

**Regular Meeting**  
**Monday January 7, 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, January 7, 2013 at 6:00 pm 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 then led the group in the pledge and provided the invocation.

**Agenda Amendment**

Chairman Nixon asked that the Board members remove Budget Amendments 1213-041 and 1213-042 from the agenda. He also requested that the agenda be amended to include the appointment of County Clerk and Deputy Clerk.

**Public Comment**

Chairman Nixon called for public comment in accordance with NCGS 153A-52.1.

Bob Settineri, 103 Rockfish St in Cape Colony presented several concerns regarding a possible zoning and nuisance violation at an adjoining property near his residence.

Mr. Lamb provided Mr. Settineri with contract information to the Planning Department to file a complaint.

There was no further public comment.

Chairman Nixon then presented the consent agenda.

**Consent Agenda**

*All items on the Consent Agenda are considered to be routine and may be enacted by one motion. If a County Commissioner requests discussion on an item, the item will be removed from the Consent Agenda and considered separately.*

**a. Tax Release and Collector's Report**

Dail, B.	\$152.81	SITUS – Perquimans County
Ean H.	138.99	Released as a rental vehicle by enterprise
Kennedy, G.	122.53	SITUS – Perquimans County

Mathews, P. 106.23 Vehicle traded  
 Santoria, A. 228.14 SITUS – Perquimans County

**b. Approval of Minutes**

Attached are the minutes of the December 3, 2012 meeting for Board consideration.

**c. Budget**

**Amendment**

<b>BA 1213-043:</b>		INCR	DECR			
11-3438-891-00	Perquimans Co reimbursemt	6,610				
11-3438-892-00	Gates Co reimbursement	5,394				
11-3438-894-00	Donations	1,000				
11-3438-895-00	Adoptions-spay/neuter		1,000			
11-3438-896-00	Shelter Admin fee	3,353				
	<b>Total Revenues</b>	<b>16,357</b>	<b>1,000</b>			
11-4381-121-00	Salary		2,812			
11-4381-126-00	Part-time	8,230				
11-4381-181-00	FICA	406				
11-4381-182-00	Retirement	947				
11-4381-183-00	Hospital/dental/life insurance		1,247			
11-4381-191-00	Professional svcs-Vet contract		6,736			
11-4381-192-00	Professional svcs-Vet contract	3,995				
11-4381-213-00	Uniforms		300			
11-4381-221-00	Food/provisions		298			
11-4381-238-00	Med supplies-euthan.		4,996			
11-4381-239-00	Preventative meds-vaccines		2,000			
11-4381-251-00	Automotive supplies	500				
11-4381-299-00	Departmental supplies		1,100			
11-4381-311-00	Travel		604			
11-4381-321-00	Phone/postage	100				
11-4381-352-00	R & M equipment		1,500			
11-4381-353-00	R & M vehicle		950			
11-4381-370-00	Advertising		85			
11-4381-395-00	Training		50			
11-4381-441-00	Contracted svcs-spay/neuter	6,500				
11-4381-600-00	Donations expense	2,000				
11-9900-999-00	Contingency	15,357				
	<b>Total Expenditures</b>	<b>38,035</b>	<b>22,678</b>			

The Tri-County Animal Shelter Advisory Committee agreed during the budget cycle to maintain the FY 2013 budget amount the same as it was in FY 2012. The Animal Shelter added a 19 hr/week position for the duration of 4 months after the original budget was adopted. The cost of this position is to be absorbed in the original budget. The adoptions revenue is to pay for the spay/neuter program. The donations revenues are to pay for the donations expense line item. The original budget had incorrect amounts for the reimbursements from Perquimans and Gates counties for their portion of the shelter expenditures as carried forward from the FY 2012 budget. This amendment incorporates all the noted adjustments. The additional revenue reimbursements have been budgeted in the contingency line item as Chowan County funded the difference between the Shelter revenues and expenditures in the original budget.

