

Regular Meeting
Tuesday, October 22, 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, October 22, 2013 at 8:00 am at the Chowan County Public Safety Center. Present: Chairman Keith Nixon, Commissioners Jeff Smith, Greg Bonner, Ellis Lawrence, Emmett Winborne, Alex Kehayes and John Mitchener.

Staff present: County Manager Zee Lamb, Finance Officer Willie Mack Carawan and Board Clerk Susanne Stallings.

Chairman Nixon called the meeting to order and led the pledge.

Commissioner Kehayes then provided the invocation.

Approval of Agenda

Commissioner Mitchener moved to add a discussion regarding contract negotiations to be added for closed session and to approve the agenda as amended.

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

Public Comment

Recreation Initiative

Eric Bergerin, 215 Queen Anne Dr. Edenton, NC stated he wanted to speak with the Board regarding an initiative for expansion of recreation facilities. He provided a history on the proposed Red Banks Farm recreation complex. He stated this project was designed several years ago and because of fiscal constraints never acted on by Chowan County. He stated that the goal of his initiative is to develop a multiuse recreation facility. HE stated that he has been able to get some private support pledged for the project. He suggested that the Board revisit the plan and come up with an approach to get the project going aging. He stated that he estimates being able to get around \$250,000 to \$300,000 in private monies.

The Board discussed previous PARTF (Parks and Recreation Trust Fund) monies which require a match. They also discussed various funding sources.

Commissioner Smith stated he would support such a project however it would be important to him to see the sustainability of the project for at least 10 years after completion.

Mr. Bergerin discussed the economic impact of a facility noting that many families eat, shop and spend the night in communities where tournaments are held. He stated that he felt the project is sustainable.

Chairman Nixon requested that this matter be discussed in more detail during Timely and Important Matters. He thanked Mr. Bergerin for his presentation.

There was no further public comment.

Finance Committee

BA1314-024

Account Code	Description	Old	+ or (-)	New
24-3990-990-00	Fund Balance	(158,229.12)	(16,034.00)	(174,263.12)
24-4270-440-00	Maintenance Contracts	50,000.00	16,034.00	66,034.00
11-3990-990-00	Fund Balance	(104,500.00)	(12,527.00)	(117,027.00)
11-4310-440-00	Contracted Services	16,600.00	5,997.00	22,597.00
11-4320-352-00	Maintenance Repair & Equipment	4,840.00	3,265.00	8,105.00
11-4270-440-00	Maintenance Contracts	20,000.00	3,265.00	23,265.00
Balanced:		\$ (171,289.12)	\$ -	\$ (171,289.12)

Justification:

See attached letter from Sheriff Goodwin regarding Century Link's 2013 billing for maintenance

BA1314-026

Account Code	Description	Old	+ or (-)	New
24-4270-993-00	Designated for Future Appropriation	57,622.00	(38,184.00)	19,438.00
24-4270-299-00	Department Supplies	15,000.00	38,184.00	53,184.00
E-911 Telephone System				
Balanced:		\$ 72,622.00	\$ -	\$ 72,622.00

Justification:

EM Director is requesting an appropriation to upgrade the Wright Line Furniture in the 911 Call Center.

Chairman Nixon asked for clarification on BA-13614-024

Finance Officer Willie Carawan explained that when the E911 equipment was upgraded the 2013 bill was not sent during the 2012-013 fiscal year. He stated that while the amount was budgeted in FY 2012-13 it was not carried over for 2014. He stated that this bill is for two years.

Mr. Lamb noted these monies rolled over into fund balance.

Commissioner Smith moved to excuse Commissioner Lawrence from the meeting.

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

Chief Deputy Andy Bunch explained the budget amendment the process for upgrading the equipment in central to move consoles that were purchased for training into the main call center. He stated this upgrade will allow central to have a fourth position for disasters and for training. He stated this will also allow 911 to have a back-up console if one goes down.

Mr. Lamb and Mr. Carawan explained the process for claiming 911 monies which are collected by the state from telephone surcharges.

The Board discussed how these monies were being pulled from E911 fund balance.

Chairman Nixon stated his concern with using the monies from the previous year based on the report that shows what amount was rolled into fund balance.

Commissioner Mitchener moved to approve BA 024, Chairman Nixon asked for all in favor, the motion passed (5-1 Nixon).

Commissioner Bonner moved to approve BA 026, Chairman Nixon asked for all in favor, the motion passed unanimously (6-0).

Albemarle Commission Items

Regional Bike Plan

Albemarle Commission and Regional Planner Steven Lambert provided the Board with a presentation of a regional bicycle plan. A copy of the Plan is in the meeting file labeled October 22, 2013.

The Board discussed the plan and asked questions of Mr. Lambert. The Board by consensus agreed to place this on the November 4, 2013 agenda for consideration of adoption.

