

**REGULAR SESSION OF THE PAMLICO COUNTY BOARD OF
COMMISSIONERS
MONDAY OCTOBER 5, 2009**

The Pamlico County Board met in regular session on Monday October 5, 2009 at 7:00 p.m. in the Patsy H. Sadler Room of the Pamlico County Courthouse. All Commissioners were present. Also present were Attorney Arey Grady, County Manager Tim Buck and Clerk to the Board Kathy P. Cayton.

Chairman Paul Delamar called the meeting to order, delivered the invocation and led the assemblage in the Pledge of Allegiance.

Chairman Paul Delamar called for corrections, additions and/or deletions to the September 21, 2009 meeting minutes. There being none on a motion made by Commissioner Roy Brinson and seconded by Commissioner Jimmy Spain, the following resolution was unanimously approved.

BE IT RESOLVED, the minutes of the September 21, 2009 meeting are hereby approved and the Chairman's signature is authorized thereon.

Chairman Paul Delamar asked if there were any additions and/or deletions to the agenda.

On a motion made by Commissioner Ann Holton and seconded by Commissioner Kenny Heath, the Board unanimously agreed to add the following items were to the agenda.

1. Employee Appreciation Dinner.
2. Discuss not holding the December 21st Meeting due to Holidays.

Chairman Paul Delamar recognized Mr. John Chaffee, President / CEO of the North Carolina Eastern Region (NCER) who came before the Board to give an overview of what the NCER does. North Carolina's Eastern Region Development Commission is the economic development agency for a 13 county region. The Commission offers confidential site location assistance and information to companies considering the Eastern Region for a business location or expansion. The region encompasses nearly 7,000 square miles, with a population of approximately 1,000,000 and a workforce of approximately 470,000. Mr. Chaffee announced that Mr. Mark Sutherland as of October 19, 2009 will be the Vice-President and Executive Director of the Military Growth Task Force. The Military Growth Task Force is currently involved with the planned increase of 11,477 Marines and 13,499 dependents by the end of 2011. The NCER's Military Growth Task Force has been awarded a workforce development grant totaling \$900,000

from the American Recovery and Reinvestment Act funds received by the state of North Carolina. The grant is part of Governor Perdue's JobsNOW initiative, and will be administered by the Eastern Carolina Workforce Development Board, Inc.

Chairman Paul Delamar asked that the Board discuss formalizing the County's role with the Military Growth Task Force and reconsider supporting it. He said he would like a yearly checkup on what we would get in return from our contribution and also would like to have a couple of representatives on the board. Mr. Chaffee said those were both reasonable expectations. Chairman Delamar asked that the request be placed on the October 19th agenda.

Chairman Paul Delamar then recognized Ms. Jayne Robb, Economic Developer who came to discuss the Talent Enhancement Grant, the grant the County was allotted to be used for economic development planning. Ms. Robb said the grant offers the Local government a project phase she submitted Pamlico County's project as an "Economic Development Strategic Plan". This plan will be developed through Eastern Carolina University and the Regional Development Office of Economic Development and Pamlico County. She went further to define this project as follows:

- Prepare an Economic Development Strategic Plan
- Incorporate a survey of other counties and their economic development policies and procedures and best practices;
- Collaborate with the NC-Step program
 1. To provide a unified approach to development efforts
 2. Leverage existing grant funds with those proposed by the NC STEP program and the NC Rural Center.

Ms. Robb then presented the proposed schedule and implementation of the County's 2010 Complete Census Count Committee. She said invitations have been sent to the municipalities, area agencies, local committees, schools and local government agencies. The first meeting will be held on October 27, 2009 from 1:00 to 4:00 at the Ned Delamar Center at Pamlico County Community College.

Mr. Robb Will of the Eastern Carolina Council of Government came before the Board requesting the County sign an amended Memorandum of Understanding with the Down East Rural Transportation Planning Organization.

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

BE IT RESOLVED, the following Memorandum of Understanding with the Down East Rural Transportation Planning Organization is hereby approved.

**Amended
Memorandum of Understanding
For
Cooperative, Comprehensive and Continuing
Transportation Planning
and the Establishment of a
Rural Transportation Planning Organization
For**

Carteret, Craven, Jones, Onslow, and Pamlico Counties and the participating municipalities contained therein, and the North Carolina Department of Transportation.