<b>BA 1213-044:</b>		INCR	DECR			
11-3432-414-00	Jail phone commissions	4,600				
11-3839-890-00	Miscellaneous		4,600			
The jail phone commissions have been posted in miscellaneous revenue in the past. This amendment records this revenue with the other jail revenues.						

<b>BA 1213-045:</b>		INCR	DECR			
11-3524-243-00	Swain Building rentals	3,000				
11-3834-860-00	Swain Building rentals		3,000			
This amendment groups the Swain Building rentals with all other building rentals for the County.						

<b>BA 1213-046:</b>		INCR	DECR			
11-4120-121-00	Salary-Administration	2,684				
11-4120-181-00	FICA	205				
11-4120-182-00	Retirement	181				
11-4140-121-00	Salary-Tax	2,684				
11-4140-181-00	FICA	205				
11-4140-182-00	Retirement	181				
11-4170-121-00	Salary-Elections	671				
11-4170-181-00	FICA	51				
11-4170-182-00	Retirement	45				
11-4180-121-00	Salary-Elections	2,013				
11-4180-181-00	FICA	154				
11-4180-182-00	Retirement	136				
11-4190-121-00	Salary-Land Records	671				
11-4190-181-00	FICA	51				
11-4190-182-00	Retirement	45				
11-4210-121-00	Salary-IT	671				
11-4210-181-00	FICA	51				
11-4210-182-00	Retirement	45				
11-4240-121-00	Salary-Maintenance	4,026				
11-4240-181-00	FICA	308				
11-4240-182-00	Retirement	271				
11-4268-121-00	Salary-Senior Center	1,174				
11-4268-181-00	FICA	90				
11-4268-182-00	Retirement	79				
11-4270-121-00	Salary-Central Communication	5,368				
11-4270-181-00	FICA	411				
11-4270-182-00	Retirement	362				
11-4310-121-00	Salary-Sheriff	7,717				
11-4310-181-00	FICA	590				
11-4310-182-00	Retirement	522				
11-4310-184-00	Supplemental retirement	403				
11-4312-121-00	Salary-SRO	2,013				
11-4312-181-00	FICA	154				
11-4312-182-00	Retirement	136				
11-4312-184-00	Supplemental retirement	101				
11-4320-121-00	Salary-Jail	5,368				
11-4320-181-00	FICA	411				
11-4320-182-00	Retirement	362				
11-4330-121-00	Salary-Emergency Mgt	336				
11-4330-181-00	FICA	26				
11-4330-182-00	Retirement	23				
11-4350-121-00	Salary-Inspections	2,013				
11-4350-181-00	FICA	154				
11-4350-182-00	Retirement	136				
11-4730-121-00	Salary-Soil & Water Cons.	1,342				
11-4730-181-00	FICA	103				
11-4730-182-00	Retirement	90				
11-6130-121-00	Salary-Recreation	4,697				
11-6130-181-00	FICA	359				
11-6130-182-00	Retirement	317				
11-8200-991-00	Salary Reserve		50,206			
	<b>TOT GENERAL FUND</b>	<b>50,206</b>	<b>50,206</b>			

BA1213-046 continued

60-4370-121-00	Salary-EMS	13,420				
60-4370-181-00	FICA	1,027				
60-4370-182-00	Retirement	905				
60-4370-991-00	Salary Reserve		15,352			
	TOT EMS FUND	15,352	15,352			
61-7120-121-00	Salary-Water	4,032				
61-7120-181-00	FICA	308				
61-7120-182-00	Retirement	271				
61-7120-991-00	Salary Reserve		4,611			
	TOT WATER FUND	4,611	4,611			

Allocation of the FY 2013 salary increase to the individual departments. The amount was originally budgeted in a salary reserve line item. The DSS amounts were budgeted in the salary line item in the original budget to facilitate the calculation of the County's contribution in the State budget template.

<b>BA 1213-047:</b>		INCR	DECR			
11-5110-351-00	Repair & maintenance-bldg	3,339				
11-9900-999-00	Contingency		3,339			

Appropriation to cover the electrical repairs to the Health Department building (old mental health building).

