

*WARREN COUNTY  
BOARD OF COMMISSIONERS*

*August 17, 2011*

*5:45 PM - Public Hearing*

*WARREN COUNTY ARMORY CIVIC CENTER  
MEETING ROOM  
WARRENTON, NORTH CAROLINA*

*Program Amendment*  
*To*  
*CDBG Project 08-C-1840*  
*relating to Technical Bulletin 10-2*  
*where additional terms*  
*and*  
*budget categories are defined.*

# Public Hearing Agenda

- ▣ Chairman call Public Hearing to Order
- ▣ Clerk read Notice of Public Hearing
- ▣ Comments from Julie Reid, Kerr Tar COG - CDBG Grants Administrator
- ▣ Clerk read Rules of Citizen Comments
- ▣ Citizen Comments
- ▣ County Manager and/or Commissioner Comments
- ▣ Adjourn

NORTH CAROLINA  
WARREN COUNTY

I, Mary Lou Cheek  
Editor or Office Manager of The Warren  
Record, a weekly newspaper publication  
in the town of Warrenton, Warren  
County, and state of North Carolina, do  
so solemnly swear that a legal action  
entitled:

Notice of  
Public Hearing  
CDBG

a true copy of which is made a part of  
this affidavit, did appear in the said The  
Warren Record in the following  
consecutive issues:

Aug. 3 20 11  
M L Cheek  
Editor or Office Manager

Sworn to and subscribed before me this  
3 day of August, 20 11.

Lucille Lee Weldon  
Notary Public

My commission expires: 12-6-14.

**NOTICE OF PUBLIC HEARING**

Notice is hereby served that the Warren County Board of Commissioners will hold a public meeting on Wednesday, August 17, 2011, 5:45 p.m. in the Warren County Armory Civic Center, 501 US Highway 158 BUS E, Warrenton, NC 27589. The purpose of this hearing is to receive citizen's comments regarding a program amendment to CDBG project 08-C-1840 relating to Technical Bulletin 10-2, whereby additional terms and budget categories were defined. The amendment makes revisions to the program by adjusting activities and funding in keeping with the new guidelines.

Any and all interested citizens are invited to attend this Public Hearing. Assistance or special aids for the handicapped are available upon request. Warren County uses the state TDD number which is: 1-800-735-2962. Questions or comments concerning this Public Hearing or the Community Development Block Grant Program should be addressed to:

Linda T. Worth, County Manager  
County of Warren  
105 S. Front Street, P. O. Box 619  
Warrenton, North Carolina 27589  
[lworth@co.warren.nc.us](mailto:lworth@co.warren.nc.us)

Warren County is an equal opportunity employer and service provider. Public improvements, housing rehabilitation assistance and other public programs are administered without regard to race, color, creed, sex, religion, familial status, handicap, or national origin. Minority, female and underutilized businesses are encouraged to participate in CDBG Programs.

Esta información está disponible en español o en cualquier otro idioma que necesite. Por favor, póngase en contacto con Kristie Harris al 1-252-257-5000 o Hilda Benedict al 1-252-257-1185 para esta solicitud.

Barry Richardson, Chairman  
Warren County Board of Commissioners



# PUBLIC HEARING PROCEDURES

*This public hearing is being held to hear citizens' comments regarding Program Amendment To CDBG Project 08-C-1840 relating to Technical Bulletin 10-2 where additional terms and budget categories are defined.*

## RULES:

- ▶ Please sign up to speak
- ▶ The maximum time allotted to each speaker will be \_\_\_\_ minutes. The Clerk to the Board will keep time.
- ▶ Any group of people who support or oppose the same position should designate a spokesperson.
- ▶ Please address only those items which might not have been addressed by a previous speaker
- ▶ Order and decorum will be maintained during this hearing.
- ▶ Two questions are permitted by each speaker.