Witnesseth

Whereas, on December 2, 2002, the Parties entered into a Memorandum of Understanding which created the Down East Rural Transportation Planning Organization (hereinafter, "RPO"); and,

Whereas, the RPO provides rural areas the opportunity to work in partnership with the NCDOT toward development of sound, short and long-range transportation planning for rural areas; and,

Whereas, the Parties have agreed to amend the original Memorandum of Understanding.

Now, therefore, the following Amended Memorandum of Understanding is made on this the 5th day of October, 2009.

Section 1. It is hereby agreed, that the Counties of Carteret, Craven, Jones, Onslow, and Pamlico, the participating municipalities therein that are not members of an Metropolitan Planning Organization (MPO), and the North Carolina Department of Transportation intend to establish and participate in a Rural Transportation Planning Organization created for the general purposes and responsibilities outlined below:

1. To develop long-range local and regional multi-modal transportation plans in cooperation with the Jacksonville Urban Area Metropolitan Planning Organization (JUMPO) and the North Carolina Department of Transportation.
2. To provide a forum for public participation in the rural transportation planning process.

3. To develop and prioritize suggestions for transportation projects that the Rural Transportation Planning Organization believes should be included in the State Transportation Improvement Program.
4. To provide transportation-related information to local governments and other interested organizations and persons.
5. To conduct transportation related studies and surveys for local governments and other interested entities/organizations.
6. To undertake mutually agreed upon transportation related tasks to enhance transportation system development, coordination and efficiency.

Section 2. It is hereby further agreed that transportation plans and programs and land use policies and programs for the Rural Transportation Planning Organization will be coordinated by the Eastern Carolina Council of Governments, an agency selected on behalf of participating local governments and the North Carolina Department of Transportation, to be the administrative entity and to serve as the lead planning agency for coordinating transportation planning in the Down East RPO planning area. The Down East RPO hereby authorizes the Eastern Carolina Council of Governments to be the sole recipient of any funds appropriated to the RPO by the North Carolina Department of Transportation pursuant to North Carolina General Statute 136-213(c). If funds provided by the North Carolina Department of Transportation for the Rural Planning Organization are withdrawn at any time, parties to this Memorandum of Understanding shall not be obligated to provide for those missing funds.

Section 3. Establishment of a Rural Transportation Advisory Committee (RTAC). A Rural Transportation Advisory Committee (RTAC) is hereby established with the responsibility for serving as a forum for cooperative transportation planning decision making for the Rural Transportation Planning Organization (RPO). The Rural Transportation Advisory Committee (RTAC) shall have the responsibility of keeping the policy boards informed of the status and requirements of the transportation planning process; assisting in the dissemination and clarification of the decisions, inclinations, and policies of the policy boards; and helping ensure meaningful public participation in the rural transportation planning process.

1. The Rural Transportation Advisory Committee will be responsible for carrying out the following:
 - A. Establish goals, priorities, and objectives for the transportation planning process.

- B. Review and recommend changes to adopted Transportation Plans for the Rural Transportation Planning Organization.
 - C. Review and recommend a work program for transportation planning which defines work tasks and responsibilities for the various agencies participating in the Rural Transportation Planning Organization (RPO).
 - D. Review and recommend transportation improvement projects, which support and enhance intra-county transportation within the five-county Rural Transportation Planning Organization (RPO).
2. The membership of the Rural Transportation Advisory Committee shall consist of the following:
- A. One County Commissioner representing the County of Carteret. One municipal elected official to represent the interest of all the participating municipal governments in Carteret County.
 - B. One County Commissioner representing the County of Craven. One municipal elected official to represent the interest of all the participating municipal governments in Craven County.
 - C. One County Commissioner representing the County of Jones. One municipal elected official to represent the interest of all the participating municipal governments in Jones County.
 - D. One County Commissioner representing the County of Onslow. One municipal elected official to represent the interest of all the participating municipal governments in Onslow County, except the City of Jacksonville, which is represented by the Jacksonville Urban Area Metropolitan Planning Organization.
 - E. One County Commissioner representing the County of Pamlico. One municipal elected official to represent the interest of all the participating municipal governments in Pamlico County.
 - F. A representative from the Jacksonville Urban Area Metropolitan Planning Organization's Transportation Advisory Committee, as ex officio.
 - G. One member of the North Carolina Board of Transportation to represent the Department of Transportation.
3. The Board of County Commissioners of each County shall select the County Commissioner representing that County on the RTAC every

