

**MINUTES FROM A PUBLIC HEARING REGARDING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) INFRASTRUCTURE GRANT PROGRAM HELD BY THE BOARD OF COUNTY COMMISSIONERS FOR THE COUNTY OF WARREN IN THE WARREN COUNTY ARMORY CIVIC CENTER, MEETING ROOM ON APRIL 7, 2014 AT 5:45 PM.**

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

Notice of Public Hearing was read by the Clerk to the Board.

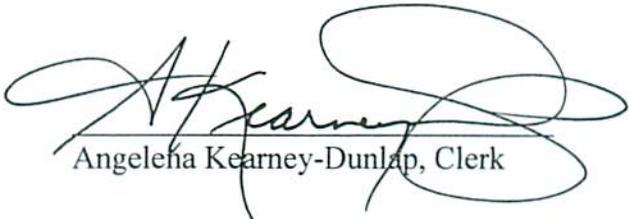
Karen Foster, Kerr Tar Regional Council of Government (COG) Grants Administrator gave a brief overview of proposed grant application process.

Citizen comment was as follows:

Mr. Thomas Harris had questions relative to his non-profit being eligible to apply for funding through CDBG Grant Process. His facility (Wise Training School) is used to conduct a summer enrichment program for under-privileged children, needs improvements.

Ms. Foster informed Mr. Harris that CDBG funds are available to counties and municipalities. Non-profits and private groups are not eligible to apply for funding.

On motion of Commissioner Richardson, which was seconded by Commissioner Jordan and duly carried by unanimous vote, the Public Hearing was adjourned at 5:50 pm.

  
Angeleha Kearney-Dunlap, Clerk

**MINUTES FROM A REGULAR MONTHLY MEETING HELD BY THE BOARD OF COUNTY COMMISSIONERS FOR THE COUNTY OF WARREN IN THE WARREN COUNTY ARMORY CIVIC CENTER MEETING ROOM ON MONDAY, APRIL 7, 2014 AT 6:00 PM.**

The meeting was called to order by Chairman Bertadean W. Baker. Other Commissioners present: Jennifer Jordan, Ruby Downey, Barry Richardson and Ulysses S. Ross. Others in attendance: County Manager Linda T. Worth, County Finance Director Gloria Edmonds and County Attorney Karlene Turrentine.

A moment of silence was 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.*

There were no Citizen Comments.

On motion of Commissioner Jordan, which was seconded by Commissioner Richardson and duly carried by unanimous vote, April 7, 2014 Agenda was adopted with the following revisions:

Added Consent Agenda Item 6I: Resolution Supporting the Remediation of Water Contamination Related to Coal Combustion Waste and Removal of Coal Combustion Waste

Added Regular Agenda Item 13-D: Request from Frontier Natural Gas for Permission to Install PE Gas Line in County Water/Sewer Easement and to Cross Over Water/Sewer Lines to Cross I-85

On motion of Commissioner Jordan, which was seconded by Commissioner Richardson and duly carried by unanimous vote, Consent Agenda Item 6A – Minutes of March 10, 2014 regular meeting were approved.

On motion of Commissioner Jordan, which was seconded by Commissioner Richardson and duly carried by unanimous vote, Consent Agenda Item 6B – Interest Income Report for February 2014 from Finance Director was adopted:

**INTEREST INCOME REPORT  
Month Of February 2014**

<b>FUND</b>	<b>FEBRUARY INCOME</b>	<b>FISCAL YEAR TO - DATE</b>
General	167.97	1,584.91
Revaluation	2.43	21.39
E 911 Telephone System	2.62	22.16
Buck Spring Project	2.24	20.37
Ambulance Storage Facility	0.37	3.80

Simulcast System Upgrade	0.84	8.90
Regional Water Enterprise Fund	2.90	28.65
District I Enterprise Fund	7.27	67.76
Solid Waste	2.82	7.51
District II Enterprise Fund	6.90	57.95
District III Phase II BANS	1.05	1.31
District III Enterprise Fund	4.21	25.14
Soul City Pump Station Improvements	0.29	2.63
District III Phase III	0.52	4.24
	202.43	1,856.72

On motion of Commissioner Jordan, which was seconded by Commissioner Richardson and duly carried by unanimous vote, Consent Agenda Item 6C – Tax Collector’s Report for February 2014 as submitted by Tax Collector Starlin Beatty was adopted:

**Tax Collector’s Report  
to the Warren County Board of Commissioners  
For the Month February 2014**

**Current Year Collections**

Tax Year	Charge	Collected in FEBRUARY	Collected to Date	Balance Outstanding	Percentage Collected
FEBRUARY 2014 FY14	\$16,778,318	\$326,895	\$15,372,610	\$1,405,708	91.62
FEBRUARY 2014 FY13	\$16,821,616	\$528,193	\$15,566,001	\$1,255,615	92.54

**Delinquent Collections**

Year	Charge	Collected	Collected to Date	Balance Outstanding	Percentage Collected
2012	\$638,720	\$28,891	\$304,842	\$333,876	47.73
2011	261,503	5,639	81,369	180,134	31.12
2010	152,955	1,532	21,133	131,822	13.82
2009	118,905	1,796	10,694	108,211	8.99
2008	111,054	804	9,045	102,009	8.14
2007	121,795	461	4,366	117,429	3.58
2006	114,730	1,190	4,007	110,722	3.49
2005	98,018	495	3,483	94,535	3.55
2004	88,194	304	2,595	85,599	2.94
2003	75,780	294	3,005	72,775	3.97
<b>Total Delinquent Years</b>	<b>\$ 1,781,654</b>	<b>\$41,408</b>	<b>\$ 444,539</b>	<b>\$ 1,337,112</b>	

**Other FEBRUARY Receipts**

County Penalties  
Landfill User Fees  
Municipalities  
Fire District Taxes  
Advance Taxes

\$ 17,382	\$ 93,296
\$ 54,523	\$ 1,080,474
\$ 116,346	\$ 625,390
\$ 25,488	\$ 761,101
\$ 6,584	\$ 8,364

**FEBRUARY GRAND TOTAL**

<b>\$ 588,624</b>	<b>\$ 18,375,774</b>
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*Starlin L. Beatty, Tax Administrator* 3/28/2014  
Starlin L. Beatty, Tax Administrator DATE

On motion of Commissioner Jordan, which was seconded by Commissioner Richardson and duly carried by unanimous vote, Consent Agenda Item 6D – Tax releases over \$100 were approved:

