

MINUTES FROM A PUBLIC HEARING REGARDING EXTENSION OF BOND ORDER AUTHORIZING \$12,000,000 WATER BONDS OF THE WATER & SEWER DISTRICT III HELD BY THE BOARD OF COUNTY COMMISSIONERS FOR THE COUNTY OF WARREN IN THE COUNTY COURTHOUSE ON JANUARY 5, 2009 AT 9:30 AM.

The Board of Commissioners (the "Board") for Warren County Water and Sewer District III (the "District"), in Warren County, North Carolina, held a public hearing at 9:30 a.m. on January 5, 2009, in Court Room 202 of the Warren County Courthouse in Warrenton, North Carolina concerning extension of the maximum time period for issuing bonds under a bond order authorizing \$12,000,000 Water Bonds of the District.

Present: Chairman Barry Richardson, presiding, and Commissioners: Ernest Fleming, Jennifer Jordan and Ulysses Ross.

Absent: Commissioner William Davis

Also Present: County Manager Linda T. Worth and Finance Director Barry Mayo.

The Chairman announced that this was the date and hour fixed by the Board for the public hearing on extension of the maximum time period for issuing bonds under the order entitled: "ORDER AUTHORIZING \$12,000,000 WATER BONDS" (the "Bond Order"). Notice of public hearing was published in The Warren Record on December 24, 2008.

The Board first ratified and approved the designation of the meeting as a public hearing on the proposed extension of the maximum time period for issuing bonds under the Bond Order, the call of the public hearing and publication of the notice of public hearing.

The Chairman then announced that the Board would immediately hear anyone who might wish to be heard on the question of the validity of extending the maximum time period for issuing bonds under the Bond Order or the advisability of extending the maximum time period for issuing bonds under the Bond Order.

No one appeared, either in person or by attorney, to be heard on the question of the validity of extending the maximum time period for issuing bonds under the Bond Order or the advisability of extending the maximum time period for issuing bonds under the Bond Order and the Clerk to the Board announced that no written statement relating to said question had been received.

At 9:37 a.m., the Chairman announced that the hearing was closed.

/s/ Angelena Kearney-Dunlap
 Angelena Kearney-Dunlap
 Clerk to the Board of Commissioners for
 Water and Sewer District III
 Warren County, North Carolina

MINUTES FROM A PUBLIC HEARING REGARDING PROPOSED SKATE PARK ORDINANCE HELD BY THE BOARD OF COUNTY COMMISSIONERS FOR THE COUNTY OF WARREN IN THE COUNTY COURTHOUSE ON JANUARY 5, 2009 AT 9:45 AM.

The Public Hearing was called to order by Chairman Barry Richardson. Other Commissioners present: William Davis, Ernest Fleming, Jennifer Jordan and Ulysses Ross. Others in attendance: Linda T. Worth, County Manager, Michael A. Williams, County Attorney and Barry Mayo, Finance Director.

Notice of public hearing was read by the Clerk to the Board.

County Manager Linda Worth explained that adoption of the Ordinance would also authorize construction of the Skate Board Park.

There were no Citizen Comments.

On motion of Commissioner Fleming, which was seconded by Commissioner Davis and duly carried by unanimous vote, the Public Hearing was adjourned at 9:50 a.m.

/s/ Angelena Kearney-Dunlap
Angelena Kearney-Dunlap, Clerk

MINUTES FROM THE REGULAR MONTHLY MEETING HELD BY THE BOARD OF COUNTY COMMISSIONERS FOR THE COUNTY OF WARREN IN THE COUNTY COURTHOUSE ON JANUARY 5, 2009 AT 10:00 AM.

The meeting of the Board of County Commissioners was called to order by Chairman Barry Richardson at 10:00 am. Other Commissioners present: William Davis, Ernest Fleming, Jennifer Jordan, and Ulysses Ross. Others in attendance: Linda T. Worth, County Manager, Michael A. Williams, County Attorney and Barry Mayo, Finance Director.

Debbie Scott, Director, Youth Services Bureau and Coordinator for 2008 Warren County United Way Fundraising Event presented special recognition to County Departments for raising \$4,727.00:

County Departments Contributing the Most:

Health Department, County Manager’s Office, Animal Control, Youth Services Bureau

Departments with 100% Participation:

Animal Control, Building & Grounds Housekeeping Department, E-911 Communications, Economic Development, Emergency Services, Information Technology, Soil & Water Conservation, Veterans Service, Youth Services Bureau

A moment of silence was observed, followed by Citizen Comments:

Thomas Harris complained that Board of Commissioner’s meeting time did not allow for citizen attendance, he urged the Board to move meetings back to 7:00 pm.

On motion of Commissioner Ross, which was seconded by Commissioner Davis and duly carried by unanimous vote, January 5, 2009 Suggested Agenda was amended to add Item 15E - Appoint Pete Deschenes to the Citizens Advisory Council representing Commissioner Ross in District II.

On motion of Commissioner Ross which was seconded by Commissioner Fleming and duly carried by unanimous vote, January 5, 2009 Suggested Agenda was adopted as amended.

On motion of Commissioner Fleming, which was seconded by Commissioner Ross and duly carried by unanimous vote, Item 5A minutes of December 2008 meetings were approved as follows:

- December 1, 2008 - Annual Organizational Meeting
- December 1, 2008 - Regular Board Meeting
- December 10, 2008 - Public Hearing – 2008 CDBG Infrastructure Hook-Up
- December 15, 2008 - Special Meeting – 2008 CDBG Infrastructure Hook-Up

On motion of Commissioner Fleming, which was seconded by Commissioner Ross and duly carried by unanimous vote, Consent Agenda Item # 5B Interest Income Report for November 2008 was adopted:

**INTEREST INCOME REPORT
Month Of November 2008**

FUND	NOVEMBER INCOME	FISCAL YEAR TO - DATE
General	11,569.95	58,748.02
Revaluation	94.34	1,287.51
E 911 Telephone System	1,241.76	6,140.29
Buck Spring Project	590.88	3,128.87
Recreation Complex	53.47	283.13
Animal Control	368.79	1,955.00
Recreation Complex Phase II	73.15	372.70

Library Building Project Fund	185.52	5,565.87
Regional Water Enterprise Fund	856.30	4,441.22
District 1 Enterprise Fund	1,118.04	5,659.32
Solid Waste	356.96	2,303.52
District II Enterprise Fund	1,036.83	5,197.62
District III Capital Project Fund	504.27	2,670.24
District III Phase II	0.73	289.11
District III Enterprise Fund	225.11	810.50
Soul City Pump Station Improvements	0.34	1.79
District II Phase II	2.42	12.79
	18,278.86	98,867.50

On motion of Commissioner Fleming, which was seconded by Commissioner Ross and duly carried by unanimous vote, Consent Agenda Item 5C Tax Collector's Report for November 2008 was adopted:

Tax Collector's Report
to the Warren County Board of Commissioners
For the Month NOVEMBER 2008

Current Year Collections

Tax Year	Charge	Collected in NOV	Collected to Date	Balance Outstanding	Percentage Collected
2008 FY 09	\$13,126,379	\$2,097,380	\$5,023,151	\$8,103,228	38.27%
NOV 2007 FY08	\$ 11,404,589	1,203,759	2,919,712	8,484,878	25.60%
Delinquent Collections					
2007	\$699,177	\$32,927	\$233,319	\$ 465,858	33.37%
2006	344,036	14,829	74,624	269,412	21.69%
2005	228,847	7,432	39,723	189,125	17.36%
2004	161,387	3,437	23,217	138,170	14.39%
2003	117,444	2,579	9,881	107,563	8.41%
2002	190,263	1,735	6,658	183,604	3.50%
2001	180,307	972	3,815	176,492	2.12%
2000	102,219	592	1,706	100,513	1.67%
1999	44,637	117	1,063	43,574	2.38%
1998	40,616	166	1,117	39,499	2.75%
Total Delinquent Years	\$ 2,108,933	\$64,786	\$ 395,123	\$ 1,713,810	

Other NOV Receipts

Other NOV Receipts

County Penalties	\$15,369	\$ 71,524
Landfill User Fees	\$240,909	\$ 454,185
Municipalities	\$ 72,731	\$ 183,586
Fire District Taxes	\$ 93,747	\$ 246,406
Advance Taxes	\$ 131	\$ 424

