

MINUTES FROM THE REGULAR MONTHLY MEETING HELD BY THE BOARD OF COUNTY COMMISSIONERS FOR THE COUNTY OF WARREN IN THE COUNTY COURTHOUSE ON SEPTEMBER 7, 2004 AT 7:00 PM.

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

A moment of silence was followed by Rules for Citizen Comments read by Angelena Kearney-Dunlap, Clerk to the Board.

Citizen Comments: Charles P. Haywood, Citizen - County needs a planning process, no evidence that a process is in place. Set priorities, no evidence of county's efficiency, need to evaluate all employees, eliminate unnecessary positions and re-enforce those that are needed.

On motion of Commissioner Alston, which was seconded by Commissioner Humphries and duly carried by unanimous vote, it was ordered to add Agenda Item 20A:

- * Support Proposed Legislation to the NCACC - A Bill to Designate Bucks Spring as a North Carolina State Park & Recreational Facility
- * Allow and Support Proposed Legislation to the NCACC - Bill to Create Economic Opportunity Welcome Zones at Borders of NC at Every Interstate Highway

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

Move Consent Agenda Item 5G to Regular Agenda Item 8B - Board Appointments: Lake Gaston Weed Control Council: Phil McMillan or Roland Beauchaine
Consent Agenda Item 5H to Regular Agenda Item 8C - Board Appointments: Recreation Commission: Ruth Brown and Walter Powell
Regular Agenda Item 14 to Regular Agenda Item 6 - Board of Elections request for budget revision

On motion of Commissioner Lucas, which was seconded by Commissioner Humphries and duly carried by unanimous vote, it was ordered to adopt the September 7, 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 the following Consent Agenda Items:

Minutes of the August 2, 2004 Regular Board of Commissioners Meeting

Tax Collector's & Interest Income Reports as submitted by Finance Officer Susan W. Brown 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 Tax Releases over \$100 as presented by Linda T. Jones, Tax Assessor.

Tax Release Requests under \$100, as approved by County Manager, were submitted 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 appoint Planner/Zoning Administrator Matthew Ramadan and/or Assistant to the Planner Joyce Green-Williams as Map/Plat Review Officers.

On motion of Commissioner Lucas, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to adopt a "Resolution in Support of Amendment One: Self-Financing Bonds".

On motion of Commissioner Lucas, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to adopt Governor Mike Easley's Proclamation of September 18-October 3, 2004 "Fall 2004 Litter Sweep" Roadside Cleanup period.

Having advertised Boards and Commissions membership vacancies, to solicit public interest in serving on same, the following appointments were made.

Upon recommendation from the Industrial Facilities & Pollution Control Financing Authority, the following were presented for re-appointment: M.C. Clary and Richard H. Greene to serve six (6) year terms, expiring August 2010.

On motion of Commissioner Lucas, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to re-appoint M. C. Clary and Richard H. Greene to serve six (6) year terms on the Industrial Facilities & Pollution Control Financing Authority. Terms expire August 2010.

On motion of Commissioner Lucas, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to approve for submission to the North Carolina Department of Transportation's Division of Highways a petition request to add Brickyard Run & Brickyard Branch (SR 1620) to the state system.

Citizens expressing interest in serving on the Economic Development Commission, where one vacancy existed to be filled, were presented as follows: Peter Deschenes, Lawrence Carver, Walter Powell and Howard Smith.

On motion of Commissioner Lucas, which was seconded by Commissioner Humphries and duly carried by unanimous vote, it was ordered to appoint Peter J. Deschenes to serve a three (3) year term on the Economic Development Commission, per EDC Chairman's recommendation. Term expires June 2007.

Mary Somerville, Chairperson to the Board of Elections, appeared before the Board of Commissioners requesting budget amendment to cover costs incurred due to voting delays; 1st & 2nd primaries held in July and August 2004.