two years in a regular session meeting. The Board of County Commissioners representing each County shall select in a regular session meeting a participating municipal elected official from within that county to serve as the RTAC Municipal Representative. The term of office for all seats on the RTAC is two years. Re-appointment is possible. One alternate may be designated for each member providing they meet the same criteria as the original appointee.

4. An RPO RTAC membership roster will be compiled, and updated at least annually, listing each attendee and alternate, if applicable, for each member county or municipality. The membership of a county or municipality member who fails to send the appointee or alternate to two consecutive RPO meetings will be designated as a vacant seat and will not count towards quorum. Attendance at future meetings will reinstate the member. To facilitate staggered terms and thereby promoting continuity, the initial County Commissioner appointments shall be for two (2) years and the initial Municipal appointments from the Counties shall be for one (1) year. All subsequent appointments shall be for two (2) years.
5. A quorum is required for the transaction of all business, including conducting meetings or hearings, participating in deliberations, or voting upon or otherwise transacting the public business. A quorum consists of 51% of the members of the RTAC, plus as many additional members as may be required to ensure that 51% of possible votes are present. The Rural Transportation Advisory Committee (RTAC) will meet as often as it is deemed necessary, appropriate and advisable. On the basis of majority vote of its membership, the Rural Transportation Advisory Committee may appoint a member of the committee to act as chairperson with the responsibility for coordination of the committee's activities.
6. The Executive Director of the Eastern Carolina Council of Governments will provide staff to the RTAC.

Section 4. Establishment of the Rural Technical Coordinating Committee (RTCC). A Rural Technical Coordinating Committee shall be established with the responsibility of general review, guidance, and coordination of the transportation planning process for the Rural Transportation Planning Organization (RPO) and the responsibility for making recommendations to the respective local, state, and federal governmental agencies and the Rural Transportation Advisory Committee (RTAC) regarding any necessary actions relating to the continuing transportation planning process.

1. The RTCC shall be responsible for development, review, and recommendation for approval of the rural transportation planning work

program for the RPO, the Transportation Improvement Program, and revisions to the Transportation Improvement Program.

2. Membership of the Rural Transportation Coordinating Committee (RTCC) shall include technical representatives from all local and state government agencies directly related to and concerned with the transportation planning process for the RPO planning area. Initially, the membership shall include, but may not be limited to, the following:
 - A. The County Manager (or his/her designee) from each of the five counties of the RPO planning area.
 - B. The Chief Administrative Official (or his/her designee) from each participating municipality in the Down East RPO planning area (excluding representatives from Jacksonville which is represented by the Jacksonville Urban Area Metropolitan Planning Organization, for these seats).
 - C. The Board of County Commissioners representing each County shall select in a regular session meeting either a local or area Transportation Committee member or a Planner from within that county to serve as a RTCC Representative (Specifically excluding representatives from the Jacksonville Urban Area MPO for this seat).
 - D. A representative of the Beaufort-Morehead Airport Authority, a representative from the Coastal Carolina Regional Airport Authority and the Director from the Albert J. Ellis Airport (or his/her designee).
 - E. A representative from the office of Planning and Development from the North Carolina Ports Authority.
 - F. A representative from the Community Plans and Liaison Office at Marine Corps Air Station Cherry Point to represent the military base at Havelock and a representative from the Installations and Environment Department at Marine Corps Base Camp Lejeune to represent the military bases in the Jacksonville area.
 - G. All Division Engineer(s) for the RPO planning area, serving the Division of Highways, North Carolina Department of Transportation, or his/her designated representative.
 - H. The Manager, Transportation Planning Branch, , North Carolina Department of Transportation, or his/her designated representative.

