.

Commissioner Winborne stated he would not support the bill.

Development

Chairman Nixon noted that a developer has applied for a permit from the Town of Edenton. He stated that this development may be federally subsidized and that if that is so, the County would not benefit from tax revenues or the revenues may be much lower. He noted this type of development may also bring increased impact on human services like DSS.

Closed Session

Commissioner Mitchener moved that the Board go into closed session in accordance with NCGS 143-318.11 (3&5). Chairman Nixon asked for all in favor, the motion passed (6-0).

The minutes of the closed session are sealed.

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

Preservation North Carolina - Option to Purchase Contract

Commissioner Winborne moved to approve a contract that is an option to purchase between Chowan County and Preservation North Carolina with the modifications as discussed, date, expiration date, paragraph 10 and the signatures. He stated the motion would also include authorization for the Chairman to execute the contract.

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

Paradise Road Surplus of Dialogistic Lab

Commissioner Winborne moved to re-advertise the property for 30 days with photographs and allow staff to spend up to \$250 on advertisement.

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

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



D. Keith Nixon, Chairman



Susanne Stallings, Clerk