

**MINUTES FROM THE 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, AUGUST 3, 2015 AT 6:00 PM.**

The meeting was called to order by Chairman Barry Richardson. Other commissioners present: Bertadean Baker, Tare Davis, Victor Hunt and Jennifer Jordan. Others in attendance: County Manager Linda T. Worth, Finance Director Gloria Edmonds and County Attorney Karlene Turrentine.

Warren County Finance Office staff was recognized for receiving Certificate of Achievement of Excellence in Financial Reporting by Government Finance Officers Association of the US and Canada for the 10<sup>th</sup> year. Certificate is the highest form of recognition in the area of governmental accounting and financial reporting. Finance Office staff: Gloria M. Edmonds, Finance Director; Jamie Holtzman, Accounting Manager; Kinequa Lassiter, Accounting Specialist; Evelyn R. Cooper, Accounting Technician; Debbie Brauer, Accounting Technician; Louise Andrews, Accounting Technician; Brittany Williams, Accounting Technician.

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

- *"Members of the Warren 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.

**Citizen Comments:**

Dr. Stelfanie Williams, President VGCC introduced recently appointed Dean of VGCC Warren Campus Lynden Hall. Dr. Williams then gave an update of Summer 2014, Fall 2014 and Spring 2015 activities: Enrollment totals, graduates estimated, average class size, student faculty ratio, Adult High School on campus and at Kittrell Job Corps, GED program and financial accounting (document is on file in Clerk to the Board's office).

Crystal Smith, Director-Warren County Cooperative Extension Service introduced student ambassador to NC Association of County Commissioners August 2015 Annual Conference, 4-H'er Ms. Shaniah Goodman who is a student at Warren County High School. Ms. Smith informed the Board that Warren County Cooperative Extension is sponsor and host of NCACC dinner on opening night.

On motion of Commissioner Jordan, which was seconded by Commissioner Baker and duly carried by unanimous vote, August 3, 2015 Suggested Agenda was adopted with two (2) additions: ***Item 12-C-1: 2015-16 Salary Plan Reporting Form & NC Local Government 2015-16 Salary Plan and Item 12-C-2: Warren County Job Classification Schedule.***

On motion of Commissioner Baker, which was seconded by Commissioner Hunt and duly carried by unanimous vote, minutes were approved as follows:

July 6, 2015 CDBG Ephraim Place Public Hearing,  
July 6, 2015 Regular Monthly Meeting  
and  
July 9, 2015 Water Bond Refunding Special Meeting

On motion of Commissioner Baker, which was seconded by Commissioner Hunt and duly carried by unanimous vote, Interest Income Report for June 2015 was approved:

**INTEREST INCOME REPORT  
MONTH OF JUNE 2015**

FUND	JUNE INCOME	FISCAL YEAR TO - DATE
General	337.45	2,525.94
Revaluation	12.50	63.62
E 911 Telephone System	15.20	75.63
Buck Spring Project	10.06	52.76
Ambulance Storage Facility	0.00	6.69
Simulcast System Upgrade	9.53	31.21
Regional Water Enterprise Fund	37.34	181.62
District I Enterprise Fund	34.01	162.27
Solid Waste	2.22	7.61
District II Enterprise Fund	43.69	204.79
District III Phase II BANS	0.00	20.06
District III Enterprise Fund	21.28	59.92
Soul City Pump Station Improvements	0.00	5.53
District III Phase III	1.32	2.40
EMS Base Headquarters	5.02	5.39
Recreation Complex Phase III	4.69	5.19
	534.31	3,410.63

On motion of Commissioner Baker, which was seconded by Commissioner Hunt and duly carried by unanimous vote, Tax Collector's Report for June 2015 was accepted in accordance with GS 105-350:

**Tax Collector's Report  
to the Warren County Board of Commissioners  
For the Month June 2015**

**Current Year Collections**

Tax Year	Charge	Collected in June	Collected to Date	Balance Outstanding	Percentage Collected
June 2015 FY15	\$16,402,044	\$115,062	\$15,901,236	\$500,808	96.95
June 2014 FY14	\$16,762,505	\$164,078	\$16,100,412	\$662,093	96.05

**Delinquent Collections**

Year	Charge	Collected in June	Collected to Date	Balance Outstanding	Percentage Collected
2013	\$659,254	\$14,755	\$388,012	\$271,241	58.86
2012	256,293	3,962	86,819	\$169,474	33.87
2011	156,676	3,260	34,976	\$121,700	22.32
2010	120,500	899	20,199	\$100,301	16.76
2009	100,721	643	10,525	\$90,196	10.45
2008	97,217	676	10,821	\$86,395	11.13
2007	103,770	298	8,190	\$95,580	7.89
2006	106,023	321	7,088	\$98,935	6.69
2005	90,351	382	6,115	\$84,236	6.77
2004	82,171	214	3,244	\$78,927	3.95
<b>Total Delinquent Years</b>	<b>\$ 1,772,976</b>	<b>\$25,410</b>	<b>\$ 575,989</b>	<b>\$ 1,196,985</b>	<b>-</b>

**Other June Receipts**

County Penalties	\$ 13,443	\$ 149,168
Landfill User Fees	\$ 31,071	\$ 1,252,986
Municipalities	\$ 4,690	\$ 662,985
Fire District Taxes	\$ 9,761	\$ 831,234
Advance Taxes	\$ 9,827	\$ 40,832
<b>JUNE GRAND TOTAL</b>	<b>\$ 209,264</b>	<b>\$19,414,430</b>

*Starlin L. Beatty, Tax Administrator*      7/10/2015  
Starlin L. Beatty, Tax Administrator      DATE

On motion of Commissioner Baker, which was seconded by Commissioner Hunt and duly carried by unanimous vote, Tax Release Requests (Over \$100) were approved:

Over \$100	7/24/2015	Date: _____
<b><u>ERROR CORRECTION RELEASES:</u></b>		
PALMER MELVIN L	2009 2808 109 G6 5E	56842 \$756.26 NO D/WIDE ON PROPERTY
PALMER MELVIN L	2010 2808 110 G8 5E	20440 \$756.26 NO D/WIDE ON PROPERTY
PALMER MELVIN L	2011 2808 111 G8 5E	20440 \$700.26 NO D/WIDE ON PROPERTY
PALMER MELVIN L	2012 2808 112 G6 5E	20440 \$742.07 NO D/WIDE ON PROPERTY
PALMER MELVIN L	2013 2808 113 G6 5E	62446 \$742.07 NO D/WIDE ON PROPERTY
PALMER MELVIN L	2014 2808 300 G6 5E	20440 \$742.07 NO D/WIDE ON PROPERTY
<b>SUB-TOTAL ERROR CORRECTIONS:</b>		<b>\$4,438.99</b>
<b><u>MOTOR VEHICLE RELEASES:</u></b>		
SINK KRISTA L	2014 40380 114 DDR7018BD	27431 \$110.86 BILLED FROM VTS ALSO/PER DOR
<b>SUB-TOTAL MOTOR VEHICLE RELEASES:</b>		<b>\$110.86</b>
<b>SUB-TOTAL CORRECTION RELEASES:</b>		<b>\$4,438.99</b>
<b>Total Releases</b>		<b>\$ 4,549.85</b>
<b><u>LANDFILL USER FEE RELEASES:</u></b>		
SUTTON IDA P HEIRS	2014 39405 300 I6 31	12882 \$120.26 HOUSE NOT LIVEABLE
<b>TOTAL LFUF RELEASES:</b>		<b>\$ 120.26</b>
<b>Total Releases</b>		<b>\$ 4,670.11</b>

County Manager approved Requests for Tax Releases (Under \$100) were accepted:

Under \$100	7/24/2015	Date: <i>LJW</i> <i>7/27/15</i>
<b><u>MOTOR VEHICLE RELEASES:</u></b>		
ANDREWS CHRISTIAN ISABELLA	2010 33924 110 ZWS3425	45983 \$14.77 CAR LOCATED IN VANCE CO
CARTER SHELIA WATSON	2011 33383 111 ADE8034	50776 \$14.78 RELEASE TO HALIFAX CO
HARRIS AMBER DAWN	2013 37978 113 BLT7785	54671 \$13.02 LISTED TO KRISTIE HARRIS
HARRIS AMBER DAWN	2013 37978 113 BLT7784	54532 \$7.86 LISTED TO KRISTIE HARRIS
JORDAN ALVERNON	2010 706 110 VRJ3152	44147 \$36.11 CAR WRECKED
JORDAN ALVERNON	2011 706 111 VRJ3152	47042 \$30.21 CAR WRECKED
<b>SUB-TOTAL MOTOR VEHICLE RELEASES:</b>		<b>\$116.77</b>
<b>SUB-TOTAL CORRECTION RELEASES:</b>		<b>\$0.00</b>
<b>Total Releases</b>		<b>\$ 116.77</b>

On motion of Commissioner Baker, which was seconded by Commissioner Hunt and duly carried by unanimous vote, **Resolution: National Health Center Week 2015** (August 9-15, 2015), was adopted, with Chairman Richardson and Vice-Chair Jordan authorized to sign same:

**National Health Center Week, 2015**

**A Proclamation**

**Whereas:** For 50 years, America's Community Health Centers have provided high quality, cost effective, and accessible primary and preventative care to all individuals regardless of insurance status or ability to pay.

**Whereas:** Health Centers serve as the health care home for over 23 million Americans through more than 9,000 delivery sites across the nation. One in every fifteen people living in the United States depends on their services.

**Whereas:** Health Centers are located in medically underserved areas and locally controlled by patient-majority boards, making each Health Center responsive to the needs of the specific community it serves.

**Whereas:** As locally owned and operated small businesses, Health Centers serve as critical economic engines helping to power local economies by generating billions of dollars in combined economic impact and creating jobs in some of the country's most economically deprived communities.

**Whereas:** Health Centers employ more than 11,300 physicians and more than 8,400 nurse practitioners, physician assistants, and certified nurse midwives as part of a multi-disciplinary clinical team designed to treat the whole patient, coordinating care and managing chronic disease, at the same time reducing unnecessary, avoidable and wasteful use of health resources.

**Whereas:** The Health Center model continues to prove an effective means of overcoming barriers to access including geography, income and insurance status, and in doing so, improves health care outcomes and reduces health care system costs.

**Whereas:** Health Centers save the entire health system approximately \$24 billion annually by managing chronic conditions and keeping patients out of costlier health care settings.

**Whereas:** Health Centers have worked tirelessly to grow the nation's primary care infrastructure to meet the pressing needs of Americans who still

lack access to primary care services, a number that exceeds 62 million nationwide.

**Whereas:** The demand for Health Centers continues to outpace growth and expansion of the program will be essential to meet the needs of these new patients, as existing Health Centers are already at capacity and many communities lack any primary care services at all.

**Whereas:** Health Centers remain committed to preserving and expanding access in the communities they serve, ensuring that the promise of coverage is translated into the reality of care.

**Whereas:** National Health Center Week offers the opportunity to recognize America's Health Centers, their dedicated staff, board members, and all those responsible for the continued success and growth of the program since its creation 50 years ago. During this National Health Center Week, we celebrate the legacy of America's Health Centers and their vital role in shaping the future of America's health care system.

**NOW, THEREFORE,** We, the Warren County Board of Commissioners do hereby proclaim August 9 through 15, 2015, as:

**National Health Center Week.**

We encourage every citizen in Warren County to visit their local Health Center and celebrate the important partnership between America's Health Centers and the communities they serve.