NOVEMBER GRAND TOTAL

\$ 2,585,053	\$ 6,374,399
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R. Edwin Mitchum 12/18/2008
R. Edwin Mitchum, Tax Collector Date 12/17/2008

On motion of Commissioner Fleming, which was seconded by Commissioner Ross and duly carried by unanimous vote, Consent Agenda Item 5D Tax Release requests over \$100 were adopted:

1/5/2009

Over \$100

Date: _____

ERROR CORRECTION RELEASES:

Hanks Alex Heirs	2008 28341 300	B5 57	5076 \$	436.93	Listing error
Harris Samuel & Janet H	2008 18233 320	E6B 587	11171 \$	105.00	Hs Under Const
Henderson Mary A	2008 36640 301	D5 112	2277 \$	105.00	Clerical
Hill Thomas Anthony	2008 27069 300	B9 55	8550 \$	105.00	vacant
Jones Early	2008 6735 300	F8 52C	2590 \$	687.07	Clerical
Lynch Clyde W	2008 25914 300	K4A 5	13559 \$	105.00	mh not hooked u
McCabe Joel & Debra	2007 30919 300	I3D 369	16287 \$	105.00	Hse Unfinished
Newell Augustus Heirs	2008 28803 301	G9 13 1X	8177 \$	513.08	Dbl List
Newell Augustus Heirs	2007 28803 107	G9 13 1X	56414 \$	530.72	Dbl List
Newell Augustus Heirs	2006 28803 106	G9 13 1X	48415 \$	548.89	Dbl List
Newell Augustus Heirs	2005 28803 105	G9 13 1X	43768 \$	590.29	Dbl List
	TOTAL		\$	3,831.98	

MOTOR VEHICLE RELEASES:

Rogerson Jason Matthew	2008	18746	2289	VWW9448	71221	\$	103.10	Gave Away
Solari William Joseph	2008	38110	2399	TXP2292	67826	\$	108.85	Gave Away
TOTAL						\$	211.95	

LANDFILL USER FEE RELEASES:

Bowes Deborah W	2007	3931	301	D4 6	13019	\$	105.00	LPC
Bowes Deborah W & Willi	2007	3931	301	D4 7	13119	\$	105.00	LPC
Collier Larry	2008	9039	338	H1B 88	5718	\$	105.00	NES
Davis Calvin	2007	10607	300	D7A 15	3539		\$105.00	LPC
Frisbee Joyce	2007	5975	300	C5A 10	15407		\$105.00	NES
GREER Brothers	2008	16427	327	G7 37 1X	5702		\$105.00	LPC
JOHNSON JAMES WILLII	2007	7835	300	E2 4	5693	\$	105.00	NES
JORDAN JAMES	2008	23130	300	H6 47	7115		105	LPC
RICHARDSON WILLIE L	2008	33510	302	I9 2A	19029		105	NES
ROBERTS DARRELL & E	2008	9969	300	L2C223	8054		105	LPC
ROBINSON HELEN	2007	24373	300	C5 166 1X	26989	\$	105.00	LPC
Walker Allen R & Deborah	2007	3931	303	D4 9	13021	\$	105.00	NES
WILLIAMS H M III & HOLL	2007	44130	303	G11 22	12088	\$	105.00	NES
Williams Jacqueline	2007	14678	200		27097	\$	105.00	PC
WILSON CHARLES R	2008	15502	200		31119	\$	105.00	NES

SUB-TOTAL LFUF RELEASES **\$1,575.00**

SUB-TOTAL ERROR CORRECTIONS: **\$ 3,831.98**

SUB-TOTAL MOTOR VEHICLE RELEASES: **\$ 105.00**

TOTAL RELEASES: **\$ 5,511.98**

Abbreviation Key:

- LFUF = Landfill User Fee
- NES=No Electrical Service
- LPC=Licensed Private Contractor

Tax Release Requests (Under \$100) as approved by County Manager Linda T. Worth, were provided for Board's information:

Under \$100

1/5/2009

Date: *LJW*
1/4/09

ERROR CORRECTION RELEASES:

<u>NAME</u>	<u>Year</u>	<u>ACCT#</u>	<u>MAP #</u>	<u>RECORD #</u>	<u>AMOUNT</u>	<u>REASON</u>
Alston Peter Jr & Louie M	2008	46305 300	H11 9 B	15948	\$ 83.81	Dbl List
Brightleaf Landing Corp	2008	5772 373	K2D 233	17839	\$ 24.00	Dbl List
Brightleaf Landing Corp	2008	5772 372	K2D 232	17838	\$ 24.00	Dbl List
Carter Harry & Linda	2008	7220 300	C8 67A	2364	\$ 45.12	Dbl List
Hargrove Doris	2008	17419 200	C6 48N LH	26900	\$ 2.95	Dbl List
Garrett Anthony B	2008	15601 306	C11 18	12419	\$ 5.51	Ac Correction
Town & Country Park LLC	2008	23363 300	D4D 313D	19553	\$ 10.00	No Dogs
Yarletts Christopher L	2008	21271 300	J2A 41	11750	\$ 13.20	Remove Lt Lst
SUB-TOTAL ERROR CORRECTIONS:					\$ 208.59	

MOTOR VEHICLE RELEASES:

Bond Vivian Doreen	2008	28457 07	XNB5265	52653	\$ 14.23	Gave Away
Boone David S	2008	21214 1037	XNB1623	69969	\$ 11.88	Wrecked
Brown Kathy Jo	2008	21034 2746	VRJ6952	64539	\$ 68.40	Repoed
Bullock Willie Lee	2008	5832 2284	XRN9571	62262	\$ 45.50	Repoed
Davis William S Jr	2008	11621 1147	MYP9600	62940	\$ 7.30	Sold
DeShields Calvin E	2008	16699 2747	3P1253	68174	\$ 58.88	incorrect value
Easling Gerald Tracy	2008	24144 2694	WTW8184	68121	\$ 13.97	Sold
Edwards Isaac S	2008	15880 2154	YNC9280	71086	\$ 50.26	Rusty Miles
Falcon John H Jr	2008	700 1806	SRK6814	61784	\$ 11.40	Sold
Folk Carolyn Bost	2008	6533 2235	WTT7613	67042	\$ 24.58	value
Grizzard Terry L	2008	8120 1806	NNH9381	67233	\$ 88.99	Traded
Hargrove Ursula Rena	2008	14704 107	WYM9443	54004	\$ 6.20	Repoed
Harris Carroll E	2008	17716 1753	SXS9151	67180	\$ 16.01	value
Hicks Eddie Sr	2008	16730 2035	XWH1920	60027	\$ 1.89	Gave Away
Leach Jason T	2008	24977 2617	YNC7542	71549	\$ 50.40	Repoed
Leonard Erroll Y	2008	24056 107	PXC2880	52598	\$ 9.52	Sold
Meyer Leroy F Jr	2008	894 1374	XVB1541	70306	\$ 9.70	value
Monk Robert M	2008	643 1121	KXX3201	62914	\$ 5.75	Sold
Monk Robert M	2008	643 1075	BP91968	61053	\$ 1.90	Gave Away
Monk Robert M	2008	643 1780	NAZUS	76754	\$ 11.21	Gave Away
Nelson Matt D III	2008	28730 1230	YNC6321	70162	\$ 6.49	value
Nicholson Alton C	2008	11747 2660	YNH2878	71592	\$ 14.59	value
Perez Francisco Beltrain	2008	22416 2188	LR1082	63981	\$ 48.46	High Miles
Ryder Vickie R	2008	19978 1602	YNC7904	70534	\$ 71.10	Sold
Sparks Roger W	2008	13561 2590	YNC7591	71522	\$ 14.30	Sold
Spence William & Ann	2008	38335 2653	HD23184	5076	\$ 66.50	Situs
Talton Brenda W	2008	27048 1505	RZP6155	70437	\$ 38.40	High Miles
Turner James Allen	2008	321832 153E	WYZ4363	66962	\$ 99.11	Sold
Vaughn Wilbert Jr	2008	8290 2595	TXK4515	71527	\$ 68.85	Repoed

SUB-TOTAL MOTOR VEHICLE RELEASES: **\$ 921.54**

SUB-TOTAL CORRECTION RELEASES: **\$ 208.59**

Total Releases **\$ 1,130.13**

On motion of Commissioner Fleming, which was seconded by Commissioner Ross and duly carried by unanimous vote, Consent Agenda Item 5E – Employee Performance Bond Renewal for Barry Mayo, Finance Director was approved: Bond/Policy number 0601 14939441 in the amount of \$100 for period January 24, 2009 to January 24, 2010.