Over \$100	4/7/2014	Date: _____
<b>ERROR CORRECTION RELEASES:</b>		
CONSOLIDATED SALES & SERVICE	2013 22174 301 K48 74 75	17917 \$179.78 OUT OF BUSINESS SINCE 2006
FLEMING JOHN GLENN	2006 47103 106	39060 \$122.00 MH NOT LIVEABLE
FLEMING JOHN GLENN	2007 47103 107	41758 \$100.47 MH NOT LIVEABLE
FLEMING JOHN GLENN	2008 47103 108	44409 \$248.97 MH NOT LIVEABLE
FLEMING JOHN GLENN	2009 47103 109	47287 \$198.55 MH NOT LIVEABLE
FLEMING JOHN GLENN	2010 47103 110	50581 \$193.71 MH NOT LIVEABLE
FLEMING JOHN GLENN	2011 47103 111	54315 \$178.82 MH NOT LIVEABLE
FLEMING JOHN GLENN	2012 47103 112	61777 \$165.83 MH NOT LIVEABLE
<b>SUB-TOTAL ERROR CORRECTIONS:</b>		<b>\$1,388.13</b>

**MOTOR VEHICLE RELEASES:**

GOODE RHONDA KING	2013 24513 2518	BLT9000	75636	\$311.26	DMV ERROR
MERRITT REBECCA SUE	2013 29850 2666	BLT9102	75784	\$124.77	DMV ERROR
TIELKING TIMOTHY	2013 30567 112	ZRN2483	57647	\$203.68	DMV ERROR

SUB-TOTAL MOTOR VEHICLE RELEASES:				\$639.71	
SUB-TOTAL CORRECTION RELEASES:				\$1,388.13	
Total Releases				\$ 2,027.84	

**LANDFILL USER FEE RELEASES:**

EDWARDS RUTH	2013 15878 300	C5 78	3685	\$ 124.20	HSE UNLIVEABLE/NO LFUF
PERKINSON JEFFREY S	2013 37258 300	D4C 11	1962	\$ 120.00	LIVES IN TOWN/NO LFUF

TOTAL LFUF RELEASES:				\$ 244.20	
Total Releases				\$ 2,272.04	

County Manager approved Tax Releases Under \$100 were presented for Board's information as follows:

Under \$100

4/7/2014

Date: *4/11/14*

**ERROR CORRECTION RELEASES:**

NAME	Year	ACGTH	MAP #	RECORD #	AMOUNT	REASON
ABBOTT HERBERT	2013	1093 200		11690	\$ 41.63	WRONG VALUE ON BOAT
FLEMING JOHN GLENN	2005	47103 105		36317	\$ 19.03	MH NOT LIVEABLE
PERKINSON JEFFREY S	2013	37258 300	D4C 11	1962	\$ 72.57	PP CARRIED FROM PREVIOUS OWNER IN ERROR

SUB-TOTAL ERROR CORRECTIONS:					\$ 133.23	
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**MOTOR VEHICLE RELEASES:**

ADAMS CECIL KEVIN	2013	13400 1834	ZTN4149	71638	\$11.80	SOLD
BROWER EDITH	2013	33498 2657	BBN5432	75775	\$68.29	SOLD
BULLOCK JEANETTE BURWELL	2013	37079 1879	AJR6285	64704	\$2.25	JUNKED
GEORGE REBECCA TAYLOR	2013	39348 2357	BEP9071	75475	\$32.57	DMV ERROR CHARGED TWICE
HICKS NATASHA R	2013	23156 110	ZTJ8092	47904	\$11.34	SOLD
ISREAL THEODORE	2013	47802 1015	BLT8778	75799	\$4.20	SOLD
JACKSON ROBIN HOLT	2013	6154 2408	VRH9520	68722	\$24.15	HIGH MILEAGE/POOR CONDITION
JIGGETTS JOHN T	2013	21835 1234	BLT8160	74352	\$3.40	SOLD
JONES CLARA D	2013	39289 1072	XYZ5880	74190	\$3.65	LIVES IN HALIFAX
MCGRATH THOMAS J JR	2013	30945 0909	TSM8455	29742	\$2.27	SOLD
NICHOLAS LUCILLE HARPER	2013	21839 1748	PYC6358	71562	\$4.92	GAVE AWAY
OWENS HELEN MAXINE	2013	25788 2073	AAH1349	82840	\$22.14	TURNED IN
SPAIN RAY V	2013	14988 1787	SRK5750	74915	\$7.10	SOLD
WILLIAMS PRISCILLA R	2013	10484 2418	YTX3807	65243	\$44.16	SOLD

SUB-TOTAL MOTOR VEHICLE RELEASES:					\$242.04	
SUB-TOTAL CORRECTION RELEASES:					\$133.23	
Total Releases					\$ 375.27	

On motion of Commissioner Jordan, which was seconded by Commissioner Richardson and duly carried by unanimous vote, County Manager approved report of Tax Releases Under \$100 was accepted.

On motion of Commissioner Jordan, which was seconded by Commissioner Richardson and duly carried by unanimous vote, Consent Agenda Item 6E – Resolution recognizing April 10, 2014 as a day to celebrate Volunteerism in Warren County was adopted:



**WARREN COUNTY BOARD OF COMMISSIONERS**  
 602 WEST RIDGEWAY STREET  
 POST OFFICE BOX 619  
 WARRENTON, NORTH CAROLINA 27589

Bertdean Baker, Chairman  
 Jennifer Jordan, Vice Chairman  
 Ruby Downey  
 Barry Richardson  
 Ulysses S. Ross  
 Linda T. Worth  
 County Manager  
 Angelena Kearney-Dunlap  
 Clerk to the Board

State of North Carolina  
 County of Warren

**RESOLUTION  
 WARREN COUNTY  
 CELEBRATING VOLUNTEERISM**

WHEREAS, Warren County celebrates its resources, diversity and assets on an annual basis during the month of April which is designated by the National Association of Counties as "National County Government Month"; and

WHEREAS, communities thrive when its citizens are actively engaged in activities that benefit the wider community; and

WHEREAS, involving and encouraging citizen-volunteers sometimes allows local governments such as Warren County to conduct activities/programs that otherwise they would not have the financial resources to carry out; and

WHEREAS, the Warren County Board of Commissioners has chosen to celebrate the community of volunteers that assist our local government in performing many vital activities;

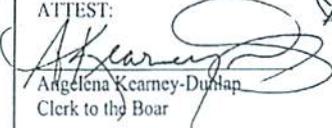
NOW, THEREFORE, APRIL 10, 2014 has been set aside as a day to celebrate and encourage volunteerism in Warren County; and

All Warren County Citizens are encouraged to join in a program of recognition and celebration of volunteers to be held at 5:00 p.m. in the Warren County Armory Civic Center, Warrenton, NC.

This resolution is effective upon adoption this 7<sup>th</sup> day of April 2014.

