

MINUTES FROM A PUBLIC HEARING REGARDING AMENDMENT TO THE 2008 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SCATTERED SITES HOUSING PROJECT # 08-C-1840 HELD BY THE BOARD OF COUNTY COMMISSIONERS FOR THE COUNTY OF WARREN IN THE WARREN COUNTY MEMORIAL LIBRARY COMMUNITY MEETING ROOM JANUARY 3, 2011 AT 5:30 PM.

The Public Hearing was called to order by Chairman Barry Richardson. Other Commissioners present: Bertadean Baker, Ruby Downey, Jennifer Jordan and Ulysses Ross. Others in attendance: County Manager Linda T. Worth, Finance Officer Barry Mayo and County Attorney Karlene Turrentine.

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

County Manager Linda T. Worth gave a brief background and informed the board that additional properties are necessary because others have been eliminated from the project for various reasons. Therefore, the following properties are submitted for addition:

Add the following properties for possible treatment:

180 Davis-Hyman Road, Norlina, NC
 110 White Rock Church Road, Hollister, NC
 124 Young Dead End Road, Norlina, NC
 1257 Cheeks Quarter Road, Henderson, NC
 172 E. Kearney Road, Warrenton, NC
 448 Connell Road, Warrenton, NC
 389 US Hwy 1 South, Norlina, NC

Julie Reid, Kerr-Tar Regional Council of Governments CDBG Program Coordinator, arrived at 5:35 pm and was given the floor. Ms. Reid explained that additional homes were needed to replace others dropped from the project. This will enable the County to use all project funds and benefit the maximum number of households.

There were no citizen comments.

On motion of Commissioner Ross, which was seconded by Commissioner Jordan and duly carried by unanimous vote, the Public Hearing was adjourned at 5:40 pm.

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

MINUTES FROM A PUBLIC HEARING REGARDING DRAFT WARREN COUNTY ORDINANCE FOR THE REGULATION OF SOUND CROSSING REAL PROPERTY BOUNDARIES INCLUDING HIGH IMPACT LAND USES AND POLLUTING INDUSTRIES HELD BY THE BOARD OF COUNTY COMMISSIONERS FOR THE COUNTY OF WARREN IN THE WARREN COUNTY MEMORIAL LIBRARY COMMUNITY MEETING ROOM JANUARY 3, 2011 AT 5:45 PM.

The Public Hearing was called to order by Chairman Barry Richardson. Other Commissioners present: Bertadean Baker, Ruby Downey, Jennifer Jordan and Ulysses Ross. Others in attendance: County Manager Linda T. Worth, Finance Officer Barry Mayo and County Attorney Karlene Turrentine.

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

County Manager Worth stated the ordinance is culmination of several months work. The committee consisted of several knowledgeable people, totally different from existing Noise Control Ordinance.

Citizens Comments:

George Kimball committee member - stated he was really impressed, finest Noise Ordinance in North Carolina, document is being looked at as an example by other counties already. County

Manager Worth and County Attorney Turrentine were commended for their participation in the process.

Alice Putnam - expressed she was very impressed with what's there, committee did an excellent job, county will move forward.

On motion of Commissioner Baker, which was seconded by Commissioner Jordan and duly carried by unanimous vote, the Public Hearing was adjourned at 5:55 pm.

/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 MEMORIAL LIBRARY COMMUNITY ROOM ON JANUARY 3, 2011 AT 6:00 PM.

The regular meeting of the Warren County Board of Commissioners was called to order by Chairman Barry Richardson. Other Commissioners present: Bertadean Baker, Ruby Downey, Jennifer Jordan and Ulysses Ross. Others in attendance: County Manager Linda T. Worth, Finance Officer Barry Mayo and County Attorney Karlene Turrentine.

A moment of silence was observed followed by the Clerk to the Board reading the "Conflict of Interest Disclaimer."

"Members of the County Board of Commissioners are advised, hereby, of their duty under the State Government Ethics Act to avoid conflicts of interest and the appearance of such conflict; and, further, are instructed to refrain from participating in any matter coming before this Board of County Commissioners with respect to which there is a conflict of interest or appearance of such conflict".

In accordance with the State Government Ethics Act, it is the duty of every Board member to avoid both conflicts of interest and appearances of conflict.

Does any Board member have any known conflict of interest or appearance of conflict with respect to any matter coming before this Board today?

If so, please identify the conflict and refrain from any undue participation in the particular matter involved.

Commissioner Downey declared conflict of interest: Item 9A – Tax Releases over \$100.
Chairman Richardson declared conflict of interest: Item 12 – Appointments to Board of Health.

Citizen Comments:

Ron Skow – inquired when wood was banned from convenience sites?

Susan King – spoke in reference to Animal Control: work session (Dec. 15, 2011) Board of Commissioners directed a meeting of the County Manager, Attorney, Animal Control Director and Animal Control Board. The meeting has not taken place yet. Please table action on Animal Control issue until the committee can meet.

June Gibbs – expressed concerns regarding animal control. She requested a public apology from Chairman Richardson for being short with her, calling her out of order and threatening her removal from the December 15th work session. She stated that as a Commissioner he should want to hear what Citizens have to say, if an apology cannot be given he should step down as Chairman. Ms. Gibbs has found discrepancies in Animal Control Department: 1) local ordinance on web site is different from one department distributes; 2) Animal Control Director reported 1,800 animals served over a year, there is a difference of about 500 animals; 3) Town of Warrenton reports 35 animals - average of 4 calls per month; and 4) why Animal Control Standard Operating Procedure has no effective date, is it valid without a date?

Alice Putnam – animals are posted on Craigs List, Warren County web site is horrible compared to other web sites. Ms. Gibbs' records are always right, why are Animal Control recorded numbers over stated. What will the additional funds be used for that's requested by Animal Control Director?

Tony Moran – Do we know when or if we will schedule a referendum regarding 1 quarter % increase in sales tax. Halifax scheduled referendum for February 1st . Citizens get the right to vote, it's the fairest way to do it.