On motion of Commissioner Humphries, which was seconded by Commissioner Lucas and duly carried by unanimous vote, it was ordered to allocate \$20,000 to the Board of Elections to cover budget short-fall in poll workers pay. Funding source: Fund Balance

Finance Officer Susan W. Brown, appeared before the Board with the following items: Annual Tax Settlement & Order to Collect; Proposed contract for title examinations; Amendment #2 - 2004-05 Warren County Budget Ordinance; Amendment #3 - 2004-05 Water & Sewer District I Phase IV Capital Project Ordinance; Amendment #1 - 2004-05 Water & Sewer District III, Phase I; Reimbursement Resolution Water & Sewer District III, Phase I; Reimbursement Resolution Ambulance Storage, Recreation & Animal Shelter; and Resolution Providing for Issuance of \$3,581,000 Water Bond Anticipation Notes

On motion of Commissioner Capps, which was seconded by Commissioner Humphries and duly carried by unanimous vote, it was ordered to make Settlement of 2003 tax levy, and adopt order to Collect 2004 tax levy charged in tax records & receipts.

A bond to cover the new taxes was approved during the July 6, 2004 regular Board meeting.

On motion of Commissioner Lucas, which was seconded by Commissioner Humphries and duly carried by unanimous vote, it was ordered to approve Contract for Services between Warren County and Bill Riggan, Paralegal, for performance of title searches for docketing of judgments with the Clerk of Superior Court against real property for in rem foreclosures.

On motion of Commissioner Humphries, which was seconded by Commissioner Lucas and duly carried by unanimous vote, it was ordered to approve Amendment # 2 to the FY 2004-05 Warren County Budget Ordinance.

On motion of Commissioner Humphries, which was seconded by Commissioner Lucas and duly carried by unanimous vote, it was ordered to approve Amendment # 3 to the Capital Project Ordinance for the Warren County Water & Sewer District No. 1, Phase IV.

On motion of Commissioner Alston, which was seconded by Commissioner Capps and duly carried by unanimous vote, it was ordered to approve Amendment #1 to the Capital Project Ordinance for the Warren County Water & Sewer District No. III Project.

Commissioner Ross introduced a "Resolution Declaring Official Intent to Reimburse Expenditures With Proceeds of Debt Pursuant to United States Department of Treasury Regulations" for Water & Sewer District III; a summary of which had been provided to each Commissioner, which was read by title.

Upon motion of Commissioner Capps, seconded by Commissioner Alston, 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:

Ayes: 5 Noes: 0

The motion carried.

Commissioner Ross introduced a **“RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF DEBT PURSUANT TO UNITED STATES DEPARTMENT OF TREASURY REGULATIONS”**, for Parks & Recreation Complex, Ambulance Storage Facility and Animal Shelter; a summary of which had been provided to each Commissioner, which was read by title.

Upon motion of Commissioner Clinton G. Alston, seconded by Commissioner H. E. Luke Lucas, 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:

Ayes: 5 Noes: 0

The motion carried.

Commissioner Ross introduced a "Resolution Providing for the Issuance of \$3,581,000 Water Bond Anticipation Notes", a copy of which had been provided to each Commissioner and which was read by title.

Thereupon Commissioner Lucas moved the passage of the foregoing resolution entitled **“RESOLUTION PROVIDING FOR THE ISSUANCE OF \$3,581,000 WATER BOND ANTICIPATION NOTES”**, and Commissioner Humphries seconded the motion, and the resolution was passed by the following vote:

Ayes: Commissioners Ross, Lucas, Alston, Capps & Humphries

Noes: NONE

On motion of Commissioner Lucas, which was seconded by Commissioner Humphries and duly carried by unanimous vote, it was ordered to approve the FY 2004-05 "School Resource Officer Contract" with the term July 1, 2004 - June 30, 2005. Cost of same, is not to exceed \$85,000 during the 2004-05 school year and compensation will be paid in 12 monthly installments.

Having held a second (2nd) reading of the Allcare Ambulance Service Franchise Agreement Renewal the following action was taken.

On motion of Commissioner Humphries, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to approve Allcare Ambulance Service Franchise Agreement Renewal with the following termination clause:

"This Agreement may be terminated by either party at any time, with or without cause, upon sixty (60) days prior written notice to the other party. For the purposes of giving notice hereunder, the address of Warren County is 105 South Front Street, Post Office Box 619, Warrenton, North Carolina 27589; and the address of Allcare Ambulance is 132 South Main Street, Warrenton, North Carolina 27589."

Allcare Ambulance Service President - William Roberts, was advised that a properly executed original should remain on file with the Warren County Emergency Medical Services (EMS) office, as well as the County Manager's office at all times.

