

**COPY OF MINUTES FROM THE REGULAR MEETING OF THE WARREN COUNTY BOARD OF COMMISSIONERS HELD ON MONDAY, JUNE 1, 2009 AT 10:00 AM IN THE WARREN COUNTY MEMORIAL LIBRARY COMMUNITY ROOM RECORDED IN MINUTE BOOK #10.**

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

A moment of silence was followed by Citizen Comments:

- ▶ **Roland Beauchaine**, homeowner in Macon for 20 years, has paid his taxes in the past even though he did not agree with his taxes, but this budget has changed his beliefs. Property values at lake area have increased. He cannot accept the additional 20% increase in county budget affecting the ones whose taxes are being increased. This increase takes advantage of a small number of citizens that already pay a large percentage of taxes.
- ▶ **Pete Deschenes**, Littleton resident - provided a letter regarding his budget observations (on file in clerk's office).
- ▶ **Eleandor Carlson**, Macon resident - born and raised in Warren County, is back after 36 years, because she: 1) wanted to come back home; 2) decided to come back while her mother was still alive; and 3) lived in Carteret County saw firsthand what budget without considerations could do. Carteret County started economic downturn way before Warren County. People were possibly losing home, increased everything except relief for people that needed it. Now property sits in foreclosure and buildings are empty. She has watched it happen elsewhere and does not want to see it here.

On motion of Commissioner Fleming, which was seconded by Commissioner Davis and duly carried by unanimous vote, Discussion of Personnel Items was added to Closed Session on the June 1, 2009 Suggested Agenda.

On motion of Commissioner Ross, which was seconded by Commissioner Fleming and duly carried by unanimous vote, Suggested Agenda for June 1, 2009 was adopted as amended.

On motion of Commissioner Fleming, which was seconded by Commissioner Ross and duly carried by unanimous vote, Consent Agenda Item 5A - Minutes of May 4, 2009 Regular Meeting was approved.

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 April 2009 was adopted:

INTEREST INCOME REPORT		
Month Of April 2009		
FUND	APRIL INCOME	FISCAL YEAR TO - DATE
General	7,151.22	110,917.65
Revaluation	27.25	1,486.20
E 911 Telephone System	527.75	9,671.71
Buck Spring Project	205.05	4,624.09
Recreation Complex (Closed March 09)	0.00	378.21
Ambulance Storage Facility	2.79	2,542.90
Recreation Complex Phase II (Closed March 09)	0.00	487.49
Library Building Project Fund	13.62	6,210.73

Regional Water Enterprise Fund	283.91	6,540.24
District 1 Enterprise Fund	431.10	8,655.04
Solid Waste	307.80	4,490.46
District II Enterprise Fund	413.51	7,982.82
District III Capital Project Fund	174.99	3,946.29
District III Phase II BANS	45.06	533.60
District III Enterprise Fund	171.34	1,577.83
Soul City Pump Station Improvements	0.12	2.66
District II Phase II	6.16	32.77
	9,761.67	170,080.69

On motion of Commissioner Fleming, which was seconded by Commissioner Ross and duly carried by unanimous vote, Consent Agenda Item 5C – Tax Collectors Report for April 2009 was approved:

**Tax Collector's Report  
to the Warren County Board of Commissioners  
For the Month APRIL 2009**

**Current Year Collections**

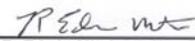
Tax Year		Charge	Collected in APRIL	Collected to Date	Balance Outstanding	Percentage Collected
APRIL 2009	FY 09	\$13,200,849	\$143,112	\$12,318,179	\$882,670	93.31%
APRIL 2008	FY08	\$11,738,885	133,027	10,891,900	846,985	92.78%

**Delinquent Collections**

Year	Charge	Collected in APRIL	Collected to Date	Balance Outstanding	Percentage Collected
2007	\$697,592	\$31,312	\$395,621	\$ 301,971	56.71%
2006	342,905	10,444	129,343	213,565	37.72%
2005	227,986	2,560	67,270	160,716	29.51%
2004	160,871	2,037	33,322	127,549	20.71%
2003	116,933	1,400	15,536	101,397	13.29%
2002	189,758	845	10,398	179,360	5.48%
2001	179,360	470	6,942	172,418	3.87%
2000	102,219	729	4,516	97,704	4.42%
1999	44,372	161	2,062	42,310	4.65%
1998	40,616	118	2,371	38,245	5.84%
<b>Total Delinquent Years</b>	<b>\$ 2,102,612</b>	<b>\$50,076</b>	<b>\$ 667,381</b>	<b>\$ 1,435,234</b>	

**Other APRIL Receipts**

County Penalties	\$16,314	\$ 165,652
Landfill User Fees	\$24,794	\$ 1,062,838
Municipalities	\$ 8,182	\$ 580,200
Fire District Taxes	\$ 10,837	\$ 594,068
Advance Taxes	\$ 4,393	\$ 16,744
<b>APRIL GRAND TOTAL</b>	<b>\$ 257,708</b>	<b>\$ 15,405,062</b>

  
 R. Edwin Mitchum, Tax Collector      Date 05/08/2009

On motion of Commissioner Fleming, which was seconded by Commissioner Davis and duly carried by unanimous vote, Consent Agenda Item 5D – Request for Tax Releases Over \$100 was approved:

Over \$100      6/4/2009      Date: 5/21/09

**ERROR CORRECTION RELEASES:**

CROCKER, SHIRLEEN	2008 9821 301	B8 18B	18510	\$ 174.91	STRUCTURE CHNGEI	12825	108
MILES, BARBARA	2008 2898 200		28592	\$ 305.71	M/H REPOED	12826	111
RICHARDSON, LEON & HELEN	2008 16862 300	19 33H	22429	\$ 105.00	NO ELEC IN M/H	12827	101
		<b>TOTAL</b>		<b>\$ 585.62</b>			