**Approved this 3<sup>rd</sup> day of August 2015.**

Warren County Board of Commissioners

On motion of Commissioner Baker, which was seconded by Commissioner Hunt and duly carried by unanimous vote, **Resolution – August 2015 “Fair Housing Month”** was adopted with Chairman Richardson authorized to sign same:

**August 2015 FAIR HOUSING MONTH Resolution**

***WHEREAS,** the County of Warren, NC has been allocated funds under Title I of the Housing & Community Development Act of 1974; and*

***WHEREAS,** the County has adopted a Fair Housing Plan complying with Title VIII of the Civil Rights Act of 1968, 942 USC 3601, and 42 USC 508b as amended, known as the Fair Housing Law, which prohibits discriminatory housing practices with regard to race, color, sex, national origin, physical and/or mental disabilities, or familial status, and*

***WHEREAS,** it is the objective, spirit, and intent of the Community Development block Grant Program, through neighborhood revitalization for low and moderate income citizens to promote practices detailed in the Fair Housing Law; and*

***WHEREAS,** it is the intent of the County to foster such objectives in regard to promoting Fair Housing, to ensure that equal opportunity is observed in housing practices and that availability of safe, decent, and sanitary dwellings is a right enjoyed by all individuals,*

**THEREFORE, BE IT RESOLVED** that the County of Warren does hereby adopt August 2015 as Fair Housing Month.

Approved by the Warren County Board of Commissioners in their regular session **this 3<sup>rd</sup> day of August, 2015.**

Barry Richardson, Chairman

On motion of Commissioner Davis, which was seconded by Commissioner Hunt and duly carried by unanimous vote, Amendment # 2 to the Warren County FY 2015-16 Budget Ordinance was adopted:

**AMENDMENT TO THE WARREN COUNTY BUDGET ORDINANCE**

**2015/2016**

**Amendment No. 2**

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:

Health Department	\$	28,020
Board of Elections		567
Building, Grounds & Maintenance - Contingency		(567)
<b>Total</b>	<b>\$</b>	<b>28,020</b>

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

Increase/(Decrease) Revenues:

Restricted Intergovernmental - Health	28,020
<b>Total</b>	<b>\$ 28,020</b>

**This amendment:**

- appropriates additional funds to the health department to agree with state grant funding.  
 Funding Source: NC Department of Health and Human Services
- appropriates additional funds to the Board of Elections budget for building repairs and maintenance ( i.e., security system).  
 Funding Source: Building, Grounds & Maintenance - Contingency

Respectfully Submitted 08/03/2015

*Gloria M. Edmonds*

\_\_\_\_\_  
 Gloria M. Edmonds, Finance Director

On motion of Commissioner Baker, which was seconded by Commissioner Jordan and duly carried by unanimous vote, Mary C. Harris was re-appointed to the Jury Commission for a 6<sup>th</sup> term; July 1, 2015 – June 30, 2017.

On motion of Commissioner Davis, which was seconded by Commissioner Baker and duly carried by unanimous vote, the following re-appointments were made to the Kerr Tar Rural Transportation Coordinating Committee for a 3<sup>rd</sup> three-year-term each. Term duration: March 1, 2015 to February 28, 2018.

County Manager Linda T. Worth and  
 Planner/Zoning Admin Ken Krulik (alternate to County Manager)

Having been tabled during June 1, 2015 regular Board Meeting, revised Bylaws for Economic Development Commission were presented for Board’s review and adoption.

On motion of Commissioner Davis, which was seconded by Commissioner Baker and duly carried by unanimous vote, Resolution of Restatement & Affirmation of the Warren County Economic Development Commission (EDC) was adopted with Chairman Richardson authorized to sign same:

**State of North Carolina**  
**County of Warren**

**RESOLUTION OF RESTATEMENT & AFFIRMATION  
 OF THE WARREN COUNTY  
 ECONOMIC DEVELOPMENT COMMISSION**

WHEREAS, in 1964 the County created an economic development commission, pursuant to the authority given it in NCGS 158-8, and;

WHEREAS, the County later changed the name of the Commission from “Warren County Industrial Development Commission” to “Warren County Economic Development Commission” (hereinafter, “the Commission”), and

WHEREAS, the Commission has voted to amend its bylaws, including but not limited to, better outline its purposes as well as its relationship to the County, and;

WHEREAS, the County agrees with the Commission’s amendments, particularly as relating to the County,

**NOW THEREFORE BE IT RESOLVED BY THE WARREN COUNTY BOARD OF COMMISSIONERS THAT:**

1. The Warren County Board of Commissioners hereby reaffirms the creation of the Warren County Economic Development Commission, and;
2. The Warren County Board of Commissioners hereby restates its intent and agreement with the Warren County Economic Development Commission’s purposes and objectives as stated in the Commission’s attached Bylaws, amended May 2015, and;

3. The Warren County Board of Commissioners hereby affirms the Commission's goals and operations as stated in the Commission's attached Bylaws, amended May 2015, and;
4. The Warren County board of Commissioners hereby declares its support of the Commission's mission to the good of the citizens of Warren County.

ADOPTED this the 3<sup>rd</sup> day of August 2015.

WARREN COUNTY BOARD OF COMMISSIONERS

On motion of Commissioner Baker, which was seconded by Commissioner Hunt and duly carried by unanimous vote, revised By-Laws for the Economic Development Commission (EDC) were adopted with Chairman Richardson authorized to sign same.

#### **BY-LAWS**

#### **WARREN COUNTY ECONOMIC DEVELOPMENT COMMISSION**

##### **ARTICLE ONE: ORGANIZATION**

**Section 1.** The **WARREN COUNTY ECONOMIC DEVELOPMENT COMMISSION** (hereafter "the Commission") was created by the Warren County Board of Commissioners (hereinafter, "the BOC") pursuant to N.C.G.S. §§ 158-8 thru 158-15. As such, these amended Bylaws are being enacted, pursuant to the BOC's approved restatement Resolution of 2015.

**Section 2.** The County of Warren, North Carolina, shall constitute the Warren County Economic Development Commission's area of jurisdiction.

**Section 3.** The location of the principal office of this Commission shall be 501 US Highway 158 Business East, Warrenton, North Carolina. The Commission may designate another location for the principal office, or may establish additional offices as it deems appropriate.

**Section 4.** The fiscal year of the Commission shall commence on the first day of July and shall terminate on the thirtieth day of June in the following calendar year.