WARREN COUNTY BOARD OF COMMISSIONERS

ATTEST:

  
Angelena Kearney-Dunlap  
Clerk to the Board

  
Bertadean W. Baker, Chairman

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On motion of Commissioner Jordan, which was seconded by Commissioner Richardson and duly carried by unanimous vote, Consent Agenda Item 6F – Proclamation supporting and encouraging participation in May 1, 2014 National Day of Prayer was adopted:



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Jennifer Jordan, Vice Chairman  
Ruby Downey  
Barry Richardson  
Ulysses S. Ross

Linda T. Worth  
County Manager

Angelena Kearney-Dunlap  
Clerk to the Board

State of North Carolina

County of Warren

### Proclamation NATIONAL DAY OF PRAYER 2014

- Whereas: Civic prayers and national days of prayer have a long and venerable history in our constitutional republic, dating back to the First Continental Congress in 1775; and,
- Whereas: The Declaration of Independence, our first statement as Americans of national purpose and identity, made "the Laws of Nature and Nature's God" the foundation of our United States of America and asserted that people have inalienable rights that are God-given; and,
- Whereas: The Supreme Court has affirmed the right of state legislatures to open their sessions with prayer and the Supreme Court and the U. S. Congress themselves begin each day with prayer; and,
- Whereas: In 1988, legislation setting aside the first Thursday in May in each year as a National Day of Prayer was passed unanimously by both Houses of Congress and signed by President Ronald Reagan; and,
- Whereas: The National Day of Prayer is an opportunity for Americans of all faiths to join in united prayer to acknowledge our dependence on God, to give thanks for blessings received, to request healing for wounds endured, and to ask God to guide our leaders and bring wholeness to the United States and her citizens; and,



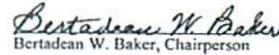
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Whereas: It is fitting and proper to give thanks to God by observing a day of prayer in Warren County when all may acknowledge our blessings and express gratitude for them, while recognizing the needs for strengthening religious and moral values in our State and nation; and,

Therefore: I, Bertadean W. Baker, Chairman on behalf of the Warren County Board of Commissioners, do hereby proclaim Thursday, May 1, 2014, to be designated as "A DAY OF PRAYER IN WARREN COUNTY, NC" and encourage ALL citizens to observe the day in ways appropriate to its importance and significance. Proclaimed this the 7<sup>th</sup> day of April 2014.

ATTEST:

  
 Angelena Kearney-Dunlap, Clerk

  
 Bertadean W. Baker, Chairperson

On motion of Commissioner Jordan, which was seconded by Commissioner Richardson and duly carried by unanimous vote, Monthly Performance Status Report for CDBG 11-C-2328 Scattered Sites Housing Project was approved.

On motion of Commissioner Jordan, which was seconded by Commissioner Richardson and duly carried by unanimous vote, Monthly Performance Status Report for CDBG 10-C-2227 Water Hook-Up Project was approved.

On motion of Commissioner Jordan, which was seconded by Commissioner Richardson and duly carried by unanimous vote, Proclamation Warren County Soil & Water Conservation Stewardship Week – April 27 to May 4, 2014 was adopted.

On motion of Commissioner Jordan, which was seconded by Commissioner Richardson and duly carried by unanimous vote, Resolution Supporting the Remediation of Water Contamination Related to Coal Combustion Waste and Removal of Coal Combustion Waste was adopted:



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 County Manager  
 Angelena Kearney-Dunlap  
 Clerk to the Board

**NORTH CAROLINA  
 COUNTY OF WARREN**

**RESOLUTION  
 SUPPORTING THE REMEDIATION OF WATER  
 CONTAMINATION RELATED TO COAL COMBUSTION WASTE  
 AND REMOVAL OF COAL COMBUSTION WASTE**

**WHEREAS**, the Warren County Board of Commissioners recognizes that a sustainable environment is critical to the citizens, the economy and the need for a supply of clean water within the Dan River Basin region in Virginia and North Carolina; and

**WHEREAS**, a minimum of thirteen coal combustion waste impoundments are located within the Dan River Basin at Belews Creek Steam Station, Dan River Power Station, Roxboro Power Station, and Mayo Power Station; and

**WHEREAS**, coal combustion waste contains toxicants such as arsenic, lead, mercury, cadmium, chromium, and selenium, and the toxicants in coal combustion waste are linked to cancer and neurological damage in humans, as well as harm to wildlife, especially water-dwelling species; and

**WHEREAS**, on February 2, 2014 approximately 82,000 tons of coal combustion waste and millions of gallons of contaminated water spilled into the Dan River near Eden, NC; and

**WHEREAS**, we are advised that streams of polluted water are discharging into waterways from unlined coal combustion waste ponds, and pollutants are leaching from the bottom of the unlined coal combustion waste impoundments into ground water and from there into waterways; and

**WHEREAS**, even prior to the February 2<sup>nd</sup> spill, we are advised that significant damage (\$1.5 billion by one estimate) has been caused to communities within the Dan River Basin from surface impoundment of coal combustion waste at Belews Creek, Dan River, Roxboro and the Mayo power stations; and

**WHEREAS**, destructive effects upon the Dan River watershed by coal combustion waste will result in additional strain upon the financial resources of local, state and federal governments, through increased expenditures on public health, social services programs, financial assistance, and subsidies and will render the millions already spent in economic development ineffective; and

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WHEREAS, it is critical that the remediation of the Dan River Power Station spill starts immediately, and the coal combustion waste and related contaminants are removed from the river; and

WHEREAS, cleaning up the Dan River Power Station spill is not enough to achieve the primary goals of preventing such a spill from happening again and stopping the ongoing pollution of waterways; and

WHEREAS, it is critical that the coal combustion waste at the Dan River Power Station and other power facilities is removed and transported away from the Dan River and other sources of drinking water; and

WHEREAS, it is critical that the remediation of the Dan River Power Station spill starts immediately, and the coal combustion waste and related contaminants are removed from the river; and

WHEREAS, cleaning up the Dan River Power Station spill is not enough to achieve the primary goals of preventing such a spill from happening again and stopping the ongoing pollution of waterways; and

WHEREAS, it is critical that the coal combustion waste at the Dan River Power Station and other power facilities is removed and transported away from the Dan River and other sources of drinking water; and

WHEREAS, to achieve these goals, Duke Energy must move all coal combustion waste and contaminated soil away from their unlined, leaking impoundments and store it safely in an appropriate facility away from waterways;

NOW, THEREFORE, BE IT RESOLVED, that the Warren County Board of Commissioners supports the immediate remediation of the Duke Energy coal combustion waste spill at the Dan River Power Station near Eden, NC through removal of coal combustion waste from the river, streams and creeks that have been negatively impacted and further supports removal of coal combustion waste stored at all coal combustion waste ponds near all waterways in the Dan River Basin.