On motion of Commissioner Ross, which was seconded by Commissioner Fleming and duly carried by unanimous vote, Amendment # 11 – Capital Project Ordinance Warren County Library/Community Meeting Room was adopted:

**AMENDMENT TO THE CAPITAL PROJECT ORDINANCE
WARREN COUNTY
LIBRARY/COMMUNITY MEETING ROOM
Amendment No. 11**

Section 4 of the above referenced capital project ordinance shall be amended as follows:

Increase/(Decrease) Appropriations:

Construction	(43,787)
Additional Services	6,000
Contingency	<u>37,787</u>
Total	-

Explanation:

This amends the budget to the most current cost estimates.

Respectfully Submitted January 5, 2009


Barry J. Mayo
Finance Director

On motion of Commissioner Ross, which was seconded by Commissioner Fleming and duly carried by unanimous vote, Amendment # 6 – Warren County FY 2008-09 Budget Ordinance was adopted:

**AMENDMENT TO THE WARREN COUNTY BUDGET ORDINANCE
2008/2009
Amendment No. 6**

Section 1 of the Warren County Budget Ordinance, pertaining to the General Fund operations of the County, shall be amended as follows:

Increase/(Decrease) Appropriations:

County Manager	305
Building, Grounds & Maintenance	(305)
Health Department	417
Libraries	<u>2,570</u>
Total	\$ 2,987

Section 2 of the Warren County Budget Ordinance, pertaining to the General Fund operations of the County, shall be amended as follows:

Increase/(Decrease) Revenues:

Restricted Intergovernmental - Health	\$417
Miscellaneous Revenue	<u>2,570</u>
Total	\$2,987

This amendment:

- appropriates funds to the County Managers Office for painting, labor and materials.
Source of Funding: Building, Grounds & Maintenance Contingency
- appropriates funds to the Health Department to match state allocation.
Source of Funding: Dept. Health & Human Services
- appropriates funds to the Libraries through private contributions.
Source of Funding: Private Contributions

Respectfully Submitted, January 5, 2009


Barry J. Mayo, Finance Director

On motion of Commissioner Fleming, which was seconded by Commissioner Ross and duly carried by unanimous vote, Resolution Authorizing The Director of Finance to Execute An Installment Purchase Contract for the Purchase of Vehicles for the County of Warren was adopted:

A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO EXECUTE AN
INSTALLMENT PURCHASE CONTRACT FOR THE PURCHASE OF VEHICLES FOR THE
COUNTY OF WARREN, NC

WHEREAS, Barry Mayo, Warren County Finance Director solicited and received competitive proposals from financial institutions for the purchase of county vehicles;

WHEREAS, First Citizens Bank offers the lowest fixed interest rate of 3.98% for a three (3) year term for this purchase;

NOW, THEREFORE, BE IT RESOLVED by the Warren County Board of Commissioners, that the Board authorizes the Finance Director to enter into a contract with First Citizens Bank on behalf of the County for the purchase of:

- 3 - 2009 Ford Crown Victoria Vehicles (or equivalent)
- 1 - 2009 Ford Explorer Vehicle (or equivalent)
- 1 - 2009 Ford Edge SE (or equivalent)

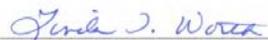
BE IT FURTHER RESOLVED that the aforesaid contracts by and between the County of Warren, various State contracts and other vendors, and First Citizens Bank, together with the amounts to be paid thereunder, be and the same are hereby designated as qualified tax-exempt obligations of the Warren County Board of Commissioners for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

BE IT FURTHER RESOLVED that the Board does not reasonably expect that the Purchaser (and any subordinate entities) will issue more than \$10,000,000 in qualified tax-exempt obligations pursuant to such Sections 265(b)(3)(ii) during the current calendar year.

This resolution is effective upon its adoption this 5th day of January, 2009.

The motion to adopt this resolution was made by Commissioner Fleming, seconded by Commissioner Ross, and was passed by a vote of 5 in favor and 0 opposed.

(Affix Seal of Government Unit)


County Manager

Attest:

This is to certify that this is a true and accurate copy of a Resolution, adopted by the Board of Warren County Commissioners on the 5th day of January, 2009.


County Clerk

January 6, 2009
Date

Having held a required public hearing on Monday, January 5, 2009 at 9:30 am to hear citizen comments regarding: **ORDER PROVIDING FOR EXTENSION OF BOND ORDER AUTHORIZING \$12,000,000 GENERAL OBLIGATION WATER BONDS APPROVED ON JANUARY 30, 2002 BY VOTERS OF WARREN COUNTY WATER AND SEWER DISTRICT III** the Board of Commissioners took the following action.

Commissioner Fleming moved the adoption of the following order, a copy of which had been provided to each Commissioner and which was read by title:

**ORDER PROVIDING FOR EXTENSION OF BOND ORDER
AUTHORIZING \$12,000,000 GENERAL OBLIGATION WATER BONDS
APPROVED ON JANUARY 30, 2002 BY VOTERS OF
WARREN COUNTY WATER AND SEWER DISTRICT III**

WHEREAS, on November 21, 2001, the Board of Commissioners (the "Board") for Warren County Water and Sewer District III, in Warren County, North Carolina (the "District") adopted a bond order entitled "ORDER AUTHORIZING \$12,000,000 WATER BONDS" (the "Bond Order");

WHEREAS, the Bond Order took effect when it was approved by the vote of a majority of the qualified voters of said District who voted thereon at a referendum duly called and held on January 30, 2002;

WHEREAS, the District has applied to the North Carolina Local Government Commission (the "Commission") pursuant to N.C. General Statutes § 159-64 for an extension of the maximum time period for issuing bonds under such Bond Order from seven years to 10 years after the Bond Order took effect and the Commission approved such extension on December 17, 2008; and

WHEREAS, N.C. General Statutes § 159-64 provides that there shall be a public hearing on the extension of the maximum time period for issuing bonds under such Bond Order and provides for publication of the Bond Order and notice of the public hearing, which notice was published in The Warren Record on December 24, 2008.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF COMMISSIONERS FOR WARREN COUNTY WATER AND SEWER DISTRICT III, IN WARREN COUNTY, NORTH CAROLINA:

1. The maximum time period for issuing bonds under the Bond Order is hereby extended from seven years to 10 years after the Bond Order took effect, therefore extending the maximum time period for issuing bonds under such Bond Order to January 30, 2012.

2. This extension order shall take effect 30 days after its publication following adoption.

Thereupon Commissioner Fleming moved the adoption of the foregoing order entitled “ORDER PROVIDING FOR EXTENSION OF BOND ORDER AUTHORIZING \$12,000,000 GENERAL OBLIGATION WATER BONDS APPROVED ON JANUARY 30, 2002 BY VOTERS OF WARREN COUNTY WATER AND SEWER DISTRICT III”, Commissioner Ross seconded the motion, and the order was passed by the following vote:

Ayes: Commissioners Fleming, Ross, Jordan, Davis and Richardson.

Nays: None.

The Clerk to the Board of the District was thereupon directed to cause to be published said extension order, together with the appended statement as required by N.C. General Statutes § 159-64, once in The Warren Record.

Having held a required public hearing on Monday, January 5, 2009 at 9:45 am to hear citizen comments regarding adopting **Proposed Skate Park Ordinance**, the Board of Commissioners took the following action.

On motion of Commissioner Fleming, which was seconded by Commissioner Davis and duly carried by unanimous vote, Warren County Skate Park Ordinance was adopted:

Skate Park Ordinance Of Warren County, North Carolina

Section 1. General Requirements

Section 1.1. Authority

Warren County hereby exercises its authority to enact Skate Park regulations pursuant to N.C.G.S 153A-121, N.C.G.S 153A-123, and N.C.G.S. 153A-140.