<b>BA 1213-048:</b>		INCR	DECR			
11-3414-160-00	Tax overpayments		12,000			
11-4140-499-00	Tax overpayments		12,000			

Duplicate payments when a mortgage lender and the taxpayer pay the same tax billing should not be recorded as overpayments. The revenue cannot be recorded twice. Currently Chowan County records the revenue twice when a duplicate payment is made and also records an expenditure for the refund to the taxpayer. True overpayments occur when there is a change in situs or property is disposed of and the taxpayer is not obligated to pay the tax. The auditor reverses the duplicate revenue and expenditure during the audit. This amendment reduces the overpayments revenue and expenditure line items to only cover true refunds as described above. This will prevent the audit reversal and record only true overpayments.

<b>BA 1213-049:</b>		INCR	DECR		
<b>STREET ASSESSMENTS FUND:</b>					
50-3990-990-00	Fund balance appropriated	4,009			
50-9800-980-11	Transfer to General Fund	4,009			
<b>GENERAL FUND:</b>					
11-3980-980-50	Transfer from Street Assessmt	4,009			
11-9900-999-00	Contingency	4,009			

In 1996 and 1997 the residents of Cape Colony subdivision requested that the County front the funds to improve the roads and replace the bridge on Canal Drive. Petitions were signed by the residents to have an assessment for each landowner to repay the County for the costs of the improvements. The Tax Department receives sporadic payments from one landowner who still owes on the assessment. The Tax Department can no longer enforce collection as the statutes of limitation have passed, however, payments may be received from the taxpayer. This fund is combined in the audit as part of the General Fund. This amendment moves the remaining fund balance to the General Fund in order to close the Street Assessment Fund. The Tax Department has an accounting of the assessments and payments on each parcel.

<b>BA 1213-050:</b>		INCR	DECR		
12-3531-230-01	Social Services Admin	77,179			
12-5310-199-00	Professional services	6,518			
12-5380-539-20	Crisis Intervention	48,769			
12-5380-539-21	Low Income Energy Assist	21,892			
	Total Expenditures	77,179			

Appropriate additional funding from the Division of Social Services for Crisis Intervention and Low Income Energy Assistance and the administrative costs associated with the two programs.

<b>BA 1213-051:</b>		INCR	DECR		
11-3616-532-00	Donations-Home Delivered	110			
11-3616-535-00	Donations-Bldg improvements	3,452			
	Total Revenues	3,562			
11-4268-904-00	Alb Comm-Nutrition project	110			
11-4268-351-00	R & M Building	3,452			
	Total Expenditures	3,562			

Appropriate additional donations for Home Delivered Meals program and building improvements.

<b>BA 1213-052:</b>		INCR	DECR		
<b>DEBT SERVICE FUND:</b>					
30-3980-980-11	Transfer from General Fund	410,118			
30-9100-710-07	USDA Library note-principal	393,394			
30-9200-720-07	USDA Library note-interest	16,724			
	Total Expenditures	410,118			

Amend the original budget in the Debt Service fund to reflect the equity contribution on the USDA Library loan refunded 1-8-13.

<b>DEBT SERVICE RESERVE FUND:</b>					
33-9800-980-11	Transfer to General Fund	157,344			
33-9930-995-00	Future Appropriations		157,344		
		157,344	157,344		

Record Solid Waste Loan repayment as transfer to General Fund in order to balance 1-8-13 refunding transactions.

<b>GENERAL FUND:</b>					
11-3910-911-00	Debt proceeds 1-8-13	3,163,000			
11-3980-980-33	Transfer from DS Reserve	157,344			
	Total Revenues	3,320,344			
11-9100-750-00	USDA pay-off by BB&T	2,343,364			
11-9100-750-00	PNC pay-off by BB&T	814,835			
11-9100-750-00	Closing costs	28,650			
11-9800-980-30	Transfer to Debt Service Fund	410,118			
11-9841-992-00	Contrib to Reserve (1.5 cents)		162,029		
11-9820-000-00	USDA Reserve		85,069		
11-9900-999-00	Contingency from 10-16-12		29,525		
	Total Expenditures	3,596,967	276,623		

Record the 1-8-13 refunding of debt in General Fund to capture all costs as required. Utilize reserves in the original budget for USDA and 1.5 cent on the tax rate for debt service as approved by the BOCC. Utilize the contingency increase resulting from the 10-16-12 refunding.

