

**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, AUGUST 1, 2016 AT 6:00 P.M.**

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

A moment of silence was followed by 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 such 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 Hunt, which was seconded by Commissioner Baker and duly carried by unanimous vote, the August 1, 2016 Agenda was adopted with one amendment:

**Added Item # 15-D:** FY 2016-17 Agreement for Protection, Development & Improvement of Forest Land in Warren County

On motion of Commissioner Baker, which was seconded by Commissioner Davis and duly carried by unanimous vote, Consent Agenda Item 6A – Minutes of July 11, 2016 meeting were approved.

On motion of Commissioner Baker, which was seconded by Commissioner Davis and duly carried by unanimous vote, Consent Agenda Item 6B – Interest Income Report for June 2016 was approved:

**INTEREST INCOME REPORT  
MONTH OF JUNE 2016  
INTEREST RATE OF 0.33%**

<b>FUND</b>	<b>JUNE INCOME</b>	<b>FISCAL YEAR TO - DATE</b>
General	2,538.08	22,516.51
Revaluation	112.87	844.32
E 911 Telephone System	124.38	939.30
Buck Spring Project	69.49	595.95
Simulcast System Upgrade	99.69	863.56
Regional Water Enterprise Fund	143.37	1,582.56
District 1 Enterprise Fund	292.07	2,298.87
Solid Waste	26.23	299.35
District II Enterprise Fund	269.69	2,448.85
District III Enterprise Fund	31.57	921.54
District III Phase III	1.55	14.17
Emergency Services Headquarters	22.91	223.12
Recreation Complex Phase III	0.27	27.02
	<b>3,732.17</b>	<b>33,575.12</b>

On motion of Commissioner Baker, which was seconded by Commissioner Davis and duly carried by unanimous vote, Consent Agenda Item 6C – Tax Collector’s Report for June 2016 was accepted in accordance with NCGS 105-350.

**Tax Collector's Report  
to the Warren County Board of Commissioners  
For the Month June 2016**

**Current Year Collections**

Tax Year	Charge	Collected in June	Collected to Date	Balance Outstanding	Percentage Collected
June 2016 FY16	\$16,439,968	\$89,660	\$15,886,213	\$553,756	96.63
June 2015 FY15	\$16,402,044	\$115,062	\$15,901,236	\$500,808	96.95

**Delinquent Collections**

Year	Charge	Collected in June	Collected to Date	Balance Outstanding	Percentage Collected
2014	\$497,939	\$5,988	\$251,118	\$246,821	50.43
2013	270,069	2,291	84,280	\$185,789	31.21
2012	169,025	891	37,397	\$131,628	22.13
2011	120,659	941	21,279	\$99,380	17.64
2010	99,431	502	13,183	\$86,248	13.26
2009	89,411	405	11,337	\$78,074	12.68
2008	85,396	355	9,373	\$76,023	10.98
2007	94,910	441	5,916	\$88,993	6.23
2006	98,757	354	4,225	\$94,532	4.28
2005	84,053	107	3,952	\$80,100	4.70
<b>Total Delinquent Years</b>	<b>\$ 1,609,650</b>	<b>\$12,275</b>	<b>\$ 442,060</b>	<b>\$ 1,167,588</b>	

**Other June Receipts**  
County Penalties  
Landfill User Fees  
Municipalities  
Fire District Taxes  
Advance Taxes

\$ 7,551	\$ 140,423
\$ 15,511	\$ 1,215,071
\$ 2,374	\$ 650,626
\$ 5,527	\$ 857,232
\$ 17,048	\$ 56,444

**JUNE GRAND TOTAL**

<b>\$ 149,946</b>	<b>\$19,248,068</b>
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*Starlin Beatty, Tax Administrator*  
Starlin L. Beatty, Tax Administrator

7/15/2016  
DATE

On motion of Commissioner Baker, which was seconded by Commissioner Davis and duly carried by unanimous vote, Consent Agenda Item 6D – Community Development Block Grant 03-C-1187 Ephraim Place Housing Development Project Quarterly Report for April 1, 2016 through June 30, 2016 was accepted.

On motion of Commissioner Davis, which was seconded by Commissioner Baker, and duly carried by unanimous vote, Amendment # 2 to the FY 2016-17 Budget Ordinance was adopted:

**AMENDMENT TO THE WARREN COUNTY BUDGET ORDINANCE  
2016/2017  
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:

Emergency Services	\$ 6,500
<b>Total</b>	<b>\$ 6,500</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	\$ 6,500
<b>Total</b>	<b>\$ 6,500</b>

**This amendment:**

- appropriates funds to the Emergency Services budget for the emergency operation plan training and tabletop exercise. Funds were received from the Emergency Management Performance Grant in FY 16 but not spent.

