

**MINUTES FROM THE REGULAR MONTHLY MEETING HELD BY THE BOARD OF COUNTY COMMISSIONERS FOR THE COUNTY OF WARREN IN THE COUNTY COURTHOUSE ON JULY 6, 2004 AT 7:00 P.M.**

The meeting of the Board of County Commissioners was called to order by Chairman Ulysses S. Ross. The following Commissioners were present: Clinton G. Alston, Janet Humphries, and H. E. Luke Lucas. Absent: Commissioner Weldon C. Capps, Jr. Others present were Loria D. Williams, County Manager, Charles T. Johnson, County Attorney, and Susan W. Brown, Finance Officer.

A moment of silence was followed by Citizen Comments:

Jane Ball-Groom, Soul City Parks & Recreation Association - spoke regarding changing Soul City Blvd to Johnnie Johnson Road. Requested Board follow established procedures of Public Hearing, etc before any changes are made.

Dan Tanner, Mecklinburg County, VA - requested the re-appointment of Dr. Elton Brown to the Lake Gaston Weed Control Council.

Raymond Adcock, President Warren County Gunowners & Sportsmen's Association - spoke in support of pro-gun, pro-hunting issues. Association members pass on safe hunting habits to the children. Association will not support any candidate that is anti-gun or anti-hunting.

Rick Page, Eaton's Ferry Campground - asked Board to consider campgrounds by waiving solid waste tipping fees associated with clean up of same.

June Gibbs, Animal Activist - spoke in support of animal control issues and made recommendations for proposed Animal Shelter Committee.

Jack Cash, Eaton's Ferry Campgrounds - requested Board treat campground residents fairly, residents will work to straighten out the campground.

Linda Browne, Citizen - spoke concerning crisis in financing water district in her area, residents in District III have been waiting for water and wants Board to take the necessary action to ensure they will have water.

Bob Tisdale, Eaton's Ferry Campground - property owner for 15 years, there have been two years of back and forth regarding campgrounds and nothing has been accomplished. Other camp sites in the area have decks connected to mobile homes and are still operating. County should run water and sewer to the area, which will solve the problem.

Chris Thompson, LGA Waterfront Properties - this is an opportunity to appoint Pete Deschenes to the Lake Gaston Weed Control Council. His appointment will be a benefit.

On motion of Commissioner Lucas, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to:

Add Agenda Item # 6A - Warren County Intranet Antenna Agreement  
 Agenda Item # 8D - Authorization to apply for Supplemental Loan from USDA for Water & Sewer District III, Phase I

On motion of Commissioner Lucas, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to remove and table Item # 5E from Consent Agenda - Request from New Beginnings Child Care Center to use Old A&P parking lot for an "End of Summer Festival".

On motion of Commissioner Lucas, which was seconded by Commissioner Humphries and duly carried by unanimous vote, it was ordered to approve July 6, 2004 Suggested Agenda as amended.

On motion of Commissioner Lucas, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to approve Consent Agenda Item #5A – minutes of:

June 7, 2004 Public Hearing - Installment Purchase/Financing Contract for  
Construction of EMS Ambulance Storage Facility  
Public Hearing - Six (6) Mile Fire Service District Extensions  
Regular Board Meeting  
June 14, 2004 Budget Public Hearing  
June 21, 2004 Budget Special Meeting

On motion of Commissioner Lucas, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to approve Consent Agenda Item #5B – Tax Collector’s & Interest Income Reports, submitted by Finance Officer Susan W. Brown.

On motion of Commissioner Lucas, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to approve Consent Agenda Item #5C – Tax Releases Over \$100, submitted by Tax Assessor Linda T. Jones.

County Manager approved Tax Releases Under \$100 for Board’s information.

On motion of Commissioner Lucas, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to approve Consent Agenda Item #5D – Employee Performance Bond Renewal for Auditor and Tax Collector.

On motion of Commissioner Lucas, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to approve Consent Agenda Item #5F – re-appointment of Commissioner Clinton G. Alston and Mayor Walter Gardner to the Kerr Tar Rural Transportation Advisory Committee (TAC) for a two year term.

On motion of Commissioner Lucas, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to approve Consent Agenda Item #5G - FY 2004-05 Agreement for the Provision of County-Based Aging Service Under the Home & Community Care Block Grant. Administrators were designated as follows:

Stephen Y. Norwood, COG Aging Administrator representing Agency  
Loria D. Williams, Warren County Manager representing County

On motion of Commissioner Lucas, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to approve the following:

**TAX COLLECTION AGREEMENT BETWEEN WARRENTON, NORTH CAROLINA AND WARREN COUNTY, NORTH CAROLINA**

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**WHEREAS;** The Town of Warrenton, North Carolina (“Town”) desires to have Warren County, North Carolina (“County”) perform the service (“Service”) of billing and collecting Town’s annual taxes for real estate, personal property and automobiles (“Taxes”), and

**WHEREAS;** County is willing to perform such Service under certain conditions.

**THEREFORE;** The following agreement (“Agreement”) is hereby entered into by the parties.

1. **PURPOSE:** The purpose of the Agreement is to allow Warren County to provide Service to Town (“Purpose”).
2. **TERM:** This Agreement shall become effective upon execution by both parties and shall continue in full force and effect, except as may be modified in writing by mutual agreement of the parties, until either party terminates the Agreement as set for in Section 7 below entitled TERMINATION.
3. **SERVICE:** For the purpose of this Agreement, the Term “Service” is further defined as follows:

Town shall provide the County the tax rate approved by the Town Board of Commissioners by June 30th of each year during the Term to allow County to use the proper tax rate in the calculation of the Town's levy in the provision of Service.