<b>BA 1213-053:</b>		INCR	DECR			
<b>DEBT SERVICE FUND:</b>						
30-3980-980-11	Transfer from General Fund		7,786			
30-9100-710-02	RBC vehicle note principal		7,815			
30-9200-720-02	RBC vehicle note interest		34			
30-9200-720-06	RBC library note interest		65			
30-9100-910-06	BB&T NCCC-Health principal		1			
30-9200-720-05	BB&T NCCC-Health interest	129				
	Total Expenditures	129	7,915			
<b>GENERAL FUND:</b>						
11-9800-980-30	Transfer to Debt Service Fund		7,786			
11-9900-999-00	Contingency	7,786				
		7,786	7,786			

The RBC vehicle note payment for FY 2013 was made from the EMS Fund and recorded in that fund. The final interest at pay-off on the RBC library note was less than budgeted. The principal and interest payment on the BB&T Northern Chowan Community Center (NCCC) and Adult Health Center was adjusted by BB&T after the refunding budget amendment was prepared and approved. This amendment aligns the NCCC/Adult Health Center budget to the payment to be made 5-31-13. The General Fund transfer to Debt Service is being adjusted to the payments to be made and the excess budget is being moved to Contingency.

<b>BA 1213-054:</b>		INCR	DECR			
11-3616-532-00	Donations-Home Del. Meals	1,325				
11-3616-535-00	Donations-Bldg. Improvemts.	1,419				
	Total Revenues	2,744				
11-4268-904-00	Alb. Commission-Nutrition	1,325				
11-4268-352-00	R & M Equipment	1,419				
	Total Expenditures	2,744				

Appropriate donations to the Senior Center for home delivered meals and fitness equipment.

Commissioner Smith moved to approve items a and b of the consent agenda. Chairman Nixon asked for all in favor, the motion passed unanimously (7-0).

The Board discussed item c of the consent agenda. Chairman Nixon clarified that he requested items 41 and 42 be removed from the consent agenda and noted that some of these charges can be billed to individual departments.

Commissioner Mitchener asked for clarification regarding the Mediacom budget amendment.

Ms. Woodley stated this was a tax audit discovery of revenue.

Commissioner Winborne asked for clarification on budget amendment 043.

Ms. Woodley stated that the revenues were not stated as they should have been in the original budget.

Mr. Lamb stated it was in July that the revenues estimates were discovered to be incorrect.

Commissioner Winborne asked for clarification on 046.

Ms. Woodley stated that these were budgeted centrally and the monies are being allocated into the departments.

Commissioner Smith moved to approve item c with the deletion of 041 and 042 of the consent agenda.

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

**d. Register of Deeds Record and Retention Schedule**

Board Clerk Susanne Stallings presented an update to the Register of Deeds Record and Retention Schedule to note that Public Records including Electronic Records not listed in the schedule are not authorized to be destroyed.

Register of Deeds Sue Rountree requested that the Board accept this amendment to the Register of Deeds schedule as recommended by the Department of Cultural Resources.

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

**Appointment of Board Clerk and Deputy Clerk**

Chairman Nixon recommended that the Board Clerk and Deputy Clerk be appointed annually.

Commissioner Kehayes moved to appoint Susanne Stallings as Board Clerk and Carrie Byrum as Deputy Clerk.

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

**Capital Request from COA**

Jim Turdici and Lynn Hurdle-Winslow presented to the Board two capital requests from COA. One request is for security cameras as proposed by the Edenton Police Department and the other was for replacement of the heating equipment to be performed in two phases.