BE IT KNOWN that the Warren County Board of Commissioners were present on this day of April 7, 2014, and the foregoing Resolution was duly adopted by the unanimous vote of all members present, and that said Resolution has been duly recorded in the Board minutes and is in full force and effect.



Warren County Board of Commissioners

*Bertadean W. Baker*  
Bertadean W. Baker, Chairman

Attest:

*Angelena Kearney-Dunlap*  
Angelena Kearney-Dunlap  
Clerk to the Board

On motion of Commissioner Downey, which was seconded by Commissioner Ross and duly carried by unanimous vote, Amendment # 8 to the FY 2013-14 Warren County Budget Ordinance was adopted:

#### AMENDMENT TO THE WARREN COUNTY BUDGET ORDINANCE

2013/2014

##### Amendment No. 8

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:

Miscellaneous Appropriations	\$ 50,000
Building Grounds & Maintenance	(4,978)
Libraries	4,978
Economic Development Commission	25,000
<b>Total</b>	<b>\$ 75,000</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:

Fund Balance Appropriated	\$ 50,000
Restricted Intergovernmental - Other	25,000
<b>Total</b>	<b>\$ 75,000</b>

**This amendment:**

- appropriates funds to Miscellaneous Appropriations. In late FY 13 \$50,000 was appropriated to the Warren Free Clinic, however, the funds were not expended until FY 14.

Funding Source: Fund Balance Appropriated

- appropriates funds to the Libraries budget for building repairs/maintenance.

Funding Source: Building Grounds Maintenance - Contingency

- appropriates funds to the Economic Development Commission for the Warren Agricultural Enterprise Center grant.

Funding Source: N.C. Department of Agriculture & Consumer Services  
N.C. ADFP Trust Fund

Respectfully Submitted 04/07/2014

*Gloria M. Edmonds*  
Gloria M. Edmonds, Finance Director

On motion of Commissioner Richardson, which was seconded by Commissioner Ross and duly carried by unanimous vote, Reimbursement Resolution for \$135,000 to Purchase 2014 Type III Ambulance, in accordance with Treasury Regulation 1.150-2, was adopted with Chairman Baker authorized to sign same.



## WARREN COUNTY BOARD OF COMMISSIONERS

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Ulysses S. Ross

Linda T. Worth  
County Manager

Angelena Kearney-Dunlap  
Clerk to the Board

### STATE OF NORTH CAROLINA

### COUNTY OF WARREN

#### RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF DEBT PURSUANT TO UNITED STATES DEPARTMENT OF TREASURY REGULATIONS

WHEREAS, Warren County intends to purchase a Project (as described below), use its own funds to pay initial costs, and then reimburse itself from financing proceeds for these early expenditures. Finance Director, Gloria M. Edmonds, has advised the Board that it should adopt this resolution to document the County's plans for reimbursement, in order to comply with federal tax rules (i.e., Treasury Regulation 1.150-2) relating to reimbursement from financing proceeds.

**BE IT RESOLVED** by the Board of Commissioners of Warren County, North Carolina, as follows:

1. The Project is the purchase of a 2014 Type III ambulance for Warren County Emergency Services.
2. The County intends to advance funds for initial Project costs, and then reimburse itself from financing proceeds. The expected type of financing for the Project is installment financing under Section 160A-20. The expected maximum amount of the obligation to be issued or contracted for the Project (including allowances for financing costs) is approximately \$135,000.
3. Funds for the early Project expenditures may come from the County's General Fund.

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4. The County intends for the adoption of this resolution to be a declaration of its official intent to reimburse itself from financing proceeds for the Project cost expenditures.

I certify as follows: that the forgoing resolution was properly adopted at a meeting of the Board of Commissioners of Warren County, North Carolina; that this meeting was properly called and held on April 7, 2014; that a quorum was present and acting throughout this meeting; and that this resolution has not been modified or amended, and remains in full effect as of today.

Dated this 7<sup>th</sup> day of April 2014



ATTEST:

*Angelena Kearney-Dunlap*  
Angelena Kearney-Dunlap, Clerk

*Bertadean N. Baker*  
Bertadean Baker, Chairperson  
Warren County Board of Commissioners

Motion was made by Commissioner Richardson, which was seconded by Commissioner Ross to adopt Resolutions approving financing terms for Installment Purchase financing of seven vehicles and one ambulance.

Commissioner Richardson withdrew his motion, Commissioner Ross withdrew his second.

On motion of Commissioner Jordan, which was seconded by Commissioner Richardson and duly carried by unanimous vote Resolution approving financing terms from BB&T to finance the purchase of seven (7) vehicles in the amount of \$158,553 for a three-year term at the taxable rate of 2.42% was adopted. Chairman Baker was authorized to sign related documentation.



#### WARREN COUNTY BOARD OF COMMISSIONERS

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Linda T. Worth  
County Manager  
  
Angelena Kearney-Dunlap  
Clerk to the Board

#### State of North Carolina County of Warren

#### Resolution Approving Financing Terms

*WHEREAS:* The Warren County ("County") has previously determined to undertake a project for various vehicles (the "Project"), and the Finance Director has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The County hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated March 26, 2014. The amount financed shall not exceed \$158,553.00, the annual taxable interest rate (in the absence of default or change in tax status) shall not exceed **2.42%**, and the financing term shall not exceed three (3) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the County are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.
3. The Finance Director is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Director is authorized to approve changes to any Financing Documents previously signed by County officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the  
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intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Director shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The County intends that the adoption of this resolution will be a declaration of the County's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The County intends that funds that have been advanced, or that may be advanced, from the County's general fund, or any other County fund related to the project, for project costs may be reimbursed from the financing proceeds.
5. All prior actions of County officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 7<sup>th</sup> day of April 2014.



By: *Bertadean W. Baker*  
 Bertadean W. Baker  
 Title: Chairman, Board of County Commissioners

ATTEST:

*Angelena Kearney-Dunlap*  
 Angelena Kearney-Dunlap  
 Clerk to the Board of Commissioners

SEAL

On motion of Commissioner Jordan, which was seconded by Commissioner Richardson and duly carried by unanimous vote, Resolution approving financing terms from BB&T to finance the purchase of one (1) ambulance in the amount of \$132,000 for a three-year term at the tax exempt rate of 1.57% was adopted. Chairman Baker was authorized to sign related documentation.