Section 1.2. Jurisdiction

The jurisdiction of this Ordinance shall be described as any part of Warren County where a Skate Park has been erected that is owned and operated by Warren County.

Section 1.3. Short Title

This ordinance shall be known as the Skate Park Ordinance of Warren County, North Carolina, and may be cited as the Skate Park Ordinance.

Section 1.4. Purpose

The purpose of this Ordinance is to promote the public safety, health, and welfare of the citizens of Warren County through the regulation of skate parks owned and operated by Warren County. This article is adopted pursuant to the authority contained in N.C.G.S. 153A-121, N.C.G.S. 153A-123, and N.C.G.S. 153A-140.

Section 2. Hours, Times and Conditions of Operation

1. The Skate Park is open from 8:30 a.m. until dusk. There will be no trespassing when the park is closed.
2. The park will be closed during wet, snowy or icy conditions or during park maintenance periods.
3. Warren County reserves the right to close the Skate Park or modify its hours of operation for any reason at the direction and discretion of the County Manager and/or the Recreation Director.

Section 3. Park Supervision and Personal Liability

All persons entering the Skate Park are deemed to have knowledge that the Skate Park is a non-supervised activity site designed for skateboarding only, and that all use of the Skate Park is at the risk of the user.

Skaters must be at least 7 (seven) years old to use the Skate Park; 10 (ten) years old or younger will need parental/guardian supervision.

All persons entering the Skate Park are deemed to have agreed to indemnify, defend, and hold harmless Warren County, its officers, employees, agents, and volunteers for, from and against any accident, injury, including death, and/or loss of property or damage thereto sustained as a result of using the Skate Park pursuant to General Assembly of North Carolina Session Law 2003-334, Senate Bill 774.

Section 4. Skate Park Rules and Regulations

The following rules and regulations shall apply to the riding of skateboards at any facility or park owned or operated by Warren County that has been designated a Skate Park:

- A. Within the Skate Park, it shall be unlawful for any person to:
 1. Ride, operate, or use a skateboard unless that person is wearing a helmet designed for skateboarding with a chin strap, elbow pads designed for skateboarding with plastic elbow caps, and knee pads designed for skateboarding with plastic knee caps, which equipment shall be in good repair at all times during use.
 2. Ride, operate, or utilize a skateboard unless such equipment is in good repair at all times during use.
 3. Be on or use an individual apparatus within the Skate Park while another person is using it.
 4. Place or utilize additional obstacles or other materials (including but not limited to ramps or jumps) within the skate park.
 5. Use the Skate Park amenities when the surfaces of the amenities are wet or other conditions exist which would adversely affect the safety of skateboarders.
 6. Use, operate, or possess any source of amplified music including but not limited to stereo's, boom boxes, and amplifiers.
 7. Enter the Skate Park unless actively skateboarding in accordance with these regulations.
 8. Use, consume, or have within his or her custody or control, food or beverages, within the Skate Park.
 9. Use, consume, or have within his or her custody or control, alcohol, tobacco products, or illegal drugs within the Skate Park.
 10. Enter upon the Skate Park grounds while under the influence of alcoholic beverages or illegal drugs.

11. Use or possess glass containers, bottles, or other breakable glass products within the Skate Park.
12. Use or engage in profanity, reckless and boisterous behavior (including, but not limited to, tandem riding, pushing, horseplay, and bullying) or any activity which could endanger the safety of persons using the Skate Park or spectators.
13. Engage in graffiti, tagging, or other defacing of Warren County property or the property of others.
14. Ride, operate, or utilize any device other than a skateboard (prohibited devices include, but are not limited to, bicycles, roller skates, in-line skates, motor vehicles, motorized skateboards, and motorized skates) in or on Skate Park apparatus.
15. No person shall enter or remain in or upon the Skate Park premises: 1) while closed, as determined by the Parks and Recreation Department, or 2) between the hours of 8:30 P.M. and 8:30 A.M.
16. Use or have within his/her custody or control, board wax, within the Skate Park.
17. No person shall enter in or upon the Skate Park premises with any animal.

Section 5. Enforcement

This ordinance may be enforced by the Warren County Recreation Department Director and/or his designee(s), the Warren County Sheriff’s Department and/or the Police Departments of the Towns of Warrenton and Norlina depending upon the jurisdictional boundaries of the Skate Park(s).

Section 6. Violations and Penalties

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to expulsion from the Skate Park and/or revocation of any privileges for its use.

Section 7. Skate Park Signage

The Skate Park shall be posted with signs at the following locations:

1. At the entrance to the Skate Park; and
2. On the fences of the Skate Park, facing the interior of the Skate Park, and in such places inside the park as may be deemed appropriate by the County. The signs shall not be less than 2 feet by 3 feet in size and shall use black letters on a white background. The signs may, but shall not be required to, summarize the rules and regulations governing the use of the skate facility. Each sign shall contain, in letters not less than ½ inch in height the following language:

WARNING

SKATEBOARDING IS A HAZARDOUS RECREATIONAL ACTIVITY. USE OF THIS FACILITY MAY RESULT IN SERIOUS INJURIES OR DEATH. WARREN COUNTY DOES NOT ASSUME RESPONSIBILITY FOR INJURIES OR DEATH. EACH PERSON ENTERING THE FACILITY ASSUMES ALL RISK OF INJURY OR DEATH. (GENERAL ASSEMBLY OF NORTH CAROLINA, SESSION LAW 2003-334, SENATE BILL 774) SKATERS MUST BE AT LEAST 7 YEARS OLD TO USE THE SKATE PARK; 10 YEARS OLD OR YOUNGER MUST HAVE PARENTAL/GUARDIAN SUPERVISION. NO PERSON SHALL ENTER OR REMAIN UPON THE SKATE PARK PREMISES WHILE CLOSED, OR BETWEEN THE HOURS OF 8:30 P.M. AND 8:30 A.M. ANIMALS ARE PROHIBITED IN THE SKATE PARK.

IT IS UNLAWFUL FOR ANY PERSON TO RIDE, OPERATE, OR UTILIZE A SKATEBOARD UNLESS THE PERSON IS WEARING A HELMET DESIGNED FOR SKATEBOARD USE WITH A CHIN STRAP, ELBOW PADS DESIGNED FOR SKATEBOARD USE WITH PLASTIC ELBOW CAPS, AND KNEE PADS DESIGNED FOR SKATEBOARD USE WITH PLASTIC KNEE CAPS, WHICH EQUIPMENT SHALL BE IN GOOD REPAIR AT ALL TIMES DURING USE.

IT IS UNLAWFUL FOR ANY PERSON TO RIDE, OPERATE, OR UTILIZE ANY DEVICE OTHER THAN NON-MOTORIZED SKATEBOARDS. IT IS UNLAWFUL FOR ANY PERSON TO: USE, OPERATE, OR POSSESS ANY SOURCE OF AMPLIFIED MUSIC; CONSUME, OR HAVE WITHIN HIS/HER CUSTODY OR CONTROL, ALCOHOL, TOBACCO PRODUCTS, ILLEGAL DRUGS, FOOD, BEVERAGES, GLASS CONTAINERS, BOTTLES, OR OTHER BREAKABLE GLASS PRODUCTS WITHIN THE SKATE PARK. ANY PERSON FAILING TO COMPLY WITH THESE REGULATIONS MAY BE SUBJECT TO EXPULSION FROM THIS FACILITY AND/OR REVOCATION OF ANY PRIVILEGES FOR ITS USE.

Section 8. Severability

Should any section or provision of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, the declaration shall not affect the validity of this ordinance as a whole or any part thereof that is not specifically declared to be invalid or unconstitutional.

Section 9. Conflict with Other Laws

Wherever the requirements of this ordinance are at variance with the requirement of any other lawfully adopted statutes, rules, regulations or ordinances, the most restrictive or those imposing higher standards shall govern.

Section 10. Amendments

The Warren County Board of Commissioners may periodically amend the terms of this ordinance.

The governing body shall adopt no amendment to this ordinance until a public hearing properly announced has been held on the proposed amendment.

Section 11. Effective Date

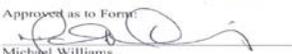
This Ordinance shall take effect thirty days from and after its passage and approval.