**Section 5.** The Commission shall *not* be considered a Public Authority as under Chapter 159 of the North Carolina General Statutes. Therefore, all funding received into and/or flowing out of the Commission shall be managed pursuant to the Commission's budgetary confines as determined and approved by the BOC each fiscal year.

##### **ARTICLE TWO: PURPOSES AND OBJECTIVES**

The purpose of the Commission is to promote economic development within Warren County, and to establish a framework to be utilized in coordinating local, state and federal efforts toward this end. Major emphasis shall be placed on providing the basic facilities essential for attracting and encouraging sound economic growth in the County. Specific objectives of the Commission include, but are not limited to, the following:

**Section 1.** Formulating projects intended to carry out economic development programs and initiatives by attracting new industries, encouraging the expansion of existing industries, encouraging agricultural development, encouraging the formation of new business and industrial ventures by local as well as foreign capital, and all other activities of a similar nature.

**Section 2.** Conducting industrial surveys, advertising in periodicals or other communications media, providing advice and assistance to businesses and industrial concerns interested in locating in the area, providing advice and assistance to existing businesses and industries, providing advice and assistance to persons seeking to establish new businesses or industries, and engaging in related activities.

**Section 3.** Encouraging the formation of private business development corporations, associations and/or partnerships which serve to carry out projects such as securing and preparing sites for industrial development, constructing industrial buildings, rendering financial and managerial assistance to businesses and industries, or providing advice and assistance to such corporations and associations.

**Section 4.** Making recommendations to the BOC, the Warren County Planning Board, and other organizations or boards having members appointed by the BOC concerning infrastructure planning and development, land use planning as it applies to business and industrial concerns, and other areas directly or indirectly impacting upon the County's growth and development.

**Section 5.** The Commission shall itself seek funding and shall also be involved in the application for and administration of various state and federal grant funds intended to be utilized to assist the County in implementing growth strategies, and shall further coordinate with other County departments as is necessary and appropriate to insure the legal and orderly implementation of same.

**Section 6.** Encouraging the enrichment of curriculum in order to achieve appropriate occupational and technical training within the various school systems serving the area, and; Assisting in the procurement of training programs for industry, business and other related entities.

**Section 7.** The Commission shall seek out and encourage the development of programs designed to improve tourism, transportation facilities, housing, recreation programs and facilities, and related needs that promote the general economic well-being of Warren County.

**Section 8.** Carrying on such other activities as the Commission (and/or the BOC) deems necessary and appropriate to promote economic growth and prosperity in Warren County.

### **ARTICLE THREE: MEMBERSHIP**

**Section 1.** The Commission shall consist of nine (9) members appointed by the BOC. To be eligible to serve on the Commission, a person must be of the age of eighteen (18) or older, and must either reside in or have a place of business in Warren County.

**Section 2.** The Commission shall make recommendations to the BOC to fill vacant seats on the Commission. Such recommendations shall be made in written form no less than ten (10) days before appointments are to be acted upon by the BOC.

**Section 3.** The Chairman of the Commission shall notify the appointing authority in writing of the expiration date of the terms of Commission members at least thirty (30) days prior to the expiration date, so that replacement appointments (or reappointments) may be made in a timely manner without lapse. Recommendation for appointment or reappointment shall be included with the notice. Recommendation shall be obtained by a vote of the Commission members. Final determination rests with the BOC.

**Section 4.** Upon receiving appropriate recommendations, appointments to the Commission shall be made by the BOC for staggered three-year terms and may be appointed to serve a second term. After two terms, a member must be off the board for at least one (1) year before being eligible for re-appointment.

**Section 5.** The Commission will attempt to recruit a membership that is diverse and representative of the County, with respect to differing communities including socioeconomic, geographic, age, race, ethnicity and gender.

### **ARTICLE FOUR: OPERATION OF THE COMMISSION**

**Section 1.** The government, business and property of the Commission shall be managed by the Commission members. Each member shall serve for the term appointed or until death, resignation, retirement, removal, replacement, disqualification, or until a successor is appointed or qualified.

**Section 2.** The Commission shall elect a Chairman, Vice-Chairman, and Secretary at the first meeting after July 1 of each year. These officers (individually or collectively) shall be referred to as the executive officers.

**Section 3.** Notwithstanding the particular Commission member's term, the term of service as an executive officer shall be for one (1) year. They shall assume office upon election. Officers may be elected to succeed themselves or be elected to any other office.

**Section 4.** Vacancies in any office, arising from any cause, may be filled by the membership at any regular or special meeting. Interim offices filled by the membership shall be for the unexpired term of the office creating the vacancy.

**Section 5.** In addition to the Commission officers, an Executive Director shall be employed to conduct the business activities of the Commission in accordance with the directives of the Commission. In conjunction with the Warren County Human Resources department, the Commission shall conduct interviews and make a candidate recommendation, along with salary offer to the BOC. Although the Commission shall have the authority to direct the Executive Director in his/her duties to be carried out on behalf of the Commission, he/she shall be an employee of the County, eligible to receive benefits offered by Warren County, and obligated to follow the policies and procedures of the County.

**Section 6.** The Commission may elect to contract with consultants, the State of North Carolina, the federal government, or any other agency or department thereof for such services as may be required. All contracts must be executed by either: a) the Warren County Manager (if contract amount is within her/his signing authority), or; b) the

Chair of the BOC after receiving approval by the BOC, on behalf of the Commission. Copies of every fully-executed contract shall be filed in the offices of the Commission, the Warren County Finance Office, and the Warren County Manager's office. The Executive Director shall have administrative responsibility for seeing to the provisions of this section being carried out.

**Section 7.** The Commission may lease, rent, purchase or otherwise obtain suitable quarters and office space for its staff and may lease, rent or purchase necessary fixtures, furniture, automobiles and other equipment. As required in Section 6 of this Article above, any and all leases to be entered into by the Commission must be executed by the County Manager or the BOC Chair. Copies of all leases shall be filed in the offices of the Commission and of the Warren County Finance Office.