*Warren County  
Board of Commissioners*

**Adjourn**

**Public Hearing**

*WARREN COUNTY  
BOARD OF COMMISSIONERS*

*August 17, 2011*

*6:00 PM - Work Session*

*WARREN COUNTY ARMORY CIVIC CENTER  
MEETING ROOM  
WARRENTON, NORTH CAROLINA*

*August 17, 2011*

*Work Session Agenda*

**1-Department Head Reports**

**2- Public Records Law Presentation, Frayda Bluestein, SOG**

**3- Proposed Public Records Request Policy – County Manager**

**4-Proposed Revisions to Computer Replacement Policy –**

**Marcus Johnson, IT Director**

**5-Discuss Designation of Armory Civic Center Meeting Room**

**as Official Commissioners' Meeting Room – Com. Ross**

**6-Adjourn Work Session**

# Item # 1

## Department Head Reports

- **Economic Development – Benny Finch  
& Dr. Peter Appleton (GreenTech Project)**
- \* **Agricultural Extension – Paul Westfall**
- \* **Animal Control – Elma Greene**

# **Item # 2**

## **Public Records Law Presentation**

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**Frayda Bluestein**

**Professor of Public Law & Government**

**UNC School of Government**

**Public Records Overview**  
**Warren County Board of Commissioners**  
**August 17, 2011**

**Frayda S. Bluestein**  
**UNC School of Government**

Ten Key Concepts

1. State law requires public agencies to provide broad access to records made or received in the transaction of public business. [G.S. 132-1]
2. Email and other electronic records are covered by the public records law. [G.S. 132-1]
3. The content of a record, not its form or location, determines whether it is subject to disclosure under the public records law.
4. The law does not apply to records that are personal and do not involve the transaction of public business.
5. The right of access includes the right to inspect and obtain a copy. [G.S. 132-6(a)] Public agencies may charge only “actual costs” for providing copies of public records, which means only those costs that would not have been incurred but for the request. Actual costs do not include employee time spent responding to the request. [G.S. 132-6.2]
6. The purpose or motive for which a person seeks a public record is irrelevant and cannot be requested as a condition of providing access. [G.S. 132-6(b)]
7. The law does not require public agencies to create records; only to provide access to records that exist. [G.S. 132-6.2(e)]
8. A record is subject to disclosure under the public records law unless a specific exception in the law allows or requires that it not be disclosed. There are two types of exceptions: some deny a right of access, though access is not prohibited (an example is criminal investigation information under G.S. 132-1.4); others prohibit disclosure (examples are trade secret information under G.S. 132-1.2(1), and exceptions in the various personnel privacy statutes).
9. There is no exception for “drafts” of public records.
10. State rules dictate what records must be retained and for how long. Records of “short term value” may be discarded, but if they exist when a request is received, they must be provided unless an exception applies. [NC Records Retention Guidelines: <http://www.records.ncdcr.gov/guidelines.htm> ]

### Major Statutory Exceptions

**Most personnel records** [G.S. 153A-98 (counties); 160A-168(cities)]. The following information is public: (1) Name; (2) Age; (3) Date of original employment or appointment; (4) The terms of any contract by which the employee is employed whether written or oral, past and current, to the extent that the agency has the written contract or a record of the oral contract in its possession; (5) Current position; (6) Title; (7) Current salary; (8) Date and amount of each increase or decrease in salary with that department, agency, institution, commission, or bureau; (9) Date and type of each promotion, demotion, transfer, suspension, separation, or other change in position classification with that department, agency, institution, commission, or bureau; (10) Date and general description of the reasons for each promotion with that department, agency, institution, commission, or bureau; (11) Date and type of each dismissal, suspension, or demotion for disciplinary reasons taken by the department, agency, institution, commission, or bureau. If the disciplinary action was a dismissal, a copy of the written notice of the final decision of the head of the department setting forth the specific acts or omissions that are the basis of the dismissal. (12) The office or station to which the employee is currently assigned.