LGW
Date: 12/28/10

Under \$100		1/3/2011				
ERROR CORRECTION RELEASES:						
NAME	Year	ACCT#	MAP #	RECORD #	AMOUNT	REASON
BRANNAN JESS M & DORIS	2010	4501 311	H2 37B	8637	\$ 99.91	DIDNT RECEIVE LAND USE
CAPPS MD JR & STEPHANIE	2010	7341 300	D5 66	13934	\$ 70.44	SHOP PUT ON WRONG PARCEL
FALCON LATISHA C	2008	16394 108	D5 67	26188	\$ 9.75	MH SOLD IN 2008
FALCON LATISHA C	2009	16394 109	D5 67	26525	\$ 7.21	MH SOLD IN 2008
FALCON LATISHA CHARMANE	2010	16394 200	D5 67	26188	\$ 31.27	MH SOLD IN 2008
HUDSON LEON & ANGELA	2010	4612 300	J2B 2	3172	\$ 24.48	SOLD BOAT IN 2009
MARLIN LEASING	2010	2120 200		27747	\$ 36.62	M&E WAS OVER ASSESSED
MCI COMMUNICATIONS	2010	32583 204		30160	\$ 25.01	CLERICAL ERROR
PINNELL ELLIOTT & ROBIN	2010	29986 300	A2C 2D	24023	\$ 71.22	2.12 AC RELEASED TO VANCE CO
POPLAR RIDGE TRUCKING	2005	6533 105		30958	\$ 10.94	WRONG FIRE DISTRICT
POPLAR RIDGE TRUCKING	2006	6533 106		30957	\$ 12.54	WRONG FIRE DISTRICT
POPLAR RIDGE TRUCKING	2007	6533 107		30956	\$ 17.94	WRONG FIRE DISTRICT
POPLAR RIDGE TRUCKING	2008	6533 108		30954	\$ 29.55	WRONG FIRE DISTRICT
POPLAR RIDGE TRUCKING	2009	6533 109		31044	\$ 20.99	WRONG FIRE DISTRICT
WURSTER MARK D	2010	23890 300	H1D 48	9195	\$ 94.50	BOAT VALUE LOWERED
SUB-TOTAL ERROR CORRECTIONS:					\$	562.37
MOTOR VEHICLE RELEASES:						
BOYD GRAHAM JR	2010	4037 1063	PYC7434	69392	\$13.59	SOLD
BROWN VELMA F	2010	16621 2103	ZTN4424	68766	\$4.16	HIGH MILEAGE ON CAR
COLEMAN JOHN A	2010	8911 1696	XVL1696	76362	\$4.88	TRADED
DAVIS THEODORE R	2010	3503 2562	WNK4244	78632	\$12.30	SURRENDERED
EPLER LARRY MITCHELL	2010	35256 2337	ZVW2430	70666	\$83.04	RELEASED TO CUMBERLAND CO
HARDEE MICHAEL D	2010	30797 2250	XV2577	67218	\$21.60	SOLD
HARRIS ETHEL B	2010	17233 1512	TXK4447	69841	\$16.62	NOT IN CITY LIMITS
HARRIS LAWANDA A	2010	22568 2302	YYX4929	70631	\$17.37	TRADED
HAWKS CHRISTOPHER L	2010	21878 109	ZPW5019	55082	\$38.08	SOLD
HICKS JAMES W JR	2010	28107 1255	0516A	75921	\$3.75	SOLD
HIGHTOWER ALPEAN R	2010	12976 1884	RRA2950	72547	\$13.80	WRECKED
HONDA LEASE CO	2010	20050 2452	XND8202	70781	\$67.41	CAR TURNED IN
HONDA LEASE TRUST	2010	20050 109	XVN5985	56049	\$35.52	SOLD
KEARNEY DAVID S	2010	13665 2694	YVT2921	65955	\$12.18	GAVE AWAY
LEATH CHARLIE E	2010	45612 1849	YVT2056	70178	\$34.08	TOTAL LOSS
LEWIS JAMES P	2010	25419 1829	VVVW8443	68492	\$32.72	GAVE TO SON
NELSON MATT D III	2010	28730 1189	YNC6321	69518	\$2.98	HIGH MILEAGE
NICHOLSON DOLLY K	2010	29005 1749	ZWS1149	70078	\$11.35	SOLD
PATTON VINCENT L	2010	1768 2283	VXR2284	67251	\$43.92	SOLD
PHELPS MARYLEE T	2010	10156 1558	SXT5007	69887	\$31.02	SOLD
SLATER MARGARET M	2010	19108 1889	PNB1548	68552	\$34.56	NO LONGER OWNS
VAZQUEZ CARMEN L	2010	16135 2324	YNC5916	68987	\$53.90	TRADED
WELLS LESLIE P	2010	26790 1849	MRT9296	68512	\$24.57	TRADED
WILLIAMS ROBERT R	2010	35249 2035	ZWR9960	70364	\$17.85	HIGH MILEAGE
WILLIAMS SHELDON M	2010	44824 109	YYX7887	54406	\$7.02	GAVE AWAY
SUB-TOTAL MOTOR VEHICLE RELEASES:					\$638.27	
SUB-TOTAL CORRECTION RELEASES:					\$	562.37
Total Releases						\$1,200.64

On motion of Commissioner Jordan, which was seconded by Commissioner Ross and duly carried by unanimous vote, Amendment # 7 to the Warren County FY 2010-2011 Budget Ordinance was adopted:

AMENDMENT TO THE WARREN COUNTY BUDGET ORDINANCE
2010/2011
Amendment No. 7

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:

Finance Office	4,000
Health Department	390
DJJDP- Gang Assessment Grant	(250)
Senior Center	2,847
Libraries	20,000
Total	\$ 26,987

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	390
Restricted Intergovernmental - DSS	2,847
Restricted Intergovernmental - Other	19,750
Fund Balance Appropriated	4,000
Total	\$ 26,987

This amendment:

- appropriates funds to the Finance Office for Actuarial Valuation of the County's Health Care Plan for audit purposes, this expense was unforeseen and required for the FY10 audit.
Funding Source: Fund Balance Appropriated
- increases funding to the Health Department to agree with State allocations.
Funding Source: NC DHHS Division of Public Health
- DJJDP-Gang Prevention Grant budget is decreased to agree with State allocation.
Funding Source: Dept of Juvenile Justice and Delinquency Prevention
- increases funding to the Senior Center to agree with State allocation.
Funding Source: NC Division of Aging - HCCBG
- appropriates grant funds to the Libraries for a consultant to develop long-range plans.

Funding Source: LSTA Planning Grant

Respectfully Submitted 1/03/2011

Barry J. Mayo
Barry J. Mayo, Finance Director

On motion of Commissioner Ross, which was seconded by Commissioner Jordan and duly carried by unanimous vote, Amendment to the 2008 Community Development Block Grant (CDBG) Scattered Sites Housing Project (08-C-1840) was approved as follows:

Add the following properties for possible treatment:

180 Davis-Hyman Road, Norlina, NC
110 White Rock Church Road, Hollister, NC
124 Young Dead End Road, Norlina, NC
1257 Cheeks Quarter Road, Henderson, NC
172 E. Kearney Road, Warrenton, NC
448 Connell Road, Warrenton, NC
389 US Hwy 1 South, Norlina, NC

On motion of Commissioner Ross, which was seconded by Commissioner Jordan and duly carried by unanimous vote, Ordinance – Regulation of Sound Crossing Real Property Boundaries Including High Impact Land Uses & Polluting Industries was adopted.

**WARREN COUNTY ORDINANCE
FOR THE REGULATION OF
SOUND CROSSING REAL PROPERTY BOUNDARIES
INCLUDING HIGH IMPACT LAND USES & POLLUTING INDUSTRIES**

SECTION 1: TITLE.

This Ordinance shall be known and may be cited as the “Warren County Noise Pollution Ordinance.”

SECTION 2: PURPOSE.

It is recognized that loud sounds crossing outdoor private property boundaries can endanger the physical and emotional health and welfare of the people, interfere with legitimate communication in business and recreation, interfere with sleep, increase construction costs, depress property values, offend the senses, create public nuisances, and in many respects reduce the quality of life.

It is further recognized that a substantial body of science and technology exists by which this sound may be measured and, in many cases, abated. Because the regulation of excessive and/or unnecessary noise that may jeopardize human health or welfare or substantially degrade the quality of life is well within the purview of this governing body’s police powers, it is declared to be the purpose of this Ordinance to prevent, prohibit and provide for the regulation and abatement of such sound which may jeopardize the health or welfare or degrade the quality of life of Warren County citizens.

SECTION 3: DEFINITIONS.

In addition to the common meaning of words, the following definitions shall be used in interpreting this Ordinance:

- 1) “A” Weighting Scale. The sound pressure level, in decibels, as measured with the sound level meter using the “A” weighted network (scale). The standard unit notation is dB(A).
- 2) Ambient Base Noise Level. The average sound pressure level in db(A) during a reasonable period of time, as determined by employing a sound level meter as described in Section 4 and excluding impulsive sounds or; the sound normally present at a location when a sound source under investigation is not in operation.
- 3) ANSI. American National Standards Institute or its successor bodies.
- 4) Construction. On-site erection, fabrication, installation, alteration, demolition or removal of any structure, facility or addition thereto, including all related activities, including, but not restricted to, clearing the land, earth moving, blasting and landscaping.
- 5) Daytime Hours.* 7:00 a.m. until 11:00 p.m. from Sunday through Thursday. For the days of Friday and Saturday, daytime hours are defined as 7:00 a.m. until 12:00 a.m. (*“Daytime Hours do *not* apply to high impact land use facilities defined and regulated hereunder.)
- 6) dB(A). Sound level in decibels determined by the “A” weighting scale of a standard sound level meter having characteristics defined by the American National Standards Institute, Publication ANSI, S1.4-1971, for a Type 2 instrument.
- 7) Decibel (dB). A unit of measure, on a logarithmic scale, of the ratio of the magnitude of a particular sound pressure to a standard reference pressure.
- 8) Emergency Work. Work made necessary to restore property to a safe condition, work required to protect, provide or prevent persons or property from danger or potential danger; or work by private or public utilities when restoring utility service.
- 9) High Impact Land Use (“HILU”). Land use that may, by its very nature, produce objectionable (and even unsafe) levels of noise, odors, vibrations, fumes, light, smoke, and/or other impacts upon the lands adjacent to them. Such HILU shall include, but not be limited to the following:
 - a) Construction and Demolition Landfill. A disposal site for solid waste resulting from construction, remodeling, repair, or demolition operations on pavement, buildings, other structures, or other structures, including but not limited to such as may be contributed by the County of Warren, the North Carolina Department of Environment and Natural Resources, and/or the North Carolina Department of Transportation.
 - b) Drag strip and/or Race track. A facility purposed for the conducting of races of human-operated machines (e.g. automobiles, go-carts, lawnmowers, motorcycles, etc.)