Funding Source: Fund Balance Appropriated

Respectfully Submitted 08/01/2016

*Gloria M. Edmonds*

Gloria M. Edmonds, Finance Director

Gloria Edmonds, Finance Director, presented a request to award bid for financing of Buck Spring Park Project to Capital Bank at a rate of 1.95%, interest plus fees totaling \$18,359.71. Bid packet was circulated to six (6) lending institutes with only one response.

Warren County solicited bids from six (6) financial institutions for the financing of the Buck Spring Park project for a term of five (5) years.

The following bids were received:

<b>Financial Institution</b>	<b>Rate</b>	<b>Interest Plus Fees</b>
Capital Bank	1.95	18,359.71
PNC	No Bid Received	
First Citizens Bank	No Bid Received	
Regions Bank	No Bid Received	
BB&T Governmental Finance	No Bid Received	
Fidelity Bank	No Bid Received	

Capital Bank submitted the proposal with the lowest costs (interest plus fees), therefore, it is my recommendation that we accept this bid.

On motion of Commissioner Baker, which was seconded by Commissioner Jordan Pierce and duly carried by unanimous vote, bid for financing of Buck Spring Park Project was awarded to Capital Bank at a rate of 1.95% (interest plus fees \$18,359.71), for a maximum five (5) year term, pending approval of the Local Government Commission. If collateral is required, it shall be limited to structure only.

On motion of Commissioner Jordan Pierce, which was seconded by Commissioner Hunt and duly carried by unanimous vote, Resolution Authorizing the Filing of an Application for Approval of Financing Agreement Authorized by NC General Statute 160A-20 for Buck Spring Project was adopted. Chairman Richardson was authorized to sign same.

**RESOLUTION**

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

**WHEREAS**, the Board of Commissioners of Warren County, North Carolina desires to construct a 2,176 sq. ft. multi-purpose use cabin facility on property currently owned by Warren County, known as Buck Spring Park (the "Project"); and

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of Warren County, North Carolina, meeting in regular session on the 1st day of August, 2016, make the following findings of fact:

1. The proposed contract is necessary or expedient to facilitate the financing of the construction of a 2,176 sq. ft. multi-purpose use cabin facility on property known as Buck Spring Park. The cabin will be used as a meeting/retreat facility for 4-H programming, county/state agencies, educational entities and other public and private entities. The facility will complement the recreational amenities located at the Park.
2. The proposed contract is preferable to a bond issue for the same purpose because of the favorable interest rates offered through installment contract financing and the low fixed costs compared to a bond issue. The cost of the undertaking is approximately \$485,878 which exceeds the amount that can prudently be raised through appropriation of available fund balance in light of other capital needs the county anticipates meeting in the near future.
3. The cost of financing under the proposed contract is believed to be less than the cost of issuing general obligation bonds, considering expenses relating to special referendum and bond counsel.
4. The sums to fall due under the contract are adequate and not excessive for the proposed purposes due to the County's diligence to provide services at a level previously not available while being conservative in design.
5. The County of Warren's debt management procedures and policies are in compliance and the County is well below its debt margin with no defaults on debt service payments.
6. The increase in taxes necessary to meet the sums to fall due under the proposed contract will be less than one cent per \$100 valuation and is not deemed to be excessive.
7. The County of Warren is not in default in any of its debt service obligations.

- 8. The attorney for the County of Warren will render an opinion that the proposed Project is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of North Carolina.

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

This resolution is effective upon its adoption this 1<sup>st</sup> day of August, 2016.

On motion of Commissioner Davis, which was seconded by Commissioner Hunt and duly carried by unanimous vote, Resolution Declaring Official Intent to Reimburse Expenditures with Proceeds of Debt Pursuant to US Department of Treasury Regulations for Buck Spring Project was adopted. Clerk to the Board of Commissioners was authorized to attest same.

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

BE IT RESOLVED, by the Board of Commissioners for Warren County, North Carolina:

Section 1. The Board hereby finds, determines and declares as follows:

(a) Treasury Regulations Section 1.150-2 (the "Regulations"), promulgated by the United States Department of Treasury on June 18, 1993, prescribes certain specific procedures applicable to certain obligations issued by the County after June 30, 1993, including, without limitation, a requirement that the County timely declare its official intent to reimburse certain expenditures with the proceeds of debt to be issued thereafter by the County.