**Legal documents:** Letters from lawyers to board, about litigation [G.S. 132-1.1(a)]; and trial preparation materials [G.S. 132-1.9]

**Criminal investigation records:** [G.S. 132-1.4]

**Business trade secrets:** Information that derives commercial value from not being generally known or independently ascertainable [G.S. 132-1.2; G.S. 66-152(2)(3)]

**Records of local taxes that show income or gross receipts:** [G.S. 153A-148.1 and 160A-208.1]

**Minutes of closed sessions:** For as long as necessary to avoid frustrating the purpose of the closed session. [G.S. 143-318.10(e)]

**Social security numbers and other personal identifying information:** Including drivers' license numbers, financial account numbers, state identification or passport numbers, employer taxpayer identification numbers, digital signatures, finger prints, passwords, biometric data. [G.S. 132-1.10]

**Economic development project records:** [G.S. 132-6(b)]

**Medical records:** Including (1) Records containing privileged patient information, and information about lead poisoning in children; and (2) Information or records that identify a person who has AIDS virus infection or who has or may have a communicable disease or condition. [G.S. 130A-12, G.S. 130A-143]

## **Framework for Responding to Public Records**

- 1. Does a record exist that corresponds to the request?** *If not, no disclosure is required. If so, continue to question 2.*
- 2. Is the record “made or received in the transaction of public business?”** *If not, no disclosure is required. If so, continue to question 3.*
- 3. Is there an exception that applies?** *If not, the requested access must be provided. If so, continue to question 4.*
- 4. Does the exception apply to the entire record, or only to certain information, and does it prohibit disclosure or does it deny the right of access?** *If a prohibition applies to the entire record, do not disclose; if it applies only to certain information, redact and disclose. If there is no right of access to some or all of the information, but release is not prohibited, determine whether or not to release the entire or a redacted record.*

Resources: David M. Lawrence, *Public Records Law for North Carolina Local Governments*, 2d. ed., 2009;

Coates' Canons: North Carolina Local Government Law Blog:

<http://sogweb.sog.unc.edu/blogs/localgovt>

Blog Posts:

Is this a Public Record? A Framework For Answering Questions About Public Records Requests

Is Metadata a Public Record?

Individual Board Member Access to Email

Citizen Participation Records as Public Record

Email as a Public Record: Five Things You Should Know

Attorney General Opinion on Personnel Privacy Changes

# **Item # 3**

## **Proposed Public Records**

### **Request Policy**

- - -

**Linda T. Worth, County Manager**

**Karlene Turrentine, County Attorney**



# **WARREN COUNTY**

## **PUBLIC RECORDS REQUEST POLICY**

### **How to make a Public Records Request:**

Pursuant to N.C.G.S. Chapter 132 (2011), the County of Warren makes available to the public all records in its custody and control that are defined as “public records” under N.C.G.S. 132-1. Any person may request public records by completing a Public Records Request Form and delivering it via mail or hand-delivery to: Warren County Manager’s Office, 105 S. Front St., P.O. Box 619, Warrenton, NC 27589 or, via facsimile to: (252) 257-5971. A request may also be made to the custodian of the records desired; however, the custodian must then forward said request to the County Manager’s Office for processing. Following processing, requests shall be maintained on file pursuant to the N.C.G.S. § 121-5 and N.C.G.S § 130A-99.

### **Response to Public Records Request:**

In order to effectively fulfill and track public records requests (which are public records themselves), the following procedures will be followed by County staff when responding to such requests:

1. When the County Manager’s Office receives a public records request, staff shall record and forward the request to the proper department for research and fulfillment. (The dates of both the County Manager’s Office’s receipt and forwarding of such requests shall be logged.)
2. Upon receipt of a request from the County Manager’s Office, the department head must determine an approximate cost for the records requested and advise the County Manager’s staff of such cost.
3. There shall be no cost for electronic copies *unless* hardcopies must be made in order for the County to be able to forward the requested electronic copies.
4. The County Manager’s Office staff shall contact the requestor to advise of the cost of filling the records request and to what address payment should be delivered in order for the request to be fulfilled.

