

Regular Meeting  
Monday, June 18, 2012  
9:00am  
Chowan County Public Safety Center  
305 West Freemason St.  
Edenton, NC

MINUTES

The Chowan County Board of Commissioners held their regular meeting on Monday, June 18, 2012 at the Chowan County Public Safety Center, 305 West Freemason Street Edenton, NC. Present: Chairman Eddy Goodwin, Commissioners; Keith Nixon, Jeff Smith, Ralph Cole, Emmett Winborne and John Mitchener.

Commissioner Ellis Lawrence was absent.

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

**Public Comment**

Chairman Eddy Goodwin opened the floor to public comment.

Rhonda Jordan of 222 Country Club Drive stated her appreciation to the Board. She stated that the Board worked hard on every detail of budget and avoided burdening property owners with tax increases.

**Consent Agenda**

Chairman Goodwin then presented the consent agenda:

**a. Budget Amendments**

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<b>BA-1112-074</b>			
3616	Senior Center	\$ 981	Increase revenue from donations/building improvements
4268	Senior Center	\$ 981	Increase expenditures for building maintenance/repairs

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**BA-1112-075**

3591	School Cap Outlay	\$22,550	Decrease revenue from lottery proceeds
5913	School Cap Outlay	<u>650</u>	Increase expenditures for JAHHS for
		\$23,200	natural gas
5913	School Cap Outlay	\$ 8,100	Decrease expenditures for JAHHS natural
	gas		
5913	School Cap Outlay	<u>15,100</u>	
		\$23,200	

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**b. Fireworks Display Permission**

As required annually by statute, a request for permission is submitted for Atlanta Pyrotechnics International, Inc. to provide the fireworks display sponsored by the Chowan-Edenton Optimist Club on July 4, 2012. [NCGS § 14-410 & §14-413]. Attached is the certificate of liability insurance, fireworks display permit and operators licenses.

Commissioner Nixon asked for clarification on budget amendment, 1112-075.

Ms. Woodley stated that this is where the changes in the lottery monies were spent.

Commissioner Nixon asked if the County is not drawing down the lottery monies.

Mr. Lamb stated that DPI has informed the County that the lottery monies cannot be used for the project originally submitted because of a change in cope of the project. However, the county is resubmitting the request.

Ms. Woodley stated that two projects were underspent and this puts the monies back in.

Chairman Goodwin asked if this is for the natural gas conversion.

Ms. Woodley stated that the project has not started.

Chairman Goodwin explained the Fireworks Display permit as an annual requirement required by the state.

Being no further discussion on the consent agenda, Commissioner Nixon moved to approve Consent Agenda. Chairman Goodwin asked for all in favor, the motion passed unanimously. (6-0)

**COA annual update**

Dr. Kandi Deitemeyer President of COA introduced Lynn Hurdle-Winslow Dean of the Edenton Chowan Campus. (A copy of the COA PowerPoint is in the meeting file labeled June 18, 2012). Ms. Hurdle-Winslow introduced Amanda Hodges. Ms. Hodges introduced two students who

shared their success stories. Greg Cave, a student who completed the HVAC program and is in the electrical program. The next student to speak was Michelle Harris who entered into the GED program and culinary arts program. She will be attending Johnson and Wells University in culinary arts. She thanked the people who supported her along the way. Dr. Deitemeyer stated it was a privilege to offer these programs to the students and change people's lives. She thanked the Board for the partnership between COA and the County.

The Board discussed state budget cuts and future programming and their impact on the Edenton campus. Commissioner Winborne recommended that COA pursue agricultural classes.

### **Solid Waste Management Plan Update**

Brad Gardener site manager for convenience sites provided the Board with information on the solid waste plan as required by statute. He stated the highlights from the report note that in 2011 Chowan County made 11,682 tons of waste. He stated Chowan ranks 41<sup>st</sup> in the state on rate of generating recyclables. He stated that to date, Chowan County has not have a load of recyclables rejected. He stated that Chowan has three swap shops at the convenience sites. He shared information on pesticide recycling and partnerships with other agencies.

Commissioner Nixon asked Mr. Gardener to share the county's return on recyclable waste.