(b) The County has advanced and/or will advance its own funds to pay certain capital costs (the "Original Expenditures") associated with the County's Buck Spring Park Project (the "Project").

(c) The funds heretofore advanced or to be advanced by the County to pay the Original Expenditures are or will be available only on a temporary basis, and do not consist of funds that were otherwise earmarked or intended to be used by the County to permanently finance the Original Expenditures.

(d) As of the date hereof, the County reasonably expects that it will reimburse itself for such Original Expenditures with the proceeds of debt to be incurred by the County, and the maximum principal amount of debt to be incurred with respect to the Project is expected to be \$320,000.

(e) All Original Expenditures to be reimbursed by the County were paid no more than 60 days prior to, or will be paid on or after the date of, this declaration of official intent. The County understands that such reimbursement must occur not later than 18 months after the later of (i) the date the Original Expenditure was paid; or (ii) the date the Project is placed in service or abandoned, but in no event more than 3 years after the Original Expenditure was paid.

Section 2. Effective Date. This resolution shall take effect upon its passage.

Upon motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, the foregoing resolution entitled: "RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF DEBT PURSUANT TO UNITED STATES DEPARTMENT OF TREASURY REGULATIONS" was passed by the following vote:

The motion carried.

\* \* \* \* \*

I, Angelena Kearney-Dunlap, Clerk to the Board of Commissioners for Warren County, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board at a meeting held on August 1, 2016, as relates in any way to the declaration of intent to reimburse expenditures with the proceeds of debt and that said proceedings are recorded in Minute Book No. \_\_\_ of the minutes of said Board, beginning at page \_\_\_ and ending at page \_\_\_.

I DO HEREBY FURTHER CERTIFY that a schedule of regular meetings of said Board providing dates, locations and times is kept on file in my office, in accordance with G.S. §143-318.12.

WITNESS my hand and the corporate seal of said County, this \_\_\_ day of August, 2016.

On motion of Commissioner Jordan Pierce, which was seconded by Commissioner Hunt and duly carried by unanimous vote, a public hearing regarding the proposed financing of Warren County Buck Spring Project was scheduled for Wednesday, August 17, 2016 at 5:45 pm.

On motion of Commissioner Baker, which was seconded by Commissioner Hunt and duly carried by a majority vote, Resolution Declaring Official Intent to Reimburse Expenditures with Proceeds of Debt Pursuant to US Department of Treasury Regulations for FY 2017 Vehicles and Voter Equipment was adopted. Chairman Richardson was authorized to sign same.

Votes were as follows:           Ayes: Baker, Hunt, Jordan Pierce & Richardson  
   Nay: Davis

Motion carried, Resolution Declaring Official Intent to Reimburse Expenditures with Proceeds of Debt Pursuant to US Department of Treasury Regulations for FY 2017 Vehicles and Voter Equipment was adopted, with chairman Richardson authorized to sign same.

**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 new vehicles and voter equipment in FY 17 for the following departments at the following estimated costs:
  - Sheriff's Office – 2 Dodge Chargers - \$49,000
  - Code Enforcement- 1 Toyota Truck - \$26,954
  - Health – 1 Ford Fusion- \$17,485
  - Emergency Medical Services – Ambulance Remount - \$147,500
  - Library – 1 Ford Edge - \$19,578
  - Public Utilities – 1 Ford Truck - \$25,200
  - Public Works – 1 Ford Truck - \$28,000
  - Board of Elections – Voter Equipment - \$270,000
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 \$583,717.
3. Funds for the early Project expenditures may come from the County's General Fund.
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 August 1, 2016; 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 1<sup>st</sup> day of August 2016**

2015 Tax Year Settlement was presented by Starlin Beatty, Tax Collector/Administrator for Board's review and acceptance.

On motion of Commissioner Davis, which was seconded by Commissioner Baker and duly carried by unanimous vote, 2015 Tax Year Settlement was accepted in accordance with NCGS 105-332, 372 & 321 FY as presented by Tax Collector/Administrator.