Citizens expressing interest in serving on the Lake Gaston Weed Control Council, where one vacancy existed to be filled, were presented as follows: Roland G. Beauchaine and Phillip McMillan.

On motion of Commissioner Capps, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to re-appoint Phillip McMillan to serve a seventh (7th) term on the Lake Gaston Weed Control Council. Term expires July 2007.

On motion of Commissioner Lucas, which was seconded by Commissioner Humphries and duly carried by unanimous vote, it was ordered to appoint the following to serve three (3) year terms on the Recreation Commission. Term expires February 2007:

Ruth Poulsen Brown of Macon, NC - (replaced Sheriff Williams whose term expired February 2004)

Walter Eugene Powell of Macon, NC - (replaced Jane Ball-Groom whose term expired February 2004)

Citizens expressing interest in serving on the Warren County Fire Commission, where two firemen slots existed to be filled, were presented as follows: Roland Beauchaine, Joey Andrews and Bobby Neal.

On motion of Commissioner Lucas, which was seconded by Commissioner Humphries and duly carried by unanimous vote, it was ordered to re-appoint Joseph Andrews to serve a second (2nd) term on the Warren County Fire Commission, per Fire Marshal recommendation. Term expires June 2007.

On motion of Commissioner Humphries, which was seconded by Commissioner Lucas and duly carried by unanimous vote, it was ordered to appoint Bobby Neal to serve his first (1st) term on the Warren County Fire Commission, per Fire Marshal recommendation. Term expires June 2007.

Motion was made by Commissioner Humphries to approve Animal Shelter Committee recommendations for \$8,900 to locate animal shelter where old tennis courts were situated at Cooperative Extension facility.

Motion died for lack of second.

On motion of Commissioner Lucas, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to table Animal Shelter Committee recommendations to next Board of Commissioner's work session.

On motion of Commissioner Lucas, which was seconded by Commissioner Capps, it was ordered to appoint John C. Church, Jr. to the position of Economic Development Director at a salary of \$60,000, effective September 8, 2004.

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

Motion carried.

On motion of Commissioner Alston, which was seconded by Commissioner Lucas, and duly carried by unanimous vote, it was ordered to add one (1) state funded Public Health Nurse I position (School Health Nurse) to the Health Department budget, effective October 1, 2004.

On motion of Commissioner Alston, which was seconded by Commissioner Lucas, and duly carried by unanimous vote, it was ordered to exclude the position of Warren County Sheriff from Warren County's Pay for Performance and Salary Review plans. Said position remains in established job class.

On motion of Commissioner Capps, which was seconded by Commissioner Alston, and duly carried by unanimous vote, it was ordered to exclude the position of Warren County Register of Deeds from Warren County's Pay for Performance and Salary Review plans. Said position remains in established job class.

State Senator Michael Wray presented himself to the public and advised that he wanted to keep open communications to the public.

On motion of Commissioner Capps, which was seconded by Commissioner Alston, and duly carried by unanimous vote, it was ordered to table Rivers & Associates, Inc., Engineering Services Agreement for Warren County Parks & Recreation project, to the October 4, 2004 regular meeting.

On motion of Commissioner Humphries, which was seconded by Commissioner Lucas, and duly carried by unanimous vote, it was ordered to table "Resolution Reserving Fund Balance for Warren County Parks & Recreation" satellite sites in the amount of \$100,000, to the October 4, 2004 regular meeting.

Chairman Ross called a five (5) minute recess.

The regular meeting was called back to order at 8:43 pm.

By Board of Commissioner consensus, a work session and joint meeting with the Social Services Board of Directors were scheduled for Wednesday - September 22, 2004. Meetings to take place in the 3rd floor Social Services Conference room: 4:00 pm Work session and 6:00 pm Joint meeting with DSS Board of Directors.

Solid Waste Convenience Site #4 lease renewal was presented for Board's action. Commissioner Capps was excused from voting on same.

On motion of Commissioner Lucas, which was seconded by Commissioner Humphries, and duly carried by unanimous vote, it was ordered to renew Solid Waste Convenience Site #4 (in Arcola) lease agreement between Warren County and Betty B. & Weldon C. Capps with a \$19.65 per month increase, for a 36 month period.