Mr. Gardener stated the county receives \$20 per ton for recyclables which saves the county around \$86 per ton with not sending the waste to the landfill.

Commissioner Nixon then moved that the Board go into public hearing. Chairman Goodwin asked for all in favor, the motion passed unanimously (6-0).

Chairman Goodwin opened the floor to public comment.

Dennis Robison 102 Terry Ave Edenton, Chairman of Chowan Edenton Environmental Group, stated he has learned that the County does not have a contract with people who collect waste in communities like Arrowhead Beach and Cape Colony. He recommended the county look into contracting waste pickup.

Commissioner Smith thanked Mr. Gardener for the work in the agricultural community specifically the triple rinse containers adding that it would be beneficial to collect these containers at convenience sites.

Mr. Gardener stated he is seeking funding for that and will continue to work with the Extension Office for household waste collection.

Chairman Goodwin stated that containers will need to be vented because of chemical smells.

Mr. Gardener stated he will look into vents and added that the Board is welcome to tour the recycling facility or landfill if they are interested.

Commissioner Winborne stated he would like to see another tire disposal day.

Mr. Gardener stated that the state has made tire collection more complicated with the law that whole tires cannot go into a landfill. He stated that North Carolina now requires a name/address and weight for disposal of tires. He added that at this time tires have to go to transfer station. He added that Colony Tire has two tire trailers that the public can use if needed.

Commissioner Smith added that it would be beneficial to allow agricultural plastic to be collected at the convenience sites.

Mr. Gardener stated that the markets for plastic is not available because of the contamination, he stated he would look into partnering with Extension to locate a dumpster.

Commissioner Smith move to close the public hearing, Chairman Goodwin asked for all in favor, the motion passed unanimously (6-0).

Commissioner Nixon moved that the Board approve the resolution; Chairman Goodwin asked for all in favor, the motion passed unanimously (6-0).

**Resolution to Approve the Chowan County Update  
10 – Year Solid Waste Management Plan Update  
For July 1, 2012 through June 30, 2022**

**WHEREAS**, better planning for solid waste management will help protect public health and the environment, provide for an improved solid waste management system, better use of our natural resources, control the cost of solid waste management; and

WHEREAS, North Carolina General Statute 130A-309.09A(b) requires each unit of local government, either individually or in cooperation with other units of local government, to develop a 10 year comprehensive solid waste management plan; and

WHEREAS, Chowan County was actively involved in the planning process of the regional solid waste plan update.

NOW THEREFORE BE IT RESOLVED, that the Chowan County Board of Commissioners approves the comprehensive solid waste management plan.

Adopted this 18<sup>th</sup> day of June 2012.

**Albemarle RC&D Council Project Proposal Application**

Jason Petersen requested Board consideration of a project proposal application to make repairs to Bennett’s Millpond.

Commissioner Smith stated that he would recommend this application request be tabled and allow ARC&D representatives to provide the County with cost estimates for grant writing expenses.

Mr. Petersen stated that discussions with Mark Powell have included looking at different projects per phase to control the cost.

Mr. Lamb asked if Mr. Powell has provided an estimate on the cost of the proposal.

Mr. Smith explained that in the past, funding for ARC&D was cut. He stated that in order to do grants, the ARC&D Board decided to have the county requesting the grants to pay Mr. Powell for the writing of the grant.

Commissioner Nixon stated he has not received any public requests for the improvements at Bennetts Millpond.

Mr. Petersen stated that many of the requests are wish list items, adding that many of the items on the list could receive full grant funding.

Commissioner Nixon asked if the Recreation Board has made this a priority.

Mr. Petersen stated this is a vision, and added that he would like to establish a Bennett's Millpond committee, to review the request and set priorities.

Commissioner Mitchener stated that he has heard complaints regarding the adequacy of the spillway for future storms.

Chairman Goodwin thanked Mr. Petersen for his vision and asked that he provide the Board with more information on the project.

Commissioner Smith moved to table the request until more information could be obtained. Chairman Goodwin asked for all in favor, the motion passed unanimously (6-0).

Mr. Petersen stated he has a goal to increase the use of the millpond with camps planned for this summer.