Approved this 5th day of January, 2009

Attest:

 Angela K. Kearney-Dunlap, Clerk to the Board


 Barry Richardson, Chairman
 Warren County Board of Commissioners

Approved as to Form:

 Michael Williams
 County Attorney



On motion of Commissioner Fleming, which was seconded by Commissioner Davis and duly carried by unanimous vote, Director of Parks & Recreation Richard “Dickie” Williams was authorized to proceed with construction of a skate ramp at the Warren County Park Site at the John Graham Center.

Motion was made by Commissioner Ross to enter into Contract with Kerr Tar Regional Council of Government to administer 2008 CDBG Scattered Sites Housing Program.

Motion was withdrawn.

On motion of Commissioner Fleming, which was seconded by Commissioner Ross and duly carried by unanimous vote, it was ordered to enter into Grant Agreement and Funding Approval with NC Department of Commerce, Division of Community Assistance for 2008 Community Development Block Grant # 08-C-1840 in the amount of \$400,000 (\$375,000 to be used for Scattered Sites Housing and \$25,000 for Urgent Repairs). Chairman of the Board was authorized to sign related documentation.

On motion of Commissioner Ross, which was seconded by Commissioner Fleming and duly carried by unanimous vote, it was ordered to enter into Contract with Kerr Tar Regional Council of Government to administer 2008 CDBG Scattered Sites Housing Program.

On motion of Commissioner Ross, which was seconded by Commissioner Fleming and duly carried by unanimous vote, 2008 CDBG Scattered Sites Performance Based Contract was approved.

During December 10, 2008 work session a request from Mr. Keith Lane was received to be exempted from Water Tap Ordinance requirement that residents tap onto the county water system if structure is within a certain distance from water source.

On motion of Commissioner Davis, which was seconded by Commissioner Fleming and duly carried by unanimous vote, request from Mr. Keith Lane of Northern Cove Rd, Littleton, NC for exemption from Water Tap Ordinance requirement to tap onto water system, was denied.

On motion of Commissioner Fleming, which was seconded by Commissioner Davis and duly carried by unanimous vote, 1996 Ford F250 truck ID # 7082 with 201,778 miles used by Maintenance Department, was declared surplus and authorized for sale by online auction.

Tax Administrator Robert E. Mitchum and a representative from contracting firm conducting 2009 Revaluation, Wampler-Eanes appeared before the Board to give an update on 2009 Revaluation. The downturn of the country’s economic condition was addressed, it was stated that a reduction on improvement values would be given at 15% across the board. Warren County has a downward trend on construction of framed dwellings and outdoor improvements.

On motion of Commissioner Fleming, which was seconded by Commissioner Davis and duly carried by unanimous vote, amended “Tax Administration Records Retention Schedule” was adopted.

On motion of Commissioner Ross, which was seconded by Commissioner Davis and duly carried by unanimous vote, Option #2 for solid waste disposal services with Waste Industries, Inc. was approved for a contract term of three years:

Option 2

A. Operate Convenience Centers with commingle recycling containers (with the exception of cardboard and glass). The commingle containers would also be placed at Sites 6 (Macon/Vaughan) and 7 (Inez), which currently do not have any recycling containers.

Company	Three Year Term: Monthly Rate	Five Year Term: Monthly Rate
Warren County (current price)	N/A	N/A
American Waste Systems, Inc.	N/A	\$39,200.00
Waste Industries	\$44,467.00	\$43,578.00

B. Operate Transfer Station and Solid Waste Hauling.

Company	Three Year Term: Monthly Rate	Five Year Term: Monthly Rate
Warren County (current price)	\$53.75/Ton	N/A
American Waste Systems, Inc.	N/A	\$48.99/Ton
Waste Industries	\$54.75/Ton	\$53.65/Ton

On motion of Commissioner Fleming, which was seconded by Commissioner Ross and duly carried by unanimous vote, “Certificate of Substantial Completion for Contract III of Water & Sewer District III, Phase II Project” with Phoenix Fabricators & Erectors, Inc. related to Vaughan Elevated Tank was approved. Chairman of the Board was authorized to sign related documentation.

On motion of Commissioner Fleming, which was seconded by Commissioner Ross and duly carried by unanimous vote, Water & Sewer District II, Phase II Change Order # 3 – Final (revised) Change Order was approved. Change order decreased project cost by \$4,515.25 for project completion.

On motion of Commissioner Fleming, which was seconded by Commissioner Davis and duly carried by unanimous vote, Change Order # 1 – Final for Contract III of the Water & Sewer District III, Phase II Project for Vaughan Elevated Storage Tank, decreasing project cost by \$5,084.50 was approved. Chairman of the Board was authorized to sign related documentation.

Elgin Lane, Human Resources Director appeared before the Board to present the following personnel requests:

- a. Approve job offer for Veteran's Administrator – Theodore Paige
- b. Approve compensation for Jean Lynch as interim Veterans Administrator
- c. Approve compensation for George A. Smith as Interim Health Director
- d. Approve compensation for Margaret "Peggy" Richardson as Interim Economic Development Director, by Ted Echols, Chairman Economic Development Commission.

On motion of Commissioner Ross, which was seconded by Commissioner Fleming and duly carried by unanimous vote, Human Resources Director was authorized to make a job offer for position of Veteran's Administrator to Theodore Paige at a salary of \$33,521 starting February 16, 2009.

On motion of Commissioner Fleming, which was seconded by Commissioner Davis and duly carried by unanimous vote, it was approved to compensate Jean Lynch as interim Veterans Administrator with an increase in annual salary of \$5,000 for the period October 7, 2008 to February 15, 2009. Funding source: lapsed salary; bringing salary to \$34,276.

On motion of Commissioner Fleming, which was seconded by Commissioner Davis and duly carried by unanimous vote, it was approved to compensate George A. Smith as Interim Health Director with an increase in annual salary of \$5,000 for the period commencing January 2, 2009. Funding source: lapsed salary; bringing salary to \$54,579.

On motion of Commissioner Fleming, which was seconded by Commissioner Davis and duly carried by unanimous vote, it was approved to compensate Margaret "Peggy" Richardson as Interim Economic Development Director with an increase in annual salary of \$5,000 for the period commencing January 2, 2009. Funding source: lapsed salary; bringing salary to \$37,873.

On motion of Commissioner Fleming, which was seconded by Commissioner Davis and duly carried by unanimous vote, John Earl Alston was appointed to the Citizens Advisory Council as representative for District III (Fleming).

On motion of Commissioner Davis, which was seconded by Commissioner Ross and duly carried by unanimous vote, it was approved to appoint Chairman Barry Richardson as Legislative Liaison to the NC Association of County Commissioners.

On motion of Commissioner Ross, which was seconded by Commissioner Davis and duly carried by unanimous vote, Commissioner Ernest Fleming was re-appointed to the Area Mental Health Board for a two year term ending December 2010.

On motion of Commissioner Ross, which was seconded by Commissioner Davis and duly carried by unanimous vote, Commissioner Ernest Fleming was re-appointed to the Emergency Medical Services (EMS) Advisory Council for a two year term ending December 2010.

On motion of Commissioner Ross, which was seconded by Commissioner Davis and duly carried by unanimous vote, Commissioner Ernest Fleming was re-appointed to the Board of Health for a two year term ending December 2010.

On motion of Commissioner Ross, which was seconded by Commissioner Davis and duly carried by unanimous vote, Commissioner Ernest Fleming was re-appointed to the Home & Community Care Block Grant Board for a two year term ending December 2010.

On motion of Commissioner Ross, which was seconded by Commissioner Davis and duly carried by unanimous vote, Commissioner Ernest Fleming was re-appointed to the Economic Development Commission for a two year term ending December 2010.

On motion of Commissioner Ross, which was seconded by Commissioner Davis and duly carried by unanimous vote, Commissioner Ernest Fleming was re-appointed to the Warren County Historic Preservation Commission for a two year term ending December 2010.

On motion of Commissioner Ross, which was seconded by Commissioner Davis and duly carried by unanimous vote, Commissioner Ernest Fleming was re-appointed to the Kerr Tar HUB Triangle North Board of Directors for a two year term ending December 2010.