- I. All Area Traffic Engineer(s) for the RPO planning area, Division of Highways, Traffic Engineering Branch, North Carolina Department of Transportation.
 - J. The Director of Craven Area Rural Transit Service, (or his/her designee) covering Craven, Jones & Pamlico Counties; the Transportation Coordinator of Carteret County Area Transportation System (or his/her designee); and the Director of Onslow United Transit System, Inc. (or his/her designee).
 - K. The Transportation Planner for the Jacksonville Urban Area Metropolitan Planning Organization, as ex officio.
3. One alternate may be designated for each member providing they meet the same criteria as the original appointee. Membership may be further defined in the duly adopted bylaws. An RPO RTCC membership roster will be compiled, and updated at least annually, listing each attendee and alternate, if applicable, for each member county or municipality. The membership of a county or municipality member who fails to send the appointee or alternate to two consecutive RPO meetings will be designated as a vacant seat and will not count towards quorum. Attendance at future meetings will reinstate the member.
 4. A quorum is required for the transaction of all business, including conducting meetings or hearings, participating in deliberations, or voting upon or otherwise transacting the public business. A quorum consists of 51% of the members of the RTCC, plus as many additional members as required to ensure that 51% of possible votes are present. The Rural Technical Coordinating Committee shall meet when it is deemed necessary, appropriate and advisable. The Rural Technical Coordinating Committee will be staffed by an Eastern Carolina Council of Governments Executive Director or his/her designated staff representative. On the basis of majority vote of its membership, the Rural Transportation Coordinating Committee may appoint a member of the committee to act as chairperson with the responsibility for coordination of the committee's activities. Membership of the Rural Technical Coordinating Committee may be altered on the basis of a majority vote of its membership and approval of the Rural Transportation Advisory Committee of the RPO.

Section 5. It is further agreed that all participating agencies will assist in the Rural Transportation planning process by providing planning assistance (where possible), data, and inventories in accordance with the approved work program. In addition, the lead planning agency will coordinate with each participating local government agency and the adjoining Rural Planning Organizations.

Section 6. Each county and its RPO member jurisdictions shall have the support of the RPO staff in developing local transportation projects and priorities. Each member agrees to coordinate its transportation plans with those of other RPO members. Additionally, by consensus, the RPO may identify projects of a regional nature for development and presentation to NCDOT for consideration.

Section 7. Parties to this Memorandum of Understanding may terminate their participation in the continuing transportation planning process by giving 90 days written notice to the other parties to the date of termination.

Section 8. Municipalities desiring to join the RPO following the signing of this Memorandum of Understanding must do so no later than 90 days after the date given below in Section 10, by submitting a fully-executed Municipal Statement of Adoption. Any municipality desiring to join the RPO after the initial 90-day period must notify the lead planning agency and the other members of the RPO in writing of its intent to join, and provide each with a copy of a fully-executed Municipal Statement of Adoption.

Section 9. This Amended Memorandum of Understanding supersedes and replaces any prior memorandum(s) of understanding between the Parties regarding the RPO.

Section 10. In witness whereof, the parties of the Memorandum of Understanding have been authorized by appropriate and proper resolutions, and /or legislative authority to sign this Memorandum of Understanding, which becomes effective as of the last day signed. The following pages comprise the signature pages from each party to this memorandum.

Adopted on this the 5th day of October 2009.

There were no members of the public to speak during Public Comment Period.

Recreation Director Garry Cooper came before the Board requesting permission to lease property from Mr. Julian Broughton for Recreation Facility Parking for overflow parking. He asked to lease approximately two (2) acres for \$1,000 per year. The area must remain in its natural state, rock parking will not be allowed. A partition fence to secure the north area from surrounding property is required, along with erecting three (3) gates for traffic during inclement weather. The cost being under \$2,500.

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

BE IT RESOLVED, the request from Mr. Garry Cooper Recreation Director, to lease approximately two (2) acres of land from Mr. Julian Broughton for \$1,000 a year for overflow parking at the Alliance Park is hereby approved. The property will remain in its natural state.