Starlin Beatty  
Tax Administrator



117 South Main Street  
Post Office Box 240  
Warrenton, North Carolina 27589  
Phone: (252) 257-3337  
Fax: (252) 257-9369

**COUNTY OF WARREN  
OFFICE OF THE TAX ADMINISTRATOR**

**2015 TAX YEAR ANNUAL SETTLEMENT**

2015 TAX YEAR ORIGINAL LEVY	\$18,677,349.01
ADDITIONS:	
DISCOVERIES	\$ 569,187.48
INTEREST	\$ 51,907.01
LIEN ADVERTISING COST	\$ 7,106.33
TOTAL	\$19,305,549.83
REDUCTIONS:	
UNCOLLECTED BALANCE	
CASH COLLECTIONS	\$18,438,720.26
RELEASES	\$ 67,865.73
TOTAL	\$18,506,585.99
BALANCE OUTSTANDING AT JUNE 30, 2016	\$ 798,963.84
TOTAL	\$19,305,549.83

A request for Easement & Contract from Skippers Cove Development Group, LLC was submitted for Board's review and action, having been reviewed by the Warren County Staff Attorney.

On motion of Commissioner Hunt, which was seconded by Commissioner Davis and duly carried by unanimous vote, request for Easement & Contract with Skippers Cove Development Group, LLC was approved. Chairman Richardson was authorized to sign three (3) originals.

NORTH CAROLINA

WARREN COUNTY

THIS EASEMENT AND CONTRACT, made and entered into this the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between Skipper's Cove Development Group, LLC, a North Carolina Limited Liability Company, (hereinafter "Developer"); and Warren County, (hereinafter "Warren County," "Public Utilities" or "Warren County Public Utilities");

WITNESSETH:

WHEREAS, The Developer is developing a subdivision, Skipper's Cove, located in Middleburg Township, Vance County, North Carolina, map of which is hereby attached and as more particularly described in Exhibit A hereto attached and made a part of this agreement (the "Subdivision"); and

WHEREAS, Warren County Public Utilities, upon application by Developer, has agreed to furnish water to the Subdivision subject to the conditions hereinafter set forth; and

WHEREAS, Developer is desirous of conveying to Warren County a permanent and exclusive water line easement on the property and street(s) located in the Subdivision and is desirous of reducing to writing an agreement between the parties hereto.

NOW, THEREFORE, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, Developer has given, granted and conveyed unto Warren County, its successors and assigns, perpetual right and exclusive easement to operate and maintain an underground water line for the conveyance of water and all equipment necessary for the purpose of inspecting, maintaining, and repairing said water lines, together with the perpetual right and easement of egress, ingress and

regress over and upon those roadways, certain tracts or parcels of land lying in the Subdivision and being in Vance County, State of North Carolina, and more particularly described as follows:

**See Exhibit A attached hereto and incorporated herein by reference.**

TO HAVE AND TO HOLD said right and exclusive water line easement to it, Warren County Public Utilities and its successors and assigns, in title, for the purpose of operating and maintaining water lines, meters, pipes, valves and hydrants and other related equipment along said street(s) at such locations as are most practical and convenient to Warren County Public Utilities with full and exclusive rights and authority to go upon said lands whenever the same is reasonably necessary for the purpose of installing water taps, inspecting, maintaining and repairing said pipelines and water system related equipment with full privilege to remove the same if the same becomes necessary, it being agreed that the right and easement hereby granted is appurtenant to and runs with the land now owned by Developer in perpetuity, for the benefit of Warren County. In addition to the granting of the easement as hereinabove set forth, the parties hereto mutually agree as follows:

(1) That Warren County Public Utilities shall furnish to Developer adequate water facilities for such consumers and customers as may be owners of the lots shown on the maps of the Subdivision attached hereto and made a part of this agreement, as well as any other potential consumers and customers of Warren County Public Utilities, on condition that said consumers and customers make application for membership and tapping onto the water system and paying to Warren County Public Utilities a necessary tapping fee under the approved methods of tapping and applying for water services and to pay at the approved rates as may be from time to time agreed upon the cost of such water furnished under the terms and conditions of the rules and regulations of Warren County Public Utilities

(2) It is agreed between the parties hereto that upon installation, testing and approvals of the new water lines, appurtenances and equipment as designed by John Hamme civil engineer, the newly installed water lines in the Subdivision shall become a part of the overall water system of Warren County provided; however, the same shall be subject to the following conditions:

(a) That Developer shall pay the complete cost of the design, permitting, installation and construction of the water lines, hydrants and labor in the installation of the water system in the Subdivision. The Developer shall install and construct the water lines, hydrants, and other related equipment, including the expense of all labor in the Subdivision in accordance with the plans and specifications approved by the engineer and Warren County Public Utilities.

(b) That the installation of said water lines, hydrants, and equipment must first receive full approval by the engineer and shall be in accordance with the approved plans and specifications of the facilities similar to those now presently existing in the Warren County's Water System.