Town shall provide County with a detailed list of delinquent Taxes ("Delinquent Taxes List") outstanding as of June 30, 2004 for the Tax years of 1994 through 2003 for which Town wishes County to collect. That Delinquent Taxes List is attached hereto as Attachment A in the amount of \$40,422.55. **A one time fee of Two-Hundred and Fifty Dollars (\$250) will be paid to the County of Warren by the Town of Warrenton, for data entry.**

Town shall provide County with a detailed list of all prepaid Taxes no later than July 10, 2004 and shall remit a check to County in the amount of such prepaid Taxes so that County can credit the Taxes due by the individual tax payers in an appropriate manner.

County shall provide Tax bills to Town residents at the same time County provides tax bills all County residents.

County shall receive payments for such Town Taxes.

County shall provide Town with a list of all Town Taxes collected within the calendar month no later than the 10th working day of the following month.

County shall use the same degree of effort to pursue and collect delinquent Town Taxes as it uses to pursue and collect delinquent County taxes.

- 4. **RENUMERATION.** County shall remit a check to the Town no later than the 10<sup>th</sup> working day of the following month equal to the amount of all Town Taxes collected that month ("Remuneration") less a 1½% administration fee ("Fee"). Such Fee shall be identified as a separate item on the documentation provided with the Remuneration.
- 5. **MUTUAL COOPERATION.** Town agrees to provide information as is necessary to the best of its ability to allow County to provide Service. County agrees to allow Town to have access to County's Tax collection records that pertain to the Town Taxes.
- 6. **WARRANTY and INDEMNIFICATION.** County will use its best efforts to provided Service as set forth above but will not be held responsible to Town for any Taxes that it is unable to collect.
- 7. **TERMINATION.** Either party may terminate this Agreement for convenience at the end of any fiscal year by providing thirty (30) days written notice to the other party. Upon such termination, County will afford assistance to Town as is necessary to transfer any records required to allow Town to begin collecting its own Taxes. The only financial obligation that shall survive such termination is the Remuneration set forth above that would normally survive termination.
- 8. **ORDER OF PRESIDENCE.** This Agreement supercedes any other agreement between the parties relative to the subject matter including but not limited to written, oral, statutory or implied.
- 9. **CONSIDERATION.** The parties acknowledge adequate consideration for this Agreement.

In Witness whereof the undersigned execute this agreement under seal this 16th day of July, 2004.

Town of Warrenton

Warren County

\_\_\_\_\_  
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\_\_\_\_\_

/s/ Ulysses S. Ross, Chairman \_\_\_\_\_  
Warren County Board of Commissioners \_\_\_\_\_

SEAL

On motion of Commissioner Lucas, which was seconded by Commissioner Humphries and duly carried by unanimous vote, it was ordered to approve "Warren County, North Carolina Intranet Antenna Agreement."

On motion of Commissioner Lucas, which was seconded by Commissioner Humphries, Allcare Ambulance Service's request to amend current Ambulance Franchise Ordinance to increase level of care and add fee for ALS Services was denied.

Votes were as follows:     Ayes: Lucas, Humphries & Ross  
                                      Nays: Alston

Motion Carried.

Public Works Director, Macon Robertson, appeared before the Board to present the following items for Board consideration:

- 1) Wise Pump Station Cable Easement for Virginia DOT Pump Station #2 Project.
- 2) Authorization to withhold liquidated damages from funds due to contractor, Hendrix Barnhill, on the final pay estimate for Water & Sewer District II.
- 3) Raise sewer rates for the Regional Water District:

<b>CURRENT RATE</b>	<b>PROPOSED RATE</b>
\$18.75 (1st 3,000 gal)	\$19.25 (1st 3,000 gal)
\$ .75/1000 for next 97,000 gal	\$1.75/1000 for all
\$1.10/1000 for all gallons over 100,000	gallons over 3,000

- 4) Authorization to apply for supplemental loan from the USDA for Warren County Water & Sewer District III, Phase I

On motion of Commissioner Humphries, which was seconded by Commissioner Lucas and duly carried by unanimous vote, it was ordered to approve Wise Pump Station Cable Easement for Virginia DOT Pump Station #2 Project. Chairman Ross was authorized to sign same.

On motion of Commissioner Lucas, which was seconded by Commissioner Humphries and duly carried by unanimous vote, Public Works Director, Macon Robertson, was authorized to withhold liquidated damages from funds due to contractor, Hendrix Barnhill, on the final pay estimate for Water & Sewer District II.