Commissioner Winborne asked if there would be reoccurring costs for maintenance of the security cameras.

Mr. Turdici stated that the cost includes installation, training and technical support. He stated he would have to look into the costs for maintenance and determine who is responsible for maintenance costs (COA or the Town of Edenton)

Commissioner Bonner stated that maintenance contracts for this type of equipment typically are renewed annually.

Chairman Nixon asked if this project was recommended by the Town or by the Security Director for COA.

Ms. Hurdle-Winslow stated that the security director was involved in the meetings and planning for the cameras.

Commissioner Bonner stated he felt the cameras would be beneficial and necessary for surveillance in that area.

Commissioner Mitchener requested that COA obtain the information and report it at the next Board meeting.

Mr. Turdici presented information on including proposals for replacement of the heating equipment. He stated that this would be done on buildings 3 and 4. He stated the current boiler system is inefficient. He noted the boiler has received daily maintenance to keep it running and often it is broken down for days. He stated that in the process of determining the best way to replace the system, most vendors recommended eliminating the steam (boiler) heating system and installing a zone heating system with a gas pack backup. He requested the Board consider allowing COA to replace the entire system.

The Board discussed various options for negotiating the contract.

Mr. Lamb noted the boiler system at COA is a continuing matter that he and maintenance staff have had to address over the past year.

Mr. Turdici stated the he recommends the lower bidder, because of the cost estimate as well as the warranties associated with the equipment.

Chairman Nixon asked what the recommendation of the County Maintenance Director.

Mr. Lamb stated that Maintenance does not have a current working relationship with the low bidder; however he recommends the lowest bidder for the project.

Mr. Turdici added that the buildings and grounds committee of the COA Board have indicated their support of the low bidder, Armstrong Heating and Air.

Several Board members indicated their support of using local contractors as much as possible.

Commissioner Smith asked if this project would allow a learning opportunity for the COA students.

Mr. Turdici noted the HVAC instructor has also participated in the bidding process for the equipment replacement and added that if the project is done during the spring, many students will not be in class.

Chairman Nixon recommended that since the project is not set to commence until May that the item be placed on the next worksession agenda for discussion. He stated he would like to see more information on the bidders.

Commissioner Winborne moved to allow COA to begin the project for the camera installation and to allow the County Manager and Town Manager to negotiate the maintenance costs for the cameras. Chairman Nixon asked for all in favor, the motion passed unanimously (7-0).

Commissioner Winborne moved to table the discussion of the heating system until the January 22, 2012 meeting. Chairman Nixon asked for all in favor, the motion passed (7-0).

### **External Board and Committee Reports**

Commissioner Winborne stated he has started visiting the Animal Shelter and looks forward to working with staff on the Animal Shelter Advisory Board.

Commissioner Lawrence provided an update on the activities of the COA Board.

Chairman Nixon stated that TDA did not meet, but the offices have now relocated to the Town Council Chambers Building.

### **Appointments**

Chairman Nixon provided the Board members with a list of recommended Board and Commission Appointments. He noted that Commissioners Mitchener and Kehayes are currently serving on the Golden Leaf Board. He recommended the establishment of a Salary Study Committee and Planning and Enterprise Committee.

Town/County	Chairman/Vice Chairman
Legislative Liaison	Chairman
TDA	Nixon
Destination Downtown	Mitchener
DSS	Kehayes
Mental Health Board	Kehayes
Solid Waste Authority	Nixon
Landfill Board (PCG)	Winborne, Nixon
Health Dept. Board	Nixon
Hospital Local Directors Council	Mitchener
Recreation Adv. Board	Bonner
Albemarle Commission Bd of Dir	Smith
Albemarle Commission RPO	_____
Northeast Workforce Dev. Board	Mitchener