Mr. Lambert noted he will not be the Planner with the Albemarle Commission after November 1, 2013. He stated the director, Bert Banks will see the project to completion.

RPO Membership

Mr. Lambert stated that Chowan County is in need of representation on the RPO, TAC and TCC committees. He stated the importance of having representation on the committee with the changes in Senate Bill 817 and Transportation funding formulas. He stated the region has less money now however the RPO Board has more control over where the monies are spent.

The Board discussed the financial reporting requirements for the RPO.

Chairman Nixon stated this would be discussed at the November 4, 2013 meeting and asked that any interested Board member please let him know before that meeting.

Capital Improvement Projects

Mr. Carawan stated that at previous meetings the Board when addressing the money for capital improvements at the jail moved money into the Jailers House repairs. He stated that there is a shortage of \$8,700 in the Courthouse budget and there is \$10,000 remaining in another line. He stated that Mr. Rose has \$7,000 in his line but needs an additional \$1,700 to complete the capital transfer. He stated he would recommend moving the entire \$10,000 from the maintenance budget for the courthouse and locate the additional \$1,750 from repairs.

The Board discussed the proposed amendment with the Maintenance Director Terry Rose and Mr. Carawan.

Chairman Nixon passed the gavel to Vice Chairman Smith.

Chairman Nixon moved to take from 11-4261 \$11,700 and move it to the capital project budget in Fund 33.

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

Vice Chairman Smith passed the gavel back to Chairman Nixon.

Mr. Rose provided the Board with a status update on each of the capital projects he is working on.

Senior Center Items

Regional Advisory Council

Ms. Stallings stated that Senior Center Director has been asked to serve as Chowan County's appointee to the Regional Advisory Council.

The Board discussed the appointment and some concerns with possible short staffing.

Commissioner Mitchener volunteered to discuss this appointment request with the Director and report his findings back to the Board.

Operating Hours

Mr. Lamb stated that he recently learned that the Senior Center operates on a different operating schedule than other county departments. He stated that the Center is open from 8am to 4pm and employees eat during lunch. He stated the abbreviated hours were approved by previous management and he wanted the Board to approve the operating hours. He noted that normal operating hours are 8am to 5pm for other departments.

Commissioner Smith requested that Commissioner Mitchener investigate this matter and report it back for a full Board vote at the November meeting.

Planning Items

Chairman Nixon stated this matter was referred from the October night meeting to get an opinion from staff or the attorney on how to proceed with discussions.

Mr. Holland stated that Phase II of Riversound has been dragging on for several years. He stated that Phase I is nearing completion and concerns from adjoining property owners have been raised regarding Phase II. He gave a history on the approvals for Phase I and II. He noted that the majority of the county is zoned A-1 Agricultural for one acre lots. He stated that Phase II required a Conditional use Rezoning and that was approved to rezone to CU-R25 for Phase II. He stated that is for high density. He stated the development plan for Phase II never came back for approval after the rezoning.

Mr. Lamb noted that Phase II was bundled with several other properties and a company from Florida paid the property taxes for 2012. He noted the attorney who represented the previous developer is now representing the current developer.

Mr. Holland reminded the Board of the special legislation which allowed the clock to stop on the time limit for permits in 2008. He stated when that extension ended in 2012 the burden fell on the owners to request a recertification. He stated that there has been no request on Phase II since then, however the land is now zoned CU-R25. He stated that neighboring property owners have brought forward environmental concerns (wetlands, floodplains etc.) as well as the deterioration of the roads. He stated that the vote on the Conditional Use Rezoning in 2007 was split by the Board and the Board did vote that the plan was not consistent with the Land Use Plan for Chowan County. He stated the petition is requesting that the Commissioners revert the original zoning back to A-1 and to reduce the density of the lots. He noted that with the rezoning in place, a future developer will only be required to have a development plan approved because the rezoning has already been approved.

The Board discussed the legality of rezoning the area.

Mr. Holland stated that state law is vague on rezoning someone else's property and generally leaves this decision up to the County or City. The guidance for the decision comes from the local ordinance. He stated the local ordinance states a petition can come from property owners to request a rezoning. He stated he has spoken with the Institute of Government and they recommend the Board decide if this is a matter they want to take up.

Commissioner Smith asked what steps would need to be taken.

Mr. Holland stated that the Board would need to vote if this is a matter they wish to take up by first voting on the petition then the rezoning request.

The Board discussed having the Planning Board review the request and make a recommendation.

Commissioner Bonner moved to send the request to the Planning Board for a recommendation. Chairman Nixon asked for all in favor, the motion passed (6-0).

Annexation of Property

Mr. Holland stated he would be bringing to the Board a request to move a parcel that is split in the Town's ETJ to move it into the County.

Mr. Lamb asked if the property has any hazardous materials.

Mr. Holland stated no, the parcel is a wooded tract.

The Board took a 5 minute recess.