(c) That Developer by the execution of this agreement and as a condition thereof does hereby convey all of its right, title, and interest in and to said extensions of the line or lines into the Subdivision along said street(s) as hereinabove named as shown on the map attached hereto and made a part hereof, which includes all the exclusive water easement rights above referred to, all rights to all taps made on the new line, exclusive rights to control and use of said line as the property of Warren County, with full rights of ingress and egress thereto as well as the right to install water lines and taps to any customers of the Developer served by this new line and that any rights to tapping fees or use of said water pipelines located on said street(s) hereinabove described and water easement rights shall be vested solely and exclusively by Warren County.

(d) That since the Developer is installing the new water line for improved water supply and firefighting purposes All customers shall establish a billing account with Warren County Public Utilities in order to pay a monthly water bill for consumption and to cover the cost of maintaining water quality that meets the same State standard of other water lines in the Warren County Water System. Warren County Public Utilities will retain the rights annually to review and adjust said fees to a reasonable level that covers cost of maintaining the subdivisions water lines covered in this agreement.

(e) It is agreed between the parties hereto that the installation of said pipelines, in addition to the approval of the engineer, shall require approval of the North Carolina State Board of Health and meet all requirements under the law.

(f) Warren County Public Utilities, upon receipt of the payment for the System Development Fees and other expenses thereof, shall grant permission to install said water pipelines in such areas agreed between the parties hereto. It is agreed that no other party shall be granted a water line easement without written consent of Warren County. Each owner of the buildable lots annotated on the Subdivision plat for the Subdivision shall connect to the newly installed water line where excisable as directed by Warren County ordinance. All other lots not serviceable by the Warren County water line have the option of connecting to an alternate water supply as approved by Vance County.

(g) It is understood and agreed between the parties hereto that none of the expenses incurred by Developer, including the payment in full of the installation of the water lines, and legal expenses incurred by Developer shall be refundable.

(h) It is understood and agreed between the parties hereto that if the street(s) in the subdivision are not designed for acceptance by the North Carolina Department of Transportation, Warren County

shall not be responsible for future relocation of mains due to roadway/ditch relocation. Such cost shall be borne by Developer and/or its successors or assigns.

(i) Developer hereby grants to Warren County a twelve (12) month warranty to cover any defects developing from faulty materials or workmanship. The warranty shall cover damage caused to public and/or private property and shall begin at the date of acceptance by Warren County, and to that end Developer does hereby agree to save harmless Warren County from any claim, loss or damage, including reasonable attorney fees, by reason of any damage caused as herein provided.

(j) It is understood that the conveyance of water by Warren County into the Subdivision or property above mentioned, prior to the total acceptance of the water mains, does not constitute an acceptance by Warren County, nor does it relieve Developer from completing its acceptance requirements.

(3) For and in consideration of Warren County agreeing to furnish water to Developer in the Subdivision, Developer does agree to hold harmless Warren County or any of its officers or employees from any and all liens, claims, judgments, and any and all expenses including reasonable attorney's fees as a result of the installation of the water pipes, hydrants, valves and other like equipment in said subdivision, as per the agreement of easement and contract executed the day and year first above written.

(4) In the event the Developer by and through its Contractors shall pave over any waterlines installed in the above described street(s) of the Subdivision, so as to require Warren County to have to remove the pavement in order to service customers in the Subdivision, Developer agrees to bear any cost that it may incur in having to replace the pavement, which was removed for any reason by Warren County or in order to place a tap at any one lot located in the Subdivision.

(5) Developer, its successors and assigns reserves the right to use the land in and over the easement area described in Exhibit A (the "Easement Area") for purposes not inconsistent with the easement rights granted herein, except Developer, its successors and assigns, agrees that no buildings or permanent structures, wells, septic tanks, fences, trees, vegetation or any other obstruction (a "Prohibited Structure") which might interfere with the construction, maintenance, or operation of the Warren county water distribution facilities shall be placed within the Easement Area without the express written permission of Warren County. In the event that Developer, its successors and assigns places any Prohibited Structure within the Easement Area, then Warren County may notify Developer, its successors and assigns of the presence of the Prohibited Structure, and Developer agrees for itself, its successors and assigns that it shall remove the Prohibited Structure within thirty (30) days of receipt of written notice from Warren County to do so. In the event that the Prohibited Structure causes any damage to the water pipes, hydrants, valves and other water distribution facilities of Warren County located in the Easement Area, then Developer agrees for itself, its successors and assigns to reimburse and pay to