- c) Sanitary Landfill. A disposal facility or part of a facility where waste is placed in or on land and that is not a land treatment facility, surface impoundment, an injection well, a hazardous waste long-term storage facility or a surface storage facility; a sanitary landfill facility is for solid waste disposal in a sanitary manner in accordance with the rules concerning sanitary landfills adopted pursuant to N.C.G.S. § 130A, Article 9.
- d) Swine Farm. A tract of land devoted to raising 200 or more animals of the porcine species.
- e) Waste Processing Facilities. Includes incinerator, composting facility, household hazardous waste facility, waste-to-energy facility, transfer stations, reclamation facility or any other locations where solid wastes are consolidated, temporarily stored, salvaged or otherwise processed prior to being transported to a final disposal site.
- 10) HILU Daytime Hours. 8:00 a.m. until 10:00 p.m. from Monday through Thursday. For the days of Friday HILU daytime hours are defined as 8:00 a.m. until 11:00 p.m. For the days of Saturday, daytime hours are defined as 9:00 a.m. until 11:00 p.m. For the days of Sundays, HILU daytime hours are defined as 10:00 a.m. until 9:00 p.m.
- 11) HILU Nighttime Hours. 10:01 p.m. beginning Monday and ending 7:59 a.m. Friday. For Friday nights, nighttime is defined as 11:01 p.m. until 8:59 a.m. Saturday. For Saturday nights, nighttime is defined as 11:01 p.m. until 9:59 a.m. Sunday.
- 12) Nighttime Hours.* 11:01 p.m. until 6:59 a.m. from Sunday through Thursday. For the nights of Friday and Saturday, nighttime is defined as 12:01 a.m. until 6:59 a.m. (*“Nighttime Hours do *not* apply to high impact land use facilities defined and regulated hereunder.)
- 13) Nuisance Noise. Any excessive or unusually loud sound or any sound which disturbs the peace and quiet of any neighborhood or which does annoy, disturb, injure, or endanger the comfort, repose, health, peace or safety of any person or causes damage to property or business.
- 14) Sound Level. In decibels, a weighted sound pressure level determined by the use of a sound level meter whose characteristics and frequency weightings are specified in ANSI standards.
- 15) Sound Level Meter. Any instrument certified to meet or exceed ANSI standards which include an omni-directional microphone, an amplifier, an output meter and frequency weighting network(s) for the measurement of sound level.
- 16) Sound-magnifying Device. Any device or machine for the magnification of a human voice, music or any other sound. “Sound-magnifying device” shall not include emergency warning devices on police, fire, ambulance or other emergency vehicles.
- 17) Sound Pressure Level. In decibels, twenty (20) times the logarithm to the base 10 of the ratio of the magnitude of a particular sound pressure to the standard reference pressure. The standard reference pressure is 0.0002 microbars.

SECTION 4: MEASUREMENT TECHNIQUES FOR DECIBEL READINGS.

- A. Noise measurements shall be made at the property line of the property where the noise to be measured is being generated. If measurement on private property is not possible or practical, noise measurements may be made at the boundary of the public right-of-way which adjoins the complaining property. Such noise measurements shall be made at a height of at least four (4) feet above the ground and at a point approximately ten (10) feet away from walls, barriers, obstructions (trees, bushes, etc.) on a sound level meter operated on the “A” weighting network (scale).
 In the case of noises within multifamily or multi-tenanted structures, noise measurements shall be made in the complaining unit at a height of at least four (4) feet above the floor and at a point approximately equi-distant from all walls on a sound level meter operated on the “A” weighting network (scale).
- B. No individual other than the operators shall be within ten (10) feet of the sound level meter during the sample period.
- C. Sound measurements shall be conducted at that time of day or night when the suspect noise source is emitting sound.
- D. The sound level measurement shall be determined as follows:
 - 1. Calibrate the sound level meter within one (1) hour before use.
 - 2. Set the sound level meter on the “A” weighting network (scale) at slow response.
 - 3. Set the omni-directional microphone in an approximate seventy-degree position in a location which complies with subsections (A) and (B) above. The operator of the sound level meter shall face the noise source and record the meter’s instantaneous response (reading) observed at consecutive ten-second intervals until one hundred (100) readings are obtained.
 - 4. Re-calibrate the sound level meter after use.
- E. It shall be unlawful for any person to interfere, through the use of sound or otherwise, with the taking of sound level measurements.
- F. HILU facilities shall not be subject to Decibel Reading measurements during HILU Daytime Hours. However, any such reading taken and showing impermissible levels before or after HILU Daytime Hours shall be evidence *per se* of such facility’s violation of this Ordinance and the burden shall immediately shift to the HILU facility to show it is not in violation of this Ordinance.

SECTION 5: SOUND EMISSION STANDARDS AND LIMITATIONS.

- A. Unless otherwise specifically indicated, it shall be unlawful for anyone to cause or allow the emission of sound from any source or sources which when measured pursuant to Section 4 exceeds the maximum decibel limits specified in Table 1. Ten (10) readings above the allowed decibel limits attributed to the sound source or sources shall constitute prima facie evidence of a violation of this Ordinance. The sound meter operator may cease taking readings as soon as the readings already taken show a violation of this Ordinance. It shall not be necessary to complete all one hundred (100) readings if a fewer number have already indicated a violation of the Ordinance.

Zoning Districts	Daytime Hrs	Nighttime Hrs
Agricultural Residential	60	55
Group Camping & Tent Trailer Camping	55	45
Residential	55	45
Neighborhood Business & Lakeside Business	60	55
Light Industrial	70	65

- B. When a noise source can be identified and its sound is measured in more than one district, the average of the noise limitation of the two (2) districts shall apply.
- C. Notwithstanding the location of hospitals, rest homes, family care homes, group care facilities, public or private or parochial schools or day care facilities, it shall be unlawful for any person to cause or allow the emission of sound onto the structures of such uses which exceeds the maximum noise limitations for residential zoning districts.
- D. For activities which are necessary for railroad operations it shall be unlawful for any person to cause or allow the emission of sound from the boundaries of railroad rights-of-way which exceeds eighty (80) dB(A) for daytime and seventy-five (75) dB(A) for nighttime, without regard for the zoning district of the abutting property.

SECTION 6: UNLAWFUL NOISE.

No person or entity shall cause or allow the emission of sound beyond the boundaries of his property or onto the property of another exceeding the permissible sound level outlined herein during the impermissible hours of day and/or night, which may seriously interfere with neighboring residents' reasonable use of their properties.

SECTION 7: NUISANCE NOISES & NOISE POLLUTION.

A. (1) It shall be unlawful for any person to cause or allow the emission of any unreasonable loud, disturbing and unnecessary noise in the county. Specifically, it shall be unlawful to create or emit noise of the character, intensity or duration as to be detrimental to the health of any individual or that is above the sound emission decibel limits set forth herein.