On motion of Commissioner Ross, which was seconded by Commissioner Davis and duly carried by unanimous vote, Commissioner Ernest Fleming was re-appointed to the Kerr Area Rural Transportation Authority (KARTS) Board for a two year term ending December 2010.

On motion of Commissioner Ross, which was seconded by Commissioner Fleming and duly carried by unanimous vote, Commissioner William Davis was re-appointed to the Warren County Finance Committee for a two year term ending December 2010.

On motion of Commissioner Ross, which was seconded by Commissioner Fleming and duly carried by unanimous vote, Commissioner William Davis was re-appointed to the Kerr-Tar Council of Government (COG) Board of Directors for a two year term ending December 2010.

On motion of Commissioner Ross, which was seconded by Commissioner Fleming and duly carried by unanimous vote, Commissioner William Davis was re-appointed to the Warren County Personnel Committee for a two year term ending December 2010.

On motion of Commissioner Ross, which was seconded by Commissioner Fleming and duly carried by unanimous vote, Commissioner William Davis was appointed to the Local Emergency Planning Committee (LEPC) for a two year term ending December 2010.

On motion of Commissioner Ross, which was seconded by Commissioner Davis and duly carried by unanimous vote, Commissioner Barry Richardson was re-appointed to the County Finance Committee for a two year term ending December 2010.

On motion of Commissioner Ross, which was seconded by Commissioner Davis and duly carried by unanimous vote, Commissioner Barry Richardson was re-appointed to the Fire Commission for a two year term ending December 2010.

On motion of Commissioner Ross, which was seconded by Commissioner Davis and duly carried by unanimous vote, Commissioner Barry Richardson was re-appointed to the Resource Conservation & Development Council (RC&D) for a two year term ending December 2010.

On motion of Commissioner Ross, which was seconded by Commissioner Davis and duly carried by unanimous vote, Commissioner Barry Richardson was re-appointed to the Board of Equalization and Review (E&R) for a two year term ending December 2010.

On motion of Commissioner Ross, which was seconded by Commissioner Davis and duly carried by unanimous vote, Commissioner Barry Richardson was re-appointed to the Kerr Tar RPO RTAC (as alternate) for a two year term ending December 2010.

On motion of Commissioner Ross, which was seconded by Commissioner Davis and duly carried by unanimous vote, Commissioner Barry Richardson was appointed to the Kerr-Tar Council of Government (COG) Board of Directors for a two year term ending December 2010.

On motion of Commissioner Ross, which was seconded by Commissioner Davis and duly carried by unanimous vote, Commissioner Barry Richardson was appointed to the Warren County Personnel Committee for a two year term ending December 2010.

On motion of Commissioner Fleming, which was seconded by Commissioner Davis and duly carried by unanimous vote, Commissioner Ulysses Ross was re-appointed to the Juvenile Crime Prevention Council for a two year term ending December 2010.

On motion of Commissioner Fleming, which was seconded by Commissioner Davis and duly carried by unanimous vote, Commissioner Ulysses Ross was re-appointed to the Lake Gaston Weed Control Council for a two year term ending December 2010.

On motion of Commissioner Fleming, which was seconded by Commissioner Davis and duly carried by unanimous vote, Commissioner Ulysses Ross was re-appointed to the Kerr Tar RPO RTAC for a two year term ending December 2010.

On motion of Commissioner Fleming, which was seconded by Commissioner Davis and duly carried by unanimous vote, Commissioner Ulysses Ross was appointed to the Kerr-Tar Rural Transportation Planning Committee (RPO) for a two year term ending December 2010.

On motion of Commissioner Ross, which was seconded by Commissioner Davis and duly carried by unanimous vote, Commissioner Jennifer Jordan was appointed to the Kerr Lake Regional Water System Board of Directors for a two year term ending December 2010.

On motion of Commissioner Ross, which was seconded by Commissioner Davis and duly carried by unanimous vote, Commissioner Jennifer Jordan was appointed to the Parks and Recreation Commission for a two year term ending December 2010.

On motion of Commissioner Ross, which was seconded by Commissioner Davis and duly carried by unanimous vote, Commissioner Jennifer Jordan was appointed to the Department of Social Services Board of Directors for a two year term ending December 2010.

On motion of Commissioner Ross, which was seconded by Commissioner Davis and duly carried by unanimous vote, Commissioner Jennifer Jordan was appointed to the Vance Granville Franklin Warren (VGFW) Criminal Justice Advisory Board for a two year term ending December 2010.

On motion of Commissioner Ross, which was seconded by Commissioner Davis and duly carried by unanimous vote, Commissioner Jennifer Jordan was appointed to the Warren County Water Committee for a two year term ending December 2010.

On motion of Commissioner Fleming, which was seconded by Commissioner Ross and duly carried by unanimous vote, the following resolution soliciting support from Warren County's State and Federal Legislative Delegation was adopted:

**RESOLUTION
WARREN COUNTY BOARD OF COMMISSIONERS
SOLICITATION OF SUPPORT FROM
STATE AND FEDERAL LEGISLATIVE DELEGATIONS**

WHEREAS, Warren County is a Tier I county with limited financial resources to fund many of the pressing needs of its citizenry; and

WHEREAS, Warren County is endeavoring to meet the growing needs of its citizens by providing recreational outlets, updated library services, sufficient ADA compliant governmental office space, services for senior citizens, tourism and regional economic development initiatives to name a few; and

WHEREAS, Warren County is making a good faith effort to meet the increasing financial demands presented by these and many other statutorily mandated challenges that greatly burden low-wealth jurisdictions;

NOW, THEREFORE, BE IT RESOLVED that the Warren County Board of Commissioners respectfully requests Warren County's State and Federal Legislative Delegations to assist Warren County in whatever way possible with the following identified needs:

1) The availability of broadband Internet connectivity in Warren County is proposed to rise from 99th place to 29th out of 100 counties as a result of e-NC Authority funding. 100% connectivity would provide the county with the telecommunications infrastructure necessary to promote and sustain increased economic and community development activities. It is, therefore, respectfully requested that funding be made available to Warren County to fund 100% broadband Internet deployment that would directly benefit Warren County's citizens and the region;

2) It is respectfully requested that grant funds or other available funding be provided to help fund Phase I infrastructure and site development costs estimated to be \$2 million at Warren County's Triangle North-Warren certified industrial site. This site contains approximately 860 acres and is one of the largest certified industrial sites in the State of NC. This site is part of a joint economic development initiative undertaken by Warren, Vance, Franklin, and Granville Counties to enhance economic development opportunities in the region;

3) It is of utmost importance that support be given to the expansion of high speed rail lines in NC including Warren County where a CSX rail line and right-of-way has existed for numerous years. Warren County's Triangle North – Warren certified industrial site has immediate access to the CSX rail line and would greatly benefit from main line rail to accommodate the movement of products to and from the industrial site to outside markets. The installation of main line rail in this area would greatly enhance the marketability and increase the development potential of Warren County's site.

4) It is respectfully requested that NC Department of Transportation discretionary funds in the amount of \$80,000 or other grant funds be made available to assist with the cost of paving the parking lot of Warren County's former National Guard Armory. The facility is in the process of being renovated with an \$800,000 grant provided by the Golden LEAF Foundation. This facility is the largest venue in the county that will accommodate a myriad of cultural, recreational, educational and other large gatherings and meetings. It is anticipated that the renovation of this facility will spur economic development activity and increased revenue from tourism and local sales taxes;

5) It is respectfully requested that Warren County’s State Legislative Delegation sponsor legislation that would allow Warren County to become part of the Kay Mitchell-Thomas Tourism Development Region, which currently includes the counties of Halifax, Northampton, Hertfort and Gates. Warren County is moving forward to actively promote tourism by renovating the former National Guard Armory into a multi-purpose use facility and by continued development of a County Historical District, both of which are anticipated to attract tourists from Virginia and across the State of NC;

6) It is respectfully requested that Warren County’s State and Federal Legislative Delegations, to the extent within their legislative jurisdictions, oppose legislation authorizing local governments to enter into collective bargaining agreements with public employees, or mandating dues check off programs.