**WARREN COUNTY BOARD OF COMMISSIONERS**

602 WEST RIDGEWAY STREET  
 POST OFFICE BOX 619  
 WARRENTON, NORTH CAROLINA 27589

State of North Carolina  
 County of Warren

Bertadean Baker, Chairman  
 Jennifer Jordan, Vice Chairman  
 Ruby Downey  
 Barry Richardson  
 Ulysses S. Ross

Linda T. Worth  
 County Manager

Angelena Kearney-Dunlap  
 Clerk to the Board

**Resolution Approving Financing Terms**

*WHEREAS* The Warren County ("County") has previously determined to undertake a project for various vehicles (the "Project"), and the Finance Director has now presented a proposal for the financing of such Project.

**BE IT THEREFORE RESOLVED**, as follows:

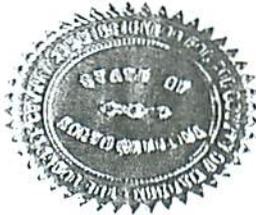
1. The County hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated March 26, 2014. The amount financed shall not exceed \$132,000.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed **1.57%**, and the financing term shall not exceed three (3) years from closing.

Phone: (252) 257-3115  
Fax: (252) 257-5971

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the County are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.
3. The Finance Director is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Director is authorized to approve changes to any Financing Documents previously signed by County officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance

Director shall approve, with the Finance Director's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The County shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The County hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).
5. The County intends that the adoption of this resolution will be a declaration of the County's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The County intends that funds that have been advanced, or that may be advanced, from the County's general fund, or any other County fund related to the project, for project costs may be reimbursed from the financing proceeds.
6. All prior actions of County officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.



Approved this 7<sup>th</sup> day of April 2014.

By: Bertadean W. Baker  
Bertadean W. Baker  
Chairman, Board of County Commissioners

ATTEST:

Angela Kearney-Dunlap  
Angela Kearney-Dunlap  
Clerk to the Board of Commissioners

On motion of Commissioner Richardson, which was seconded by Commissioner Downey and duly carried by unanimous vote, Ernest Boyd "EB" Harris of Fork Township, was re-appointed to the Voluntary Agricultural Districting (VAD) Advisory Board for a 3<sup>rd</sup> three (3) year term expiring March 31, 2017.

On motion of Commissioner Jordan, which was seconded by Commissioner Richardson and duly carried by unanimous vote, Gary Holtzmann with Soil & Water Conservation, was re-appointed to the Voluntary Agricultural Districting (VAD) Advisory Board for a 4<sup>th</sup> three (3) year term expiring March 31, 2017.

On motion of Commissioner Jordan, which was seconded by Commissioner Richardson and duly carried by unanimous vote, BJ Wright was appointed to the Voluntary Agricultural Districting (VAD) Advisory Board for a three (3) year term expiring March 31, 2017.

On motion of Commissioner Jordan, which was seconded by Commissioner Downey and duly carried by unanimous vote, Henry Pulley, Jr. was appointed to the Voluntary Agricultural Districting (VAD) Advisory Board for a three (3) year term expiring March 31, 2017.

On motion of Commissioner Jordan, which was seconded by Commissioner Ross and duly carried by unanimous vote, Victor Hunt was appointed to the Voluntary Agricultural Districting (VAD) Advisory Board for a three (3) year term expiring March 31, 2017.

On motion of Commissioner Jordan, which was seconded by Commissioner Downey and duly carried by unanimous vote, Henry Travis Pulley, Sr. was re-appointed as Alternate to the Voluntary Agricultural Districting (VAD) Advisory Board for a 4<sup>th</sup> three (3) year term expiring March 31, 2017.

On motion of Commissioner Jordan, which was seconded by Commissioner Richardson and duly carried by unanimous vote, Ernest Boyd "EB" Harris of Fork Township, was appointed to the Inez Voluntary Fire Department's Tax Service District Board for a three (3) year term expiring March 31, 2017.

On motion of Commissioner Richardson, which was seconded by Commissioner Ross and duly carried by unanimous vote, Peter Thomas Hight was appointed to the Macon VFD Tax Service District Board for a three year term expiring March 31, 2017.

On motion of Commissioner Richardson, which was seconded by Commissioner Ross and duly carried by unanimous vote, Mary Eliza Turner was appointed to the Macon VFD Tax Service District Board for a three year term expiring March 31, 2017.

On motion of Commissioner Richardson, which was seconded by Commissioner Ross and duly carried by unanimous vote, Warren Peete Hilliard was appointed to the Macon VFD Tax Service District Board for a three year term expiring March 31, 2017.

On motion of Commissioner Richardson, which was seconded by Commissioner Ross and duly carried by unanimous vote, Thomas Peete Wagner was appointed to the Macon VFD Tax Service District Board for a three year term expiring March 31, 2017.

On motion of Commissioner Richardson, which was seconded by Commissioner Ross and duly carried by unanimous vote, Glenn Earl McGee was appointed to the Macon VFD Tax Service District Board for a three year term expiring March 31, 2017.

On motion of Commissioner Ross, which was seconded by Commissioner Richardson and duly carried by unanimous vote, Resolution declaring Marshfield Mobile Home as surplus property, authorizing the County Manager to dispose of same by conveyance, sale or auction; and authorizing Chairman Baker to sign same was adopted:



## WARREN COUNTY BOARD OF COMMISSIONERS

602 WEST RIDGEWAY STREET  
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WARRENTON, NORTH CAROLINA 27589

Bertadean Baker, Chairman  
Jennifer Jordan, Vice Chairman  
Ruby Downey  
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Linda T. Worth  
County Manager

Angelena Kearney-Dunlap  
Clerk to the Board

STATE OF NORTH CAROLINA

COUNTY OF WARREN

### RESOLUTION SALE OF SURPLUS WARREN COUNTY PROPERTY

*WHEREAS, the County of Warren has certain property which is no longer needed and may lawfully dispose of such property through declaring "Surplus Property" and convey or sale by auction, bid, and/or electronic advertisement.*

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to Article 12, North Carolina General Statute 160A-268, the Warren County Board of Commissioners will convey or sell Marshfield Mobile Home no longer used by the Department of Social Services as Surplus Property.

BE IT FURTHER RESOLVED, The Board of Commissioners authorizes the County Manager (or designee) to dispose of this property and incur those costs incidental to convey or sell property; and that advertising, describing the property, the method of transfer (by conveyance, sale or auction) and the date, time and place for the award of bid will be placed in the Warren Record and displayed electronically, otherwise appropriately advertised according to law.

ADOPTED this the 7<sup>th</sup> day of April 2014.