Warren County the full cost of any repair required, and failure to pay said obligation shall entitle Warren County to institute suit immediately to recover the amount involved for which Developer, its successors and assigns shall be liable. In the event Developer fails to remove the Prohibited Structure within thirty (30) days of receipt of written notice from Warren County to do so, Warren County shall have the right to remove any Prohibited Structure located in the Easement Area which it determines, in its sole and absolute discretion, interferes with the construction, maintenance, or operation of its water distribution facilities or its use and enjoyment of the Easement Area. Developer agrees for itself, its successors, and assigns to reimburse and pay to Warren County the full cost of any removal of Prohibited Structures from the Easement Area, and failure to pay said obligation shall entitle Warren County to institute suit immediately to recover the amount involved for which Developer, its successors and assigns shall be liable. Warren County shall not be liable to Developer, its successors and assigns for the removal of any Prohibited Structure located within the Easement Area, and it shall have no obligation to repair or replace any Prohibited Structure which it removes pursuant to this section.

IN WITNESS WHEREOF, the parties have caused this instrument to be duly executed effective the day and year first above written.

SKIPPER'S COVE DEVELOPMENT GROUP, LLC

BY:   
MACK R. CHOPLIN, Manager

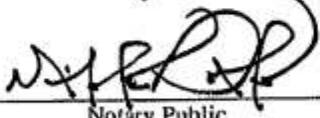
WARREN COUNTY

## STATE OF NORTH CAROLINA

## COUNTY OF VANCE

I, the undersigned Notary Public of the County or City of Vance and State aforesaid, certify that MACK R. CHOPLIN personally came before me this day and acknowledged that he is the Manager of Skipper's Cove Development Group, LLC, a North Carolina Limited Liability Company, and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed.

Witness my hand and Notarial Seal, this the 28<sup>th</sup> day of April, 2016

  
\_\_\_\_\_  
Notary Public

My Commission Expires:

On motion of Commissioner Jordan Pierce, which was seconded by Commissioner Hunt and duly carried by unanimous vote, on Board of Health's recommendation, Kaye Hall was appointed to the position of Interim Health Director, effective August 1, 2016 with annual salary increased by \$5,000.

Having discussed, during June 20, 2016 budget work session, a request from the Warren County Community Health Clinic to merge with Warren County Health Department, the following action was taken.

On motion of Commissioner Baker, which was seconded by Commissioner Jordan Pierce and duly carried by unanimous vote, on recommendation of the Board of Health, the request to merge with the Warren Community Health Clinic was declined for reasons that included the lack of a permanent Health Director and financial feasibility.

The County was made aware of the need to upgrade the 911 Dispatch Console in the County's 911 Center to deliver VIPER/VHF patching capability, as part of the VHF Radio System Upgrade – Phase II. The cost of the base system, implementation and training is \$232,469; second and subsequent years' service & maintenance was outlined in documentation provided.

On motion of Commissioner Hunt, which was seconded by Commissioner Jordan Pierce and duly carried by unanimous vote, Contract with Motorola for 911 Console Upgrade was accepted with County Manager Worth authorized to sign contract and related documents. Funding Source 911 Funds

On motion of Commissioner Jordan Pierce, which was seconded by Commissioner Hunt and duly carried by unanimous vote, a Special Work Session was scheduled for Tuesday, August 9, 2016 at 6:00 pm to receive and discuss the recommended building design from the Emergency Services Headquarters Facility Building Design Committee.

On motion of Commissioner Jordan Pierce, which was seconded by Commissioner Hunt and duly carried by unanimous vote, a Joint Meeting with the Warren County Board of Education was scheduled for Thursday, August 18, 2016 at 6:30 pm to review the study conducted to explore options for using existing school campuses. Meeting location: Warren County High School Theater.

On motion of Commissioner Davis, which was seconded by Commissioner Hunt and duly carried by unanimous vote, Resolution declaring vehicles as surplus was adopted. Chairman Richardson was authorized to sign the Resolution.

**RESOLUTION  
SALE OF SURPLUS WARREN COUNTY PROPERTY**

**WHEREAS**, the County of Warren has certain properties which are no longer used and may lawfully dispose of such property through on-line auction or disposal.

**NOW, THEREFORE, BE IT RESOLVED THAT**, pursuant to Article 12, North Carolina General Statute 160A-268, the Warren County Board of Commissioners authorize the sale through on-line auction or disposal of:

<u>Vehicles</u>	<u>Mileage</u>
1998, Ford Van – Model Triton V8	151,487
2005 Ford Van – Model E350	123,056

These items are being sold in “as is” condition with no warranties.