**MOTOR VEHICLE RELEASES:**

ACEVEDO, NYDIA E	2008 24627 2455	TSM 5044	78964	\$ 148.17	BACK TO DEALER	12828	112
Bullock Adrianna M	2008 13541 2489	XSB 1055	78998	\$ 109.34	Sold	12829	105
		<b>TOTAL</b>		<b>\$ 257.51</b>			

**SUB-TOTAL ERROR CORRECTIONS:**      \$ 585.62  
**SUB-TOTAL MOTOR VEHICLE RELEASES:**      \$ 257.51  
**TOTAL RELEASES:**      \$ 843.13

**Abbreviation Key:**  
 LFUF = Landfill User Fee  
 NES=No Electrical Service  
 LPC=Licensed Private Contractor

Tax Release requests under \$100 approved by County Manager Linda T. Worth were provided for information:

Under \$100		6/4/2009		Date: <u>5/22/09</u>			
<b>ERROR CORRECTION RELEASES:</b>							
<u>NAME</u>	<u>Year</u>	<u>ACCT#</u>	<u>MAP #</u>	<u>RECORD</u>	<u>AMOUNT</u>	<u>REASON</u>	<u>Rel #</u>
AYSCUE, LARRY	1999	9138 99	A11 13A	33998	\$ 20.02	CLERICAL ERROR	12797
AYSCUE, LARRY	2000	9138 100	A11 13A	33997	\$ 56.10	CLERICAL ERROR	12798
<b>SUB-TOTAL ERROR CORRECTIONS:</b>					<b>\$ 76.12</b>		
<b>MOTOR VEHICLE RELEASES:</b>							
ALEXANDER, SUSUE EVONIE	2008	16720 2121	JUS4SUZY	72762	\$ 34.86	SOLD	12799
ALSTON, PETER	2008	46305 2423	WXZ 9820	66105	\$ 16.22	TURNED IN	12800
BURNETTE, BEATRICE WEBB	2008	33253 2392	TTM8087	78901	\$ 90.55	REL. TO HALIFAX CO	12801
BURNETTE, BEATRICE WEBB	2008	33253 1320	XRN 6618	77829	\$ 6.37	REL. TO HALIFAX CO	12802
DCFS TRUST	2008	6643 1543	WTX 4322	70272	\$ 32.34	SOLD	12803
ELLINGTON, JONATHAN G	2008	6498 1118	TNK 5624	71759	\$ 8.19	SOLD	12804
ELLIS, CLYDE	2008	1128 1659	TSM 4442	78168	\$ 48.40	SOLD	12805
EPPS LORENZO	2008	33246 2417	WNK 5364	60409	\$ 34.96	REPOSSESSED	12806
Hardy Lillie Mae	2008	4783 1734	TXK 5236	72375	\$ 5.00	SOLD	12807
HENDERSON, JAMES	2008	19438 107	SNX 8123	54747	\$ 10.64	REPOSSESSED	12808
JOHN T HARRIS CONSTRUCTION	2008	18021 1653	PT 30974	76849	\$ 6.16	SOLD	12809
JOHNSON, JANEICE A	2008	25163 2233	XPB 5334	78742	\$ 23.10	GAVE AWAY	12810
KHALID, LATIF	2008	23577 1974	XNB 3390	75748	\$ 14.46	SOLD	12811
NEAL EUGENE HOLT	2008	28631 1200	MWH 4151	76396	\$ 10.89	SOLD	12812
PARKER, MELODIE E	2008	24609 9999	YSS 7187	29162	\$ 25.71	WRONG VALUE ON VEH	12813
SANCHEZ, CORONA CARLOS	2008	25173 1043	VRJ 7717	77552	\$ 12.60	SOLD	12814
SEWARD, ROZELLE	2008	269911224	YRN 7567	73536	\$ 22.13	REL TO VANCE CO	12815
SOLARI, WILLIAM JOSEPH	2008	38110 1417	1P 4004	75191	\$ 23.03	GAVE TO SON	12816
Shaw Charles Lee	2008	36637 1376	TSM 4227	76572	\$ 3.64	Sold	12817
STEGALL, HOWARD F	2008	38912 2154	BW 28296	78663	\$ 3.90	STOLEN	12818
WHITE, ANN S	2008	43334 1906	KXR 4149	70838	\$ 7.50	GAVE AWAY	12819
WILLIAMS, RUBIE H	2008	44807 1552	NTE 5981	72193	\$ 23.40	SOLD	12820
WILKINS, SANDRA K	2008	17729 1029	WTX 5744	71670	\$ 2.04	GAVE AWAY	12821
WILSON, FLORA M	2008	21298 107	WNV 107	54170	\$ 2.22	JUNKED	12822
WILSON, FLORA M	2008	21298 1779	MRV 1295	70508	\$ 2.68	JUNKED	12823
YOUNG, JASON	2008	20948 1879	WNV 2887	78388	\$ 69.97	SALVAGE/TR 2007	12824
<b>SUB-TOTAL MOTOR VEHICLE RELEASES:</b>					<b>\$ 540.96</b>		
<b>SUB-TOTAL CORRECTION RELEASES:</b>					<b>\$ 76.12</b>		
<b>Total Releases</b>					<b>\$ 617.08</b>		

On motion of Commissioner Fleming, which was seconded by Commissioner Ross and duly carried by unanimous vote, Long Bridge Volunteer Fire Department was authorized to conduct an Independence Day Fireworks Display with \$60 Special Use Permit Fee waived.