WARREN COUNTY BOARD OF COMMISSIONERS



Phone: (252) 257-3115  
Fax: (252) 257-5971  
www.warrencountync.com

ATTEST:

*Bertadean W. Baker*  
Bertadean W. Baker, Chairman

*Angelena Kearney-Dunlap*  
Angelena Kearney-Dunlap  
Clerk to the Board

On motion of Commissioner Richardson, which was seconded by Commissioner Jordan and duly carried by unanimous vote, Warren County selected to participate in the National Association of Counties' (NACo) Health Discount Program.

On motion of Commissioner Richardson, which was seconded by Commissioner Ross and duly carried by unanimous vote, it was ordered to schedule a public hearing to hear citizen comments regarding Close-Out of Community Development Block Grant (CDBG) 10-C-2227 Infrastructure Hook-Up Program for Monday, May 5, 2014 at 5:45 pm.

On behalf of County Manager Worth and the EDC Board of Directors, Mr. Kenneth L. Bowman was presented for appointment to the position of Economic Development Director at an annual salary of \$73,000, commencing April 16, 2014. As is Warren County's practice, it was recommended that Mr. Bowman receive an out-of-state relocation reimbursement allowance of up to \$2,500 from the Economic Development Budget.

On motion of Commissioner Richardson, which was seconded by Commissioner Jordan and duly carried by unanimous vote, Mr. Kenneth L. Bowman was appointed to the position of Economic Development Director, effective April 16, 2014, at an annual salary of \$73,000; with an out-of-state relocation reimbursement allowance of up to \$2,500.

Having been granted authority to enter into contracts up to but not to exceed \$50,000; County Manager Linda T. Worth presented the following for Board's information.

**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 I have approved the following contractual agreements in the month of March 2014 on behalf of Warren County:

Economic Development Commission

Community Voice Consulting  
Gabriel Cumming, Principal  
108 S. Main St.  
Warrenton, NC 27589

The Economic Development Commission Contractor Service Agreement with Community Voice Consulting, Gabe Cumming, Principal, for the provision of consulting services to the County has been extended three additional months. Lapsed salaries in the EDC departmental budget will be used to pay this contract cost.

Register of Deeds

Logan Systems, Inc.  
P.O. Box 20844  
Greensboro, NC 27420

The third extension to the Professional Services Agreement with Logan Systems, Inc. for various services to be provided to the Register of Deeds Office has been executed. The Board of Commissioners approved the funding for this agreement that spans three fiscal years beginning in 2012.

Armory Civic Center

Stewart Acoustical Consultants  
7330 Chapel Hill Rd., Suite 101  
Raleigh, NC 27607

A contract for acoustical consulting services for the Armory Civic Center has been executed. The cost of the contract is not more than \$2,500. Funds are budgeted in the departmental budget to cover this expense.

Senior Center

AT&T Charter Service, Inc.  
944 Fire Tower Rd.,  
Louisburg, NC 27549

Long Creek Coach Line  
250 Welcome Avenue  
Henderson, NC 27536

Contracts with the listed vendors were entered into for various trips sponsored by the Senior Center for seniors. The seniors participating in the trips pay a fee to participate which is in turn used to pay these contracts.

On motion of Commissioner Richardson, which was seconded by Commissioner Ross and duly carried by unanimous vote, County Manager's report of contracts approved in March 2014 was accepted as information.

On motion of Commissioner Richardson, which was seconded by Commissioner Ross and duly carried by unanimous vote, County Manager's Status Report for March 2014 was accepted.

**RE:** March 2014 Status Report

Following is a recap of my work activities for the month of March 2014:

Administration

- Attended KTREDC Advisory Board meeting (3/6/14)
- Worked with G. Cumming, EDC Consultant, and C. Norwood, of Warren Food Works, to finalize Golden LEAF (GL) full application for the CAVE (Peck) Project and submitted same to GL (3/6/14)
- Met with Interim EDC Director, Representative from NC Broadband, and Consultant conducting broadband survey in Warren County (3/7/14)
- Participated in Economic Development Director interviews (3/10/14)
- Prepared for and attended Board of Commissioners Regular Meeting (3/10/14)
- Mtg. with Henderson & Oxford City Managers to discuss KLRWS matters (3/13/14)

- Attended DOT Division 5 Update at Butner City Hall (3/14/14)
- In office to review budget documents prior to budget meetings with Department Heads (3/16/14)
- Meetings with Department Heads to discuss departmental budgets (3/17-19/14)
- Attended meeting to discuss Free Summer Meals Program (3/17/14)
- Meeting with HR Manager and HCW Reps to discuss health/dental insurance renewals and ACA updates (3/19/14)
- Prepared for and attended Buck Spring Committee Meeting (3/25/14)
- Participated in conference call with Henderson & Oxford City Managers to discuss KLRWS concerns (3/26/14)
- Prepared for and conducted monthly Department Head's Meeting (3/27/14)
- Attended Kerr-Tar COG Advisory Board Meeting (3/27/14)
- Annual Leave (3/28/14)
- Meeting with Finance Officer, VGCC President and VGCC Finance/Operations Manager to discuss FY 15 budget request (3/31/14)
- Conference call with T. Hugie re: internship opportunities in Warren County (3/31/14)

#### Other Activities

- Attended NACO Legislative Conference in Washington, DC (3/2-5/14)
- Keynote Speaker for Warren Early College Earning the Green Celebration at VGCC, Henderson, NC (3/13/14)
- Attended Lake Gaston Association 5-County Meeting (3/20/14)
- Attended B. Perkinson, long-time Library Employee, Retirement Reception
- Attended B. Davis, Town of Warrenton Employee, Retirement Reception
- Stopped by SWCD Evirothon at the Armory (3/21/14)

#### Project Updates

##### Simulcast Radio System Upgrade Project

The Phase I Simulcast Radio System Upgrade Project has been successfully closed out. I will be presenting options in the proposed FY 15 budget to fund Phase II of this project.

##### Buck Spring Project

The Buck Spring Project Committee is meeting monthly and continuing to work on developing a recommendation for the Board of Commissioners of a proposed capital project for the Buck Spring property. Work is continuing on the upgrades to be funded by the PARTF grant and the County's matching funds.

#### CDBG Projects

##### 2010 and 2011 CDBG Grants

Bids are continuing to be awarded for water hook-ups and urgent housing repairs that are part of the 2010 Infrastructure CDBG project. We are working diligently with Kerr-Tar COG Grant Administrators to move these projects forward to completion.

##### Golden LEAF Community-Based Grantsmaking Initiative

A full application was submitted on March 6, 2014 to Golden LEAF (GL) for the Warren County Center for Added Value Enterprise (CAVE) Project.