Airport	Lawrence
Bd of Education liaison	Chairman, Vice Chairman
COA Board	Lawrence
Sr. Center Advisory Board	Mitchener
Three Rivers Healthy Carolinians	Kehayes
Northeast Alb. Group Health Bd.	Chairman/Manager (ends June 30, 2013)
Voluntary Ag District	Smith
Animal Shelter Advisory Bd.	Winborne
ARC&D Board	Smith
JCPC Council	Bonner
LEPC	Bonner
Edenton Chowan Partnership (ECP)	Smith, Nixon, Bonner
Salary Study Committee	Lawrence, Nixon, Smith (Chairman-Smith)
Planning/Enterprise Committee	Bonner, Nixon, Winborne (Chairman-Winborne)

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

### **Meeting Schedule**

Chairman Nixon noted that at the December meeting the Board discussed a proposed meeting schedule for 2013. He stated that at the December meeting the Board set a meeting schedule of meeting on the first Monday at 6:00pm. He then opened the floor for discussion regarding worksession meetings to be scheduled. He stated that Commissioner Lawrence has a conflict with his work schedule for 9:00am meetings on the 3<sup>rd</sup> Monday. He stated that Mr. Lawrence's schedule will allow for the Board to meet at 8:00am on Tuesdays.

Commissioner Smith stated that 8:00am would work for him.

Mr. Lamb recommended that the Board clarify that the worksession be held the first Tuesday after the third Monday.

Commissioner Winborne stated he was not in support of meetings at 8:00am. He asked if there was any public comment on the proposal.

Barbara Yates stated that while she could appreciate not wanting staff to work over late hours, 8:00am was early for the public.

Commissioner Bonner stated he feels that 8:00am is a great way to get people going about their day rather than waiting until 9:00am.

Commissioner Mitchener moved to adopt a meeting schedule to add meeting the first Tuesday after the third Monday at 8:00am and reevaluate the meeting schedule in June. Chairman Nixon asked for all in favor, the motion passed unanimously (7-0).

## **Timely and Important Matters**

### **Mileage Reimbursement Rate for Employees**

Mr. Lamb stated that the current reimbursement rate follows the federal rate of 55.5 cents per mile. He stated the federal rate is proposed to increase to 56.5 cents per mile. He stated the rate is set by the Board and should not be modified unless by the Board.

Chairman Nixon stated he felt the finance officer would need to know how to proceed.

Mr. Lamb recommended leaving the rate at the current amount and re-evaluate it in June with the FY 2013-14 budget.

Commissioner Smith moved to leave the rate at 55.5 cents per mile and re-evaluate it in June. Chairman Nixon asked for all in favor, the motion passed (7-0).

Chairman Nixon asked for any other items.

Commissioner Winborne stated he felt the Board should look into the policy of directly appropriating the Land Transfer Tax to the School Capital Reserve. He stated he also felt the space at the Ag Building previously occupied by FSA should be utilized by the Recreation Department.

Mr. Lamb noted that that day was the last day to pay property taxes without at 2% penalty. He stated a debt-set-off letter would be mailed in the next 3-4 days. He noted that accounts past due after 30 days will be sent to debt-set-off clearinghouse.

Mr. Lamb stated noted that the second and final closing for the refinancing of the county debt was done that day. He praised the Board for their work saving the county tax payers over \$10.3 million in debt.

### **Closed Session**

Commissioner Smith moved that the Board go into closed session in accordance with NCGS-143-318.11 (5&6). Chairman Nixon asked for all in favor, the motion passed (7-0).

The minutes of the closed session are sealed.

Commissioner Winborne moved to adjourn the closed session; Chairman Nixon asked for all in favor, the motion passed unanimously (7-0).

### **Lease for space at Tyner Clinic**

Commissioner Smith moved to have the County Manager negotiate the liability insurance to include the entrances of the building and after negotiated, approve the lease with changes. Chairman Nixon asked for all in favor, the motion passed (7-0).

Being no further business before the Board, Commissioner Smith moved to adjourn the meeting. Chairman Nixon asked for all in favor, the motion passed (7-0).

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Keith Nixon, Chairman

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Susanne Stallings, Clerk