

**REGULAR SESSION OF THE PAMLICO COUNTY BOARD OF
COMMISSIONERS
MONDAY FEBRUARY 2, 2009**

The Pamlico County Board of Commissioners met in regular session on Monday February 2, 2009 at 7:00 p.m. in the Patsy H. Sadler Room of the Pamlico County Courthouse. All Commissioners were present with exception of Commissioner Carl Ollison. Also present were County Attorney Jim Hicks, County Manager Tim Buck, Finance Officer Jim Philyaw and Clerk to the Board Kathy P. Cayton.

Chairman Paul Delamar called the meeting to order.

Mr. Grady Simpson delivered the invocation.

Chairman Paul Delamar led the assemblage in the Pledge of Allegiance.

Chairman Paul Delamar called for corrections and/or deletions of the regular and closed session minutes of the January 5, 2009 meeting and the amended October 20, 2008 closed session minutes. Commissioner Ann Holton asked for a correction on the January 5, 2009 regular session minutes. Correction was noted and changed.

On a motion made by Commissioner Ann Holton and seconded by Commissioner Christine Mele, the following resolution was unanimously approved.

BE IT RESOLVED, the regular and closed session minutes of the January 5, 2009 meeting and the amended October 20, 2008 closed session minutes are hereby approved and the Chairman's signature is authorized thereon.

There were no additions and/or deletions to the agenda.

On a motion made by Commissioner Jimmy Spain and seconded by Commissioner Christine Mele, the Board moved two (2) items to the end of the Consent Agenda.

Commissioner Carl Ollison arrived.

Chairman Paul Delamar recognized Mr. Allen Henke who gave the Board a Caraway Coves update. Mr. Henke stated the paving has been completed. They are trying to get the seeding started, but are waiting for the weather to be agreeable. Mr. Henke asked for an extension of approximately six weeks.

On a motion made by Commissioner Roy Brinson and seconded Commissioner Jimmy Spain, the following resolution was unanimously approved.

BE IT RESOLVED, that Caraway Coves is hereby given an extension until March 1, 2009.

Mr. Roy Wilson, Chief Executive Officer and Ms. Joy Futrell, Finance Officer for East Carolina Behavioral Health (ECBH) came before the Board to give their annual update. Mr. Wilson said that in the past year since the merger things have not only just kept up but, are "Leading the Pack". It has been a "model" merger. The Board thanked Mr. Wilson and Ms. Futrell for their update and the work they do.

Chairman Paul Delamar then recognized Mr. Greg Adams with Thompson, Price, Scott, Adams & Co. who gave a presentation of the Audit Results.

Chairman Paul Delamar asked if there were any members of the public who would like to speak during Public Comment Period. There were none.

The Board then turned their attention to the Consent Agenda.

On a motion made by Commissioner Ann Holton and seconded by Commissioner Jimmy Spain, the following resolution was unanimously approved.

BE IT RESOLVED, the following Budget Revisions are hereby approved.

The original budget is being revised with this Budget Revision. A Budget Amendment will revise the total dollar amount, either increase or decrease, of the original Budget Ordinance. A Line Item Transfer will revise the dollar amounts allocated between different programs in a department with more than one budget code or different line items within a single department code but will not increase or decrease the budget ordinance.

(R)=REVENUE (E)=EXPENDITURES		FISCAL YEAR 2008-2009	
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT (-) DECREASED
100211-435515 (R)	General Fund-Rest. State Health-Bioterrorism	\$13,000	
105111-555000 (E)	-Bio Terrorism-Capital Outlay	13,000	

Reason for Budget Revision:

This budget amendment is requested by the Administrative Assistant II, Ginger McLawhorn, to recognize additional funds received from the State of North Carolina for Bio Terrorism. The funds were used to purchase equipment in August for the Emergency Management Department. These funds were not projected in the current FY2008-2009 budget.

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(R)=REVENUES (E)=EXPENDITURES		FISCAL YEAR 2008-2009	
ACCOUNT	ACCOUNT DESCRIPTION	AMOUNT (+)	AMOUNT (-)

NUMBER		INCREASED	DECREASED
100213-435831 (R)	General Fund-Rest.-State-Other-DJJDP Juvenile Serv. Restit.	\$494	
100000-439900 (R)	General Fund-Balance Sheet Acct.-Fund Balance App.	186	
105830-512101 (E)	General Fund-DJJP-Juvenile Serv. Restit.-NonExem. Salarie	390	
105830-518100 (E)	-FICA	31	
105830-531000 (E)	-Travel	33	
105830-539000 (E)	-Other Services	226	

Reason for Budget Revision:

This budget amendment represents the increased Department of Juvenile Justice and Delinquency Partnership Program funding appropriated by the State. The original budget amount was shown in the FY2008-2009 budget as the budgeted amount for the FY2007-2008 budget year. When the current budget was assembled, no current budget numbers were presented for this program. Therefore, the County used the prior year's budget numbers so the County Manager could have a budget to the Board by the State imposed deadline of May 31, 2008. The new numbers were received and approved by the Board as a contract renewal item at your June 16, 2008 meeting. A request to increase the current year budget was received from the Program Director during the week of 1/12/2009. The additional recognized revenues and expenditures requires a County match of \$186.