On motion of Commissioner Fleming, which was seconded by Commissioner Ross and duly carried by unanimous vote, Amendment # 11 to the Warren County FY 2008-09 Budget Ordinance was adopted:

**AMENDMENT TO THE WARREN COUNTY BUDGET ORDINANCE  
2008/2009  
Amendment No. 11**

**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:

Court Facilities	\$ 10,320
Register of Deeds	1,680
Buildings, Grounds & Maintenance	4,957
Buildings, Grounds & Maintenance - Contingency	(24,021)
Sheriff's Department	5,170
Detention Facility	12,021
DSS Administration	4,200
<b>Total</b>	<b>\$ 14,327</b>

**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 - DSS 1571	\$ 4,200
Miscellaneous Revenue	10,127
<b>Total</b>	<b>\$ 14,327</b>

This amendment:

- appropriates funds to Court Facilities for HVAC upgrade, conversion from steam boiler to national gas.  
Source of Funding: Building & Grounds Maintenance - Contingency
- appropriates funds to the Register of Deeds for HVAC upgrade, conversion, from steam boiler to national gas.  
Source of Funding: Building & Ground Maintenance - Contingency
- appropriates funds to Building & Grounds Maintenance to replace stolen equipment.  
Source of Funding: Insurance Claims
- appropriates funds to Building & Grounds Maintenance for purchase of a vehicle.  
Source of Funding: Surplus Property

- appropriates funds to Sheriff's Department for for the purchase of a vehicle. This replaces a vehicle total lost in an accident.  
Source of Funding: Insurance Claims
- appropriates funds to Detention Facility for fence and camera.  
Source of Funding: Building & Ground Maintenance - Contingency
- appropriates funds to DSS Administration for the Work First functional Assessment Program.  
Source of Funding: NC Division of Social Services

Respectfully Submitted, June 1, 2009

Barry J. Mayo  
Barry J. Mayo, Finance Director

On motion of Commissioner Fleming, which was seconded by Commissioner Ross and duly carried by unanimous vote, Amendment #9 to the Warren County Water & Sewer District III, Phase II Capital Project Ordinance was adopted:

**AMENDMENT TO THE CAPITAL PROJECT ORDINANCE FOR  
WARREN COUNTY WATER & SEWER  
DISTRICT NO. III PHASE II PROJECT  
(Amendment No. 9)**

**Section 3** of the above-reference capital project ordinance shall be amended as follows:

Increase/(Decrease) Revenues:

Sales Tax Refund	22,734
<b>Total</b>	<b>\$ 22,734</b>

**Section 4** of the above-reference capital project ordinance shall be amended as follows:

Increase/(Decrease) Appropriations:

Interest During Construction	\$ 22,734
<b>Total</b>	<b>\$ 22,734</b>

Explanation:

- This amendment:**
- appropriates funds for debt service payment.

Respectfully Submitted 06/01/2009

Barry J. Mayo  
Barry J. Mayo  
Finance Director

On motion of Commissioner Fleming, which was seconded by Commissioner Davis and duly carried by majority vote, "Resolution Authorizing the Filing of An Application for Approval of a Financing Agreement Authorized by NC General Statute 160A-20" regarding construction/renovation of Warren County New Tech High School was adopted. Finance Director Barry Mayo was authorized to sign related documentation.

**RESOLUTION**

**RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF A FINANCING AGREEMENT AUTHORIZED BY NORTH CAROLINA GENERAL STATUTE 160A-20**

**WHEREAS**, the Board of Commissioners of Warren County, North Carolina desires to construct/renovate the **New Tech High School (the "Project")** to better serve the citizens of Warren County; and

**WHEREAS**, The Board of Commissioners of Warren County desires to finance the Project by the use of an installment contract authorized under North Carolina General Statute 160A, Article 3, Section 20; and

**WHEREAS**, findings of fact by this governing body must be presented to enable the North Carolina Local Government Commission to make its findings of fact set forth in North Carolina General Statute 159, Article 8, Section 151 prior to approval of the proposed contract;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of Warren County, North Carolina, meeting in regular session on the 1st day of June, 2009, make the following findings of fact:

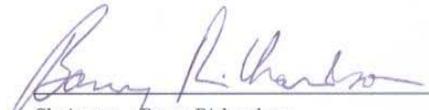
1. The proposed contract is necessary or expedient to facilitate the construction/renovation of the New Tech High School for convenient, safe and accessible usage to all ages of our citizens.

2. The proposed contract is preferable to a bond issue for the same purpose because of the favorable interest rate offered through installment contract financing and the low fixed costs compared to a bond issue. The cost of the undertaking is approximately \$560,000 which exceeds the amount that can prudently be raised through appropriation of available fund balance in light of other capital needs the county anticipates meeting in the near future.
3. The cost of financing under the proposed contract is less than the cost of issuing general obligation bonds, considering expenses relating to special referendum and bond counsel.
4. The sums to fall due under the contract are adequate and not excessive for the proposed purpose due to the County's diligence to provide services at a level previously not available while being conservative in design.
5. The County of Warren's debt management procedures and policies are in compliance and the County is well below its debt margin with no defaults on debt service payments.
6. The increase in ad valorem taxes necessary to meet the sums to fall due under the proposed contract will be less than one cent per \$100 valuation and is not deemed to be excessive.
7. The County of Warren is not in default in any of its debt service obligations.
8. The attorney for the County of Warren has rendered an opinion that the proposed Project is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of North Carolina.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Warren County Finance Officer is hereby authorized to act on behalf of the County of Warren in filing an application with the North Carolina Local Government Commission for approval of the Project and the proposed financing contract and other actions not inconsistent with this resolution.

This resolution is effective upon its adoption this 1st day of June, 2009.

The motion to adopt this resolution was made by Commissioner Ernest Fleming seconded by Commissioner William Davis and passed by a vote of 4 to 1.

  
Chairman - Barry Richardson

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

Motion carried, "Resolution Authorizing the Filing of An Application for Approval of a Financing Agreement Authorized by NC General Statute 160A-20" regarding construction/renovation of Warren County New Tech High School was adopted. Finance Director Barry Mayo was authorized to sign related documentation.

