

MINUTES FROM THE REGULAR MONTHLY MEETING HELD BY THE BOARD OF COUNTY COMMISSIONERS FOR THE COUNTY OF WARREN IN THE COUNTY COURTHOUSE ON APRIL 4, 2005 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, Janet Humphries, and Barry Richardson. Absent: Commissioner H.E. Luke Lucas. Others in attendance: Loria D. Williams, County Manager, Charles T. Johnson, Jr., County Attorney and Susan W. Brown, Finance Officer.

County Manager Loria Williams read a prepared statement relative to her return from suspension of duties.

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

Citizen Comments:

Rick Page, Eaton's Ferry Camp Ground - voiced concerns why there was so much opposition to bringing people into the county. Wants to re-open campground in phases, with water, electricity and outdoor toilets (port-a-potties)

Bob Tisdale, pleaded case for Easton's Ferry Campground's reopening. Has been a camper in the area since 1969.

Jack Cash - did not make citizen comment since his comments regarding Easton's Ferry Campground had all ready been voiced.

Linda Calisto - read a prepared statement which is on file in clerk's office. Board needs to re-examine County's Mission Statement and abide by it.

Jeanne Watson - had questions regarding Buck Springs. What is it? What benefit is there in county forming a Non-profit? What's the purpose? Why would the taxpayers need it? Warren County is the 8th highest taxed county in the state. Why? Questioned compensatory time for exempt employees.

Robby Ross - during budget work session Churchill-FiveForks VFD substation should be seriously considered. Fire protection and First Responders are all volunteer services rendered to the public and should not experience budget cuts. Commissioner Richardson has done a tremendous job as fire commissioner.

Peter Hight, newly appointed Cooperative Extension Director presented himself to the public and the Board.

On motion of Commissioner Humphries, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to adopt the April 4, 2005 Suggested Agenda.

On motion of Commissioner Humphries, which was seconded by Commissioner Richardson and duly carried by unanimous vote, it was ordered to add the following to the Consent Agenda:

Consent Agenda Item 5H - Proclamation Declaring April Public Health Month

On motion of Commissioner Humphries, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to approve Consent Agenda Item 5A - Minutes:

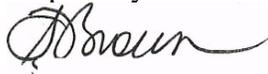
- March 14, 2005 Public Hearing - Rezoning Request - Youth Camps for Christ/Camp Willow Run
- March 14, 2005 Public Hearing - Rezoning Request - David Williams
- March 14, 2005 Regular Board Meeting
- March 21, 2005 Special Meeting

On motion of Commissioner Humphries, 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 for February, 2005:

**TAX COLLECTOR'S REPORT
TO THE BOARD OF COUNTY COMMISSIONERS**

2004 Taxes Collected February	336,267.93
2004 Taxes Collected To Date	9,720,590.98
Percentage of 2004 Taxes Collected	91.37
Other February Collections:	
Delinquent Taxes and Penalties	89,835.26
Advance Payments	5,442.89
Total February Collections:	431,546.08
Percentage as of February 2003	90.91

Respectfully submitted 4/4/2005



Susan W. Brown
Tax Collector

**INTEREST INCOME REPORT
Month Of February 2005**

FUND	FEBRUARY INCOME	FISCAL YEAR TO - DATE
General	18,382.28	79,383.77
Revaluation	439.48	2,652.86
E 911 Telephone System	397.71	2,127.08
E 911 Wireless	217.17	1,183.49

Admin Off Bld Cap Reserve Fund	138.82	887.34
Admin Off Bld Cap Project Fund	0.00	719.76
Buck Spring Project	460.35	2,106.36
Regional Water Enterprise Fund	467.78	3,035.15
District I Enterprise Fund	545.41	3,271.37
Solid Waste	1,180.87	6,594.60
District II Capital Project Fund	0.00	129.81
District II Enterprise Fund	767.16	3,699.13
District III Capital Project Fund	3,207.72	24,465.72
District III Phase II	4.50	27.15
District I Phase IV	0.00	1.62
	26,209.25	130,285.21

On motion of Commissioner Humphries, 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 and County Manager approved Releases Under \$100:

TAX RELEASE REQUESTS OVER \$100
3/24/2005

Approved by BOC
Date: _____

ERROR CORRECTION RELEASES:

<u>NAME</u>	<u>ACCT#</u>	<u>RECORD #</u>	<u>AMOUNT</u>	<u>REASON</u>
Salmon, Donnie L.	3023-200	26221	<u>155.10</u>	M/H was traded in on a D/W in 2002 & listed in Vance Co.
SUB-TOTAL ERROR CORRECTIONS:			\$155.10	

MOTOR VEHICLE RELEASES:

Campbell, David M.	18048-1904	70204	344.61	Released to Wake Co.
Hargrove, Barry B.	888-1647	69947	166.65	Vehicle Sold
Keeter, Emery L.	23816-2268	70568	<u>116.88</u>	Vehicle Traded
SUB-TOTAL MOTOR VEHICLE RELEASES:			\$ 628.14	

LANDFILL USER FEE RELEASES:

NO LANDFILL USER FEE RELEASES	0.00
SUB-TOTAL LFUF RELEASES	\$0.00
SUB-TOTAL ERROR CORRECTIONS:	155.10
SUB-TOTAL MOTOR VEHICLE RELEASES:	<u>628.14</u>
TOTAL RELEASES:	<u>\$ 783.24</u>

Abbreviation Key:
D/W = Doublewide
LFUF = Landfill User Fee
M/H = Mobile Home

Releases under \$100, approved by County Manager:

TAX RELEASE REQUESTS UNDER \$100
03/24/05

Approved: *[Signature]*
Date: 3/24/05

ERROR CORRECTION RELEASES:

<u>NAME</u>	<u>ACCT#</u>	<u>RECORD #</u>	<u>AMOUNT</u>	<u>REASON</u>
NO ERROR CORRECTION RELEASES			0.00	

MOTOR VEHICLE RELEASES

<u>NAME</u>	<u>ACCT#</u>	<u>RECORD #</u>	<u>AMOUNT</u>	<u>REASON</u>
Acai, Sallie W.	137-1551	66879	9.10	Vehicle Transferred to Another Name
Coleman, Arlene S.	39103-2017	57346	8.64	Vehicle Sold
Cordell, Alonzo	10056-1183	61600	3.05	Vehicle Given Away
Drumgo, James Lee	17116-2404	69267	48.37	Vehicle Turned Back In
Frazier, John Thomas	15208-2357	67685	9.38	Vehicle Sold
Hartzell, John F.	22368-2152	65842	17.04	Vehicle Moved
Hoofnagle, William	4977-1566	65256	9.00	Vehicle Sold
Johnson, Bruce M.	17746-2267	67595	91.63	Wrong Vehicle Assessed on Tax Bill
Johnson, Daria W.	16292-1700	70000	16.38	Vehicle Sold
Johnson, Shirley	20054-100	45483	87.81	Active Military - Home State is NY
Johnson, Shirley	20054-102	45483	87.81	Active Military - Home State is NY
Johnson, Shirley	20054-103	51303	60.81	Active Military - Home State is NY
Johnson, Shirley	20054-2169	61012	70.95	Active Military - Home State is NY
Keeter, Emery	23816-1543	61960	1.08	Vehicle Junked
Keeter, Emery	23816-1508	65198	5.25	Vehicle Junked
Kemp, Olivia B.	2591-1968	70268	39.56	Released to Vance County
Lynch, Barbara	2178-2367	64439	20.15	Vehicle Returned to Dealer
Newsome, Horace	28917-1664	66992	13.86	Vehicle Sold
Pendergrass, Edward	30622-1396	69696	10.21	Released to Vance Co.
Perry, Vance	2805-2184	59337	32.86	Vehicle Registered in NY

Rogerson, Jason M.	18746-1311	65001	8.75	Vehicle Totaled
Taylor, Norma R.	39801-1776	57105	16.36	Vehicle Destroyed by Fire
Thomas, Gregory	22773-2208	69071	4.41	Vehicle Sold
Twitty, Sandra R.	15916-103	51012	53.58	Vehicle Traded
Williams, Kathy H.	2444-1158	64848	<u>10.32</u>	Vehicle Given Away
SUB-TOTAL MOTOR VEHICLE RELEASES:			\$648.55	
SUB-TOTAL ERROR CORRECTIONS:			<u>0.00</u>	
TOTAL RELEASES			<u>\$648.55</u>	

On motion of Commissioner Humphries, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to approve Consent Agenda Item 5D - Appointments to the Aging Advisory Council, for three (3) year terms, expiring December 2008:

Appoint - Jan Maynard, 1st term Re-appoint - Portia Hawes, 4th term

On motion of Commissioner Humphries, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to adopt Consent Agenda Item # 5E-1 - "Proclamation" declaring April 24-May 2, 2005 Soil & Water Stewardship Week.