(2) It shall be unlawful to play any radio, music player, television, audio system or musical instrument in the manner or at the volume as to annoy or disturb the quiet, comfort or repose of neighboring inhabitants or at a volume which is plainly audible to persons other than those who are in the premises in which the device or instrument is played and who are voluntary listeners thereto.

(3) Except for organized events which have received any type of permit required in conjunction with the event, it shall be unlawful to play any radio, music player, television or audio system upon a public right-of-way or upon other public property in the manner or at the volume as to disturb the quiet, comfort or response of other persons.

B. No person shall play any radio, music player or audio system in a motor vehicle at the volume as to disturb the quiet, comfort or repose of other persons or at a volume which is plainly audible to persons other than the occupants of the vehicle.

C. (1) No sound magnifying device mounted on a vehicle shall be operated between the hours of 8:00 p.m. and 10:00 a.m. or at any time within 500 feet of any school, church or hospital in the manner or at a volume which is plainly audible to persons other than the occupants of the vehicle.

(2) No sound magnifying device mounted on a vehicle shall be operated on a Sunday; provided that, any such device may be operated in substitution for a band as part of a parade held after 1:00 p.m. on Sunday under the auspices of any organization authorized to hold the parade, if the permit issued for the parade so indicates.

(3) The provisions of this section do not apply to sound magnifying devices controlled by any governmental entity or to private ambulances which are engaged in responding to emergency calls.

D. In addition to any other violation of this Ordinance, the acts enumerated below are specifically declared to be nuisance noises or unreasonably loud, disturbing and annoying or unnecessary noise, the creation or emission of which shall be unlawful. Such enumeration shall not be deemed to be exclusive:

- 1) Yelling, shouting, whistling or singing.
- 2) Noisy parties.
- 3) Loading operations, i.e. loading, unloading, opening or otherwise handling boxes, crates, containers, garbage cans, or other similar objects.
- 4) Repair of motor vehicles, i.e. the repair, rebuilding, or testing of any motor vehicle.
- 5) Sound amplification equipment, television, stereos, boom boxes, or other musical instrument(s).
- 6) Horns and signaling devices (except as a warning of a safety hazard, danger or emergency).
- 7) Vehicles not operating with original manufacturer-provided muffler, or equivalent, in good working order.
- 8) Motorized Watercrafts. No motor shall be used on any watercraft unless it is equipped with an efficient muffler, underwater exhaust or other device which at all times adequately muffles or suppresses the sound of the exhaust of the motor so as to prevent excessive or unusual noise, and no motor shall be equipped with any cutout. It is not the intent of this section to prohibit the use of any type exhaust system or device, including those systems and devices that do not discharge water with the exhaust gases.
- 9) Exterior and mobile loud speakers.
- 10) Power equipment including but not limited to power tools, generators, and garden equipment.
- 11) Explosives: The use or firing of explosives, firearms or similar devices which create impulsive sound.
- 12) Security alarms: The sounding of a security alarm for more than twenty (20) minutes after the owner or responsible party has been notified by law enforcement personnel.
- 13) It shall be unlawful to operate a vehicle sound system on public or private property, or a boom box on public or private property in such a manner that the sound emanating from such equipment is detectable at a distance of thirty (30) feet from the source.
- 14) The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court while the same are in session, or within one hundred fifty (150) feet of any hospital which unreasonably interferes with the working of such institution or which disturbs or duly annoys patients in the hospital, provided conspicuous signs are displayed in such streets indicating that the same is a school, church, court or hospital street.
- 15) The keeping of any bird, livestock, dogs or other animal which by causing frequent or long continued noise disturbs the comfort or repose of individuals in the vicinity.
- 16) HILU Facilities outlined in Section 3.9 herein are determined to be nuisance noises or unreasonably loud, disturbing and annoying or unnecessary noise, the creation or emission of which shall be unlawful if determined to have occurred outside of the permissible HILU Daytime Hours set out herein.

E. Exemptions.

The following are exempt from the provisions of this section:

- 1) Sound emanating from regularly scheduled outdoor athletic events or recreational activities on the grounds of local schools or parks.
- 2) Construction operations from 7:00 a.m. to 9:00 p.m. on weekdays and 8:00 a.m. to 9:00 p.m. on weekends for which proper and valid building permits have been issued, and/or; construction operations not requiring permits due to ownership of the project by an agency of government. Such exemption presumes that: all equipment is operated in accordance with the manufacturer's (or equivalent) specifications, and that all standard equipment has manufacturer's (or equivalent) mufflers and noise-reducing equipment in use, and that all equipment utilized is in properly operating condition.
- 3) Legally used noises of safety signals, warning devices, emergency pressure relief valves, and all church bells.
- 4) Sound resulting from any authorized emergency vehicle when responding to any emergency call or acting in time of emergency.
- 5) All noise coming from the normal operations of properly equipped aircraft (not including scale model aircraft) which are specifically preempted by the Federal Aviation Administration.
- 6) Noises of vehicles travelling on public rights-of-way properly equipped with the manufacturer's standard (or equivalent) mufflers and noise-reducing equipment, *unless* such vehicle is stopped and producing sound by use of a bell, loudspeaker, or other device for the purpose of attracting attention (for other than an emergency warning) or for the entertainment of the occupant/s or owner of the vehicle and/or a user of the vehicle whether the user is located within or outside of the vehicle.
- 7) Noise from lawful fireworks and noisemakers on holidays, at religious ceremonies, and/or as part of or during a municipal celebration or parade.
- 8) Musical accompaniment or firearm discharge related to military ceremonies.
- 9) Noise resulting from a citizen's careful, lawful, and proper use of firearms on his/her own property (and/or on the property of another who has given the user *express* authorization for such entry) for the purpose of target practice and/or lawful hunting

during the hours of 7:00 a.m. to 9:00 p.m. on weekdays and 8:00 a.m. to 9:00 p.m. (This exemption does *not in any way* extend or change the legal hunting times and season/s but must be read congruent with such.)

- 10) Emergency work necessary to maintain public safety, or to restore property to a safe condition following an accident or natural disaster, or to restore public utilities and infrastructure following an accident or natural disaster, or to protect persons or property from an imminent danger.
- 11) Noises resulting from the provision of government services necessary to maintain the public infrastructure.
- 12) Noises resulting from work performed by non-governmental agencies, provided that such work is necessary to maintain the public infrastructure and that a permit for the work has been issued by the County.
- 13) Agricultural and horticultural operations conducted in a reasonable manner on property classified as bona fide farms for ad valorem tax purposes.
- 14) Noises resulting from lawn care equipment used between 7:00 a.m. to 9:00 p.m. on weekdays and 8:00 a.m. to 9:00 p.m., provided fuel engines of any type are equipped with a functioning muffler.
- 15) Music produced by school bands while practicing or performing on school property and/or as part of a municipal celebration.
- 16) Non-amplified crowd noises resulting from activities such as those planned by student, governmental, or community groups, as well as those noises resulting from a bona fide business event that lasts not longer than four (4) hours in a twenty-four (24) hour period.
- 17) Noises resulting from any activities of temporary duration for which a permit allowing exemption from this Section has been granted by the County pursuant to Section 12 of this Ordinance. Regulation of noises emanating from operations under such permit shall be according to the conditions and limits stated on the permit.
- 18) HILU Facilities outlined in Section 3.9 herein are hereby made exempt during HILU Daytime Hours *only*.

SECTION 8: ENFORCEMENT.

The Warren County Sheriff's Department and Officers of the North Carolina Wildlife Commission shall enforce this ordinance, pursuant to N.C.G.S § 153A-123, and may include, but not be limited to, the equitable remedies contained therein. The means of enforcement shall be in the sole discretion of the enforcer, whether to utilize Section 4 or Section 9 of this Ordinance as the measuring method—based on which method is more practical for assessing the noise pollution at hand in each individual situation.