Commissioner Winborne requested that the manager look into Dillard's Millpond, for the County's obligations. He stated that Dillard's Millpond is a valuable resource also to the community.

Chairman Goodwin called for a 10 minute recess. After the recess he called the meeting back to order.

### **Planning Items - Public Hearings**

#### **TA-12-03**

Landin Holland presented TA 12-03, a Text Amendment, to establish as a Special Use to define a home-based business (a copy of the PowerPoint is in the meeting file labeled June 18, 2012). He stated he has been advised that Cape Colony has concerns about the amendment. He stated that Cape Colony's by-laws currently do not allow any home occupation or businesses. He stated that Arrowhead beach POA does allow some home occupations under certain conditions. He

stated that the proposed text amendment would allow some home occupations or business to be established which are currently not allowed. He added that the use would require review a Special Use Permit by the Planning Board in a quasi judicial hearing. He stated that the hearing must be advertised, noticed and letters sent to adjoining property owners. He concluded by stating that Cape Colony has requested that they not be included because their by-laws do not allow home based business.

Danny Dupraw thanked the County for the time to help resolve the matter. He stated he was present to ask the Board to approve the text amendment to allow him the opportunity to apply for a permit to operate a home based business (deer processing). He stated he felt his business would be good for people like him in this economy to make money to operate a business to supplement their income.

Mr. Holland noted that the Text Amendments have been submitted to legal counsel on this matter and there were no legal concerns.

Commissioner Smith moved that the Board go into public hearing; Chairman Goodwin asked for all in favor, the motion passed unanimously (6-0).

Chairman Goodwin requested that the groups speaking in favor of or against the request appoint representatives to speak (4 groups in favor of and 4 opposed to the text amendment and the representatives of the Arrowhead Beach and Cape Colony homeowners associations).

Sidney Wilkins, 317 Seaview Drive Edenton. President of Cape Colony HOA stated the Cape Colony Board fully understands the content of the proposed amendment. He stated that the Board respectfully requests the County Board to consider removing Cape Colony zoned R25 from the text amendment. He stated the Cape Colony by-laws from 1967 state lots should be used for residential purposes only. He then thanked the Board for their consideration.

Chairman Goodwin asked if any businesses exist now.

Mr. Wilkins stated they have never been allowed or permitted.

Chairman Goodwin asked for clarification on a home based business versus a home occupation.

Mr. Holland stated that home occupations are allowed in the County currently. At this time a property owner could get a zoning permit, but is obligated to get a permit from the HOA board and would be denied based on the current by-laws in their subdivision. If someone wants a permit, for a home based business, would be required to go to POA also. He stated this is an opportunity to align by-laws of an association with the County's regulations. Mr. Holland noted that Cape Colony is zoned R25 and Arrowhead Beach and Chowan Beach are zoned R15.

Commissioner Winborne asked if there are there home occupations in Cape Colony.

Mr. Wilkins stated that there are commercial crabbers residing in Cape Colony however the business takes place at the market and not on the property.

Jim Brock, 1101 Arrowhead Trail, stated he serves as the Vice President of Arrowhead Beach POA. He stated the Arrowhead POA adopted restrictive covenants recently that do not allow businesses to operate in Arrowhead Beach. He stated the POA is in opposition to this text amendment. He stated that home based businesses are incompatible with residential communities. He stated that Arrowhead is a densely populated community where businesses are incompatible. He added that the majority of lots are 50 wide and 150' deep. Mr. Brock stated that with residences being that close, the distance on the property lines are minimal. He stated that the Board of Commissioners should govern but also protect citizens on the impact of a business. He then urged the Board to deny the amendment in changing the ordinance.

Dianne McIntyre 308 Chinook Trail stated her concern that her income could be impacted if she chose to operate a home occupation in Arrowhead Beach. She stated that people need the opportunity to supplement their incomes. She stated the text amendment would allow the Planning Board the opportunity to decide the negativity of the impact. She added that Arrowhead has multiple businesses operating currently. She stated that she felt it was unfair to single out one individual business. She urged the Board to approve the text amendment.