On motion of Commissioner Fleming, which was seconded by Commissioner Davis and duly carried by unanimous vote, "Resolution Authorizing the Filing of An Application for Approval of a Financing Agreement Authorized by NC General Statute 160A-20" regarding construction/renovation of Old Library/EMS Satellite Facility/Warren County National Guard Armory was adopted. Finance Director Barry Mayo was authorized to sign related documentation.

## RESOLUTION

## RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF A FINANCING AGREEMENT AUTHORIZED BY NORTH CAROLINA GENERAL STATUTE 160A-20

WHEREAS, the Board of Commissioners of Warren County, North Carolina desires to construct and/or renovate the **Old Library Building, Old Mental Health Building, EMS Satellite Facility, and Warren County Armory (the "Project")** to better serve the citizens of Warren County, NC; and

WHEREAS, The Board of Commissioners of Warren County desires to finance the Project by the use of an installment contract authorized under North Carolina General Statute 160A, Article 3, Section 20; and

WHEREAS, findings of fact by this governing body must be presented to enable the North Carolina Local Government Commission to make its findings of fact set forth in North Carolina General Statute 159, Article 8, Section 151 prior to approval of the proposed contract;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Warren County, North Carolina, meeting in regular session on the 1st day of June, 2009, make the following findings of fact:

1. The proposed contract is necessary or expedient to facilitate the construction/renovation of the Old Library Building, Old Mental Health Building, EMS Satellite Facility, and Warren County Armory for convenient, safe and accessible usage to all ages of our citizens.
2. The proposed contract is preferable to a bond issue for the same purpose because of the favorable interest rate offered through installment contract financing and the low fixed costs compared to a bond issue. The cost of the undertaking is approximately \$599,000 which exceeds the amount that can prudently be raised through appropriation of available fund balance in light of other capital needs the county anticipates meeting in the near future.
3. The cost of financing under the proposed contract is less than the cost of issuing general obligation bonds, considering expenses relating to special referendum and bond counsel.
4. The sums to fall due under the contract are adequate and not excessive for the proposed purpose due to the County's diligence to provide services at a level previously not available while being conservative in design.
5. The County of Warren's debt management procedures and policies are in compliance and the County is well below its debt margin with no defaults on debt service payments.
6. The increase in ad valorem taxes necessary to meet the sums to fall due under the proposed contract will be less than one cent per \$100 valuation and is not deemed to be excessive.
7. The County of Warren is not in default in any of its debt service obligations.
8. The attorney for the County of Warren has rendered an opinion that the proposed Project is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of North Carolina.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Warren County Finance Officer (Barry Mayo) is hereby authorized to act on behalf of the County of Warren, NC in filing an application with the North Carolina Local Government Commission for approval of the Project and the proposed financing contract and other actions not inconsistent with this resolution.

This resolution is effective upon its adoption this 1st day of June, 2009.

The motion to adopt this resolution was made by Commissioner Ernest Fleming, seconded by Commissioner William Davis and passed by a vote of 5 to 0.

  
Chairman - Barry Richardson

On motion of Commissioner Ross, which was seconded by Commissioner Davis and duly carried by unanimous vote, Wilford E. Exum was re-appointed to the ABC Commission for a 4<sup>th</sup> term, expiring June 2012.

On motion of Commissioner Fleming, which was seconded by Commissioner Ross and duly carried by unanimous vote, Mary Catherine Harris was re-appointed to the Jury Commission for a 3<sup>rd</sup> term, expiring June 2011.

On motion of Commissioner Fleming, which was seconded by Commissioner Ross and duly carried by unanimous vote, Brady Martin was re-appointed to the Economic Development Commission for a 2<sup>nd</sup> term, expiring June 2012.

On motion of Commissioner Ross, which was seconded by Commissioner Fleming and duly carried by unanimous vote, Warren County approved submission of Application for 2009 Community Development Block Grant Infrastructure Grant Funding for Wastewater Treatment Plant Improvements and for Infrastructure Grant Funds to assist citizens with access to the county's Water System.

On motion of Commissioner Fleming, which was seconded by Commissioner Ross and duly carried by unanimous vote, public hearing to hear citizen comments regarding Amendments to Warren County Historic Preservation Ordinance was rescheduled for June 22, 2009 at 9:30 am.

On motion of Commissioner Fleming, which was seconded by Commissioner Davis and duly carried by unanimous vote, public hearing to hear citizen comments regarding Amendments to Warren County Zoning Ordinance was rescheduled for June 22, 2009 at 9:45 am.

On motion of Commissioner Fleming, which was seconded by Commissioner Davis and duly carried by unanimous vote, Amended By-Laws for Citizens Advisory Council – Land Use were adopted as follows:



Planning/Zoning and Code Enforcement Department  
542 West Ridgeway Street  
Warrenton, NC 27589  
(PH) 252-257-7027 (FX) 252-257-1083

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**BYLAWS OF THE WARREN COUNTY  
CITIZEN'S ADVISORY COUNCIL-LAND USE**

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**I – Function:**

- ◆ The Warren County Citizen's Advisory Council-Land Use (hereafter referred to as the CAC-LU in this document) shall adhere to the powers and duties described in these Bylaws, as of this day-\_\_\_\_\_, 2008
- ◆ The CAC-LU shall meet and elect a chairperson and vice-chairperson within 30 days after appointment to the CAC-LU. The term of the chairperson and vice-chairperson shall be one year, with eligibility of reelection. The CAC-LU shall keep a record of its members' attendance and of its resolutions, discussions, findings and recommendations, and shall be a public record.
- ◆ The CAC-LU shall meet when necessary and in accordance with the provisions of North Carolina General Statutes - Section 143, Article 33C, "Public Meetings Laws". There shall be a quorum of four members for the purpose of taking any official action.
- ◆ The CAC-LU is appointed to act as an advisory body on zoning, land use and growth management matters to the Warren County Board of Commissioners, and will be afforded the flexibility to present information related to the work of CAC-LU both formally at regular Board of Commissioners' meetings and informally with individual Commissioners, with the concurrence of the CAC-LU Chair and/or CAC-LU Secretary.
- ◆ CAC-LU members serve at the pleasure of the Warren County Board of Commissioners and their terms shall run concurrent with County Commissioners who appointed them, unless a newly elected County Commissioner determines to maintain the CAC-LU member for their district and in that instance the term of the CAC-LU member is concurrent with the newly elected Commissioner.