**ARTICLE FIVE: DUTIES OF OFFICERS**

**Section 1. Chairman.** The general duties of the Chairman of the Commission are:

- a. The Chairman shall preside at all regular, special and emergency meetings of the Commission.
- b. The Chairman shall have the authority to delegate his duties to the Vice-Chairman in the rare occasion he is unavailable to attend a meeting or oversee an emergent situation.
- c. The Chairman, may appoint such committees as the work of the Commission may require.
- d. The Chairman shall guide and direct the efforts of the staff and any special committees in their efforts. The Chairman may solicit advice and assistance in these endeavors.
- e. The Chairman shall promulgate and publish such orders and directives as may be necessary to promote the purpose of the Commission.
- f. The Chairman shall authorize the disbursement of funds in accordance with established policies of the Commission, in compliance with the general and special terms and conditions of appropriated funds, and in compliance with any local, state, or federal grant regulations or conditions.
- g. The Chairman shall perform such other duties as will promote the purpose of the Commission or which are required by the office. The Chairman may solicit advice or assistance in these endeavors.

**Section 2. Vice-Chairman.** The Vice-Chairman of the Commission shall perform the duties of the Chairman in his absence.

**Section 3. Secretary.** The general duties of the Secretary are:

- a. The Secretary shall record and maintain accurate minutes of all proceedings and actions of the Commission during any and all meetings of the Commission—whether regular or emergent, face-to-face or otherwise. The Secretary shall verify and authenticate all the records of the Commission, presenting such minutes to the Commission at its next regularly-scheduled meeting, for approval by the Commission.
- b. The minutes of such meetings shall be typed, bound and kept in such a place as the Chairman may designate.
- c. The Secretary shall perform such other duties assigned by the Commission.

**Section 4. Financial Oversight.** Since the Commission shall not have a Treasurer as a designated officer, the Commission (by and through the Executive Director) shall consult with and utilize the Warren County Finance Director to insure that the Commission's budgeting is performed in accordance with General Accounting Principles. *See Article Five, Section 5(c) below.*

**Section 5. Executive Director.** The Executive Director shall be the chief operating officer of the Commission. The Executive Director shall be an ex-officio member of all functional and standing committees, but shall have no voting power.

The scope of work shall be the duties outlined within the job description as adopted by the Commission. The Executive Director shall function directly under the overall supervision of the Commission Chairman. Any and all orders and directives from the Commission to the Commission staff shall be delivered by Chairman to the Executive Director. So long as there is someone employed in the position of Executive Director, the Commission shall *not attempt or assume* to direct any staff except the Executive Director. The Executive Director shall be directly responsible for, but not limited to, the following:

- a. The Executive Director shall supervise and direct all other employees of the Commission.
- b. The Executive Director shall implement the administrative policies and procedures concerning the staff and the staff functions as established by the Commission. Further, the Executive Director shall ensure that the County's personnel policies and procedures are followed by Commission staff.
- c. The Executive Director shall be responsible for maintaining all records including, but not limited to, financial, grant reporting, and employee oversight documentation which are or may be necessary and/or required to satisfy the Commission's legal obligations, recognizing that such requirements may include the need to maintain records of other agencies which may be involved.
- d. The Executive Director shall discharge the functional and operational requirements as set forth by the Commission.
- e. The Executive Director shall expend effort toward establishment of liaison with agencies of local, state and federal governments, and with financial institutions, engineering firms, building contractors, public and private utility companies, locational consultants and other entities either directly or indirectly involved with business planning and location.
- f. The Executive Director shall work directly with the County Manager on a regular basis concerning on-going and potential projects, and provide intergovernmental coordination and ensure accurate and timely communication with the BOC, Warren County citizens, and other stakeholders.
- g. The Executive Director shall work and coordinate with the County Manager's office in the areas of complex tasks involving special projects, administrative record keeping detail, research and analysis, follow up functions, keeping frequent communication with all levels of County government and external agencies.

**h.** The Executive Director shall coordinate projects and marketing strategies by working with County staff scheduling and coordinating meetings, preparing and submitting reports and presentations, and developing solutions and strategy analysis.

**i.** The Executive Director may be assigned other duties, or duties may be eliminated by the Chairman upon approval by the Commission.

#### **ARTICLE SIX: COMMISSION PANELS AND TASK FORCES**

The Chairman may from time to time, appoint qualified individuals to serve on bodies created to achieve specific objectives and purposes of the Commission. The creation of appropriate panels and task forces as operating entities is hereby authorized.

#### **ARTICLE SEVEN: MEETINGS**

**Section 1.** The Commission shall meet regularly, at least once every two months. The Chairman may call additional meetings as necessary provided proper notice is given to the public. All meetings shall be conducted and notice properly given (through the clerk to the BOC) as directed by NC Statute Chapter 143 Article 33C: Meetings of Public Bodies. Meetings of the Commission shall be held in the principal office or in other locations as designated by the Chairman.

**Section 2.** The Chairman, acting by and through his agent, shall give notice of the meeting by sending an email to each member. It will be the responsibility of each member to keep a current mailing address, email address, and telephone numbers on file with the Chairman and the Commission office.

**Section 3.** Special or emergency meetings may be called by the Chairman, the Executive Director, or by any three Commission members at any time or place by giving as much prior notice as is reasonably possible. Notification of special and

emergency meetings may be accomplished by telephone allowing a minimum of 48 hours public notification for special meetings.

**Section 4.** A quorum for the Commission shall consist of five (5) members. If no quorum is present, there shall be no official meeting.

**Section 5.** At Commission meetings, each member present shall have one vote. All Commission actions shall require a majority vote of the members present.

**Section 6.** Any member who fails to attend four (4) consecutive meetings, except that his absence be due to events beyond the member's reasonable control, such as his/her appointment to the Commission terminated and shall be replaced by the BOC at the request of the Chairman and in accordance with the law authorizing the Commission.