Don Faulkner stated he was the President of Arrowhead Beach POA he stated he resides at 1803 Arapahoe Trail. He stated he understands the need for extra income. He stated there were businesses operating in community, but he has received complaints in the neighborhood. He stated that some businesses will impact property values in the neighborhood. He stated that no future businesses will be allowed in Arrowhead Beach.

Mike McIntyre 308 Chinook Trail, stated his support of the text amendment that may allow home based businesses to operate in his community.

Donna Watterson, 316 Chinook Trail Stated her opposition to the text amendment. She stated this type of (Deer processing) causes noise, traffic and odors in the residential neighborhood. She stated the business should be allowed to operate in the County but not in the subdivision. She urged the Board to not support the amendment and requested that the Board enforce the code violations existing in Arrowhead Beach.

Jimmy Nixon stated his support for the business to operate. He stated the business keeps the woods and waterways clean. He asked the Board to support the amendment.

Melissa Coxe 301 Chinook Tr. read a statement from her husband requesting that the Board deny the request. She stated she lives beside the property, less than 50 feet. She complained of pests, odor and foot traffic on her property looking for the business. She stated neighbors have signed a petition against the business and the amendment and requested that the Board deny the request.

Mr. Lamb clarified that the issue before the Board is whether or not to approve a text amendment. He stated it is not up to the Board to grant a Special Use Permit for the business. He added that if the text amendment is approved, the applicant would have to come before the planning board.

Richard Hack 1200 Mojave Trail, stated his support of the text amendment stating that the amendment would allow the county to govern how and what home businesses could operate in

the subdivision. He stated he has not observed odors, traffic or noise, and stated his support of the text amendment.

Chuck Demulen stated his opposition to the text amendment for businesses to operate in Arrowhead beach. He stated he would like to see the community remain residential.

Commissioner Smith asked where in Chowan can a home based business operate.

Mr. Holland stated that home occupation are allowed in all areas now. He added that it is up to the interpretation of the zoning administrator as to the use being a home occupation or a home business. He stated for example if someone wants to operate mechanical equipment business that would include noise or traffic the zoning administrator could send this to the Planning Board to be heard and evidence could be submitted.

Commissioner Smith asked if deer processing is allowed in the remaining area of the county today (A-1 zoning).

Mr. Holland stated his interpretation that deer processing is a home based business and it is currently not allowed in the county.

Commissioner Nixon asked if a person wanted to open a business, could they apply for a zoning permit currently.

Mr. Holland stated that what they are doing would be allowed by right in the A1 district as a business.

Commissioner Nixon stated that the Board is responsible for property valuations. He added that many residences are full time, with high valuations for the waterfront properties.

Chairman Goodwin asked Mr. Brock if there are there businesses operating now in Arrowhead Beach.

Mr. Brock stated he was not aware of any but added that the HOA do not have enforcement powers. He stated the HOA is only allowed to fine the property owners. Mr. Brock stated that the deer processing facility operated elsewhere in the county previously.

Ms. MckIntyre stated that Arrowhead Beach is ignoring some violations while pursuing others.

Commissioner Smith asked if a Special Use Permit is reviewed annually.

Chairman Goodwin stated the Planning Board voted unanimously in favor of this text amendment. He added that if an HOA has by-laws saying any businesses are not allowed that makes it more difficult if not impossible for the use to be approved.

Mr. Holland stated that while the county cannot enforce the rules of an HOA, the Planning Board will consider the HOA rules when making a decision for a SUP and may impose conditions as they see fit.

Mr. Lamb asked if the matter was not before the county, would staff recommend such a text amendment and do other jurisdictions distinguish home occupations from home businesses.

Mr. Holland stated yes, he stated he felt the County needs to consider the nature of the county and the nature of the areas being referred to. He noted that this request is from a citizen, not from staff, which is the legal right of the citizen to make the request.

Commissioner Nixon stated that if there was no further public comment, he moved to close the public hearing. Chairman Goodwin asked for all in favor, the motion passed (6-0).

Commissioner Nixon stated he would like to study the minutes from the Wooten Company when the zoning ordinance was done to be more knowledgeable on zoning and the history of the county's zoning ordinance.

Mr. Holland stated he would provide the Board with the minutes from the zoning meetings.