SECTION 9: COMPLAINT OF VIOLATIONS CREATES PRESUMPTION IN PROSECUTION FOR NOISE VIOLATIONS.

- A. A person or group of persons will not be deemed to have violated Section 6 of this Ordinance unless the noise being created, caused, or allowed to continue by said person(s) is reported on at least two (2) occasions, at least twenty (20) minutes apart, by different complainants at two (2) different locations when combined with the complaint of a duly authorized investigating person, shall be prima facie evidence that such sound is unreasonably loud, disturbing and annoying or a nuisance noise, or unless the noise is of such a nature that a reasonable person should have known that the noise was a nuisance as defined in Section 7 of this Ordinance. Sound emission decibel measurements shall not be required for establishment of a prima facie case.
- B. Sounds created by existing sources and/or equipment in place and operational prior to the effective date of this article, and maintained in good working order, are not violations of this article if the sound levels created do not exceed the limits allowed by this Ordinance prior to the effective date.
- C. HILU Facilities outlined in Section 3.9 herein shall *only* be subject to this presumption when and if the noise complained of is shown to have occurred outside of HILU Daytime Hours.

SECTION 10: BURDEN ON RESPONDENT TO PROVE EXCEPTION TO RESTRICTION MET

In any proceeding pursuant to this section, if an exception may be applicable to limit an obligation to comply with the regulations herein, the person cited (“Respondent”) who would benefit from the application of the exception shall have the burden of persuasion that the exception applies and that the terms of the exception have been met.

SECTION 11: PENALTIES FOR VIOLATION OF NOISE RESTRICTIONS.

- A. When it is reasonable and practical to do so, a person believed to be violating any portion of this Ordinance may be given an oral order to cease or abate the noise immediately, or as soon as is reasonable or practical, prior to being charged with a violation.
- B. If the order to cease or abate the noise is not complied with, the person or persons responsible for the violation may be charged with a violation of this Ordinance.
- C. When there is a violation of any provision of this Ordinance, the County may take one or more of the following enforcement actions:
 - 1) Where there is a continuing violation, each day’s continuing violation is a separate and distinct offense.
 - 2) Violation of any provision of this Ordinance shall constitute a misdemeanor and upon first violation a warning will be issued. Upon conviction of subsequent violation, a violator may be punishable by a fine of up to \$500.00 or imprisoned for not more than thirty (30) days.
 - 3) The County may apply for an appropriate equitable remedy from the General Court of Justice including but not limited to mandatory or prohibitory injunctions and orders of abatement as allowed by G.S. 153A-123(d) and (e). Such civil actions may name as defendants any person or persons creating, allowing the creation of or assisting in the creation of any unlawful noise including the owner of the premises from which it emanates and the person having actual control of the premises from which it emanates.

SECTION 12: PERMITS FOR TEMPORARY VARIANCES.

- A. Any person desiring relief from any provision of this Ordinance shall apply for a permit to cause or create noise which would otherwise be in violation of this Ordinance. Applications for permits must be made in writing to the Warren County Manager’s Office and shall contain information which demonstrates that bringing a source of sound or activity for which the permit is sought into compliance with this Ordinance would constitute an unreasonable hardship on the applicant, or on the community, or on other persons. The fee for filing a permit shall be \$25.00.
- B. In determining whether to tentatively approve a permit or to grant or deny an application, the Noise Control Permit Board (the Warren County Manager, the Sheriff of Warren County, or his designee; and the Director of the Warren County Health Department, or his designee) shall balance the hardship to the applicant, the community, and other persons of not granting the permit against the adverse impact on the health, safety, welfare, and comfort of persons affected, the adverse impact on property affected, and other adverse impacts of granting the permit. Any decision made on appeal by the Warren County Board of Commissioners shall be made on the same basis.

C. If the permit is tentatively approved, the applicant shall be responsible for mailing by first class mail or otherwise delivering to each property owner as shown on the tax records of Warren County owning property within a 1,000 foot radius of the facility for which the permit has been tentatively approved a notice on a form provided by the County Manager's Office showing the time and date of the event for which the permit is being sought and any condition included as part of the tentative approval. The notice shall indicate that if any person(s) wish to contest the granting of the permit, they can do so by filing a statement in writing with the County Manager's office on or before the fifth (5th) day following the date of delivery of the notice. Permits shall not be actually granted until (a) the applicant submits an affidavit to the County Manager's Office showing the dates such notices have actually been mailed or otherwise delivered, and (b) the time period for receiving comments has elapsed. If the Noise Control Permit Board finds that a sufficient controversy exists regarding the application, the Noise Control Permit Board shall deny the permit. In granting or denying a permit, the Noise Control Permit Board shall place on public file a copy of the decision and the reasons for granting or denying the permit.

D. Any applicant for a permit whose application is denied is entitled to appeal to the Warren County Board of Commissioners. Any five (5) persons alleging to be affected by a granted permit are entitled to appeal the granting of a permit. An appeal voids the permit the granting of which is appealed; but such permit may be reissued if the opponents do not give notice of public hearing as required by this section. Appeals must be made in writing to the County Manager within seventy-two (72) hours of the granting or denial of the special permit. A public hearing shall be held within fifteen (15) days of the date of the appeal. If the applicant appeals, he shall be required to mail or otherwise deliver to each property owner as shown on the tax records of Warren County owning property within a 1,000 foot radius of the facility for which the permit is sought a notice of the hearing prepared by the County Manager. Such notices must be mailed by first-class mail or delivered at least seven (7) days prior to the hearing. If other persons appeal the granting of a permit, they must mail or deliver notices to all property owners within the 1,000 foot radius as specified above and to the applicant. Within five (5) days following the public hearing, the Warren County Board of Commissioners shall grant or deny the permit and place on public file a copy of the decision and the reasons for granting or denying the permit.

E. Any permit granted pursuant to this section shall contain thereon all conditions upon which said permit has been granted, including, but not limited to the effective date, time of day, location, sound level limits and equipment limitations. Provided, however, that no permit shall be issued for a period in excess of fifteen (15) consecutive days. Any permit granted hereunder may be renewed upon re-application. Non-compliance with any condition of the permit shall terminate it and subject the permit holder to Section 6 of this Ordinance.

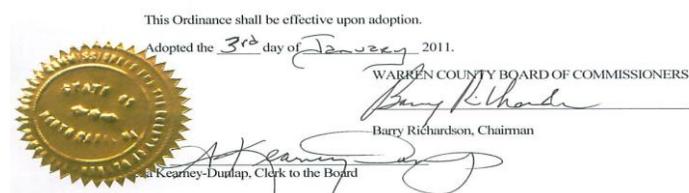
SECTION 13: JURISDICTION

This Ordinance shall be applicable and enforceable within all unincorporated areas of Warren County. In addition, the governing board of any city or town within the County may by resolution permit this Ordinance (except Section 12) to become applicable and enforceable within said city or town. Any city or town wishing to do so should give the County written notice of the passage of the resolution permitting the enforcement within the city or town at least thirty (30) days prior to the proposed date for this Ordinance to become effective within said city or town. Such city or town may in addition adopt a supplemental ordinance to provide its own procedure for considering temporary variance permits if desired. The city or town may at any time thereafter by resolution withdraw its permission to this Ordinance. Thirty (30) days after the County receives written notice of the passage of a resolution withdrawing permission for the Ordinance to be effective within the city or town, this Ordinance shall cease to be effective within said city or town.

SECTION 14: SEVERABILITY

If any provision or clause of this Ordinance shall be declared invalid such declaration shall not invalidate any other provision or clause of this Ordinance.

SECTION 15: EFFECTIVE DATE



On motion of Commissioner Jordan, which was seconded by Commissioner Ross and duly carried by unanimous vote, Tax Collector Robert Mitchum was authorized to Grant Individual Extensions of Time for the Listing of Real and Personal Property in accordance with GS 105-307. Deadline for extensions was changed to April 15, 2011.