Motion was made by Commissioner Lucas, seconded by Commissioner Alston to grant authorization to the Public Works Department to apply for Capacity Grant to fund Eaton's Ferry Bridge Crossing project.

Commissioner Lucas withdrew his motion.

On motion of Commission Lucas, which was seconded by Commissioner Capps and duly carried by unanimous vote, it was ordered to deny Public Works Department authorization to apply for Capacity Grant for the Eaton's Ferry Bridge Crossing project.

On motion of Commissioner Lucas, which was seconded by Commissioner Capps and duly carried by unanimous vote, it was ordered to revise District III, Phase II funding in the amount of \$4,500 for Eaton's Ferry Bridge Crossing project.

On motion of Commissioner Lucas, which was seconded by Commissioner Alston and duly carried by unanimous vote, County Manager was authorized to sign documentation related to District III, Phase II funding in the amount of \$4,500 for Eaton's Ferry Bridge Crossing project.

On motion of Commissioner Lucas, which was seconded by Commissioner Capps and duly carried by unanimous vote, funding source for District III, Phase II Eaton's Ferry Bridge Crossing project was designated as General Fund Contingency.

On motion of Commissioner Lucas, which was seconded by Commissioner Alston and duly carried by unanimous vote, "Authorizing Resolution by the Board of Commissioners for the County of Warren Capacity Building Grants Program" was adopted.

On motion of Commissioner Lucas, which was seconded by Commissioner Alston and duly carried by unanimous vote, County Manager and/or Chairman to the Board were authorized to sign documentation related to Capacity Grant feasibility study for county wide sewer study.

On motion of Commissioner Lucas, which was seconded by Commissioner Capps and duly carried by unanimous vote, execution of documentation for Contract II - Elevated Water Storage Tanks - Caldwell Tanks, Inc. was authorized. County Manager and/or Chairman to the Board were authorized to sign documentation.

On motion of Commissioner Lucas, which was seconded by Commissioner Alston and duly carried by unanimous vote, execution of documentation for Contract I - Water Distribution System - Herrin Rivenbark was authorized. County Manager and/or Chairman to the Board were authorized to sign documentation.

On motion of Commissioner Capps, which was seconded by Commissioner Humphries and duly carried by unanimous vote, it was ordered to approve (subject to County Attorney's review) "Rules & Regulations" for operating the Warren County Public Works Department. Chairman to the Board was authorized to sign same.

On motion of Commissioner Lucas, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to adopt "Operational Rates" for the Warren County Public Works Department. Chairman to the Board was authorized to sign same.

On motion of Commissioner Lucas, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to approve "Water Tank Management Services Proposal" from Southern Corrosion, Inc. Chairman to the Board was authorized to sign same.

Bids received by Public Works Department on August 26, 2004 for High & High Lumber Company water main extension were as follows:

Ralph Hodge Construction	\$ 20,380.00
Harris Equipment Co.	\$ 25,442.00
John T. Harris Construction	\$ 71,060.00
M&M Backhoe	\$ 86,031.00
Tutor Construction	\$ 167,239.50

Note: Ralph Hodge Construction did not attach a bid security to the bid as required by contract documentation, thus the bid was deemed non-responsive.

On motion of Commissioner Alston, which was seconded by Commissioner Lucas and duly carried by unanimous vote, it was ordered to tentatively award High & High Sawmill contract to low bidder, Harris Equipment Co., pending County Attorney's review. County Manager was authorized to execute same

On motion of Commissioner Lucas, which was seconded by Commissioner Capps and duly carried by unanimous vote, it was ordered to approve "License Agreement for Entry" to permit Kerr Tar Regional Council of Governments entry on property in Nutbush Township for engineering analysis work.

On motion of Commissioner Lucas, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to approve "Deed of Easement for Access" to John & Lennis Loving (recorded in Book: 00782, Page 0172), permitting access across county owned property at Buck Spring Plantation West.

On motion of Commissioner Lucas, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to schedule a public hearing to hear citizen comments concerning a request from Matt Naugle to establish a "No Wake Buoy Zone" on Lake Gaston. Said hearing was scheduled for Monday, October 4, 2004 at 6:45 pm in the Warren County Courthouse.