Commissioner Nixon moved that the discussion be tabled to allow time for the Board to study the zoning and the request. Chairman Goodwin asked for all in favor, the motion failed (3-3 Smith, Goodwin, Winborne).

Chairman Goodwin stated that with the Board not in favor of tabling the motion, was the Board in favor of text amendment, the question failed (3-3 Nixon, Smith, Cole).

Commissioner Smith moved to reconsider the motion to table the item for the next agenda; Chairman Goodwin asked for all in favor, the motion passed unanimously (6-0).

#### TA 12-04

Commissioner Cole moved to open public hearing. Chairman Goodwin asked for all in favor, the motion passed (6-0).

Chairman Goodwin asked for public comment.

Jim Brock 1101 Arrowhead Trail. Stated his support of modifying the Animal Control Ordinance because of issues in Arrowhead Beach with breeds that are considered vicious animals.

Commissioner Nixon asked if the Arrowhead Beach HOA was in support of the ordinance amendment.

Mr. Brock stated the HOA has put in place restrictive covenant that mirrors the Town's laws.

Being no further public comment, Commissioner Smith move to close the public hearing. Chairman Goodwin asked for all in favor, the motion passed (6-0).

Mr. Lamb stated the county attorney and he concur they each had some concern with Section 13 paragraph 7.

Mr. Holland suggested amending the language to require if a dog is sold; it must be reported to animal control.

Mr. Lamb stated that would be reasonable.

Commissioner Smith stated his concern with declaration of certain breeds as vicious. He asked who determined what breeds as dangerous.

Mr. Holland stated the language mirrors that of what the Town currently has. He stated that the definition is defensible based on language used in other counties and towns. He noted it is not a ban of these dogs but a requirement to have to be registered in these communities

Commissioner Winborne asked if Cape Colony is in support of the amendment.

Mr. Holland stated Cape Colony's Board President, Sidney Wilkins has indicated its board's support of the amendment.

Mr. Mitchener asked if the ordinance applies to the rest of the county.

Mr. Holland stated that only the section regarding animals being penned and leashed will apply countywide noting that currently there is no leash law.

Commissioner Nixon moved to approve TA 12-04 with an amendment to Section 13 where any sale or transfer of a potentially dangerous dog must be reported to the AC officer. Chairman Goodwin asked for all in favor, the motion passed unanimously (6-0). (This item will be heard again on July 2, 2012 due to not all Board members being present).

### **Davenport & Company**

Mr. Lamb introduced Mr. Ted Cole and Bob High with Davenport and Company. He stated that he feels their services would be valuable to the county. He stated he was informed last week that interest rates have dropped below 2%. He stated his support of Davenport and Company due to their experience and knowledge to help the county manage its debt.

Ted Cole provided the Board with a proposal. He stated his company has worked with many local governments in NC and VA by helping them on capital planning and debt matters. He said they would assist Chowan with looking into low interest rates to allow the County opportunity to refinance and restructure its debt. He stated he would look to take longest loans that are 30+ years and see if there is an opportunity to shorten the loans and better match the amortization with the life of the asset. He stated this may also reduce the payment which would allow the County to increase its payment for debt service.

Commissioner Winborne asked if this is a one time process, or ongoing.

Mr. Cole stated this is a one time process.

Bob High stated his company's goal is to work with the County and establish longer relationships for future needs.

Mr. Lamb asked if Mr. Cole would see a potential for public offering.

Mr. Cole stated most likely a private placement would be recommended as the first approach.

Mr. Lamb noted that the fees could be rolled into the refinancing cost. He noted that there are options to group loans into one payment but have different terms on each of the loans.

Commissioner Nixon stated he met with Davenport, and his concern is the \$30,000 fee, however the savings realized could offset the fee. He stated he would like to negotiate the contract in closed session.

#### **Sheriff annual report**

Sheriff Dwayne Goodwin provided the annual report for the Sheriff's Office. A copy of the PowerPoint is in the meeting file labeled (June 18, 2012).

#### **Elevator Contract**

Terry Rose provided a proposal for an elevator service contract. The Board provided unanimous consensus to allow the Manager to approve the contract with budgeted monies.