On a motion made by Commissioner Ann Holton and seconded Commissioner Jimmy Spain, the Board according to policy **tabled** the request for approval the appointments to the Agricultural Advisory Board

County Manager Tim Buck told Board Members that the Town of Vandemere is requesting the County mow the Hazard Mitigation Property at 439 Jones Road. Due to budget and staff constraints, Board Members had previously voted to stop mowing all buy out properties. Notices were mailed out to each adjoining landowner giving them the alternative to lease the property for \$1 a year and they could maintain the property if they wish. County Manager Buck requested that ownership of the property be transferred to the Town of Vandemere and allow them to maintain the property if they desire to. Ms. Jayne Robb researched the issue and determined that the transfer is allowed by FEMA. The property has deed restrictions associated with the FEMA buyout and is of no apparent use to the County.

A motion was made by Commissioner Jimmy Spain to have the County mow the Hazard Mitigation property located at 439 Jones Road. This motion died for lack of a second.

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

BE IT RESOLVED, that the request to offer to transfer ownership of the Hazard Mitigation Property located at 439 Jones Road to the Town of Vandemere is hereby approved.

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

RESOLUTION REGARDING THE RECONSTRUCTION OF BRIDGE #18 OVER TRENT CREEK ON STATE ROAD 1316 IN MERRITT

WHEREAS, the Pamlico County Board of Commissioners has requested that the North Carolina Department of Transportation reconsider its plan to permanently close Bridge #18 over Trent Creek on SR 1316 in Merritt and;

WHEREAS, that Bridge # 18 over Trent Creek connects a community of seventeen (17) families most of whom are senior citizens and;

WHEREAS, the bridge provides the most direct route for emergency vehicles and;

WHEREAS, that this bridge offers direct access for local residents to attend the area church that most have attended for many years and;

WHEREAS, that the section of road that local residents are now being forced to use has flooding tendencies and with no alternative route available causing undue stress to the residents many being senior citizens and;

WHEREAS, it is Pamlico County's understanding that the North Carolina Department of Transportation has considered an alternative bridge design and;

WHEREAS, the cost for the alternative bridge design is estimated to be \$350,000 and local county funding is not available and;

WHEREAS, Pamlico County supports the reconstruction and reopening of Bridge # 18 and;

WHEREAS, Pamlico County requests state funding, to facilitate the reconstruction of the bridge and;

WHEREAS, the Pamlico County Board of Commissioners will cooperate with the local Legislative Delegates and other State Officials to facilitate the reconstruction of this bridge and;

NOW THEREFORE BE IT RESOLVED, that the Pamlico County Board of Commissioners are hereby requesting the North Carolina Department of Transportation reconstruct Bridge #18 Over Trent Creek on SR 1316 in Merritt for the safety of the Pamlico County citizens that are affected by the closing of this bridge.

Adopted on this the 5th of October, 2009.

County Manager Tim Buck informed Board Members that the Town of Grantsboro is currently working on a CDBG project for installation of sewer services along certain sections of NC306 North. During the installation, it was discovered that three of the homes identified in the grant obtained water from individual wells. Due to the proximately of the septic tanks to the well, the sewer

provider (BRMSD) indicated that they could not complete the installation because of required setbacks and that the three individuals need to hookup to County water before sewer service could be established. Two of the individuals have contacted the office requesting a payment plan for the initial water connection fees (approximately \$2,200 for each tap). David Harris of RSM Harris Associates, the grant administrator, was contacted to see if the CDBG grant would cover these costs and he indicated that all grant funds were allocated for the sewer installation. Jayne Robb was also consulted for the availability of other CDBG funds and she indicated that none were identified. Payment plans have previously been denied for initial fees as this may set precedence.

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

BE IT RESOLVED, that the agencies that requested the CDBG grant work to be done, establish payment of impact fees with the individuals who need installation.

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

BE IT RESOLVED, that a meeting will be held on Tuesday October 13, 2009 at 1:00 p.m. for the Board of Commissioners to hear presentations by the of the selected top three (3) Engineering Firms:

1. **Rivers & Associates, Inc.**
2. **The Wooten Company**
3. **McKim and Creed**

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

BE IT RESOLVED, that an Employee Appreciation Dinner will be held on Friday December 18, 2009 from 11:00 a.m. until 2:30 p.m.

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

BE IT RESOLVED, that due to the Christmas Holidays, the last meeting of the year Monday December 21, 2009 is hereby cancelled unless business dictates otherwise.

There being no further business the Board recessed until Tuesday October 13, 2009 at 1:00 P.M.

Chairman

Clerk to the Board