On motion of Commissioner Humphries, which was seconded by Commissioner Lucas and duly carried by unanimous vote, it was ordered to raise sewer rates as proposed, for the Regional Water District as follows:

<b>CURRENT RATE</b>	<b>PROPOSED RATE</b>
\$18.75 (1st 3,000 gal)	\$19.25 (1st 3,000 gal)
\$ .75/1000 for next 97,000 gal	\$1.75/1000 for all
\$1.10/1000 for all gallons over 100,000	gallons over 3,000

On motion of Commissioner Humphries, which was seconded by Commissioner Lucas and duly carried by unanimous vote, Public Works Director was authorized to apply for supplemental loan from USDA for Warren County Water & Sewer District III, Phase I.

Human Resource Manager, Katherine Williamson, appeared before the Board to present the following items for Board consideration:

- 1) Authorization to open 401(k) benefit to all general employees
- 2) FY 2004-2005 State Personnel Local Salary Plan Report
- 3) Detention Center & Telecommunication go to a permanent 12 hour shift schedule

On motion of Commissioner Alston, which was seconded by Commissioner Humphries and duly carried by unanimous vote, Human Resource Manager was authorized to open 401(k) benefit to all general employees.

On motion of Commissioner Alston, which was seconded by Commissioner Humphries and duly carried by unanimous vote, it was ordered to approve FY 2004-05 State Personnel Local Salary Plan Report for submission.

On motion of Commissioner Lucas, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to schedule on a permanent basis, Detention Center & Telecommunication personnel for 12 hour shifts.

On motion of Commissioner Alston, which was seconded by Commissioner Lucas and duly carried by unanimous vote, it was ordered to re-appoint Robert Burton of Norlina to serve on the Economic Development Commission for a second term expiring May 2007.

On motion of Commissioner Alston, which was seconded by Commissioner Lucas and duly carried by unanimous vote, it was ordered to re-appoint Jack Collins of Warrenton to serve on the Economic Development Commission for a 2nd term expiring May 2007.

Motion was made by Commissioner Alston to re-appoint Dr. Elton Brown to the Lake Gaston Weed Control Council.

Motion died for lack of second.

Motion was made by Commissioner Lucas, which was seconded by Commissioner Humphries to appoint Pete Deschenes to serve on the Lake Gaston Weed Control Council to replace Dr. Elton Brown, whose term expired June 2004. Mr. Deschenes term shall expire July 2007.

Votes were as follows:     Ayes: Lucas, Humphries & Alston  
                                       Nays: Ross

Motion carried.

On motion of Commissioner Lucas, which was seconded by Commissioner Humphries, Board Chairman Ulysses S. Ross was nominated to serve on the Department of Social Services Board of Directors to replace Roy Williams, whose term expired July 2004.

Commissioner Alston expressed his desire to serve on said board.

Commissioner Lucas withdrew his motion.

On motion of Commissioner Lucas, which was seconded by Commissioner Humphries and duly carried by unanimous vote, it was ordered to appoint Commissioner Clinton G. Alston to serve on the Department of Social Services Board of Directors for a three year term, expiring July 2007.

On motion of Commissioner Alston, which was seconded by Commissioner Lucas, it was ordered to table creation of and appointments to the Animal Shelter Committee and advertise for membership through local newspaper.

Votes were as follows:     Ayes: Lucas and Alston  
                                       Nays: Humphries and Ross

Motion did not carry.

On motion of Commissioner Humphries, which was seconded by Commissioner Lucas and duly carried by unanimous vote, it was ordered to create an Animal Shelter Committee.

On motion of Commissioner Humphries, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to table name change of Soul City Blvd. to Johnnie Johnson Road.

On motion of Commissioner Alston, which was seconded by Commissioner Humphries and duly carried by unanimous vote, it was ordered to table allocation of \$25,000 to the Norlina Library GED Program.

On motion of Commissioner Alston, which was seconded by Commissioner Humphries and duly carried by unanimous vote, Commissioner H.E. Luke Lucas was designated as voting delegate to the 97th Annual NCACC Conference in Buncombe County, NC.

By Board of Commissioner consensus, a worksession was scheduled for Friday, July 23, 2004 at 10:00 am to discuss:

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| <ul style="list-style-type: none"> <li>* Weed Control Tax District</li> <li>* Establish budget policy</li> </ul> | <ul style="list-style-type: none"> <li>* Sell of timber on PCB landfill site,</li> <li>* County wide zoning.</li> </ul> |
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County Manager's report was given by memo:

On motion of Commissioner Alston, which was seconded by Commissioner Lucas and duly carried by unanimous vote, it was ordered to enter into Closed Session in accordance with NC GS 143-318.11(a) - Personnel Matters & to establish, or to instruct the public body's staffer negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, . . option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.

On motion of Commissioner Humphries, which was seconded by Commissioner Alston it was ordered to return to the regular meeting.

With no further business to discuss and on the motion of Commissioner Alston, which was seconded by Commissioner Lucas and duly carried, it was ordered to adjourn.

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Angelena Kearney-Dunlap, Clerk to the Board