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5. Staff shall further advise requestor of the shipping/ mailing costs for the requested documents if requestor indicates a desire to have documents mailed. (Postage must also be paid in advance.)
6. Within two business days of receiving requestor's payment for costs, County Manager's office staff will notify the specific department head to produce the requested records, and will further advise the department of the date said records are due to be received by the County Manager's Office.
7. *With the exception of massive requests (i.e. university research requests and extensive journalist requests),* records are to be produced (and delivered to the County Manager's office) by the specific department within 15 calendar days\* of the date the completed request (including payment therefore) was received by the County Manager's Office. (\*If the request is nominal and known to be easily fulfilled, then the specific department should deliver the records to the County Manager's Office within 5 calendar days of its receiving notice of the request.)
8. Given the County's hours of operations, staffing, scope and breadth of the request, and form of retention, massive requests *may* require additional time to fulfill but the department head should inform County Manager's staff of such delay so that the requestor may be notified of the delay.
9. Once a fulfilled request is delivered to the County Manager's Office by a department, the County Manager's office staff will: a) log the date the records were received from the department, and; b) require the delivering department employee sign attesting to the date the records were delivered to the County Manager's Office.
10. If requestor prepaid the postage for mailing, County Manager's office staff shall package and mail the requested records within one business day of having received them in the County Manager's Office. If no postage was prepaid, the County Manager's Office staff will contact the requestor to advise that records are ready for pick-up.
11. Before releasing the requested records, County Manager's Office staff will record the date the records were mailed, or have the requestor sign and date the log when records are picked up.
12. Should a public records request be denied, the written denial must state "The law prohibits the County from disclosing the information (or whatever part thereof) you have requested." (Before issuing such denial, the department head should speak with the County Attorney to confirm there is a statutory basis for such denial. If the County Attorney agrees that the request should be denied, the County Attorney should inform the County Manager's Office staff of the specific legal basis for the denial, such basis to be noted in the log.)
13. In the event a County department requires additional information or clarification from the requestor in order to enable it to fulfill a request, the request shall not be

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deemed complete until such clarification has been received by the County Manager’s office—at which time, the County’s delivery timeline begins.

The timeline outlined above for delivery of records requests is the time not to be exceeded in fulfilling requests. However, where the request is simple and easy to fulfill, the County should work to fulfill said request as promptly as possible. In all cases, each and every public records request shall be reviewed by the County Manager’s Office and the County Attorney to confirm the lawfulness of the request and its fulfillment *prior to* the request being fulfilled.

Persons making a public records request may obtain a copy of the County’s current fee schedule and/or a Public Records Request Form from the County Manager’s Office or on the County’s website.)

**Requests for Inspection:**

In the event a requestor desires only to inspect records, the requestor must submit a Public Records Request Form noting that it is an inspection only request. The County will then notify the requestor of days and times when the public records shall be available for inspection. Due to the limited staff of the County, the requestor shall be obligated to choose an appointment time for his/her records inspection. Any appointment to inspect records shall be limited to no more than a two-hour appointment on any given day, unless otherwise mutually agreed upon by requestor and the County. If the requestor fails to make or to attend a scheduled appointment with the County to inspect the records within fourteen (14) calendar days of being notified that the records are available for inspection: (1) the records will be returned to the originating department, and; (2) the requestor will need to submit a new Public Records Request Form to the County Manager’s Office to begin the process anew.

To protect the confidentiality and integrity of records stored on the County’s computer system, in lieu of and inspection of the original electronic record, the County reserves the right to provide a copy of any electronically-stored data. If the requestor requests a hard copy, the requestor shall be responsible for payment in accordance with the County Fee Schedule.

**Fee Schedule:** The law permits the County to charge a fee for an uncertified copy of a record that recovers the actual cost of duplicating the record. If the County has to use an outside consultant for processing this request, the County will charge a fee to cover the incurred expenses. If the County needs to have an informational technology consultant to process these requests, an estimated time and cost will be given to the requestor. The associated cost will be based on the hourly rate charged for services. The requestor shall pay for the full cost of these services before the County produces these documents. If it is determined the costs may exceed the estimate, then the requestor shall be notified of the increase in costs. All fees and charges shall be collected before producing the records or at the time the records are delivered. If the

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estimated cost for producing records is more than the actual cost thereof, the County Finance Department shall issue any refund due requestor within ten days of fulfillment of the request.

BLACK & WHITE COPIES PER PAGE – letter or legal \$.05

COLOR COPIES PER PAGE – letter or legal \$.10

COPIES OF COMPACT DISCS - \$2 per CD.