On motion of Commissioner Humphries, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to adopt Consent Agenda Item 5E-2 "Proclamation" declaring April 16-30, 2005 "Litter Sweep Week".

On motion of Commissioner Humphries, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to approve Consent Agenda Item # 5F - designation of Public Works Director, Macon Robertson as voting delegate to the NC Rural Water Association's Annual Membership Meeting, May 17, 2005 in Greensboro, NC.

On motion of Commissioner Humphries, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to approve Consent Agenda Item 5G - appointments to the Home And Community Care Block Grant Advisory Board as follows (terms expire March 2006):

Rev. William Allen Kelley, III (replaced Mark Clayton)
 John Boyle, (replaced Howard Tomlinson)
 Irene Kearney, initial appointment
 Sonny Peoples, initial appointment
 Jenny Franklin, initial appointment
 Al Cooper, initial appointment

On motion of Commissioner Humphries, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to approve Consent Agenda Item # 5H - Proclamation declaring April "Public Health Month 2005"

Having considered a request from Alvis Fleming, area Dairy Farmer, December 2004, February and April 2005 to add a classification of users exempt from County's "Ordinance to Require Connection to County Operated Water Distribution System" to allow exemption of certain classes of livestock farmers, the following action was taken.

On motion of Commissioner Humphries, which was seconded by Commissioner Richardson and duly carried by a vote of 4 in favor, 0 opposed; it was ordered to decline/disapprove the addition of a classification of users exempt from County's "Ordinance to Require Connection to County Operated Water Distribution System".

Sandra Shearin, Board of Elections Chairperson, appeared before the Board of Commissioners to introduce Deborah S. Formyduval, newly selected Board of Elections' Executive Director for Board of Commissioners approval.

On motion of Commissioner Richardson, which was seconded by Commissioner Alston and duly carried by unanimous vote, Deborah Formyduval was approved for appointment to the position of Board of Elections Executive Director at salary grade 19.

Mr. Billy Williams, Waste Industries Branch Manager, appeared before the Board to request an extension of current contract for solid waste removal at manned convenience sites for twelve (12) or more months.

On motion of Commissioner Richardson, it was ordered to extend current solid waste removal contract with Waste Industries until January 1, 2006 and solicit bids from other vendors in the future.

Motion died for lack of second.

On motion of Commissioner Humphries, which was seconded by Commissioner Alston, it was ordered to extend current solid waste removal contract with Waste Industries to June 30, 2006.

Votes were as follows: Ayes: Humphries & Alston
 Nays: Ross & Richardson

Motion did not carry.

Chairman Ross conferred duties of Chairman to Commissioner Richardson.

On motion of Commissioner Ross, which was seconded by Commissioner Humphries and duly carried by unanimous vote, it was ordered to table Solid Waste Removal Contract extension to the May 2, 2005 regular meeting.

Commissioner Ross resumed duties of Chairman.

Having tabled an invoice from Ringley Classic Plumbing, Inc. for emergency repairs from the March 14, 2005 meeting, item was presented again for action.

On motion of Commissioner Alston, which was seconded by Commissioner Humphries, it was ordered to pay invoice from Ringley Classic Plumbing, Inc. for emergency repairs up to the pre-audited amount of \$1,500.

Commissioner Alston withdrew his motion, Commissioner Humphries withdrew her second to the motion.

On motion of Commissioner Alston, which was seconded by Commissioner Humphries and duly carried by unanimous vote, payment on invoice from Ringley Classic Plumbing, Inc. for emergency repairs performed on December 16-19, 2004 was denied. Ringley Classic Plumbing was directed to provide a more detailed statement of work performed on December 17th and resulting labor due to the inadequate repair.

On motion of Commissioner Humphries, it was ordered to table "Policy for Exempt Employee Compensatory Time" to the next scheduled Board work session.

Motion failed for lack of a second.