On motion of Commissioner Jordan, which was seconded by Commissioner Baker and duly carried by unanimous vote, Request for Tax Releases Over \$100 was approved as follows. Commissioner Ruby Downey abstained from the vote, noting she was included on the list of citizens requesting a release.

Over \$100	1/3/2011	Date:			
ERROR CORRECTION RELEASES:					
BRANNAN JESS M & DORIS	2010 4501 310	E2 161B	19559	\$107.47	DIDN'T RECEIVE LAND USE
BRANNAN JESS M & DORIS	2010 4501 310	H2 44	8079	\$165.14	DIDN'T RECEIVE LAND USE
CONNELL DAVID A	2009 7947 301	E5 195 1Z	3078	\$123.00	WRONG VALUE ON PARCEL FOR 09
CONNELL DAVID A	2010 7947 301	E5 195 1Z	3078	\$123.00	WRONG VALUE ON PARCEL
DIECKMAN MERWIN R & BETTY	2009 19658 300	I3B 68	19220	\$332.95	PTC SETTLEMENT
DIECKMAN MERWIN R & BETTY	2010 19658 300	I3B 68	19220	\$315.84	PTC SETTLEMENT
GREER BROTHER INC	2010 18427 327	G7 37	5702	\$357.02	M&E WAS DOUBLE TAXED
HAWKINS DONNELL & OTHERS	2010 2456 300	G8 80	8446	\$362.96	M/HOMES UNLIVEABLE
KPH PAVING & LANDSCAPING	2010 18905 200		29510	\$1,156.07	EQUIPMENT OVER ASSESSED
PERKINSONS BACKHOE	2010 47638 200		30292	\$257.58	M&E WAS OVER ASSESSED
PERKINSON TERRY & LISA	2010 1864 300	A11 13G	20896	\$490.44	CLERICAL ERROR, D/W ON PARCEL AL
PERKINSON TERRY & LISA	2009 1864 300	A11 13G	20896	\$369.76	CLERICAL ERROR, D/W ON PARCEL AL
POPLAR RIDGE TRUCKING CO	2010 6533 200		26525	\$2,490.09	EQUIPMENT OVER ASSESSED
THOMSON ROBERT R & TAMI J	2010 11265 302	L2C 68	8207	\$113.29	CLERICAL ERROR
SUB-TOTAL ERROR CORRECTIONS:				\$6,764.61	
MOTOR VEHICLE RELEASES:					
FLETCHER RANDOLPH M	2010 4586 2377	ZRM6132	77043	\$139.80	NEW TAG
KINNARD BARBARA J	2010 35257 2352	ZTH5911	70681	\$102.18	RELEASED TO NORTHAMPTON CO
SUB-TOTAL MOTOR VEHICLE RELEASES:				\$241.98	
SUB-TOTAL CORRECTION RELEASES:				\$6,764.61	
Total Releases				\$ 7,006.59	
LANDFILL USER FEE RELEASES:					
ALEXANDER MARGARET D	2010 336 202	D2 7H	21606	\$ 115.00	HAS PRIVATE HAULER
BROWNE RICHARD E	2010 29362 300	J2A 145	16062	\$115.00	HAS PRIVATE HAULER
BULLOCK MELVIN	2010 11697 300	C5 36	1783	\$115.00	NO ELECTRICITY PER PROGRESS ENE
CARTER DEREK	2010 14094 300	K5 43	2337	\$115.00	NO ELECTRICITY PER HALIFAX ELEC
CARTE LUCY S	2010 7315 300	B8 38	2307	\$115.00	NO ELECTRICITY
CORONA CARLOS S/MARIA S CASTRO	2010 24402 300	D9 26C	21080	\$115.00	NO ELECTRICITY PER HALIFAX ELEC
CORONA CARLOS S/MARIA S CASTRO	2010 24402 301	B7 63	16703	\$115.00	SECURITY LIGHTS ONLY/PER PROGRE
DAVIS WILBUR & PATRICIA	2010 11428 300	C5 32A	1204	\$115.00	HAS PRIVATE HAULER
DOWNEY PERCELL HEIRS	2010 8975 200	D2 7H	26886	\$115.00	NO ELECTRICITY PER HALIFAX ELEC
ENGEL MARTIN	2010 1890 300	C1 8A	6166	\$230.00	HAS PRIVATE HAULER
GREER BROTHERS INS	2010 18427 327	G7 37 1X	5702	\$115.00	HAS PRIVATE HAULER
HAWKINS LILLIE G	2010 18820 300	F6 149	6410	\$115.00	HAS PRIVATE HAULER
JONES S R HEIRS	2010 23001 301	K2 22	7021	\$115.00	NO ELECTRICITY PER HALIFAX ELEC
JORDAN MARY ELIZA	2010 7784 300	C5 21	14183	\$115.00	HAS PRIVATE HAULER
MORGANO LOUIS P HEIRS	2010 3924 301	G5 103A	18793	\$115.00	DECEASED NO ONE LIVES IN HSE
NCF INVESTMENTS LLC	2010 9042 301	C1 8	6941	\$230.00	HAS PRIVATE HAULER
NCF INVESTMENTS LLC	2010 9042 300	E3 4	12642	\$115.00	HAS PRIVATE HAULER
PAYNTER DONALD & VIRGINIA	2010 504 306	E3 9	2838	\$115.00	NO ELECTRICITY PER PROGRESS ENE
PERNELL EDNA P	2010 31104 305	D8 1	9365	\$115.00	NO ELECTRICITY PER PROGRESS ENE
PETTWAY MOSES L	2010 31527 327	G6 40	9566	\$115.00	NO ELECTRICITY PER HALIFAX ELEC
PHELPS HENRY F	2010 31536 300	I3D 305	9580	\$115.00	HAS PRIVATE HAULER
SPRING VALLEY FARM OF NC	2010 5083 300	C1 8B	12980	\$115.00	HAS PRIVATE HAULER
SRS OF HENDERSON LLC	2010 31864 300	E4 54 A2	16959	\$115.00	HAS PRIVATE HAULER
STALLINGS W KENNETH HEIRS	2010 38705 306	H7 13	12383	\$115.00	NO ELECTRICITY PER HALIFAX ELEC
TERRY JOHN & ELLEN W	2010 2796 300	B6 55	19463	\$115.00	HAS PRIVATE HAULER
TUCKER CARL VICTOR	2010 6255 300	C5 154A	20433	\$115.00	HAS PRIVATE HAULER
SMITH MARY	2010 38001 320	L2D 40	9605	\$115.00	HAS PRIVATE HAULER
SMITH MARY	2010 38001 329	K8 33	310	\$115.00	HAS PRIVATE HAULER
SMITH MARY	2010 38001 322	L2C 12B	11857	\$115.00	HAS PRIVATE HAULER
SMITH MARY	2010 38001 306	L2C 1 2	10143	\$115.00	HAS PRIVATE HAULER
SMITH MARY	2010 38001 304	L2A 61A	19270	\$115.00	HAS PRIVATE HAULER
SMITH MARY	2010 38001 301	L2C 211	10032	\$115.00	HAS PRIVATE HAULER
SMITH MARY	2010 38001 300	L2C 213	9029	\$115.00	HAS PRIVATE HAULER
WILLIAMS MARY F	2010 4799 301	H8 21	14045	\$115.00	NO ELECTRICITY PER HALIFAX ELEC
TOTAL LFUF RELEASES:				\$4,140.00	
Total Releases				\$ 11,146.59	

In follow-up to the December 15, 2010 Board of Commissioners work session, the following items were presented for Board's review and adoption:

- 1- Amendment to the Animal Control Fee Schedule
- 2- Contract with EntreDot an Economic Development Consulting Service
- 3- Schedule Board of Commissioners Planning Retreat
- 4- Revise Memorial Library Operating Hours

On motion of Commissioner Ross, which was seconded by Commissioner Jordan and duly carried by unanimous vote, Amendment to the Animal Control Fee Schedule was tabled to the February 7, 2011 Board of Commissioners' meeting.