The Warren County Board of Commissioners reserve 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.

**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 sale 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 1<sup>st</sup> day of August 2016.

WARREN COUNTY BOARD OF COMMISSIONERS  
Barry Richardson, Chairman

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Having discussed enhancing employee benefits by offering an additional 457 Plan, during June 15<sup>th</sup> work session and July 11, 2016 regular Board meeting, it was presented for Board’s action.

On motion of Commissioner Jordan Pierce, which was seconded by Commissioner Davis and duly carried by unanimous vote, Resolution Authorizing NC Deferred Comp Plan 457(b) was adopted. Chairman Richardson was authorized to sign Resolution and corresponding NC Public Employee Deferred Compensation Plan Employer-Third-Party Administrator Agreement.

**County of Warren**

**State of North Carolina**

**Resolution**

**NC Deferred Comp Plan 457(b)**

**WHEREAS**, the Warren County Board of Commissioners wish to provide a qualified defined contribution plan to the employees of Warren County Government.

**AND WHEREAS**, the State of North Carolina has established the North Carolina Public Employee Deferred Compensation Plan, a qualified government Deferred Compensation Plan under Internal Revenue Code § 457(b) for public employees of North Carolina.

**THEREFORE**, be it resolved that Warren County Government has adopted the North Carolina Public Employee Deferred Compensation Plan also known as “NC Deferred Comp” under the terms of the Plan Document and the Third-Party Administrator Agreement. All employees shall become eligible to defer compensation immediately.

**Signed this the 1<sup>st</sup> day of August 2016.**

Warren County Board of Commissioners

Macon Robertson, Director-Public Utilities presented information pertaining to Airport Road Water Main Replacement. This Construction project was advertised in two newspapers; four contractors requested bid packets; two bids were received and were presented for Board’s consideration. Award was recommended to low bidder: Herring-Rivenbark, Inc at \$60,225.00:

Herring-Rivenbark, Inc.	\$ 60,225.00
H. G. Reynolds, Inc.	\$ 118,544.00

On motion of Commissioner Davis, which was seconded by Commissioner Hunt and duly carried by unanimous vote, Herring Rivenbark, Inc. was awarded bid for the Airport Road Waterline Project at \$60,225.00. Chairman Richardson and County Manager Worth were authorized to sign related documentation. Funding source: USDA Grant

Having been authorized by the Board of Commissioners to approve contracts up to but not to exceed \$50,000, report of contracts approved by the County Manager, July 2016 was submitted for the Board’s information.

On motion of Commissioner Jordan Pierce, which was seconded by Commissioner Hunt and duly carried by unanimous vote, County Manager's report of contracts approved in July 2016 was accepted as information only.

**Public Utilities**

Professional Mail Services, Inc.  
P.O. Box 98115  
Raleigh, NC 27624

I have approved a contract with Professional Mail Services, Inc. for the provision of printing, mailing materials and related mail services for Warren County Public Utilities. Funds were appropriated in the FY 17 Public Utilities Water/Sewer Enterprise Fund budgets to cover this operating expense.

**Public Utilities**

Southern Corrosion, Inc.  
738 Thelma Rd.  
Roanoke, Rapids, NC

I have approved an Engineered Tank Care Agreement with Southern Corrosion, Inc. for the provision of maintenance services on Warren County's elevated water tanks. Funds are budgeted in the Water/Sewer Enterprise Fund budgets to pay the cost of this service.

On motion of Commissioner Jordan Pierce, which was seconded by Commissioner Baker and duly carried by unanimous vote, County Manager's monthly status report for July 2016 was accepted as information.

Following is a recap of my work activities for the month of July 2016:

**Administration**

- Annual Leave (7/1/16)
- July 4<sup>th</sup> Holiday Observance (7/4/16)
- Mtg. with Emergency Services Director to discuss department concerns (7/6/16)
- Prepared for and attended Emergency Services Headquarters Facility Building Design Committee Meeting (7/6/16)
- Mtg. with Superintendent of Schools to discuss matters pertaining to Warren County Schools (7/7/16)
- Mtg. with staff to discuss new Medical Examiner Requirements (7/11/16)
- Prepared for and attended Stepping Up Initiative Monthly Meeting (7/11/16)
- Prepared for and attended Board of Commissioners Regular Meeting (7/11/16)
- Participated in conference call with representatives of the Local Government Commission along with Finance Director and County Attorney to discuss Buck Spring Project Financing (7/13/16)
- Attended Bid Opening for Airport Road Waterline Project (7/14/16)
- Mtg. with IT Administrator to review Performance Evaluation (7/14/16)
- Mtg. with Emergency Services Director to review Performance Evaluation (7/14/16)
- Attended Recreation Commission Meeting (7/14/16)
- Worked on items for 8/1/16 BOC Agenda (7/18-19/16)
- Attended Board of Health Monthly Meeting (7/19/16)
- Birthday Off (7/21/16)
- Annual Leave (7/22/16, 7/25-29/16)