7) It is respectfully requested that Warren County’s State Legislative Delegation oppose legislation shifting the state’s existing responsibility for funding transportation construction and maintenance projects to county governments, and that state and federal funding be provided to the NC Department of Transportation to move forward with the four-laning of US Highway 158 from eastern North Carolina, through Warren County and on to points west to promote and encourage economic and tourism development activities.

8) It is respectfully requested that grant funds or other funding be made available to Warren County to make major renovations at an estimated cost of \$5,000,000 to the County’s thirty-year old Wastewater Treatment Plant. This plant provides wastewater treatment for Warren County and the Towns of Warrenton and Norlina.

ADOPTED this 5th day of January, 2009.

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On motion of Commissioner Fleming, which was seconded by Commissioner Davis and duly carried by unanimous vote, the following resolution requesting support from Warren County’s Congressional Delegation was adopted:

**RESOLUTION
WARREN COUNTY BOARD OF COMMISSIONERS
REQUEST FOR SUPPORT FROM
CONGRESSIONAL DELEGATION**

WHEREAS, Warren County is a Tier I county with limited financial resources to fund many of the pressing needs of its citizenry; and

WHEREAS, Warren County is making a concerted effort to improve infrastructure needs within the county to enhance and promote economic and community development; and

WHEREAS, Warren County’s thirty-year old Regional Wastewater Treatment Plant is in dire need of major rehabilitation of system and control components to prevent occurrences of discharge violations and increase the effective capacity of the Treatment Plant which improvements are estimated to cost \$5,275,000; and

WHEREAS, Warren County’s emergency response systems (Fire, Emergency Medical Services, and Law Enforcement radio communications) are in dire need of equipment upgrades at an estimated cost of \$900,000 to maintain safety within the county and across jurisdictional lines (interoperability) as mandated in the National Strategy for Homeland Security; and

WHEREAS, the Warren County Board of Commissioners has determined that it does not have the financial resources to implement these critical projects; and

NOW, THEREFORE, BE IT RESOLVED that the Warren County Board of Commissioners respectfully requests Warren County’s Congressional Delegation to assist with providing funding from emergency national economic stimulus funds, funds appropriated for Homeland Security projects, federal grants or any other funding sources that may be available for local governments to assist the county in moving forward with the identified projects.

ADOPTED this 5th day of January, 2009.

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On motion of Commissioner Fleming, which was seconded by Commissioner Davis and duly carried by unanimous vote, Pete Deschenes, Sr. of Littleton was appointed to the Citizens Advisory Council as representative for District II (Commissioner Ross).

On motion of Commissioner Fleming, which was seconded by Commissioner Davis and duly carried by a majority vote, revised Warren County Fleet Policy was adopted as follows:

WARREN COUNTY FLEET POLICY

This policy is established to regulate the use of County vehicles assigned to employees in the performance of their duties.

USE OF COUNTY-OWNED VEHICLES

1. Permitted Uses.
 - a. Only County employees or drivers authorized by departments may drive or operate County vehicles or equipment.
 - b. County-owned vehicles will be used for official County business only.
 - c. No passengers will be permitted unless they are on official County business.
2. Driver Requirements
 - a. The driver of any County-owned vehicle must have a valid North Carolina operator's license. County employees who drive vehicles weighing more than 26,000 pounds or carrying 16 or more passengers must have a valid Commercial Class B license with a passenger endorsement.
 - b. Employees will be responsible for any vehicle or equipment assigned to them.
 - c. Employees driving County vehicles are required to obey all traffic laws.
 - d. Vehicles are to be driven in a manner that creates a favorable impression with the public. Drivers will exercise special precaution when:

- children are playing on the roadway, alley, or near the curb;
- passing schools, playgrounds or school buses;
- approaching pedestrians or persons on bicycles;
- adverse weather or road conditions are encountered.

e. No vehicle will be operated if any controlling mechanism (such as steering, brakes, headlights, horn or windshield wipers) is not in proper working condition. Do not operate a vehicle that is not in proper mechanical condition; report such conditions to your **supervisor/fleet coordinator/garage manager**.

f. Drivers and all passengers must wear seat belts at all times.

g. The County will not pay traffic tickets or parking fines, including those received while using personal vehicles for County business. Employee found guilty of a moving violation may be subject to disciplinary action.

h. Smoking is not permitted in Warren County vehicles.

3. Vehicle Assignment

a. County vehicles are normally assigned to an individual at the start of their assigned work period, and are the employee's responsibility until the completion of the period.

b. A County vehicle may be assigned to an individual employee who regularly requires the use of the vehicle both on and off duty. Such an assignment may be of a permanent nature or for a specified time period, such as a week of on-call duty. To the extent possible, specific employee/vehicle assignments should be made rather than the use of "pool" vehicles. Doing so should promote better accountability for vehicle condition and operation.

c. During vacation periods or leaves of absence, an employee who is assigned a vehicle on a non-permanent basis will turn vehicle in to their department.

4. Personal Use of County Vehicles

a. No employee may use the vehicle assigned to them for personal business, except for incidental purposes such as meals.

b. When a vehicle is not being used for County business purposes, it is to be kept on County premises/property.

c. No County vehicle will be allowed to be driven to an employee's home unless the employee is subject to frequent/emergency duty after normal working hours **or as allowed under the travel policy**. Exceptions to this policy will be made with the approval of the County Manager. Only the following employees will be authorized to drive County vehicles to their homes:

- Emergency Services Director
- Fire Marshal
- Sheriff & Deputies
- Public Works Director and On-Call Personnel

d. An employee's title or position will not be regarded as justification for taking a County vehicle home. Justification is based on the above types of need and without regard to official capacity.

ACCIDENTS

If the vehicle is involved in an accident, the driver's first duty is to stop the vehicle. Regardless of the situation, the following procedures must be followed in the event of an accident:

1. Immediately notify the local law enforcement agency to obtain their accident investigation and report, as well as report any emergency needs.
2. Notify supervisor, department head, and/or Fleet Manager, within 24 hours.
3. Complete a County accident report form within 48 hours. This report, along with the law enforcement agency's report should be turned in to the County Manager's Office.
4. Complete the Driver Report of Accident form in the glove box of your county vehicle at the scene of the accident.
5. Notify your supervisor of any possible injuries to yourself, including possible workers' compensation claims.
6. The Department involved in an accident is responsible for obtaining two damage estimates on the County vehicle within 72 hours.
7. Failure to promptly report accidents and provide the necessary information may result in a loss of County driving privileges, suspension, demotion, or dismissal.

MAINTENANCE AND CARE OF COUNTY VEHICLES

Vehicles must be kept clean at all times. It is the assigned driver's responsibility to maintain the vehicle in a clean condition.

1. Preventive Maintenance. The purpose of the maintenance program is to promote consistency of repair and cost efficiency in maintaining County-owned vehicles in a safe operating condition. **Without the cooperation of all Department Heads and staff members, this maintenance program will fail.** Success will be determined by each and every one involved. The key operation factors upon which this maintenance program is based is mileage, fuel consumption, and/or time. Therefore, **ACCURATE, SPEEDOMETER OPERATION AND MILEAGE RECORDINGS ARE ESSENTIAL AS WELL AS ACCURATE RECORD KEEPING OF ALL ROUTINE DAILY RECORDS. The fuel card must correspond with the garage number and the mileage entered at the pump must be accurate.**

2. Maintenance

a. A vehicle number will be assigned by the school bus garage and affixed to the left front door frame.

b. Each department assigned a County-owned vehicle will be notified by the School Bus garage or Fleet Manager within 500 miles of the next service due period.

c. Repairs other than scheduled maintenance which are non-safety or non-essential must be scheduled with the School Bus garage to report the need for service. If a wrecker is required to bring the vehicle in for repairs, the Department Head will be required to make the arrangement for the same.

d. In the event of a mechanical failure, the Department Head or his/her designee will call the School Bus garage to report the need for service. If a wrecker is required to bring the vehicle in for repairs, the Department Head will be required to make the arrangements for the same.

e. Special equipment (fire extinguisher, flashlight, first aid kits, **gasoline cards**, etc.) must stay with the vehicle at all times. Important information (tag registration cards, state inspection certificate report and driver accident information) will also remain with the vehicle at all times. The drivers will be responsible for the security of these items in their assigned vehicle. The warranty booklet and owner's manuals may be kept at the Department of the assignment, but should be readily accessible if required by the School Bus garage.