**Section 7.** Questions of parliamentary procedure shall be decided according to Robert's Rules of Order.

#### **ARTICLE EIGHT: BUDGET**

**Section 1.** All expenditures by the Commission shall be made pursuant to a budget submitted to the Warren County Manager and approved by the BOC in accordance with the Local Government Budget and Fiscal Control Act.

**Section 2.** The Commission shall prepare an annual budget for presentation to the Warren County Manager on or before the first day of March of each year.

**Section 3.** The annual budget shall show proposed expenditures for all operating expenses, capital equipment and improvements. A breakdown of the source of funds shall indicate the amount to be requested of the governing body, and the amount to be obtained from other sources including state and federal grants. The budget shall be a line item budget.

**Section 4.** The Executive Director is hereby empowered to make expenditures from the budget in accordance with established County Policy up to \$1500.00, provided that such expenditures do not exceed the amount remaining in the appropriate line item of the budget. Any expenditure exceeding said amount shall require prior approval by a quorum of the full Commission before the expense may be incurred.

**Section 5.** All invoices for goods or services received shall be submitted to the Commission's offices and shall be approved by the Executive Director or his designee before being forwarded to the County Manager or Finance Director, as is appropriate.

**Section 6.** The Commission shall have the right and duty to transfer funds from one line item to another within the departmental budget, in accordance with County policy, provided the total budgeted expenditures do not exceed the amount appropriated to the Commission by the BOC.

**Section 7.** The Commission shall require the Executive Director to maintain adequate and accurate fiscal records in the Commission's office. Such records shall be kept up-to-date and will be available to the Commission for its review at all times. The Commission may require of the Executive Director such reports as it deems necessary under the circumstances.

#### **ARTICLE NINE: RECORDS**

**Section 1.** The Secretary of the Commission shall keep a record of all business conducted by the Commission in regular or called meetings as outlined in Article Five, Section 3 (b) above.



On motion of Commissioner Jordan, which was seconded by Commissioner Baker and duly carried by a majority vote, it was ordered to re-appoint Franklin Fleming to the Parks & Recreation Commission for a 4<sup>th</sup> term; February 1, 2015 to February 2, 2018.

Votes were as follows:           Aye: Baker, Davis & Richardson  
   Nay: Davis & Hunt

Motion carried, Franklin Fleming was re-appointed to the Parks & Recreation Commission for a 4<sup>th</sup> term; February 1, 2015 to February 2, 2018.

On motion of Commissioner Hunt, which was seconded by Commissioner Jordan and duly carried by unanimous vote, Charmaine McKissick-Melton was re-appointed to the Parks & Recreation Commission as representative of Soul City Parks & Recreation Association (a required slot) for a 3<sup>rd</sup> term; February 1, 2015 to February 2, 2018.

On motion of Commissioner Davis, which was seconded by Commissioner Jordan and duly carried by unanimous vote, Warren County Economic Development Commission's request to schedule a Joint Meeting with the Board of County Commissioners on Monday, September 21, 2015 at 6:00 pm in the Armory Civic Center Meeting Room was approved. Purpose of meeting is to discuss solar farm applications in Warren County and to address questions regarding solar farms.

On motion of Commissioner Davis, which was seconded by Commissioner Hunt and duly carried by unanimous vote, request from Warren County Planner/Zoning Administrator to schedule a Public Hearing to hear citizen comments regarding petition for rezoning tax map 12C-58 on Robinson Ferry Road in Sixpound Township on Monday, September 14, 2015 at 5:45 pm in the Armory Civic Center Meeting Room was approved.

On motion of Commissioner Baker, which was seconded by Commissioner Hunt and duly carried by unanimous vote, Resolution Declaring Surplus Property and Authorizing Auction of tax foreclosed properties was adopted, with Chairman Richardson authorized to sign the Resolution:

**RESOLUTION**  
**SALE OF SURPLUS**  
**WARREN COUNTY PROPERTY**

**WHEREAS**, the County of Warren has certain properties which have been foreclosed for delinquent taxes and may lawfully dispose of such property through on-line auction.

**NOW, THEREFORE, BE IT RESOLVED THAT**, pursuant to Article 12, North Carolina General Statute 160A-268, the Warren County Board of Commissioners will sell through online auction the following real property:

<b>Tax ID</b>	<b>Size</b>	<b>Location</b>	<b>Minimum Bid Accepted</b>
D4 D2 57	2 acres	Smith Creek Township, Norlina	\$3,993.88
E5 117	1.42 acre	Airport Rd, SR 1325	\$3,530.48
J11 134	1 acre	Lt 13, Phase I, Off Bethlehem Rd	\$1,476.11
B10 40 G1	0.75 acre	Lot B1, 152, Southland Dr, Sandy Creek	\$3,508.38
B10 43 D2	1 acre	Foster Ld, off Summit Rd, Sandy Creek	\$1,663.98
F6 36	1 acre	Lemuel Bullock Rd, Warrenton Twp	\$2,806.21

The properties will not be open for inspection and are being sold in "as is" condition with no warranties.

A minimum bid has been establish per property. The Warren County Board of Commissioners reserves the right to reject any or all bids, to waive informalities, and to award bid in the opinion of the Owner in its best interest. All questions should be directed to: Linda T. Worth, Warren County Manager (252) 257-3115 (8:30 am to 5:00 pm, Monday through Friday) or e-mailed to lindatworth@warrencountync.gov.

**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 sell property; and that advertising, describing the property, the method for bidding and the date, time and place for the bid opening be placed with auction site, notice in the Warren Record Newspaper and otherwise appropriately advertised according to law.



ADOPTED this the 3<sup>rd</sup> day of August 2015.

WARREN COUNTY BOARD OF COMMISSIONERS

ATTEST:

Barry Richardson, Chairman  
Angelena Kearney-Dunlap, Clerk

Having received quotes from vendors to replace bleachers in the John Graham Gym, it was recommended to award project to Seating Safety Solutions (bid #1) at \$72,163:

<b>Quotes were received as follows:</b>		
<i>Seating Safety Solutions</i>	<i>(quote #1)</i>	<i>\$72,163</i>
<i>Seating Safety Solutions</i>	<i>(quote #2)</i>	<i>\$74,939</i>
<i>Learning Environments, Inc.</i>		<i>\$94,420</i>

It was further requested to authorize the County Manager to sign necessary documentation.