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(R)= REVENUES (E)=EXPENDITURES FISCAL YEAR 2008-2009

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT (+) INCREASED	AMOUNT (-) DECREASED
104350-519900 (E)	General Fund-Inspections-Contracted Services		\$600
104350-531000 (E)	-Travel	\$600	

Reason for Budget Revision:

This budget revision represents a request by the Inspections Director to transfer funds to provide additional funds in the travel line item for the Assistant Building Inspector to attend Electrical II school for training.

BE IT RESOLVED, the following Tax Releases and Reliefs are hereby approved.

Name	Year	Tax/Ticket	Reason	Amount
Dison, Kenneth	04-08	1378000	Listing Error	\$ 628.83
Nickla, Raymond	04-08	16399	Appraisal Error	\$ 373.07
Godfrey, William	2008	2504	Appraisal Error	\$ 105.35
Alitto, Samuel	2008	7647/9862	Corrected value on boat	\$ 36.45
Barnhill, Minnie	2008	278525/741	Boat Double listed	\$ 17.90
Wayland, Judy	2008	19867/10911	Boat Double listed	\$ 60.80
GWSJ,LLC	2008	22806/6121	Business closed	\$ 434.95
Miller, Lillian	2008	3804000/10347	MH junked	\$ 31.65

Name	Year	Tax/Ticket	Reason	Amount
Jordan, Larry	2008	19703/8121	Clerical Error	\$ 166.63
Maccready, Scott	2008	18981/10509	boat sold in 06	\$ 143.31
Southern Palace	2008	19213/10821	Business sold	\$ 59.34
Suntrust Leasing	2008	19442/10848	Equipment in Bertie Cty	\$ 785.84
River Crest Villas, LLC	2008	26017/12860	Appraisal Error	\$ 513.64
NC Stairway Solutions, LLC	2008	18965/10614	Business closed	\$ 8.48
Hicks, Thomas	2008	23014/6807	Listing Error	\$ 334.36
Bevis, Don	2008	19069/9942	Boat Sold	\$ 185.01
Morrison, Keith	2008	19808/10602	Boat Value Decreased	\$ 619.30
O'Conner, Richard	2008	19347/10636	Boat not in cty	\$ 121.49
Gurevich, Gerald	2008	19542/6076	Double listed	\$ 345.94
Willis, Franklin	2008	6154000	Not in Triangle Fire	\$ 2.22
Mills, Kenneth	2008	19806/10568	Double listed	\$ 710.25
Jacobs, Phillip	2008	19795/10391	Boat Double	\$ 237.07
Harrell, Barney Jr	2008	4769/10296	Boat Sold	\$ 9.66
Farlow, Wilbur	2008	5827/10181	Clerical Error	\$ 88.00
Watson, Jerry	2008	25821/10910	Boat Value appealed	\$ 20.66
Fann, Kent	2008	19436/4848	Boat not in Oriental	\$ 141.23
Weyerhaeuser Real Es	2008	21296/10921	Double listed	\$ 196.53
Spencer Farms, Inc.	2008	5310000/15265	Double listed	\$1207.79
Watson, Aaron	2008	9865/10908	Clerical Error	\$ 56.23
Knowles, Ross	2008	3107150/10445	Boat not in Oriental	\$ 30.52
Hodges, Richard	2008	27083/10334	Boat Dealer	\$ 432.45
Lichter, Paul	2008	21723/10479	Double List	\$ 20.01
Northcutt, Peter	2008	19844/10631	Boat not in Cty	\$ 149.09
Euker, Harold Jr.	2008	23804/10171	Boat not in Cty	\$ 41.80
McDevitt, Noel	2008	23039/10540	Son's Boat	\$ 9.42
Borgerink, Paul	2008	99752/9962	Boat reduced	\$ 199.57
Jones, Judy	2008	21086	Listing Error	\$ 30.52

BE IT RESOLVED, the request from Mr. Jim Philyaw, Finance Officer for approval of the amended Audit contract with Thompson, Price, Scott, Adams & Co. is hereby approved. The contract was extended until February 15, 2009.