**NOTICE TO EMPLOYEES AND THE PUBLIC: THE LAW DOES NOT REQUIRE THE COUNTY TO CREATE RECORDS BUT ONLY TO PROVIDE ACCESS TO PUBLIC RECORDS ALREADY KEPT IN THE NORMAL COURSE OF COUNTY BUSINESS.**



**PUBLIC RECORDS REQUEST FORM**

The County of Warren requires payment in accordance with the adopted Public Records Request Fee Schedule and the signature of the requestor prior to releasing any documents. Persons making a Public Records Request may obtain a copy of the adopted Public Records Request Fee Schedule form from the County Clerk or on the County Website.

Date of Request: \_\_\_\_\_

Name of person or group making request: \_\_\_\_\_

Address/phone number to contact person making request: \_\_\_\_\_

Name of person responsible for payment: \_\_\_\_\_

Desired method of delivery of requested records: \_\_\_\_\_ Pick-up \_\_\_\_\_ Mailed

Complete description of the requested records (including title, date and location, if known):

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

Form of request: \_\_\_\_\_ Inspection \_\_\_\_\_ Copying

\_\_\_\_\_  
Signature of requesting party

\_\_\_\_\_  
Date of request

**For Office Use Only**

Total number of copies provided: \_\_\_\_\_ Postage cost, if applicable: \$ \_\_\_\_\_

Amount due for copies per fee schedule \$ \_\_\_\_\_ Total due: \$ \_\_\_\_\_

Payment received (method) Check \_\_\_\_\_ Cash \_\_\_\_\_ Money Order \_\_\_\_\_

Staff filling request: \_\_\_\_\_ Date request filled: \_\_\_\_\_

# **Item # 4**

## **Proposed Revisions to Computer Replacement Policy**

- - -

**Marcus Johnson, IT**

# WARREN COUNTY

## Computer Replacement Policy



105 S. Front St  
Warrenton, NC27589  
Phone: (252)257-3115

# Warren County Computer Replacement Policy

## **Section 1 - Purpose**

To establish a computer (PC) equipment replacement policy for Warren County in order to utilize the benefits of next generation office environments, simplify technical support issues, and increase Warren County's ability to deploy new solutions to business problems.

## **Section 2 - Statement**

Guidelines and procedures are required to maintain a replacement cycle of personal computer equipment within the useful and expected lifetime of the equipment, while preventing a stock pile of aging, obsolete, out-of-warranty, unsupported, and incompatible systems.

## **Section 3 - Cycle of Replacement**

It is Warren County's policy to cycle replaced computers through the major classifications of technology users (see section 6). PCs that have been replaced and are no longer appropriate for one classification of technology users should be used to upgrade and replace a PC with older technology within the company. In this manner, a PC with the oldest technology in the company is phased out and the company can continue to benefit from their investments in personal computers.

## **Section 4 - Replacement Rationale.**

Desktop computers, by their nature are relatively inexpensive computing devices that have a limited lifespan compared to other office equipment. The rule of thumb for obsolescence of desktop computers is 3-4 years. However, changing business practices, new technology, and new software applications can impose increased demands on computing power that can force a more frequent replacement cycle for employees affected by the changing business practices or those using the new technology or software.

## **Section 5 - Replacement vs. Upgrade & Buy vs. Build**

It is Warren County's policy to replace PCs with the latest technology rather than to apply major upgrade to existing PCs. Current research indicates that:

- Upgrading is expensive because, more often than not, multiple system components must be upgraded in order to achieve the intended performance improvement.
- The purchase price of the various hardware components needed to accomplish an upgrade will exceed the purchase price of a new computer.
- The cost of labor to install an upgrade to existing hardware will far exceed the cost of labor to install a new PC.
- Upgraded PCs have uncertain maintenance profiles and support costs.
- There is no increase in residual value of upgraded PCs.
- Upgrading PCs tend to increase the overall complexity in the installed hardware base.

## **Section 6 - Classification of users**

There are four classifications of users, defined as:

### **Leading edge technology users**

- Users within the organization who need to be at the forefront of technology.