#### **Mowing Contract**

Mr. Lamb presented information on the mowing bid contract. Commissioner Nixon moved to allow the Manager the ability to sign the contract and award the bid as he chooses. Chairman Goodwin asked for all in favor, the motion passed unanimously (6-0).

#### **Consideration of FY 2012-13 Budget**

Mr. Lamb stated that at the last meeting the Board requested that \$157,000 for repayment of solid waste monies be directed towards debt service. He stated that he has established a debt service reserve fund. He noted that due to some state cuts, the DSS revenues would be about \$40,000 less than anticipated. He reviewed the changes in the proposed budget with the Board. Mr. Lamb noted that as part of the budget all Part-time and hourly employees will get a 2% increase.

Chairman Goodwin asked for any questions or comments on the proposed budget.

There were none.

Commissioner Mitchener moved to approve the budget; Chairman Goodwin asked for all in favor, the motion passed unanimously (6-0). (Total budget \$15,996,000)

### **BUDGET ORDINANCE FOR THE COUNTY OF CHOWAN FISCAL YEAR 2012-2013**

**BE IT ORDAINED** by the Board of Commissioners of the County of Chowan, North Carolina as follows:

**Section 1.** The following amounts are hereby appropriated in the General Fund for the operation of the County government and its activities for the fiscal year beginning July 1 2012 and ending June 30, 2013, in accordance with the chart of accounts heretofore established for this County:

General government	\$ 3,152,960
Public Safety	3,169,027
Environmental protection	161,324
Economic and physical development	207,732
Human services	3,468,208
Cultural and recreational	590,030
Education	3,507,248
COA Community College	400,000
Transfer to Revaluation Fund	25,000
Transfer to Debt Service Fund	1,141,274
Transfer to EMS Fund	<u>173,577</u>
Total Appropriations	\$15,996,380

**Section 2.** It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013:

Current year real/pers property taxes	\$ 9,196,175
Current year motor vehicle taxes	594,400
Prior years real/pers property taxes	286,200
Prior years motor vehicle taxes	113,500
Penalties and interest	100,000
Local Option Sales Tax	1,644,996
Payments in lieu of taxes	2,000
Beer and wine excise tax	42,000
ABC proceeds/bottle tax	30,000
State grants	146,389
Federal grants	2,502,207
Court facilities fees	16,000
Building permits and inspection fees	90,000
Register of Deeds	154,700
Rents, concessions, and fees	827,463
Investment earnings	4,000
Sale of materials	7,000
Miscellaneous	111,083
Transfer from Water Fund	80,000
Transfer from Fire District Fund-indirect cost	9,500
Appropriated fund balance-ROD preservation	12,500
Appropriated fund balance-Sheriff	16,267
Appropriated fund balance-Recreation	<u>10,000</u>
Total Estimated Revenues	\$15,996,380

**Section 3.** The following amount is hereby appropriated in the Water Development Fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013:

Reserve for Water System expansion	\$ 30,000
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**Section 4.** It is estimated that the following revenues will be available in the Water Development Fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013:

Water Development fees	\$ 30,000
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**Section 5.** The following amounts are hereby appropriated in the Fire District Fund for the operation of fire protection services for the fiscal year beginning July 1, 2012 and ending June 30, 2013:

Center Hill Crossroads Fire Dept operations	\$ 154,355
Center Hill Crossroads Fire Dept capital outlay	18,000
Center Hill Crossroads Fire Dept debt service	52,900
Edenton Rural Fire District operations	281,297
Belvidere Chappell Hill operations	12,800
Transfer to General Fund	<u>9,500</u>
Total Appropriations	\$ 528,852

**Section 6.** It is estimated that the following revenues will be available in the Fire District Fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013:

Current year taxes	\$ 468,048
Prior years' taxes and penalties	23,400
Local Option Sales Tax	<u>37,404</u>
Total Estimated Revenues	\$ 528,852

**Section 7.** The following amounts are hereby appropriated in the E911 Emergency Telephone Fund for the year beginning July 1, 2012 and ending June 30, 2013:

E911 Operations	\$ 131,600
Capital Outlay	<u>180,000</u>
Total Appropriations	\$ 311,600

**Section 8.** It is estimated that the following revenues will be available in the E911 Emergency Telephone Fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013:

Telephone Surcharge	\$ 201,836
Appropriated fund balance	<u>109,764</u>
Total Estimated Revenues	\$ 311,600

**Section 9.** The following amount is hereby appropriated in the Revaluation Fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013:

Tax Revaluation	\$ 128,470
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**Section 10.** It is estimated that the following revenues will be available in the Revaluation Fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013:

Transfer from General Fund	\$ 25,000
Appropriated fund balance	<u>103,470</u>
Total Estimated Revenues	\$ 128,470

**Section 11.** The following amounts are hereby appropriated in the Debt Service Fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013:

QZAB Bonds	\$ 103,573
PNC Vehicle Note	7,849
Pruden Shepard Library Note	10,000
DF Walker Note	756,988
Northern Chowan Comm/Health Note	255,364
PNC Library Note	129,014
USDA Library Note	99,738
USDA PSC Note	527,428
USDA PSC/EOC Note	111,881
USDA Center Hill FD Note	<u>27,900</u>
Total Appropriations	\$ 2,029,735

**Section 12.** It is estimated that the following revenues will be available in the Debt Service Fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013:

Transfer from General Fund	\$ 1,141,274
Transfer from Fire District Fund	27,900
Transfer from School Capital Reserve Fund	<u>860,561</u>
Total Estimated Revenues	\$ 2,029,735

**Section 13.** The following amounts are hereby appropriated in the Debt Service Reserve Fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013:

Designated for future appropriation	\$ 157,344
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**Section 14.** It is estimated that the following revenues will be available in the Debt Service Reserve Fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013:

Transfer from Solid Waste Fund-loan	\$ 157,344
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**Section 15.** The following amounts are hereby appropriated in the School Capital Reserve Fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013:

Transfer to Debt Service Fund	860,561
Designated for future appropriations	<u>78,307</u>
Total Appropriations	\$ 938,868

**Section 16.** It is estimated that the following revenues will be available in the School Capital Reserve Fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013:

Local Option Sales Tax	\$ 634,895
Land Transfer Tax	200,000
Lottery Proceeds	103,573
Interest	<u>400</u>
Total Estimated Revenues	\$ 938,868

**Section 17.** The following amounts are hereby appropriated in the EMS Fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013:

Operating expenditures	\$ 1,385,543
Capital Outlay	5,000
Debt Service	<u>8,034</u>
Total Appropriations	\$ 1,398,577

**Section 18.** It is estimated that the following revenues will be available in the EMS Fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013:

Ambulance fees	\$ 1,225,000
Transfer from General Fund	<u>173,577</u>
Total Estimated Revenues	\$ 1,398,577

**Section 19.** The following amounts are hereby appropriated in the Water Fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013:

Operating expenditures	\$ 1,167,684
Capital Outlay-equipment	175,000
Capital Outlay-improvements	25,000
Transfer to General Fund	<u>80,000</u>
Total Appropriations	\$ 1,447,684

**Section 20.** It is estimated that the following revenues will be available in the Water Fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013:

Water charges	\$ 1,221,212
Taps and connection fees	65,000
Interest	500
Miscellaneous	14,000
Appropriated fund balance	<u>146,972</u>
Total Estimated Revenues	\$ 1,447,684

**Section 21.** The following amounts are hereby appropriated in the Solid Waste Fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013:

Convenience site operations	\$ 12,600
Albemarle Regional Landfill operations	864,569
Town of Edenton hauling	30,000
Scrap tire/white goods disposal	23,050
Recycling services	15,765
Loan repayment to Debt Service Reserve Fund	157,344
Designated for future appropriations	<u>126,722</u>
Total Appropriations	\$ 1,230,050

**Section 22.** It is estimated that the following revenues will be available in the Solid Waste Fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013:

Tipping fees	\$ 1,199,100
Solid waste disposal tax	7,900
Scrap tire/white goods grants	22,000
Electronics recycling program	<u>1,050</u>
Total Estimated Revenues	\$ 1,230,050

**Section 23.** There is hereby levied a tax at the rate of sixty eight and one-half cents (\$0.685) per one hundred (\$100) valuation of property listed as of January 1, 2012, for the purpose of raising revenue included in "Current year real/personal property tax" and "Current year MV tax" in Section 2 of this ordinance.