BE IT RESOLVED, the request from Mr. David Spruill, Emergency Manager to appoint Mr. Chris Murray and Mr. Jeff Troeltzsch as his Volunteer Assistant Fire Marshall's is hereby approved.

BE IT RESOLVED, the request to approve the amended Recreation Advisory Committee by-laws from nine members to ten and also appoint Mr. Joe Andrews as their tenth member is hereby approved.

BE IT RESOLVED, the request from Recreation Director Garry Cooper, to apply for a Parks and Recreation Trust Fund (PARTF) grant for additional facilities at the Alliance Recreation Park is hereby approved.

BE IT FURTHER RESOLVED, the required match of \$143,000 is hereby approved. Funds are available. This action is retroactive to January 22, 2009.

BE IT RESOLVED, the Fiscal Year 2009-2010 Budget Calendar is hereby approved.

The Board then turned his attention to the Correspondence Agenda.

On a motion made by Commissioner Kenny Heath and seconded by Commissioner Roy Brinson, the following resolution was unanimously approved.

BE IT RESOLVED, the request for a two percent (2%) increase for Mr. Ray Bennett, Assistant Building Inspector for his Level III certification in plumbing is hereby approved.

BE IT FURTHER RESOLVED, the increase for Mr. Bennett is retroactive to December 15, 2008.

On a motion made by Commissioner Ann Holton and seconded by Commissioner Jimmy Spain, the following resolution was unanimously approved.

BE IT RESOLVED, the request from Ms. Kathy Tyndall, Tax Administrator to purchase a new plotter at the cost of \$2,800 is hereby approved.

On a motion made by Commissioner Kenny Heath and seconded by Commissioner Ann Holton, the following was approved by majority vote. Commissioner Christine Mele cast a dissenting vote.

BE IT RESOLVED, the October 20, 2008 closed session minutes are hereby unsealed.

**(UNSEALED)CLOSED SESSION OF THE PAMLICO COUNTY BOARD OF COMMISSIONERS
MONDAY OCTOBER 20, 2008**

The Pamlico County Board of Commissioners met in closed session on Monday October 20, 2008 in accordance with G.S. 143.318.11(a)6 to discuss a personnel issue with the Board of Health. All Commissioners were present. Health Board Members present were Steven Lane, Dr. Sue Lee, Bill Ellers, Dr. Jason Rose, Diane McDaniel and Amanda Mehring. Also present were, Mr. Dennis Harrington, State Public Health, Ms. Joy Reed, State Public Health, County Attorney Jim Hicks, County Manager Tim Buck and Clerk to the Board Kathy P. Cayton.

Acting Health Director / Health Board Member Ms. Diane McDaniel spoke on behalf of the Health Board saying they had decided that due to the Health Department being in such disarray they want an expert to come in and get the Health Department back on the right road.

Mr. Dennis Harrington said he had spoken with several people and had a candidate in mind, Mr. Russell Childers that has several years of experience and may be willing to come to Pamlico County to help out. Mr. Childers has worked as a contract Interim Health Director in other Health Departments with similar issues and had successfully resolved their problems. The Board discussed his qualifications, fitness etc., and the terms and conditions of his potential appointment.

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Ms. Joy Reed stated that if a qualified Health Director is not named in sixty (60) days the State Health Director will name one which would probably be one of the Health Directors in an adjoining county.

Mr. Dennis Harrington informed Board Members that he may be able to get funds of approximately \$20,000 from the State to help with funding for a contract Interim Health Director. Mr. Childers pay rate five years ago was \$65.00 an hour plus lodging.

On a motion made by Commissioner Jimmy Spain and seconded by Commissioner Kenny Heath, the following resolution was unanimously approved.

BE IT RESOLVED, the two (2) change orders for the Administration Building repairs are hereby approved. Total change orders are \$16,864 with a total project cost of \$26,754.

On a motion made by Commissioner Kenny Heath and seconded by Commissioner Ann Holton, the following resolution was unanimously approved.

BE IT RESOLVED, that Commissioner Jimmy Spain and Commissioner Roy Brinson are hereby appointed to the Pamlico Community College Presidential Search Committee.

On a motion made by Commissioner Roy Brinson and seconded by Commissioner Christine Mele, the following resolution was unanimously approved.

BE IT RESOLVED, that Mr. Warren Bruce is hereby appointed to the Coastal Carolina Regional Airport Authority as a nonvoting member.

Mr. Russell Childers, Interim Health Director came before the Board requesting to adjust all Public Health Nurse classifications two (2) pay grades. He said this adjustment would attract and retain qualified Public Health Nurses.

On a motion made by Commissioner Christine Mele and seconded by Commissioner Kenny Heath, the following resolution was passed by majority vote. Commissioner Carl Ollison cast a dissenting vote.