Motion was made by Commissioner Jordan to approve entering into Contract with EntreDot an Economic Development Consulting Service.

Motion died for lack of a second.

On motion of Commissioner Ross, which was seconded by Commissioner Jordan and duly carried by unanimous vote, County Manager Linda T. Worth was ordered to schedule a Board of Commissioners Retreat in March 2011.

On motion of Commissioner Jordan, which was seconded by Commissioner Baker and duly carried by unanimous vote, County Manager was authorized to engage a facilitator for the full day March 2011 Board of Commissioners Retreat at a fee not to exceed \$1,100.

On motion of Commissioner Ross, which was seconded by Commissioner Baker and duly carried by unanimous vote, a request from Warren County Memorial Library to revise hours of operation was approved on a six month test period, as follows:

Monday – Thursday: 9:00 a.m. – 7 p.m.

Friday – 9:00 a.m. – 5:00 p.m.

Saturday – 10:00 a.m. – 2:00 p.m.

Shift in hours still provides the public with 52 hrs of Library services each week

The Warren County Democratic Party Executive Committee recommended Yvonne D. Alston to the Board of Commissioners for appointment to fill the Register of Deeds vacancy upon the retirement of Elsie Weldon.

On motion of Commissioner Jordan, which was seconded by Commissioner Ross and duly carried by unanimous vote, on recommendation of the Warren County Democratic Party Executive Committee, Yvonne D. Alston was appointed to the position of Register of Deeds; effective January 1, 2011 to expire December 2012, with an annual salary of \$47,562.

On motion of Commissioner Jordan, which was seconded by Commissioner Ross and duly carried by unanimous vote, Dr. Merwin Diekmann, Physician was appointed to a third (3rd) term on the Board of Health; term expires December 2013.

On motion of Commissioner Jordan, which was seconded by Commissioner Downey and duly carried by unanimous vote, Jerry Bolton, Sr., At-Large was appointed to a second (2nd) term on the Board of Health; term expires December 2013.

On motion of Commissioner Jordan, which was seconded by Commissioner Baker and duly carried by unanimous vote, Linda Baker, Pharmacist was appointed to a fifth (5th) term on the Board of Health; term expires December 2013.

On motion of Commissioner Jordan, which was seconded by Commissioner Downey and duly carried by unanimous vote, Melissa Richardson, At-Large was appointed to a second (2nd) term on the Board of Health, term expires December 2013. Chairman Richardson abstained from voting because of conflict of interest: Ms. Richardson is his daughter-in-law.

On motion of Commissioner Jordan, which was seconded by Commissioner Ross and duly carried by unanimous vote, Commissioner Ruby Downey was appointed to the Area Mental Health Board for a two year term, expiring December 2012.

On motion of Commissioner Ross, which was seconded by Commissioner Baker and duly carried by unanimous vote, Commissioner Ruby Downey was appointed to the Home & Community Care Board of Directors for a two year term, expiring December 2012.

On motion of Commissioner Ross, which was seconded by Commissioner Jordan and duly carried by unanimous vote, Commissioner Ruby Downey was appointed to the Kerr Area Rural Transportation Authority (KARTS) for a two year term, expiring December 2012.

On motion of Commissioner Ross, which was seconded by Commissioner Jordan and duly carried by unanimous vote, Commissioner Ruby Downey was appointed to the Kerr-Lake Regional Water System Board of Directors for a two year term, expiring December 2012.

On motion of Commissioner Ross, which was seconded by Commissioner Downey and duly carried by unanimous vote, Commissioner Jennifer Jordan was appointed to the Kerr-Tar Regional Council of Governments (COG) Board of Directors for a two year term, expiring December 2012.

On motion of Commissioner Ross, which was seconded by Commissioner Downey and duly carried by unanimous vote, Commissioner Jennifer Jordan was appointed to the Warren County Personnel Committee for a two year term, expiring December 2012.

On motion of Commissioner Baker, which was seconded by Commissioner Ross and duly carried by unanimous vote, Commissioner Jennifer Jordan was re-appointed to the Warren County Parks & Recreation Commission for a two year term, expiring December 2012.

On motion of Commissioner Downey, which was seconded by Commissioner Ross and duly carried by unanimous vote, Commissioner Jennifer Jordan was re-appointed to the Social Services Board for a two year term, expiring December 2012

On motion of Commissioner Downey, which was seconded by Commissioner Ross and duly carried by unanimous vote, Commissioner Jennifer Jordan was re-appointed to the Vance Granville Franklin Warren Criminal Justice (VGFW) Board for a two year term, expiring December 2012.

On motion of Commissioner Downey, which was seconded by Commissioner Baker and duly carried by unanimous vote, Commissioner Jennifer Jordan was appointed to the Warren County Water Committee for a two year term, expiring December 2012.

On motion of Commissioner Jordan, which was seconded by Commissioner Downey and duly carried by unanimous vote, Commissioner Barry Richardson was re-appointed to the Board of Equalization & Review (E&R) for a two year term, expiring December 2012.

On motion of Commissioner Baker, which was seconded by Commissioner Ross and duly carried by unanimous vote, Commissioner Barry Richardson was re-appointed to the Kerr-Tar Regional Council of Governments (COG) Board of Directors for a two year term, expiring December 2012.

On motion of Commissioner Jordan, which was seconded by Commissioner Downey and duly carried by unanimous vote, Commissioner Barry Richardson was re-appointed to the Warren County Finance Committee for a two year term, expiring December 2012.

On motion of Commissioner Ross, which was seconded by Commissioner Downey and duly carried by unanimous vote, Commissioner Barry Richardson was re-appointed to the Warren County Fire Commission for a two year term, expiring December 2012.

On motion of Commissioner Jordan, which was seconded by Commissioner Baker and duly carried by unanimous vote, Commissioner Barry Richardson was re-appointed to the Warren County Personnel Committee for a two year term, expiring December 2012.

On motion of Commissioner Downey, which was seconded by Commissioner Jordan and duly carried by unanimous vote, Commissioner Barry Richardson was re-appointed to the Soil and Water Resource Conservation & Development Council (RC&D) for a two year term, expiring December 2012.

On motion of Commissioner Ross, which was seconded by Commissioner Jordan and duly carried by unanimous vote, Commissioner Barry Richardson was designated as NC Association of County Commissioners Legislative Liaison for a two year term, expiring December 2012.

On motion of Commissioner Jordan, which was seconded by Commissioner Downey and duly carried by unanimous vote, Commissioner Bertadean Baker was appointed to the Emergency Medical Services Peer Review Advisory Council for a two year term, expiring December 2012.

On motion of Commissioner Jordan, which was seconded by Commissioner Downey and duly carried by unanimous vote, Commissioner Bertadean Baker was appointed to the Board of Health for a two year term, expiring December 2012.

On motion of Commissioner Jordan, which was seconded by Commissioner Downey and duly carried by unanimous vote, Commissioner Bertadean Baker was appointed to the Local Emergency Planning Committee (LEPC) for a two year term, expiring December 2012.

On motion of Commissioner Ross, which was seconded by Commissioner Jordan and duly carried by unanimous vote, Commissioner Bertadean Baker was appointed to the Warren County Senior Center Advisory Board for a two year term, expiring December 2012.

On motion of Commissioner Jordan, which was seconded by Commissioner Downey and duly carried by unanimous vote, Commissioner Ulysses S. Ross was re-appointed to the Warren County Historic Preservation Commission for a two year term, expiring December 2012.

On motion of Commissioner Jordan, which was seconded by Commissioner Downey and duly carried by unanimous vote, Commissioner Ulysses S. Ross was appointed to the Warren County Finance Committee for a two year term, expiring December 2012.

On motion of Commissioner Downey, which was seconded by Commissioner Jordan and duly carried by unanimous vote, Commissioner Ulysses S. Ross was re-appointed to the Juvenile Crime Prevention Council (JCPC) for a two year term, expiring December 2012.