On motion of Commissioner Hunt, which was seconded by Commissioner Jordan and duly carried by unanimous vote, bid was awarded to Seating Safety Solutions in the amount of \$72,163 to replace the bleachers in the John Graham Gym, with County Manager Worth authorized to sign the necessary documents.

Having been authorized by the Board of Commissioners to approve contracts up to, but not to exceed \$50,000, notice of contracts approved by County Manager Worth in July 2015 was submitted for the Board's information.

On motion of Commissioner Jordan, which was seconded by Commissioner Hunt and duly carried by unanimous vote, County Manager approved contracts for July 2015 were accepted as information only:

**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 July 2015 on behalf of Warren County:**

**Senior Center**

**Long Creek Coach Line  
250 Welcome Ave.  
Henderson, NC 27536**

**Senior Excursions  
4807 Pacific Avenue  
Wildwood, NJ 08260**

**Barn Dinner Theatre  
120 Stage Coach Trail  
Greensboro, NC 27409-1896**

**I have approved three contracts with Long Creek Coach Line, one contact with Senior Excursions, and one contract with Barn Dinner Theatre for the Warren County Senior Center. These contracts are for the provision of transportation and entertainment for seniors participating in Senior Center-sponsored activities. Funds to cover these trips will be collected from the participants who pay a fee to take part in these activities.**

911 Center

CenturyLink Sales Solutions, Inc.  
665 Lexington Avenue  
Mailstop: OHMANB0107  
Mansfield, OH 44907

I have approved a Products and Services Agreement with CenturyLink for moducom radio maintenance (3 position electronics) through Granville Communications. Funds received from the 911 telephone sur-charge are used to pay the costs associated with this agreement.

General County

Intercomp Systems  
3901 Barrett Dr., Suite 305  
Raleigh, NC 27609

I have approved a six-month (7/1/15 – 12/31/15) IT Support Contract with Intercomp Systems for all county agencies as well as a 12-hr. support agreement for the Sheriff's Office. Funds are budgeted in the IT departmental budget to cover the cost of these agreements.

We are currently advertising the vacant IT Administrator position, but must have IT support in place until the position is filled. Once the position is filled, we envision that Intercomp Systems will assist the IT Administrator in becoming familiar with Warren County's IT systems during the duration of the agreement.

On motion of Commissioner Baker, which was seconded by Commissioner Hunt and duly carried by unanimous vote, County Manager's Report of activities for July 2015 was approved as presented:

Following is a recap of my work activities for the month of July 2015:

Administration

- Mtg. with YSB Director (7/1/15)
- Mtg. with EDC Director to discuss various issues (7/1/15)
- Annual Leave (7/2/15)
- 4<sup>th</sup> of July Holiday Observed (7/3/15)
- Prepared for and attended Board of Commissioners Public Hearing and Regular Meeting (7/6/15)
- Attended Courthouse Security Meeting with Judge Hobgood and others (7/7/15)
- Prepared for and attended Board of Commissioners Special Meeting (7/9/15)
- Attended Recreation Commission Meeting (7/9/15)
- Birthday Off (7/21/15)
- Participated in KTREDC Conference Call (7/22/15)
- Participated in Amplifund Webinar to learn more about how the company can assist the County with grant proposals (7/23/15)
- Met with Health Director and Public Utilities Director and staff member to discuss state well regulations (7/24/15)
- Attended Recreation Commission Sub-Committee meeting (7/29/15)
- Prepared for and attended Roads Committee Meeting (7/29/15)
- Participated in E-Civis Webinar to learn more about how the company can assist the County with grant proposals (7/30/15)
- Mtg. with Tax Office Staff member (7/30/15)
- Prepared for and attended monthly Department Heads' Meeting (7/30/15)

Other Activities

- Attended NACo Annual Conference in Mecklenburg County, NC (7/10-14/2015)
- Attended Ridgeway Cantaloupe Festival (7/18/15)
- Attended EDC sponsored Tourism Resource Assistance Center Event at the Armory (7/23/15)
- Attended JCPC Annual Youth Forum (7/28/15)
- Attended and Participated in Library Summer Reading Program Closing Ceremony (7/30/15)
- Attended VGCC Summer Transportation Academy Graduation at WCHS (7/31/15)

## **Project Updates**

### **Simulcast Radio System Upgrade Project – Phase II**

Following the Kick-Off meeting with Stakeholders on June 23, 2015, TSS Partners are preparing the Request for Proposals for the radio equipment needed to facilitate Phase II of this project. The structural drawings for the Manson Tower upgrade have not yet been completed by Tower Engineering Professionals. We have been advised by the State Highway Patrol that it may be 12 months or more before the state prepares the Lease Agreement for us to upgrade the Manson Tower so that we can use it to mount our equipment as part of the simulcast system. We are hopeful that the timing of the Manson lease approval will coincide with the radio equipment delivery and installation so that the project will not be delayed longer than the anticipated 20 months for completion.

### **Buck Spring Project**

The Request for Qualifications (RFQ) for Architectural/Engineering services for the Buck Spring Project – Phase I was published in the Warren Record on Wednesday, July 22, 2015. We also direct mailed the RFQ to six Architectural/Engineering firms to hopefully ensure a sufficient number of responses are received for this project. The firms have until 5 pm on August 24<sup>th</sup> to respond to the RFQ. After the responses are received, a Selection Committee will review the proposals to select a firm that will be recommended to the Board of County Commissioners.

### **Land Acquisition & Emergency Services Headquarters Facility**

We have engaged a surveyor to survey the 45.384 acres off of Hwy. 158 Bypass that will be used for the Emergency Services Headquarters facility (10 acres) and for future expansion of the recreation complex (remaining acreage) that is located on the same highway. The title search of the property has been completed. If all goes well with the survey, the deed will be prepared and the closing will be scheduled.