After 5 minutes Chairman Nixon called the meeting to order.

EMS Paramedic Plan

EMS Director Colin Ryan provided the Board with information on a proposed plan to start a Paramedic Program at EMS. He stated that recently he learned that Chowan hospital is going to contract out transports requiring paramedic services. He stated that those transports are currently being lost because Chowan EMS is not paramedic. He stated that he has worked on the numbers for this plan for several months. He stated that the total cost for implementation of the program is \$245,000 with \$168,208 being personnel and \$70,000 in equipment. He stated currently EMS realizes an annual transport revenue of \$99,900 and conservative projections show a revenue from a Paramedic Plan \$374,400.

The Board discussed equipment upgrades for monitors and equipment.

Mr. Ryan stated that there will be also a small expense will be for drugs. He stated that monitors will be upgraded in phases.

The Board discussed scenarios where a paramedic could also provide additional lifesaving treatment for emergency calls.

Mr. Lamb stated that Bertie, Washington and Pasquotank have gone Paramedic. He stated these transports are going to be contracted with Chowan Hospital and this is revenue being lost by the County. He stated that he has worked with Mr. Ryan on ways to reduce cost and increase revenue and he can see this benefitting Chowan County. He stated this in his opinion is a quantitative step in the right direction. He stated with the increase cost to start the program there will be additional revenues which will reduce the transfer of monies from the general fund to the EMS fund.

Commissioner Winborne stated his support for the increase level of care to be offered to County residents.

The Board discussed the revenue projections.

Mr. Ryan stated these numbers are the bottom of projections and are very conservative.

Mr. Lamb noted that Chowan County will be able to have a transport contract in place with Chowan Hospital.

Commissioner Mitchener moved to authorize the Paramedic Program.

Mr. Ryan noted that he would like to implement the program in January however he will have to secure Paramedic personnel.

Mr. Lamb stated there is a lag in revenues for reimbursement and the May/June monies may not come in until July 1st.

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

Mr. Lamb stated he will bring back a budget amendment to a future meeting because the action will require a budget amendment.

Redistricting Discussion

Commissioner Lawrence rejoined the meeting.

Michael Crowell with the UNC School of Government provided a history on an amendment to the Voting Act in the 1980s which required counties to establish districts to be equal in population. Based on census numbers the ideal size for a district in Chowan County is 4,931 with a 5% +/- range of 4,684 to 5,178 people per district. He stated that in the 1980s it was required to have a district where the majority population is black voters to ensure representation on the Boards. The majority district is required to have 65% African Americans. He stated new laws no longer require approval of districts by the Department of Justice. Now only a resolution of the governing body is needed to redistrict. He stated that based on the 2010 census District 1 has 3,475, District 2 has 4,582 and District 3 has 2,457. He stated the Board of Education has the same districts as the Commissioners. He stated the Boards do not have to have the same districts but it would be most convenient if the districts were the same. He stated that currently Chowan County is illegal with its current districts for District 2 and District 3.

The Board discussed the proposed changes.

Chairman Nixon asked for any public comment.

Board of Education member, John Guard stated he remembered when Chowan redistricted in the 1980s. He stated he personally would like to work with the Commissioners on this.

Ed Goodwin, 1015 Macedonia Road stated his concern over the districts not being equal.

The Board discussed a timeline to get the redistricting in place before the 2014 filing period.

Jim Robison, 124 Bayview Trail Edenton, NC asked for clarification on Townships in the Census data.

Mr. Crowell stated townships were established around the 1800s.

Chairman Nixon stated that this matter will go on the next meeting agenda for Board discussion.

Golden Leaf

Chairman Nixon stated the application has been submitted. He thanked Frank Miglorie and Lynn Hurdle Winslow for their work on the application.

Timely and Important Matters

Audit

Ms. Stallings noted she was trying to coordinate a time to bring the auditor to present the audit.

Recreation Initiative

Recreation Director Jason Petersen provided information on current recreation facilities. He stated that PARTF has indicated that the maximum monies that Chowan could receive next year is \$300,000.

Chairman Nixon stated he would like for the Planning and Enterprise Committee to review the proposal and discuss needs at current recreation facilities.

Closed Session

Commissioner Smith moved to go into closed session in accordance with NCGS 143-318 11 a 5-6. Chairman Nixon asked for all in favor, the motion passed unanimously (6-0).

The minutes of the closed session are sealed.

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

Personnel Action

Commissioner Kehayes moved to amend the previous motion dated April 22, 2013 with regards to the terms of employment for Finance Officer Willie Mack Carawan to allow his leave accruals to include time worked in Hyde County and that the accruals be retroactive from the effective date of hire with Chowan County. Chairman Nixon asked for all in favor, the motion passed unanimously (7-0).

Being no further business, the meeting was adjourned.

D. Keith Nixon, Chairman

Susanne Stallings, Clerk