**II - Powers and Duties:**

- ◆ The Powers and Duties of the CAC-LU shall include:
  - A. Research and development of a proposed countywide growth management (zoning) ordinance for Warren County (not inclusive of the Towns of Norlina and Warrenton and their respective Extraterritorial Jurisdiction (ETJ), but including and with agreement by the Town of Macon), to form recommendations to the Warren County Board of Commissioners,
  - B. Research, development, and review of Warren County's current Zoning Ordinance and Official Zoning Map, as related to the duties and responsibilities of the CAC-LU in order to form recommendations to the Warren County Board of Commissioners,
  - C. Presenting said recommendations to the Warren County Board of Commissioners for review, consideration, and potential action, and
  - D. To hear and decide all matters referred to it or upon which it is required to conduct its work as the CAC-LU of Warren County North Carolina.

**III – Election of Officers:**

- ◆ The CAC-LU shall elect a chairperson and a vice-chairperson from among its members.
- ◆ All officers may succeed themselves.
- ◆ Vacancies in office shall be filled immediately for the un-expired term by appointment of the Board of Commissioners for the officer.

**IV - Duties of Officers:**

- ◆ The *Chairperson* will:
  - A. Preside at all meetings of the CAC-LU and shall be a non-voting member of the CAC-LU (eight member Council). If a full board is not present and there is a quorum with an even number of CAC-LU members present, in the event of a tie vote the Chairperson shall be permitted to vote on the action item under consideration.
  - B. Decide all points of order or procedure.
  - C. Transmit and certify all reports and recommendations of the CAC-LU to the Warren County Board of Commissioners, Warren County Planning Board, and Warren County Board of Adjustments as necessary.
- ◆ The *Vice-Chairperson* will:
  - A. Assume the duties of the chairperson when the chairperson can not preside.
- ◆ The *Secretary*, who is the County staff member from the Warren County Planning/Zoning and Code Enforcement Department, shall:
  - A. Keep minutes of the CAC-LU meetings in proper form for the approval of the CAC-LU at its next regular meeting.
  - B. Mail notices of regular meetings of the CAC-LU, with a copy of the agenda, in accordance with these rules.
  - C. Give notice of special meetings called in accordance with North Carolina Open Meetings Law.
  - D. Maintain all files, records, and correspondence of the CAC-LU.
- ◆ Should either the Chairperson or Vice-Chairperson be unable to preside at a meeting, the Group will elect an Acting Chairperson for that meeting only, or until such time as the Chairperson or Vice-Chairperson can resume their responsibilities.
- ◆ Should the Secretary be unable to attend a meeting, the Planning and Zoning Administrator (or his/her designee) or Assistant Planner (or his/her designee) with the concurrence of the Chairperson of the CAC-LU, shall appoint an acting secretary to record and prepare the minutes.

**V – Meetings:**

- ◆ The CAC-LU will hold regular monthly meetings on the 2nd Thursday of the month at 6:30 PM in the Planning/Zoning and Code Enforcement Department conference room, unless circumstances determine otherwise when the date and time of CAC-LU meeting would need to be changed to facilitate the upcoming meeting requirements. If a scheduled meeting should fall on a holiday, the meeting will be held on the following Thursday. Should it be deemed appropriate and necessary, said meetings may be held in an area of the County where a particular issue/area of focus is under discussion by the CAC-LU.
- ◆ Additional meetings may be held with the agreement of a quorum of the members (determined to be four (4) voting members) of the CAC-LU at a regular meeting, where all absent members are notified of the time and place of any additional meetings.
- ◆ The Chairperson may call special meetings, provided that a minimum 72 hour notice is given each CAC-LU member.
- ◆ The Warren County Clerk of the Board of Commissioners shall be notified of all regular meetings, additional or special meetings of the CAC-LU.
- ◆ All CAC-LU meetings shall be open to the public, except for executive sessions convened in strict conformance with North Carolina General Statutes.
- ◆ If several members notify the group of their inability to attend a meeting and a quorum cannot be met, the chairperson may dispense with a meeting by giving written or oral notice to all members. The public shall be notified of any such cancellation to the maximum extent feasible.

- ◆ A quorum shall consist of a majority (defined as four (4)) of the voting members as the Chairperson is non-voting member), excluding any unfilled vacancies.
- ◆ In the absence of a quorum, business shall be conducted with a minimum of three voting members or three voting members and the Chair or Vice Chair present with the same Powers and Duties as stated under Section IV of these Bylaws.
- ◆ In all matters, effort shall be made to formulate a consensus. Should a consensus not be possible, or in the absence of a quorum of voting members, the vote of a majority of the members present and voting shall decide issues before the CAC-LU. All plans, reports, and recommendations of the CAC-LU must be approved by at least a majority of its members.
- ◆ Should a CAC-LU member be unable to attend a meeting where action items are on the agenda, a written proxy vote may be submitted with copy to both the CAC-LU Chair and CAC-LU Secretary, for those action items identified on the meeting agenda for that date as set by the CAC-LU. Said proxy vote will be counted and recorded in the meeting minutes as pertains to the agenda items for that particular meeting only. In each instance where a proxy is necessary, a new proxy must be submitted to both the CAC-LU Chair and CAC-LU Secretary in advance of the upcoming meeting date.