BE IT RESOLVED, the following Public Health Nurse Classifications are hereby approved.

	<u>Grade</u>	<u>Min</u>	<u>Mid</u>	<u>Max</u>
Public Health Nurse I	72	\$42,121	\$53,368	\$64,614
Public Health Nurse II	74	\$46,438	\$58,838	\$71,238
Public Health Nurse III	75	\$48,759	\$61,684	\$74,609

Mr. Childers also requested the Board establish a Family Nurse Practitioner to provide continuity of clinical services and provide personal health services. This in turn will allow public health nurses to concentrate on other services such as Maternal Health Coordination, Child Service Coordination and Newborn visits. The Family Nurse Practitioner will also allow the Health Department to expand billable services for Medicaid and insurance claims.

On a motion made by Commissioner Ann Holton and seconded by Commissioner Carl Ollison, the following resolution was unanimously approved.

BE IT RESOLVED, the request to establish a Family Nurse Practitioner position for the Health Department is hereby approved. Grade and salary range below:

	Grade	Salary Range
Family Nurse Practitioner	81	\$54,285 - \$100,239

BE IT FURTHER RESOLVED, the Health Department has authority to hire not to exceed \$75,000 for a starting salary.

On a motion made by Commissioner Ann Holton and seconded by Commissioner Christine Mele, the following resolution was unanimously approved.

BE IT RESOLVED, the change order for the Pamlico County Water Department Dechlorination Project in the amount of \$20,092.00 is hereby approved.

On a motion made by Commissioner Roy Brinson and seconded by Commissioner Carl Ollison, the following resolution was unanimously approved.

BE IT RESOLVED, the apparent low bidder for the Millpond Plant repairs James Cayton Utilities at a bid price of \$112,233 is hereby approved.

On a motion made by Commissioner Carl Ollison and seconded by Commissioner Jimmy Spain, the following resolution was passed by majority vote. Commissioner Christine Mele cast dissenting vote.

BE IT RESOLVED, that Lupton's Electronics is hereby approved to install the Security Camera System for the DSS Parking Area at the cost of \$3,088.77.

On a motion made by Commissioner Christine Mele and seconded by Commissioner Carl Ollison, the following resolution was passed by majority vote. Commissioner Paul Delamar cast a dissenting vote.

BE IT RESOLVED, the following State Transportation Improvement Plan (STIP 2011-2017) for Pamlico County is hereby approved with two (2) additions:

1. **SR 1005 (Neuse Road / Kershaw Road) – Widen, resurface and straighten alignment at strategic locations**
2. **NC 55 – Widen , resurface, and modernize key intersections from Bayboro to Oriental**
3. **NC 304 – Repaving and widening shoulders from Bayboro to Hobucken**
4. **NC 306 - Repaving and widening shoulders throughout county**
5. **NC 307 – Widen and Resurface**
6. **Feasibility Study – New bridge connecting 306 across Neuse River**
7. **Florence Road – Widen and Resurface**
8. **Lowland Road - Widen and Resurface**

On a motion made by Commissioner Carl Ollison and seconded by Commissioner Roy Brinson, the following resolution was unanimously approved.

BE IT RESOLVED, the request to change the work period for Law Enforcement Officers to fourteen days so that they are paid overtime/ compensatory time for any hours worked over 85.5 (171÷2) within a 14 day (28÷2) work period is hereby approved.

On a motion made by Commissioner Kenny Heath and seconded by Commissioner Christine Mele, the following resolution was unanimously approved.

BE IT RESOLVED, the request to release the bond for Dawson Creek, Phase 1 and Section 2 is hereby approved.

On a motion made by Commissioner Kenny Heath and seconded by Commissioner Roy Brinson, the following resolution was unanimously approved.

BE IT RESOLVED, the Pamlico County Board of Commissioners hereby request that the Department of Transportation fund and repair the Bluff's Subdivision Road.

County Attorney Jim Hicks informed Board Members that he was asked by the State's Assistant Attorney General if the County would pay one half of the \$30,000 settlement regarding the lawsuit of Thomas Hughes v. NCDENR. The

events surrounding the lawsuit happened in the 1990's and none of the employees involved in the lawsuit currently work for Pamlico County.

On a motion made by Commissioner Ann Holton and seconded by Commissioner Jimmy Spain, the following resolution was unanimously approved.

BE IT RESOLVED, that Pamlico County will not participate in the settlement of the Thomas Hughes v. NCDENR lawsuit.

There being no further business on a motion made by Commissioner Christine Mele and seconded by Commissioner Kenny Heath, the Board adjourned until Monday February 16, 2009 at 7:00 p.m.

Chairman

Clerk to the Board