On motion of Commissioner Richardson, which was seconded by Commissioner Alston, it was ordered to adopt "Policy for Exempt Employee Compensatory Time" as follows:

**Warren County
Compensatory Time for Exempt Employees Policy**

Policy **Warren County's policy is to provide compensatory time, within established guidelines, to exempt employees.**

Scope **All employees classified as exempt in the Fair Labor Standards Act. This policy does not include Elected Officials or the County Manager.**

GUIDELINES

Objectives **The objectives of the Compensatory Time for Exempt Employees Policy are as follows:**

- **To allow exempt employees flexibility in balancing work and personal needs.**
- **To recognize compensatory time as a benefit to enable Warren County to recruit and retain exempt employees.**
- **To recognize the time and commitment required by exempt employees to attend meetings and perform work after normal working hours.**
- **To provide a system for accruing and using compensatory time that ensures that the principles of public accountability are followed in compliance with Section 541.710 of the Fair Labor Standards Act.**

Definitions **Fair Labor Standards Act (FLSA) – A federal law governing minimum wage, overtime pay, equal pay for men and women in the same jobs, child labor, and record-keeping requirements.**

Exempt – A term referring to those groups of employees that are exempt from the overtime provisions of the Fair Labor Standards Act. These groups include executives, administrative employees, professional employees, and those engaged in outside sales.

Non-exempt – Employees who are subject to the minimum wage and overtime pay provisions of the Fair Labor Standards Act.

Compensatory Time Accrued – Time worked above regularly established work hours for the department. Hours are accrued on a straight time, hour for hour, basis.

Compensatory Time Used – Time taken off during the regularly established work hours for the department.

Regulations The following regulations shall apply to exempt employees accruing and using compensatory time.

- Time worked above the established work hours for the department will be recorded as compensatory time with the reason additional work hours were required noted.
- Time shall be recorded on a straight time or hour for hour basis.
- Work during the lunch hour shall not be listed as compensatory time unless extenuating circumstances are noted. It is expected that employees take one hour for lunch each workday.
- Arriving to work a few minutes early or working a few minutes late does not constitute compensatory time.
- Exempt employees shall accrue compensatory time on a monthly basis.
- Compensatory hours accrued in each month must be taken in the month accrued or within the following two months. Any compensatory hours remaining after this time will be void.
- Compensatory time off for exempt employees must be scheduled to ensure adequate coverage for the department and must be approved.
- Compensatory hours will not be paid to exempt employees upon termination of employment with Warren County.

Enforcement It is the responsibility of the Department Head, County Manager, or Appointing Authority to ensure the proper enforcement of this policy. Any exempt employee found to be in violation of this policy would be subject to disciplinary action in accordance with the Warren County Personnel Ordinance or the State Personnel Act.

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

Motion carried, "Warren County - Compensatory Time for Exempt Employees Policy" was adopted.

On motion of Commissioner Richardson, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered in accordance with Office of State Personnel, to reclassify Public Health Nursing Supervisor II (salary grade 27) to Public Health Nursing Director I (salary grade 28). Kay Hall, who currently held said position, would have no change in salary.

Motion was made by Commissioner Humphries to table "Resolution - Warren County Exempt Employees" pertaining to exempt employees accruing and/or taking compensatory time in performance of their jobs.

Motion died for lack of a second.

On motion of Commissioner Richardson, which was seconded by Commissioner Alston and duly carried, it was ordered to deny "Resolution - Warren County Exempt Employees" pertaining to compensatory time for exempt employees.

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

Motion carried, "Resolution - Warren County Exempt Employees" was denied - pertaining to exempt employees accruing and/or taking compensatory time in performance of their jobs.

On motion of Commissioner Richardson, which was seconded by Commissioner Humphries and duly carried by unanimous vote, a public hearing to hear citizen comments regarding a request from Thomas and Sandy Smith for Installation of a "No Wake" Buoy Zone on John H. Kerr Reservoir, 800 feet east of Tucker Farms Road, one-half mile south of Palmers Point landing by water was set for Monday - May 2, 2005 at 6:15 pm in the Warren County Courthouse, Courtroom # 202.