**VI - Rules of Conduct for Members:**

- ◆ Members of the Board may be removed for violations of the rules stated below.
  - A. Attendance at meetings of the CAC-LU and conscientious performance of the duties required of the members of the CAC-LU shall be considered a prerequisite to continuing membership on the CAC-LU.
  - B. Personal illness, family illness or death or required attendance at a work related function will be considered acceptable reasons for absence.
  - C. If three consecutive meetings are missed without communication to staff of a reason as indicated in this section, then that member shall be replaced through procedure of the Board of Commissioners and CAC-LU.
  - D. **CONFLICT OF INTEREST:** No CAC-LU member shall take part in a hearing, consideration, or determination of any matter in which he/she has direct financial interest or advancement. Any member, who has such an interest in matters under consideration by the CAC-LU, shall declare such interest prior to any consideration of the matter or as soon as such an interest becomes apparent to the member.
  - E. Unless determined otherwise by the CAC-LU, Roberts Rules of Order shall preside inclusive of a record of voting by roll call.

inclusive of a record of voting by roll call.

#### VII - Changes to the Bylaws:

- ◆ No changes shall be made to the Bylaws without the affirmative vote of a majority of the CAC-LU and with formal adoption of the Warren County Board of Commissioners.

#### VIII - Agenda for a Meeting of the CAC-LU:

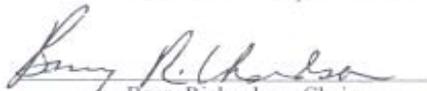
- ◆ The agenda for regular meetings shall be prepared by the Secretary of the CAC-LU with the assistance and concurrence of the CAC-LU Chairperson.
- ◆ To the maximum extent feasible, the agenda shall be mailed not less than seven (7) days prior to a regular meeting to each CAC-LU member. Copies of the agenda will be made available to the Clerk of the Board of Commissioners and to the local press.
- ◆ The agenda shall consist of the following (per the Powers and Duties of the CAC-LU):
  - A. Any item which the Board of Commissioners, CAC-LU, Planning Board, or Board of Adjustments has requested to be studied/acted upon.
  - B. Any item which any member of the CAC-LU has requested at a prior meeting.
  - C. Any item which any member of the County Planning staff (Planning and Zoning Administrator and/or Assistant Planner) has requested to be considered.
  - D. Any item which any member of the public has requested to be considered, in writing, which falls within the powers and duties of the CAC-LU.
  - E. Any item that requires specific action by the CAC-LU, after all materials required have been submitted, reviewed and deemed complete by professional staff.
  - F. Any item specifically held over from a previous meeting of the CAC-LU.
- ◆ Materials submitted after the agenda has been prepared may be presented by a person appearing at the regular meeting of the CAC-LU. These materials may be presented after all regular agenda items have been considered, unless by majority vote of the members present, the CAC-LU elects to amend the official agenda and permit presentation of unlisted items in any order determined by the CAC-LU. No official action shall be taken on any item not submitted as part of the regular agenda, unless the CAC-LU, by a majority of votes, determines such action is necessary for the public health, safety or welfare of the community.

#### IX - Committees:

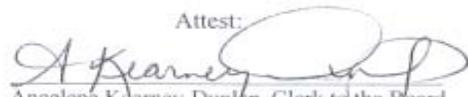
- ◆ The CAC-LU or its Chairperson may establish sub-committees of the CAC-LU and assign each committee specific Chair/Vice-Chair, duties and functions.
- ◆ The Chairperson of the CAC-LU may designate the chairperson for any such committee from the CAC-LU members and may appoint members to such committees. The members of the CAC-LU may volunteer for committees of their choice. The members of the CAC-LU may agree to allow additional non-CAC-LU members to serve on such committees. The chairperson of such a committee may select members to fill vacancies on committees as they occur.
- ◆ When it is deemed advisable, a committee may seek technical assistance or professional advice from individuals who are not members of the committee, provided that any expenditure of funds for such consultation (if required) shall be in accordance with Warren County's Budget and Policies and Policies/Procedures.

#### X - Records:

- ◆ The Secretary shall maintain a file of all studies, plans, reports, recommendations, and minutes made by the CAC-LU in the discharge of its duties and responsibilities.
- ◆ All records and adopted minutes of the CAC-LU shall be a public record.

  
Barry Richardson, Chairman  
Warren County Board of Commissioners

June 1, 2009  
Date Adopted

Attest:  
  
Angelena Kearney-Dunlap, Clerk to the Board  
Warren County Board of Commissioners



On motion of Commissioner Davis, which was seconded by Commissioner Fleming and duly carried by unanimous vote, recognition for Veteran status of US Merchant Marine Seaman of World War II was adopted by resolution:

**RESOLUTION OF THE  
WARREN COUNTY BOARD OF COMMISSIONERS  
SUPPORTING AN ALTERNATIVE METHOD OF RECOGNITION FOR VETERANS  
STATUS TO MERCHANT MARINE SEAMEN OF WORLD WAR II**

**WHEREAS** Public Law 95-202 and 105-368 bestowed veteran status on US Merchant Marine Seamen of World War II.

**WHEREAS** two specific U.S. government actions by U.S. government have caused some 10,000 merchant seamen to have been denied their due recognition.

- (1) The USCG relieving Masters of tugs, towboats, and seagoing barges of the responsibility submitting reports of seamen shipped and discharged and
- (2) The National maritime Administration ordered ship's logbooks to be destroyed because they were too costly to maintain had removed the two main criteria required by the government to issue official recognition to those seamen, and

**WHEREAS** the average age of the remaining seamen is above 86 and the population of the US veteran is shrinking at an average of 850 per year causing time to be of the essence, and

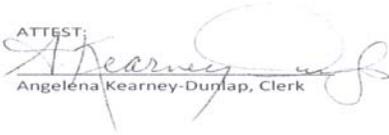
**WHEREAS, No costs are associated with this proposal as funds are already included in above public laws.**

**WHEREAS,** the Warren County Board of Commissioners therefore request that immediate action be taken to correct this inconceivable action.