Intergovernmental Agreement Between Town of Norlina, Town of Warrenton and Warren County to Provide Mutual Aid and Assistance in the Restoration of Public Water and Sewer Services discussed during the February 19, 2014 Board of Commissioners' work session, was presented for Board's action. Request was made to authorize Chairman Baker to sign same.

On motion of Commissioner Richardson, which was seconded by Commissioner Ross and duly carried by unanimous vote, Intergovernmental Agreement Between Town of Norlina, Town of Warrenton and Warren County to Provide Mutual Aid and Assistance in the Restoration of Public Water and Sewer Services was adopted:

**INTERGOVERNMENTAL AGREEMENT BETWEEN  
TOWN OF NORLINA, TOWN OF WARRENTON, AND WARREN COUNTY  
TO PROVIDE MUTUAL AID AND ASSISTANCE IN THE RESTORATION OF  
PUBLIC WATER AND SEWER SERVICES**

This Agreement is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2014, by and between the Town of Norlina, Town of Warrenton, and Warren County (each being a body politic and corporate existing under and by virtue of the laws of the State of North Carolina) for the purpose of providing mutual aid and assistance in making emergency repairs to regional water lines and/or sewer mains owned and operated by one or more of the Parties to this Agreement.

WHEREAS, N.C.G.S. § 160A-318 authorizes local governments to enter into contracts with each other to provide mutual aid and assistance in restoring electric, water, sewer, or gas services in the event of natural disasters or other emergencies under such terms and conditions as may be agreed upon; and

WHEREAS, North Carolina law and state policy also provide for certain reimbursements or financial aid to local government for certain natural disasters or emergency conditions; and

WHEREAS, the Town of Norlina, Town of Warrenton and Warren County find it to be in their best interest to have such a mutual aid agreement to provide mutual aid and assistance in making emergency repairs to regional water lines or sewer mains, owned and operated by the Parties to this agreement;

NOW THEREFORE, in consideration of the above recitals and the covenants contained herein, the Parties hereto agree as follows:

#### **Section 1: Purpose**

Recognizing that emergencies which occur from time to time require a response which is often beyond the individual capacities of the individual entities' Public Works departments and may best be resolved with the combined resources in the form of personnel, equipment, materials, and supplies; the Parties agree that there can be mutual benefit from a cooperative response to: a) local utility emergencies, and; b) declared disasters. Thus, by this Agreement, the Parties hereto set forth the procedures and standards of administration for their intergovernmental mutual aid and assistance between them.

#### **Section 2: Initial Term, Renewal; Termination**

This Agreement shall be binding for not less than one (1) year from its effective date. Thereafter, this Agreement shall continue to be binding upon the Parties in subsequent years, but may be canceled by one or more Parties upon their giving written notification served personally or by certified mail (return receipt requested) upon each of the remaining Parties. Nevertheless, even when written notice of cancellation has been properly given, a Party's withdrawal shall not be effective until sixty (60) days after such notice has been served upon all remaining Parties.

Further, a Party's cancellation/withdrawal from this Agreement shall not affect its

reimbursement obligations or any other liability or obligation already under the terms of this Agreement incurred prior to the effective date of that Party's cancellation/withdrawal. Thereafter, once the Party's cancellation/withdrawal is effective, the withdrawing entity shall no longer be a Party to this Agreement and this Agreement shall continue to exist among the remaining Parties only.

#### **Section 3: Definitions:**

1. "Emergency" an unanticipated and/or sudden occurrence or imminent threat of severe environmental impact from any natural or man-made event which has impacted or will potentially impact the service of public drinking water and/or public waste water. An emergency is one which is declared by an Authorized Official of one of the Parties to this Agreement.
2. "State of Emergency" is an emergency which is declared under the provisions of the North Carolina Emergency Management Act.
3. "Recipient" is an entity and Party to this contract which has requested aid and assistance from one or more of the other Parties to this contract.
4. "Provider" is an entity and Party to this contract which has received a request to furnish aid and assistance for an "emergency" from "Recipient".
5. "Authorized Official" is an employee or officer of one of the Towns or County that is authorized by the governing board or management to request assistance, offer assistance, or refuse to offer assistance.

#### **Section 4: Procedures**

1. Mutual aid and assistance shall not be requested unless Recipient's own resources are deemed inadequate. When Recipient is affected by an emergency and deems its resources inadequate, it may seek mutual aid and assistance and shall notify Provider(s) of the nature and extent of its emergency and requested assistance utilizing the written form attached to this agreement. This written request shall be provided in addition to any telephone or in-person request for assistance.

2. Upon receipt of a Mutual Aid request, Provider's Authorized Official shall assess Provider's own local situation in order to determine available personnel, equipment, and other resources. If Provider's Authorized Official determines that Provider has available resources, Provider's Authorized Official shall so notify the Recipient. Provider shall complete a written acknowledgment, whether on the request form received from Recipient or on another form, regarding the assistance to be rendered (or a rejection of the request) and shall transmit it by the most efficient practical means to Recipient for a final response. The judgment of the Provider shall be final as to the available personnel and equipment.
3. Personnel dispatched to aid Recipient shall remain employees of the Provider, but shall work at the direction and under the supervision of the Director of Public Works of the Recipient. Provider-owned equipment shall be operated by Provider's employees under Provider-specified safety guidelines.
4. Each Recipient and Provider shall ensure that its employees and agents are knowledgeable and act in compliance with all Occupational Safety and Health Act (OSHA) rules and regulations. Recipient shall assume responsibility and ensure that the directions and supervision of work being performed under this agreement is in compliance with OSHA rules and regulations.
5. Provider, at all times, retains the right to withdraw any or all of its personnel and/or equipment provided as mutual aid to Recipient. Provider's Authorized Official shall give notice to Recipient of its decision to withdraw aid in part or whole. Said withdrawal of aid shall not constitute a breach by Provider.
6. A State of Emergency as declared under the provisions of the North Carolina Emergency Management Act shall constitute an event wherein the terms and conditions of this Agreement shall be met as to an Emergency.