f. The driver is responsible for ensuring that the fluid levels are maintained as specified by the owner's manual including gasoline, engine oil, transmission fluid, radiator fluid, washer fluid, etc. Therefore, vehicle(s) must be checked daily relative to same.

g. Emergency repairs during normal working hours will be completed by the School Bus garage with EMS and Sheriffs Department receiving top repair priority.

h. Emergency repairs required during other than normal working hours for EMS and Sheriffs Department vehicles will require the approval of the EMS Coordinator and the Sheriff for the respective departments, as well as the County Manager authorizing the emergency repair at an outside garage. A written report will be forwarded to the County Manager within 48 hours. This report must document the type of emergency repair required, the date and time of the emergency repair and the garage that did the repair. Emergency repairs will be monitored by the County Manager for any abuse and any adjustments to be made in the preventive maintenance program.

i. The Department Head is responsible for having the following maintenance performed by other than the School Bus garage, unless specified otherwise by the School Bus garage mechanic:

- installation or repair of communication equipment
- washing or cleanliness needs of the vehicle
- lettering of the vehicle

j. The School Bus garage and the Department Head will work together in scheduling outside repairs if some is required (i.e., suspension repair, upholstery repair, warranty work, etc.) It will be the responsibility of the Department Head to have the vehicle at the service location at the designated time and to pick up the vehicle when the repairs are completed.

k. Neither the School Bus garage nor the County is responsible for personal items which are lost or stolen from vehicles.

VEHICLE REPLACEMENT

1. Sheriffs Department patrol cars, EMS ambulances and other emergency vehicles are replaced at 150,000 miles, Five (5) years of service or at the garage mechanic recommendation.

2. All non-emergency vehicles are replaced at 200,000 miles, Ten (10) years of service or at the garage mechanic recommendation.

3. Heavy vehicles are replaced as mechanical condition dictates or at the garage mechanic recommendation.

4. If a department has a vehicle that is used less than 10,000 miles per year, the Fleet Manager should be notified.

Adopted the 5th day of October, 1998. **Amended: January 5, 2009.**

Votes were as follows: Ayes – Fleming, Davis, Ross and Jordan
 Nay – Richardson

Motion carried, **WARREN COUNTY FLEET POLICY** was adopted as amended.

On motion of Commissioner Fleming, which was seconded by Commissioner Ross and duly carried by unanimous vote, Clerk to the Board was authorized to contract with “Commerce Network Bid Distribution Service” at no cost to the County, to provide web-based bid solicitation for any and all contracts and services.

On motion of Commissioner Fleming, which was seconded by Commissioner Ross and duly carried by unanimous vote, a public hearing was scheduled for Monday, February 2, 2009 at 9:45 am to hear citizen comments regarding “Proposed False Alarm Ordinance”.

On motion of Commissioner Fleming, which was seconded by Commissioner Ross and duly carried by unanimous vote, Board of Commissioner meetings were rescheduled as follows:

<u>Old date:</u>		<u>Re-scheduled to:</u>
January 21 st	Budget Work Session	January 28, 2009
February 18 th	Work Session	February 11, 2009
March 9 th	Regular Board Meeting	March 2, 2009

On motion of Commissioner Fleming, which was seconded by Commissioner Davis and duly carried by unanimous vote, County Manager’s Report was adopted as follows:

Following is a recap of my work activities for the month of December 2008:

Administration

- Prepared for and attended Board of County Commissioners Organizational and Regular Meetings (12/1/08)
- Participated in Interviews for Veterans Administrator (12/2/08)
- Met with John Church, EDC Director, and Ted Echols, Chairman, Economic Dev Commission to discuss Director's resignation (12/4/08)
- Participated in Interviews for 4-H Agent at Cooperative Extension Service (12/8/08)
- Met with State Highway Patrol Representative and others to discuss VIPER Radio System (12/8/08)
- Attended Community Meeting to discuss First Tee Youth Program coming to Warren County (12/8/08)
- Attended FEMA Board Meeting (12/9/08)
- Met with Marshall Brothers, Public Works Director, and representatives from Waste Industries to discuss solid waste proposal (12/9/08)
- Met with Marshall Brothers, Public Works Director, to discuss solid waste proposals (12/10/08)
- Prepared for and attended Board of County Commissioners Public Hearing and Work Session (12/10/08)
- Conducted Department Heads Meeting and Christmas Luncheon (12/11/08)
- Met with Baron Williams, Chief Code Administrator, to discuss Code Enforcement Department Issues (12/11/08)
- Chaired Vance-Warren-Granville-Franklin Criminal Justice Advisory Board Meeting (12/12/08)
- Meeting with Barry Mayo to discuss information for Board of County Commissioners Budget Work Session (12/15/08)
- Prepared for and attended Board of County Commissioners Special Meeting and Budget Work Session (12/15/08)
- Attended Congressman Butterfield's Regional Meeting in Vance County (12/16/08)
- Attended SEMAA Advisory Board Meeting to discuss program funding (12/17/08)
- Met with Jonathan Cooper, COG Planner, to discuss Housing Assessment Study (12/17/08)
- Participated in a Kerr-Tar Rural Economic Development Corporation Conference Call with Warren County's Triangle North Delegation (12/18/08)

Project Updates

Warren County Senior Center

DSS is moving forward to serve Senior Center Level I clients with no additional funding or staffing needed and is negotiating a contract with a private provider to serve the Level II clients. It is hoped that all in-home aide clients will be receiving services on or before December 31, 2008. All other components of Senior Center programming are continuing uninterrupted.

National Guard Armory Renovation Project

Prepared for and attended the first Committee Meeting with representatives from NC State University School of Design on December 16, 2008. This meeting began the design phase for the facility. Several committee members were given assignments to help move this process forward. The next Armory Renovation Committee Meeting is scheduled for January 6, 2009, at 3:30 p.m. at the Armory.

2005 & 2008 Scattered Site Housing CDBG Projects

- Warren County has received notification from the NC Division of Community Assistance that our 2005 SS Housing CDBG Project has been officially closed out.
- A start-up meeting has been scheduled with Ms. Joyce Smith, of DCA, to begin implementation of Warren County's 2008 Scattered Site Housing Program grant in the amount of \$400,000. The Grant Agreement and other documents will be presented to the Board for approval at the 1/5/09 Board Meeting.
- I am recommended the County retain the services of the Kerr-Tar COG to administer the 2008 Grant. The COG's proposal and Contract to provide CDBG Scattered Site Administrative Services for Warren County will be presented to the Board for consideration and approval at the 1/5/09 Board Meeting.

Construction/Renovation Projects

Tax Office Renovation Project

Work on the Annex connecting the Judicial Building to the Courthouse is continuing. The interior of the Annex is currently being completed by Buildings and Grounds construction staff. The building is scheduled to be completed on or before January 30, 2009.

EMS Satellite Facilities

The closing has been scheduled for the purchase of a one-acre site in the Grove Hill Community on December 23, 2008. The second site will be closed in January 2009. Construction on the two facilities will commence after July 1, 2009.

Other Activities

- Keynote Speaker for 4-H Leaders Association Annual Volunteer Banquet (12/1/08)
- Attended and participated in Youth Services Bureau Annual Volunteer Awards Banquet (12/11/08)
- Attended Perimeter North Board Meeting and Luncheon Honoring Economic Developers from Vance, Warren, and Granville Counties (12/19/08)
- Attended Reception sponsored by Norlina Board of Commissioners honoring Stephanie Wheeler, native of Norlina and a 2008 Olympic Gold Medalist (12/20/08)

On motion of Commissioner Fleming, which was seconded by Commissioner Davis and duly carried by unanimous vote it was ordered to enter into Closed Session in accordance with NC GS 143-318.11(3) for Discussion of Personnel Matters.

On motion of Commissioner Davis which was seconded by Commissioner Fleming and duly carried by unanimous vote, it was ordered to return to the regular January 5, 2009 Board of Commissioners Meeting.

On motion of Commissioner Fleming, which was seconded by Commissioner Davis and duly carried the January 5, 2009 Board of Commissioners meeting was adjourned.

/s/ Angelena Kearney-Dunlap
Angelena Kearney-Dunlap, Clerk