**NOW, THEREFORE, BE IT RESOLVED** that the WC Board of Commissioners supports the attached proposal and so orders that this Resolution and attached proposal be sent to Senator Kay Hagan, Senator Richard Burr, Congressman Doug Berger, Representative Michael Wray, and Congressman G.K. Butterfield; and this matter be placed into action to ensure expedient passage.

Adopted this the 1<sup>st</sup> day of June, 2009.

ATTEST:

  
Angelena Kearney-Dunlap, Clerk

Warren County Board of Commissioners

  
Barry Richardson, Chairman

SEAL



On motion of Commissioner Fleming, which was seconded by Commissioner Davis and duly carried by unanimous vote, Maintenance Agreement between Warren County and North Carolina Department of Transportation (DOT) as it pertains to water and sewer service to North Carolina Department of Transportation's Interstate 85 Southbound Lane Rest Area/Welcome Center was approved. DOT agreed to reimburse the County the agreed upon amounts on outstanding invoices dated December 22, 2008 and March 20, 2009.

On motion of Commissioner Fleming, which was seconded by Commissioner Jordan and duly carried by unanimous vote, termination of Animal Control Director Gail Wells was affirmed.

On motion of Commissioner Fleming, which was seconded by Commissioner Jordan and duly carried by majority vote, Elma Van Blitterswyk-Greene was appointed to the position of Animal Control Director at a salary of \$42,000, effective June 16, 2009.

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

Motion carried, Elma Van Blitterswyk-Greene was appointed to the position of Animal Control Director at a salary of \$42,000, effective June 16, 2009.

On motion of Commissioner Fleming, which was seconded by Commissioner Ross and duly carried by unanimous vote, Resolution Opposing Transfer of Secondary Roads Programs to Counties was adopted:

**State of North Carolina**

**County of Warren**

**RESOLUTION OPPOSING TRANSFER OF SECONDARY ROAD PROGRAMS TO COUNTIES**

**WHEREAS**, legislation has now been introduced (Senate Bill 758) that would transfer responsibility for and maintenance of secondary roads from the State of NC to Counties beginning 2011; and

**WHEREAS**, according to statistics compiled by the NC Association of County Commissioners in 2008, there are 554.90 miles of secondary roads in Warren County; and

**WHEREAS**, without the continuation of existing State revenue streams to pay for road upkeep and construction, Warren County would be forced to raise the property tax rate by 14 cents in order to keep up the current level of funding needed to maintain existing secondary roads; and

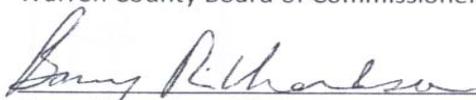
**WHEREAS**, Warren County does not have the equipment or capital to take on this massive additional responsibility.

**NOW THEREFORE, BE IT RESOLVED**, that the Warren County Board of Commissioners:

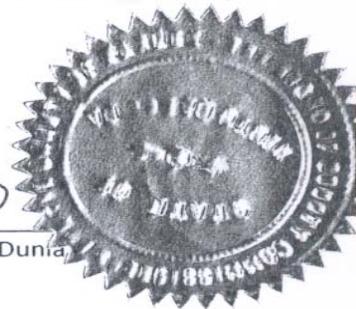
1. Strongly oppose SB 758, which, if ratified would transfer responsibility for and maintenance of secondary roads from the State to the counties.
2. Strongly urge all Counties to contact their legislative delegation to solicit their support in defeating this proposed legislation.
3. Direct that a copy of this resolution be transmitted to the members of the NC General Assembly representing Warren County with each Commissioners heartfelt concern about the transfer of this and future State costs to Counties.
4. Direct that a copy of this resolution be sent to the NC Association of County Commissioners and all 100 NC Counties.

Adopted this the 1<sup>st</sup> day of June, 2009.

Warren County Board of Commissioners

  
Barry Richardson, Chairman

  
Angelena Kearney-Dunia



For informational purposes, Clerk to the Board reminded the Board of Commissioners and public of June 17, 2009 regular work session at 6:00 pm and June 18, 2009 budget work session from 1:00 pm to 4:00 pm.

On motion of Commissioner Fleming, which was seconded by Commissioner Jordan and duly carried by unanimous vote, a joint meeting with Warren County legislative delegates Senator Doug Berger and Representative Michael Wray was rescheduled for June 23, 2009 at 6:30 pm in the Memorial Library Meeting Room, Congressman Butterfield, Senators Burr and Hagan will also be invited to attend.

On motion of Commissioner Fleming, which was seconded by Commissioner Ross and duly carried by unanimous vote, the following items were declared surplus property and authorized for sale via GovDeals Online Auction:

**1993 Ford Tempo:** V6 engine, No heat or air, Worn seats, 121,860 miles  
**Group of Air Conditioners:** 12 units, various ages, appx 10,000 BTU to 25,000 BTU.

On motion of Commissioner Fleming, which was seconded by Commissioner Ross and duly carried by unanimous vote, County Manager's Report for May 2009 was accepted:

**Administration**

- Prepared for and attended Board of County Commissioners Regular Meeting (5/4/09)
- Met with Barry Mayo, Finance Director, and Debbie Scott, YSB Director, to discuss state budget cuts and status of YSB budget (5/4/09)
- Met with Marcus Johnson, GIS/IT Administrator, Jonathan Cooper, Planner, and Geraldine Dumas, GIS Tech, with Kerr-Tar COG to discuss Housing Study (5/4/09)
- Met with Wayne Brown, of BB&T Insurance, to discuss county General Liability, Property, Public Officials, and Workers Comp renewals (5/5/09)
- Met with Tanya Evans, of Progress Energy, to discuss impact of federal transformational energy legislation on consumers (5/5/09)
- Attended Chamber of Commerce Tourism Meeting (5/5/09)
- Attended Southeast High Speed Rail Trail Project Public Meeting (5/7/09)
- Met with Michael Kilian, of Kilian Engineering, and the Armory Renovation Committee (5/7/09)
- Participated in an American Recovery and Reinvestment Act Webinar (5/8/09)
- Attended a meeting with Halifax EMC Reps, Halifax County Manager, EDC Director, Tourism Director, and Peggy Richardson, Interim EDC Director, to begin the discussion of a potential multi-county farmers market (5/11/09)
- Met with staff and Tobais Fullwood, Loan Rep with USDA Rural Development, to discuss applications for funding for Armory Project and EMS Satellite Facilities (5/7/09)
- Participated in media promotion of Book Shelf Project Grant at Memorial Library (5/13/09)
- Met with Mike Kelly, NCDENR, and John Barbour, of State Property Office, to discuss PCB Landfill property (5/13/09)
- Met with Michael Kilian and members of his project team, and Charles Ayscue, Buildings & Grounds Manager, to discuss National Guard Armory Project (5/13/09)
- Prepared for and attended Board of County Commissioners Budget Work Session (5/14/09)
- Met with Tilda Hendricks and Elgin Lane, HR Manager, to discuss a potential investment opportunity for county employees (5/19/09)
- Met with Theodore Paige, Veterans Service Officer, to discuss three-month performance update (5/19/09)
- Met with Michael Kilian to discuss Phase II budget for Armory Renovation Project (5/19/09)
- Met with Bob Neal, Forestry Service, to discuss FY 09 Forest Service budget (5/19/09)
- Conducted monthly Department Heads Meeting (5/21/09)
- Participated in conference call with Atty. Williams, Ken Krulik, and Vance County Officials to discuss building permit issue for property located on Vance/Warren county line (5/26/09)
  
- Met with Barry Mayo, Finance Director, to discuss information to be presented at Board of Commissioners' Budget Work Session (5/26/09)
- Prepared for and attended Board of County Commissioners Budget Work Session (5/27/09)
- Met with Cindy Keene, of Time Warner Cable, to meet Warren County's new representative (5/27/09)
- Meeting with Joyce Smith, of DCA, Julie Reid, of Kerr-Tar COG, and other county staff to discuss start-up of new CDBG Infrastructure Hook-Up Project (5/28/09)
- Meeting with Michael Kilian, of Kilian Engineering, and Charles Ayscue, Buildings & Grounds Manager, to discuss Armory Renovation Project (5/29/09)

**Project Updates**

## Project Updates

### Warren County Senior Center

The Senior Center is included in the Manager's proposed operating budget for FY 10 as a new county department. The Home and Community Care Block Grant for Older Adults, state transportation funding, mental health funding and several other grants will be available in addition to county funds to help pay for the Senior Center's operation.

### National Guard Armory Renovation Project

The Board of Commissioners approved the contract with Kilian Engineering to provide lead professional services for the Armory Renovation Project at their meeting on 5/4/09. A meeting was held with Mr. Kilian and the Armory Renovation Committee on 5/7/09. We are moving forward to finalize the proposed building plans so that the construction renovations can be bid in early summer. The structural assessment report of the Armory prepared by Laurene, Rickher & Sorrell, P.C., Consulting Structural Engineers, has been received and is in the hands of Kilian Engineering.

## Construction/Renovation Projects

### Tax Office Renovation Project

Work on the Courthouse Annex is complete. The Clerk of Superior Court and the Register of Deeds have switched offices and are now operating in their new office spaces. An open house for the general public is scheduled for Noon on Friday, May 29, 2009.

### Soul City Pump Station Improvements

The final order in the condemnation proceeding of property along Ridgeway Street needed for easements for this project has been signed by a Judge. We are now working through some easement issues with Progress Energy. They recently constructed utility poles along Ridgeway Street that may need to be moved for us to install the necessary improvements to the sewer line.

### Other Activities

- Keynote Speaker for South Warren Elementary School Scholars Banquet (5/21/09)
- Gave "Welcome" to North Warren High Class of 1969 Class Reunion Dinner (5/22/09)
- Attended Warren County High School Commencement Exercises (5/23/09)
- Courthouse and Judicial Annex Open House (5/29/09)

On motion of Commissioner Fleming, which was seconded by Commissioner Davis and duly carried by unanimous vote, in accordance with NCGS 143-318.11(a)(5)(7), it was ordered to enter into Closed Session for the discussion of Property Acquisition and Personnel Matters – County Attorney Contract.

On motion of Commissioner Ross, which was seconded by Commissioner Fleming and duly carried by unanimous vote, it was ordered to return to the regular monthly meeting.

On motion of Commissioner Fleming, which was seconded by Commissioner Ross and duly carried by unanimous vote, Agenda Item #16 was added to the June 1, 2009 Agenda consideration of "Letter of Non-contract Renewal from County Attorney Michael Williams."

On motion of Commissioner Fleming, which was seconded by Commissioner Davis and duly carried by unanimous vote, Agenda Item #17 was added to the June 1, 2009 Agenda, "Consideration of Month-to-Month Contract with County Attorney Michael Williams, until position is filled."

On motion of Commissioner Fleming, which was seconded by Commissioner Davis and duly carried by a majority vote, "Letter of Non-contract Renewal from County Attorney Michael Williams" was accepted.

Votes were as follows:       Ayes: Fleming, Davis, Jordan and Richardson  
                                      Nay: Ross (with regret)

Motion carried; Letter of Non-contract Renewal from County Attorney Michael Williams was accepted.

On motion of Commissioner Fleming, which was seconded by Commissioner Ross and duly carried by unanimous vote, it was ordered to enter into a Month-to-Month Service Contract with County Attorney Michael Williams, until position is filled was approved.

Commissioner Ross expressed concern regarding taxes and the reaction in the Lake area. He has been there since there were branches, creeks and rivers. It's time we grow Warren County, we need to improve the quality of life in Warren County. His family has paid taxes for over 150 years.

With no further business to discuss Chairman Richardson declared the June 1, 2009 Board of Commissioners meeting adjourned at 11:00 am.

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