#### **Section 5: Reimbursement of Eligible Expenses**

Except as otherwise provided below, it is understood that Recipient shall pay to Provider all documented costs and expenses incurred by Provider as a result of extending aid and assistance to Recipient. The terms and conditions governing reimbursement for any assistance provided under this Agreement shall be in accordance with the following provisions, unless otherwise agreed in writing by Recipient and Provider. Recipient shall be ultimately responsible for reimbursement of all eligible expenses, as outlined below:

1. During the period of assistance, Provider shall continue to pay its employees according to its then prevailing ordinances, rules, and regulations. Recipient shall reimburse Provider for all direct and indirect payroll costs and expenses including travel expenses incurred during the period of assistance, including, but not limited to, employee retirement benefits as provided by Generally Accepted Accounting Principles (GAAP). However, as stated in Section 6 of this Agreement, Recipient shall not be responsible for reimbursing any amounts paid or due as benefits to Provider's personnel under the terms of the North Carolina Workers' Compensation Act (Chapter 97 of the North Carolina General Statutes). Provider shall provide a statement which includes sufficient details including the hourly rates for each employee and the number of hours worked for each employee.
2. Recipient shall reimburse the Provider(s) for the use of equipment during the period of assistance according to either a pre-established local or state hourly rate or according to the actual replacement, operation, and maintenance expenses incurred. Provider shall pay for all repairs to its equipment as determined necessary by its on-site supervisor(s) to maintain such equipment in safe and operational condition. At the request of Provider, fuels, miscellaneous supplies, and minor repairs may be reimbursed by Recipient, if practical. The total equipment charges to Recipient shall be reduced by the total value of the fuels, supplies, and repairs furnished by Recipient and by the amount of any insurance proceeds received by Provider.
3. Recipient shall reimburse Provider for all materials and supplies furnished and that are used by Recipient during the period of assistance, except for the costs of equipment, fuel and maintenance materials, labor, and supplies, which shall be included in the equipment rate established above. In the alternative, the Parties may agree that Recipient will replace, with like kind and quality as determined by Provider, Provider's materials and supplies used or damaged in a reasonable time.

4. Recipient agrees to reimburse Provider's invoiced costs and expenses incurred as expeditiously as possible. Any disputes for such costs and reimbursements sought shall first be made in writing between the Parties. If said dispute is not resolved between the Parties, either Party may seek an arbitration of said dispute. Arbitration is the sole remedy for resolution of any said reimbursement dispute between the Parties. Said arbitration shall be binding and in accordance with the North Carolina Revised Uniform Arbitration Act.

**Section 6: Liability, Indemnification, and Insurance**

1. Pursuant to North Carolina law, whenever Provider's employees are rendering aid and assistance pursuant to this Agreement, such employees shall retain the same powers, duties, immunities, and privileges they would ordinarily possess if performing their duties within the geographical limits of Provider.
2. Recipient shall not be responsible for reimbursing any amounts paid or due as benefits to Provider's employees under the terms of the North Carolina Workers' Compensation Act, Chapter 97 of the General Statutes, due to personal injury or death occurring during the period of time such employees are engaged in the rendering of aid and assistance under this Agreement. It is mutually understood that Recipient and Provider shall be responsible for payment of such workers' compensation benefits only to their own respective employees. Further, it is mutually understood that Provider(s) will be entirely responsible for the payment of workers' compensation benefits to its own respective employees.
3. Provider will maintain loss and liability coverage for its vehicles and equipment which shall include any time wherein said equipment or vehicles are being utilized as part of mutual aid and assistance contemplated in this agreement.
4. Any uninsured or extraordinary expenses may be a part of claimed costs for reimbursement.
5. Pursuant to North Carolina law, all activities performed under this Agreement are hereby declared to be governmental functions. Therefore, except in cases of willful misconduct, gross negligence, or bad faith, it is agreed that no Party shall be liable for the death of or injury to any person/s, nor for any damage to property resulting from the action or inaction of any Party's personnel operating in good faith pursuant to this Agreement and/or under the authority of any Authorized Official pursuant to this Agreement.
6. Each Party agrees to investigate, handle, respond to, provide defense for, and defend any such claims against it, at its sole expense and agrees to bear all other costs and expenses related thereto. To the extent that immunity does not apply, each Party shall bear the risk of its own actions, as it does with its day-to-day operations, and determine for itself what kinds of insurance, and in what amounts, it should carry. Notwithstanding the foregoing, to the extent that each Party does not purchase insurance, it shall not be deemed to have waived its governmental immunity by law.
7. No Party to this Agreement shall be liable for its failure or refusal to render aid pursuant to this agreement. Likewise, no Party to this Agreement shall be liable for its withdrawal of aid pursuant to this Agreement.

**Section 7: E-Verify Requirements**

Each Party hereto attests that it is in compliance with Article 2 of Chapter 64 of the North Carolina General Statutes (commonly referred to as "E-Verify") and shall remain in compliance with said Article while providing services to any Recipient hereunder. Although recognizing that E-Verify is *not* required for contracts between public entities, each Party acknowledges (and therefore attests) that it ensures and shall continue to ensure, while providing services hereunder, that any and all subcontractors utilized by the Party for the provision of said services are and shall continue to be in compliance with said Article.

IN WITNESS WHEREOF, Warren County has caused this Agreement to be signed in its corporate name by its Board Chair, attested by its Clerk to the Board and its corporate seal affixed, and; the Town of Norlina has likewise caused this Agreement to be signed in its corporate name by its Mayor, attested to by its Town Clerk and its corporate seal affixed, and; the Town of Warrenton has likewise caused this Agreement to be signed in its corporate name by its Mayor, attested to by its Town Clerk and its corporate seal affixed, all on the day and year first written above. The Parties have executed this Agreement in triplicate originals, one of which is retained by each of the Parties.

**WARREN COUNTY, NC**

A request from Frontier Natural Gas for permission to install a PE gas line in the County's existing 35' water/sewer easement on private property located at the Wise I-85 Interchange and

for permission to cross the County's water and sewer lines on the same property to cross I-85 to reach another property was entertained by the Board.

On motion of Commissioner Richardson, which was seconded by Commissioner Ross and duly carried by unanimous vote, the Board of Commissioners authorized Warren County Manager Worth and County Attorney Turrentine to work with the private property owner and Frontier Natural Gas to determine how Warren County can work within the confines of the county's Water/Sewer Easements to assist Frontier Natural Gas' efforts to install a PE gas line in the requested area.

On motion of Commissioner Ross, which was seconded by Commissioner Jordan and duly carried by unanimous vote, it was ordered to enter into **Closed Session to discuss Attorney Client Privileged Information (RE: Morey) in accordance with NCGS § 143-318.11.(a)(3).**

Commissioner Ross amended his motion to include discussion of the case: Morning Star – vs - Warren County & Ken Krulik in his official capacity as Zoning Administrator, Commissioner Jordan seconded the amended motion, which was duly carried by unanimous vote to include Morning Star – vs -Warren County & Ken Krulik in his official capacity as Zoning Administrator in closed session discussions.

On motion of Commissioner Jordan, which was seconded by Commissioner Downey and duly carried by unanimous vote, it was ordered to return to the Regular Meeting.

With no further business to discuss and on motion of Commissioner Richardson which was seconded by Commissioner Ross and duly carried, the April 7, 2014 Board of Commissioners meeting was adjourned.



Angelena Kearney-Dunlap, Clerk