On motion of Commissioner Jordan, which was seconded by Commissioner Baker and duly carried by unanimous vote, Commissioner Ulysses S. Ross was appointed to the Kerr-Tar HUB Triangle North Board of Directors (at large) for a two year term, expiring December 2012.

On motion of Commissioner Downey, which was seconded by Commissioner Baker and duly carried by unanimous vote, Commissioner Ulysses S. Ross was re-appointed to the Kerr Tar RPO RTAC for a two year term, expiring December 2012.

On motion of Commissioner Jordan, which was seconded by Commissioner Downey and duly carried by unanimous vote, Commissioner Ulysses S. Ross was re-appointed to the Kerr-Tar Rural Transport Planning Committee (RPO) for a two year term, expiring December 2012.

On motion of Commissioner Jordan, which was seconded by Commissioner Baker and duly carried by unanimous vote, Commissioner Ulysses S. Ross was re-appointed to the Lake Gaston Weed Control Council for a two year term, expiring December 2012.

On motion of Commissioner Ross, which was seconded by Commissioner Baker and duly carried by unanimous vote, County Manager's report on contracts executed was approved as presented.

MEMORANDUM

TO: Warren County Board of Commissioners
FROM: Linda T. Worth, County Manager *LW*
DATE: December 29, 2010
RE: Notice of Contracts Approved by the County Manager

Pursuant to the contracting authority granted to me by the Board of County Commissioners, please be advised that the following contracts/agreements have been executed:

2008 CDBG Scattered Site Housing Project

Humphries Construction
 517 Wakefield Avenue
 Henderson, NC 27536

A call for bids for rehabilitation of the home located at 104 Capps Hill Rd., Hollister, NC was duly advertised and the bids in the attached Bid Tabulation were received and opened on 12/14/10. The contract for this work was awarded to the lowest responsible bidder, Humphries Construction in the amount of \$39,915.00. Funds to pay for this work will come from the 2008 Community Development Scattered Site Project Block Grant.

Please advise if there are any questions or concerns regarding this matter.

Attachment

December 13, 2010

Memorandum to: Linda Worth, Warren County Manager
 From: Karen Foster, CD Planner, Ken-Tar Regional COG
 Regarding: 12/04/2009 Bid Opening for the 2008 CDBG Scattered Site Project

A call for bids for the 2008 CDBG Scattered Site Project was advertised and the following bids were received and opened. The tabulations are as follows:

COUNTY: WARREN		BID TABULATION			
PROJECT NAME: SCATTERED SITE					
DATE	ADDRESS	ADDRESS	ADDRESS	ADDRESS	COMBINED
12-13-2009	104 Capps Hill Rd				
STAFF ESTIMATE	CONTRACTOR/COMPANY NAME	BID AMOUNT	BID AMOUNT	BID AMOUNT	BID AMOUNT
	CHI Construction	No total given			
	Herman Rouse, LLC	45,000.00			
	Humphries Construction	39,915.00			

PRESENT AT OPENING:
 Karen Foster, COG
 Paula Pulley, Warren County
 Mike Insoe, COG

Pending verification of licensing and insurance, it is recommended that the bid(s) be awarded in the following manner:

104 Capps Hill Rd, Hollister Humphries Construction \$39,915.00 (Rehab) LW

Should the contractors recommended not meet the conditions of the award, it is our recommendation that the awards be made to the second lowest bidder for the above projects.

BID AWARD APPROVAL:


 Linda T. Worth, Warren County Manager

12/14/10
 Date

On motion of Commissioner Ross, which was seconded by Commissioner Jordan and duly carried by unanimous vote, County Manager's report of activities for December 2010 was accepted:

MEMORANDUM

TO: Warren County Board of Commissioners
FROM: Linda T. Worth, County Manager LW
DATE: December 29, 2010
RE: December Status Report

Following is a recap of my work activities for the month of December 2010:

Administration

- Met with Pub Utilities Staff and County Attorney to discuss Water Use Issue (12/3/10)
- Prepared for and attended Board of County Commissioners regular monthly meeting (12/6/10)
- Met with Warrenton Town Administrator to discuss Wastewater Treatment Plant concerns (12/6/10)
- Rehearsed Customer Service Skit scheduled to be presented at the Department Heads Christmas Luncheon (12/7/10)
- Met with EDC Consultant to discuss final report to be made to the EDC Board (12/8/10)
- Met with Library Director to discuss proposed revisions to Library operating hours (12/8/10)
- Met with Emergency Services Staff and County Attorney to discuss EMS issues (12/8/10)
- Hosted Annual Department Head's Christmas Luncheon (12/9/10)
- Attended EDC Board meeting (12/13/10)
- Attended JCPC Advisory Board Meeting (12/13/10)
- Met with Finance Director and Accounting Specialist to discuss County's financial position (12/13/10)
- Prepared for and attended Board of County Commissioners Work Session (12/15/10)
- Met with County Attorney to discuss legal matters (12/15/10)
- Met with Warrenton Commissioner to discuss Warrenton Downtown Revitalization Project (12/17/10)
- Annual Leave (12/20-23/10)
- Christmas Holidays (12/24 & 12/27/10)
- New Year's Holiday (12/31/10)

Project Updates

Construction/Renovation Projects

Renovations on the upper level of the former Mental Health Building to house the County Finance Office have been completed and Finance has been moved to their new location. Modifications on the lower level of the building to make the area below grade handicapped accessible are in the beginning stages. This project should be completed within 30-45 days.

EMS Satellite Facilities

The Davis-Bugg Road EMS facility is approximately 15 - 20% complete at this time. The Afton EMS facility is approximately 90% complete. Sheetrock has been completed and interior painting has begun. Concrete work has been done on the sidewalk and front porch area. Warren County received a \$9,500 grant for each EMS Satellite Facility for parking lot paving improvements. Paving of the front parking lot of the Afton facility will be bid when we receive final approval from DOT.

Wastewater Treatment Plant Rehab Project

We were recently approved for a Division of Water Quality (DWQ) low-interest loan in the amount of \$867,500 for the Phase I Wastewater Treatment Plant Rehab Project. An Engineering contract with AECOM Engineers was approved by the Board of Commissioners at the November 1, 2010 Board meeting. We are moving forward to meet the first milestone identified for this project in the award letter from DWQ, which is the submittal of the Engineering Report by January 3, 2011. We are also continuing to search for additional funding for the remaining phases of the WWTP Rehab.

CDBG Projects**Ephraim Place Subdivision CDBG Project**

All CDBG funds in this project have been expended. We have provided the Division of Community Assistance (DCA) with a Plan of Action and Extension Request Worksheet to explain how we plan to move forward with construction of the 19 homes in Ephraim Place Subdivision. Additional information requested by DCA has been submitted. We are now awaiting a final decision on our extension request.

Energy Efficiency Community Block Grant Program

In May 2010 Warren County was awarded an Energy Efficiency Conservation Block Grant in the amount of \$182,933. These funds will be used to make improvements to several county buildings and facilities to make them more energy efficient. At the 12/6/10 meeting, the Board of Commissioners voted to award the bid for this project to the low bidder, Atlantic Energy Concepts, in the amount of \$129,273.41. The Board also authorized the County Manager to approve budget and project amendments to utilize the remaining grant funds in the amount of \$53,659.59 to make additional energy-related improvements in county buildings and facilities. We anticipate this project will be completed in the spring 2011.

Other Activities

- Attended Annual 4-H Volunteers Appreciation Banquet (12/6/10)
- Attended Retirement Reception for two DSS Retirees (12/9/10)

On motion of Commissioner Jordan, which was seconded by Commissioner Baker and duly carried by unanimous vote, the January 19, 2011 regularly scheduled Budget Goals Setting Work Session was rescheduled for Wednesday, January 26, 2011 from 10:00 am to 3:00 pm.

With no further business to discuss and on motion of Commissioner Jordan, which was seconded by Commissioner Downey and duly carried, the January 3, 2011 meeting was adjourned.

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