**Other Activities**

- Attended VGCC Summer Transportation Institute Graduation Exercises (7/15/16)

**Project Updates**

**Buck Spring Project**

The Finance Director, County Attorney and I participated in a conference call on 7/13/16 with representatives of the Local Government Commission (LGC) to discuss financing for the Buck Spring Project. We have a tentative date of 9/6/16 to meet with the LGC to seek approval of a five-year loan in the amount of \$320,000 for this project. On Friday, 7/15/16, the Finance Director submitted the County's financing proposal to financial institutions to solicit bids for \$320,000 to construct a multi-purpose use cabin at Buck Spring. Financing bids must be received by 12 noon on 7/25/16 at the Warren County Finance Office. Bids received will be presented to the Board of County Commissioners for consideration at the 8/1/16 regular meeting.

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

The Board of Commissioners approved Change Order #1 to the contract with Sink Tower Erection Company, Inc. for the Manson Tower Upgrade at their 7/11/16 meeting. TSS Partners, Project Consultant, thereafter issued a Notice to Proceed to Sink Tower dated 7/13/16 with a start date of 7/18/16.

TSS Partners has reviewed a proposal from Wireless Communications, Inc. to upgrade the Moducom Radio Consoles at the 911 Center at a cost of \$232,469 for equipment and implementation services, and additional costs for the second through fifth year service and maintenance. The 911 Board has reviewed the equipment list in the proposal and has determined the equipment, implementation, training, service and maintenance are eligible to be paid with 911 surcharge funds. We have determined that Warren County has sufficient funding in our 911 Fund to pay for this console upgrade. TSS Partners has communicated with Wireless Communications regarding questions/concerns posed by County Staff. The responses were satisfactory; therefore, this proposal will be presented to the Board of Commissioners at the 8/1/16 meeting for consideration to approve the console upgrade.

**Emergency Services Headquarters Facility**

The Emergency Services Headquarters Facility Building Design Sub-Committee presented a proposed building design to the full Building Design Committee on July 6, 2016. The full Committee voted unanimously to accept and support the proposed building design and will recommend the design to the Board of County Commissioners at a special work session to be held on Monday, 8/9/16 at 6:00 p.m. at the Armory Civic Center.

The Board has requested the County Manager to research the percentage fee charged by Architects/Engineers for facility construction projects in the state and to report this information to them at the 8/9/16 special work session.

**Ephraim Place CDBG Project**

Mrs. C. Alston-Kearney, Grant Administrator, is working to identify potential home buyers for the three homes we must construct in order to meet the County's obligations for the CDBG grant received through NC Rural Development for the Ephraim Place Housing Development Project.

On motion of Commissioner Davis, which was seconded by Commissioner Hunt and duly carried by unanimous vote, \$15,000 was redirected from mental health appropriation to Fund the Regional Stepping Up Initiative in Franklin, Granville, Halifax, Vance And Warren Counties. Resolution and Interlocal Agreement for Funding the Regional Stepping Up Initiative was referred for legal review and edits.

On motion of Commissioner Baker, which was seconded by Commissioner Hunt and duly carried by unanimous vote, annual NC Department of Agriculture, Agreement for Provision of Forest Services was approved with Chairman Richardson authorized to sign the Agreement. Funding Source: FY 17 Forestry Service departmental budget in the amount of \$115,945.

\$	<u>289,862</u>	
Total Cooperative Appropriation		
\$	<u>173,917</u>	60%
	State	
\$	<u>115,945</u>	40%
	County	

On motion of Commissioner Baker, which was seconded by Commissioner Hunt and duly carried by unanimous vote, it was ordered to enter into Closed Session in accordance with NCGS §143-318.11(a)(3) for Attorney/Client Privilege.

With no further business to discuss and on motion of Commissioner Davis, which was seconded by Commissioner Baker and duly carried, the August 1, 2016 Board of Commissioners Meeting was adjourned.



Angelena Kearney-Dunlap, Clerk