This rate of tax is based on an estimated total valuation of property for the purpose of taxation of \$1,381,749,091 and an estimated collection rate of 97.16% for real/personal property and an estimated collection rate of 82.70% for motor vehicles. The estimated rates of collection are based on the fiscal year 2012 collection rate of 97.16% through May 31, 2012 for real/personal property and 82.70% for motor vehicles.

**Section 24.** There is hereby levied a tax at the rate of five cents (\$0.05) per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2012, located within the Chowan County Rural Fire District for the raising of revenue for said fire district. This rate of tax is based on an estimated total valuation of property for the purposes of taxation of \$977,806,578 and an estimated collection rate of 96.88% for real/personal property and an estimated collection rate of 82.70% for motor vehicles. The estimated rates of collection are based on the fiscal year 2011 collection rates of 96.88% for real/personal property and 82.70% for motor vehicles.

**Section 25.** The Edenton-Chowan Schools current expense appropriation in the amount of \$3,421,929 is contained within the General Fund. Twelve equal payments will be made monthly.

**Section 26.** The land transfer tax collected by Chowan County shall be deposited in the Chowan County School Capital Reserve Fund and shall be used for eligible debt service not covered by lottery funds and for school capital purposes approved by the Board of Commissioners.

**Section 27.** The County Manager (Budget Officer) is hereby authorized to transfer appropriations as contained herein under the following conditions:

- a) Transfers between operating line item expenditures within a department without limitation and without a report being required. No transfers are to be made involving salary/fringe line items or capital line items in or out of operating line items without prior approval from the Board of Commissioners.
- b) Transfers up to \$1,000 between departments, including contingency appropriations, within the same fund. The budget officer must make an official report on such transfers at the next regular meeting of the Board of Commissioners.

- c) All transfers between funds require prior approval by the Board of Commissioners in an amendment to the Budget Ordinance. This includes all cash advances made between funds.
- d) Budgeted vacancies will be filled by joint approval of the County Manager and the Department Head. If disagreement occurs, appeal may be made to the Board of Commissioners. Vacancies may be filled allowing credit for local government experience or previous professional experience in salary negotiations.

**Section 28.** The County Manager may approve all contracts up to \$50,000 if funds have already been appropriated in the budget and must provide an official report on such contracts at the next meeting of the Board of Commissioners.

**Section 29.** Copies of this Budget Ordinance shall be furnished to the Clerk to the Board of Commissioners and to the Budget Officer and Finance Officer, to be kept on file by them for their direction in the disbursement of funds.

### **School capital spending plan**

Mr. Lamb provided the Board with a scope of work for school capital money. He asked the Board to approve the plan without specifying the source of the funds. He stated he would try to spend lottery monies first.

Commissioner Nixon asked if the plan has to come back to the Board for approval.

Ms. Woodley stated yes.

Commissioner Nixon stated that the Board of Commissioners has discretion on capital improvements. He stated his recommendation to match windows or trim. I think it would look better to blend. He stated he would not want it to be brown.

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

### **Timely and Important Matters**

Commissioner Mitchener stated his concern with bridge closure on Hwy 32 and asked if the state considered instillation of a pontoon bridge.

Commissioner Nixon asked if staff has considered use of the, \$400,000 in reserve to make a payment on fire trucks.

Ms. Woodley stated that the loan matches the life of the truck.

Commissioner Nixon moved that the Board go into closed session in accordance with NCGS 143-318.11.6 to negotiate a contract. Chairman Goodwin asked for all in favor, the motion passed unanimously (6-0).

### **CLOSED SESSION**

The minutes of the closed session are sealed.

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

**Davenport Contract**

Commissioner Mitchener moved to adopt the contract with Davenport and Company and negotiate the 4% indirect cost expense if possible. Chairman Goodwin asked for all in favor, the motion passed unanimously (6-0).

**Fire Truck**

The Board discussed Mr. Nixon's request to look at the fund balance in the fire fund to pay off fire debt. Ms. Woodley noted that this will be reviewed by Davenport.

Being no further business, meeting was adjourned

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Edward C. Goodwin, Chairman

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Susanne Stallings, Clerk