These individuals carry out but are not limited to the following functions:

- Heavy usage of database applications (Access)
- Heavy usage of the Internet (downloading virus fixes, programs, reports, uploading data to various organizations, research & analysis)
- Moderate to heavy usage of the Microsoft Office suite (Excel, Word, Power Point, Publisher, Outlook)
- Moderate to heavy usage of various Windows applications (Adobe Acrobat, Adobe Illustrator...)
- Previewing and testing various software, through demos or Web-casts, and regularly utilize CPU or memory intensive applications (CorelDraw, Paint Shop, Macromedia Flash, etc...).

### **Power Users**

- Users within the organization whose daily business operations require heavy utilization of information technology.

They have a standardized suite of applications on their desktops:

- Moderate to heavy usage of the Microsoft Office suite (Excel, Word, Power Point, Publisher, Outlook, Access)
- Moderate to heavy usage of Adobe Acrobat and other applications used to complete grants, reports and forms.
- Moderate to heavy usage of the Internet (E-mailing, Research, etc.)

### **Mainstream Users**

- Users within the organization whose daily business operations require moderate utilization of technology for everyday office functions.

They have a standardized suite of applications, access to printers, etc. Functions performed by these users are (but not limited to) the following:

- Occasional to Moderate usage of the Microsoft Office suite (Excel, Word, Power Point, Publisher, Outlook, Access)
- Occasional usage of Adobe Suites
- Moderate usage of the Internet (Research, E-mail, etc...)
- Occasional to moderate usage of third party applications

### **Conservative Technology Users**

- Users within the organization whose daily business operations require the utilization of technology for everyday office functions only.

They have a standardized suite of applications, and access to printers. Functions performed by these users (but are not limited to) are the following:

- Occasional to Moderate usage of the Microsoft Office suite (Excel, Word, Power Point, Publisher, Outlook, Access)
- Moderate usage of Acrobat Reader only
- Occasional browsing and internet usage

### **Replacement Schedule**

The following is a general guideline for replacing PCs. Departments should consult with the Information Technology Director for assistance in determining their specific replacement needs. Replacement schedules vary according to the four major classifications of technology users:

#### **Leading Edge Technology Users**

Replace computers every second or third year.

#### **Power Users**

Replace computers every three to four years.

#### **Mainstream Technology Users**

Replace every four to five years.

#### **Conservative Technology Users**

Replace as needed, no more than 6 years.

Note: All computers taken from Conservative Users not deemed obsolete will be passed on to the Information Technology Department for repurposing, and/or spare parts stock.

### **Section 7 - Replacement Process**

Once a computer is requested, the Information Technology Director will:

- Determine the classification level of the requestor
- Determine the specifications for the new computer.
- The Information Technology Director or his/her designee will order new computer equipment
- Upon arrival of the computers, an e-mail notification will be sent to the recipients informing them of the arrival and the date/time of the installation.
- **Users should not attempt to copy/move the entire contents of their C: drive and/or delete any files.**
- The new computers will include the following operating system and applications:
  - a) Microsoft Windows 7
  - b) Microsoft Office 2007 or Office 2010
  - c) Internet Explorer or Mozilla Firefox
  - d) Local printer drivers

- e) Adobe Acrobat Reader
- f) Current Antivirus

Once the recipients receive their computers, the Information Technology Department will perform the following steps:

- Configure the computer to access Warren County's network
- Configure Antivirus to run a scan daily after working hours
- Configure the computer to work with either a local or a network printer

All computers being replaced will be returned to the Information Technology Department to be cleaned and reallocated or retired in accordance with the replacement policy.

The Information Technology Department is not responsible for the installation and reconfiguration of "unsupported" software packages.

The Information Technology Department will NOT be responsible for the installation and reconfiguration of "unsupported" peripheral devices or devices that were installed by users.

If you have questions or concerns with the policy, please contact the Information Technology Department at (252)257-1000 or email the IT Director.

Adopted the \_\_\_\_ day of \_\_\_\_\_ 2011.

WARREN COUNTY BOARD OF COMMISSIONERS

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Barry Richardson, Chairman

Attest:

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Angelena Kearney-Dunlap  
Clerk to the Board

## **Item # 5**

**Discuss Designation of Armory Civic Center  
Meeting Room as Official Board of  
Commissioners' Meeting Room**

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**Commissioner Ulysses Ross**

**Adjourn**

**August 17, 2011**

**Work Session**