We are in the process of preparing a Request for Qualifications for Architectural services for the Emergency Services Headquarters facility. Staff is also working on the USDA pre-application for funding for the project.

### **Ephraim Place CDBG Project**

The Division of Community Assistance has granted the County's request to build three homes for LMI individuals in lieu of re-paying the CDBG grant funds. A public hearing was held on July 6, 2015 to receive citizens' input on re-opening the Ephraim Place CDBG Project. No citizens spoke at the hearing. In conjunction with USDA, Mrs. C. Alston-Kearney, Grant Administrator, is working to identify potential home buyers for the three homes.

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

The second interim report was filed with Golden LEAF on 6/4/15. We are in the process of retaining the services of a local Building Contractor to evaluate the buildings on the property for the purpose of developing cost estimates on renovation and/or demolition. We are also continuing work on a preliminary business plan for the CAVE project.

Human Resources Director Lisa Alston requested Board consideration and approval of:

- # NC Office of State Human Resources Salary Plan Reporting Form; NC Local Government 2015-16 Salary Plan for employees working in Social Services and Public Health. and
- # Warren County 2015-16 Job Classification Schedule for employees working 1950 and 2080 hours effective July 1, 2015.

On motion of Commissioner Jordan, which was seconded by Commissioner Baker and duly carried by unanimous vote, 2015-16 NC Office of State Human Resources Salary Plan Reporting Form and NC Local Government 2015-16 Salary Plan was approved, effective July 1, 2015 with Chairman Richardson authorized to sign the necessary documentation.

On motion of Commissioner Baker, which was seconded by Commissioner Davis and duly carried by unanimous vote, Warren County 2015-16 Job Classification Schedule for employees working 1950 and 2080 hours was approved, effective July 1, 2015.

With no further business to discuss and on motion of Commissioner Davis which was seconded by Commissioner Hunt and duly carried, the August 3, 2015 Board of Commissioners meeting was adjourned.

  
Angelina Kearney-Dunlap, Clerk

**MINUTES OF A SPECIAL MEETING HELD BY THE WARREN COUNTY BOARD OF COUNTY COMMISSIONERS IN THE ARMORY CIVIC CENTER MEETING ROOM ON WEDNESDAY – AUGUST 19, 2015 AT 5:45 PM.**

The Special Meeting was called to order by Chairman Barry Richardson. Other Commissioners present: Bertadean Baker, Tare Davis, Victor Hunt and Jennifer Jordan. Others in attendance: County Manager Linda T. Worth, 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.***

Clerk to the Board read the Notice of Special Meeting.

**Special Meeting  
Warren County Board of Commissioners**

Notice is hereby served that the Warren County Board of Commissioners will hold a Special Meeting on Wednesday, August 19, 2015 at 5:45 PM in the Warren County Armory Civic Center Meeting Room, 501 US Highway 158 Business, East, Warrenton, NC.

The purpose of this Special Meeting is to consider USDA Loan Resolution for Warren County Water & Sewer District III, Emergency & Essential Community Assistance Grant (ECWAG).

All interested persons are urged to attend this Special Meeting. Board of Commissioner’s regularly schedule work session immediately follows.

Barry Richardson, Chairman  
Warren County Board of Commissioners

It was presented to consider USDA Loan Resolution for Warren County Water & Sewer District III, Emergency & Essential Community Water Assistance Grant (ECWAG) to accept a grant in the amount of \$150,000 from the US Department of Agriculture. Warren County Water & Sewer District III contribution is \$2,549.

On motion of Commissioner Baker, which was seconded by Commissioner Hunt and duly carried by unanimous vote, USDA Loan Resolution for Warren County Water & Sewer District III, Emergency & Essential Community Water Assistance Grant (ECWAG) to accept a grant in the amount of \$150,000 from the US Department of Agriculture was adopted with Warren County Water & Sewer District III contributing \$2,549. County Manager Worth was authorized to sign resolution.

**LOAN RESOLUTION**  
(Public Bodies)

A RESOLUTION OF THE Warren County Board of Commissioners

OF THE Warren County Water & Sewer District No. III

AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS

Provide water service

FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

WHEREAS, it is necessary for the Warren County Water & Sewer District No. III

*(Public Body)*

(herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of

One Hundred Fifty Thousand & 00/100

pursuant to the provisions of N. C. General Statute 162 A; and

WHEREAS, the Association intends to obtain assistance from the United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association:

NOW THEREFORE, in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal ly permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so, without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contractor agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by USDA. No free service or use of the facility will be permitted.

*According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0572-0121. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.*

- 11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.
- 12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request, and to forward to the Government such additional information and reports as it may from time to time require.
- 13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.
- 14. That if the Government requires that a reserve account be established, disbursements from that account(s) may be used when necessary for payments due on the bond if sufficient funds are not otherwise available and prior approval of the Government is obtained. Also, with the prior written approval of the Government, funds may be withdrawn and used for such things as emergency maintenance, extensions to facilities and replacement of short lived assets.
- 15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain USDA's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.
- 16. To comply with the measures identified in the Government's environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facility's construction or operation.
- 17. To accept a grant in an amount not to exceed \$ 150,000.00

under the terms offered by the Government; that the Linda T. Worth, County Manager

and Angelena Kearney Dunlap, Clerk of the Association are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of sections 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling between the Association and the Government or assignee.

The vote was: Yeas 5 Nays 0 Absent 0

IN WITNESS WHEREOF, the Warren County Board of Commissioners of the

Warren County Water & Sewer District No. III has duly adopted this resolution and caused it

to be executed by the officers below in duplicate on this 19th August of 2015

(SEAL)

Attest:

Angelena Kearney Dunlap  
Title County Clerk

By

Linda T. Worth

Linda T. Worth

Title

Warren County Manager



With no further business to discuss and on motion of Commissioner Jordan which was seconded by Commissioner Baker and duly carried, the August 19, 2015 Board of Commissioners' special meeting was adjourned.

Angelena Kearney-Dunlap, Clerk