On motion of Commissioner Richardson, which was seconded by Commissioner Alston, it was ordered to schedule a joint meeting with Northampton and Halifax Counties in North Carolina and Mecklenburg and Brunswick Counties in Virginia to discuss noxious weed control funding for Wednesday, April 20, 2005 at 11:00 am in the Department of Social Services' staff meeting room.

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

On motion of Commissioner Richardson, which was seconded by Commissioner Alston, it was ordered to schedule a joint meeting with Northampton and Halifax Counties in North Carolina and Mecklenburg and Brunswick Counties in Virginia to discuss Lake Gaston noxious weed control funding for Wednesday, April 20, 2005 at 11:00 am in the Littleton Civic Center, with the \$65 an hour building rental fee waived.

On motion of Commissioner Richardson, which was seconded by Commissioner Alston, it was ordered to schedule a public hearing to hear citizen comments regarding 2005 Department of Transportation Rural Operating Assistance Program (ROAP) Funding Application for Wednesday, April 20, 2005 at 2:00 pm at the Littleton Civic Center.

On motion of Commissioner Humphries, which was seconded by Commissioner Richardson and duly carried by unanimous vote, it was ordered to withdraw Buck Spring Regional Leadership Excellence Center - Creation of Non-Profit Entity, from the April 4, 2005 agenda.

On motion of Commissioner Richardson, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to table Warren County Housing Authority By-laws and member appointments.

On motion of Commissioner Richardson, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to deny designating an individual to coordinate construction of Warren County's proposed Animal Shelter, it was noted that said authority was County Manager's per current contract.

On motion of Commissioner Richardson, which was seconded by Commissioner Alston and duly carried by unanimous vote, County Manager's report was approved as follows:

DATE: March 30, 2005

SUBJ: March Status Report

Administration

- Conducted emergency department heads meeting re: comp time; compressed budget schedule - (03/17/05)
- Spoke w/ Dr. Spain, Superintendent of Schools re: school budget-(03/16/05)
- Attended mtg. w/representation from Franklin County and water committee members to discuss request to purchase water from Warren County - (03/23/05)
- Conducted mtg. w/ E. Koziol re: IT Department transition period - (03/29/05)
- Conducted mtg. w/ S. Brown; G. Edmonds re: budgetary matters - (03/30/05)

County Manager's Monthly Pending Projects Report

National Guard Armory:

- Received copy of Phase I Environment Assessment from Bradford Environmental. Estimated cost for remediation is approximately \$28,000. Please note this is an estimated cost. Acceptance of the facility is and formal transference is the next course of action.

PCB Landfill Property Transference:

- Per e-mail conversation with Mike Kelley, Deputy Director, Division of Waste Management dated December 18, 2004 he was going to try to forward all the reports to the EPA by Christmas and talk with them after the first of the year. He also advised that he would request something back from them by mid-January and pursue the actual transfer with the Department of Administration.

Animal Shelter:

- As a result of Board action, received attached correspondence from Mr. Walter Vick w/ LSV Partnership, summarizing the suggested process for moving forward with this project.

Phase I - Recreation Complex:

- Proposal for subsurface testing has been executed coming in under budget by some \$3,400. Once complete, engineers can finish grading plans. Start of construction still slated for September.

Ambulance Facility:

- Architect reports drawings should be complete by the end of March. In the process of requesting quotes from local surveyors for site survey. Lenders will require same because the building will be used as the asset to secure financing.

E911-CAD System:

- All equipment has been installed as of Monday of this week. Software and database integration is scheduled for installation immediately.

On motion of Commissioner Richardson, which was seconded by Commissioner Alston and duly carried by unanimous vote, it was ordered to enter into Closed Session for the discussion of Personnel Matters in accordance with GS 143-318.11(a).

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

On motion of Commissioner Richardson, which was seconded by Commissioner Humphries, County Manager was ordered to repay from vacation and sick-leave, all compensatory-time taken.

Commissioner Richardson withdrew his motion, Commissioner Humphries withdrew her second to the motion.

On motion of Commissioner Richardson, which was seconded by Commissioner Alston and duly carried by unanimous vote, County Manager Loria Williams was ordered to re-pay compensatory-time from annual-leave and/or sick-leave, in accordance with County Manager's contract, effective 2002.

On motion of Commissioner Richardson, which was seconded by Commissioner Alston, the Board of Commissioner April 4, 2005 regular meeting was adjourned.

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