On motion of Commissioner Lucas, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to schedule a public hearing to hear citizen comments concerning a request to "rezone three (3) tracts of land currently owned by Mary Fenner, Clara Knight and Lottie Smallwood in Roanoke Township from residential to neighborhood business." Said hearing was scheduled for Monday, October 4, 2004 at 6:30 pm in the Warren County Courthouse.

Bids were received, in accordance with G.S.143-129 and 160A-20, for eight (8) general county departmental vehicles as follows:

Griffin Ford	Lump sum bid for 8 vehicles	=	\$152,999
Capital Ford	\$17,398.25 Ford F-150 4x4 (2)	=	\$34,796.50
	\$11,844.35 Ford Ranger (1)	=	\$11,844.35
	\$19,959.30 Econoline Van (1)	=	\$19,959.30
	\$20,279.25 Ford Crown Victoria Police Sedans (4)	=	\$81,117.00
			\$147,717.15
Advantage Ford	\$17,950.25 Ford F-150 4x4 (2)	=	\$35,900.50
	\$13,178.35 Ford Ranger (1)	=	\$13,178.35
	\$19,883.30 Econoline Van (1)	=	\$19,883.30
	\$21,271.25 Ford Crown Victoria Police Sedans (4)	=	\$85,085.00
			\$154,047.15

On motion of Commissioner Lucas, which was seconded by Commissioner Capps and duly carried by unanimous vote, it was ordered to award bid for eight (8) general Warren County Departmental vehicles to Capital Ford, Inc. of Raleigh in the lump sum of \$147,717.15.

Bids were received for financing of eight (8) general county departmental vehicles and one (1) John Deere 5320 Tractor as follows:

SUBJECT: Installment Purchase Leasing Bids

Warren County solicited bids from four financial institutions for the following financing:

Description	Term	Amount
Eight Vehicles	3 years	\$ 171,417.15
2 - Ford F150 4X4		\$ 34,796.50
1 - Ford Ranger-		\$ 11,844.35
1 - Econoline Van		\$ 19,959.30
4 - Ford Crown Victoria Police Sedans		\$ 81,117.00
John Deere 5320 Tractor		\$ 23,700.00

The following bids were received:

Vehicles and Tractor:

Financial Institution	Interest Rate	Interest Paid	Fees	Total Interest Plus Fees
BB&T Gov. Finance	2.69%	\$7,201.53	None	\$ 7,201.53
First Citizens	2.81%	\$7,527.24	\$300.00	\$ 7,827.24
RBC Centura	2.87%	\$9,932.13	\$300.00	\$10,932.13
Wachovia	3.25%	\$8,253.81	Not to exceed \$500.00	\$ 8,753.81

It is my recommendation that we accept the lowest bid as submitted by BB&T Governmental Finance, resulting in the lowest cost.

SWB:trs

On motion of Commissioner Lucas, which was seconded by Commissioner Capps and duly carried by unanimous vote, it was ordered to adopt a "Resolution Approving Financing Terms" for the purchase of eight (8) county vehicles.

Ed Koziol, Information Technology Director, submitted for Board's information, Warren County web site development grant received from Rural Economic Development Center, Inc. in the amount of \$19,800.

On motion of Commissioner Lucas, which was seconded by Commissioner Alston, it was ordered to approve Salary Re-Consideration of Cooperative Extension Service employees by authorizing a 9% increase to employee salaries.

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

Motion carried.

Commissioner Lucas presented legislative items for Board's consideration and action.

On motion of Commissioner Capps, which was seconded by Commissioner Alston, it was ordered to approve for submission to the NC Association of County Commissioners for legislative consideration: 1) Legislation to designate Bucks Spring as a State Park and a Federal Historic Monument and 2) Legislation to NC Department of Transportation creating High Opportunity Welcome Zones at State Borders of I-85.

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

County Manager's report was given by memo and approved by Board consensus.

On motion of Commissioner Lucas, which was seconded by Commissioner Alston and duly carried, it was ordered to enter into Closed Session in accordance with GS 143-318.11(a) for the discussion of Matters Protected by The Attorney-Client Privilege & Property Acquisition for Warren County Parks & Recreation Complex.

On motion of Commissioner Lucas, which was seconded by Commissioner Alston and duly carried, it was ordered to return to the regular meeting.

With no further business to discuss and on motion of Commissioner Lucas, which was second by Commissioner Alston the regular meeting was adjourned.

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