

**GATES COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
SEPTEMBER 21, 2009**

The Gates County Board of Commissioners reconvened on Monday, September 21, 2009 at 7:00 p.m. in the Commissioners' Room, 202 Court Street, Gatesville, NC. Commissioners Jordan, Jernigan, Askew, Nickens and Twine were present. Also present was County Manager, Toby Chappell and County Attorney, Pitt Godwin.

Chairman Jordan called the meeting order. He opened the meeting with a prayer and led the pledge of allegiance.

**Approval of Agenda**

Chairman Jordan stated the Agenda needed to be amended. The Major Subdivision Request by T. C. Eure will be postponed.

Commissioner Twine made a motion to accept the amended Agenda. Commissioner Nickens seconded the motion, motion carried without opposition.

Due to Morgan Jethro, Planning Director, being detained the meeting proceeded with Old Business.

**Old Business**

Chairman Jordan presented the names of citizens interested in serving on the Jury Commission. Commissioner Askew nominated Brenda Costen. Commissioner Nickens nominated Fannie Langston. Commissioner Jernigan made a motion the nominations be closed. Chairman Jordan, Commissioners Jernigan and Nickens voted for Fannie Langston. Commissioners Askew and Twine voted for Brenda Costen. Fannie Langston was appointed to the Jury Commission by a majority vote.

**Department Reports**

Morgan Jethro, Planning Director, re-submitted a rezoning request for the Rooks' Landing West Major Subdivision. The correct maps were not included with the original request.

Commissioner Askew made a motion to open the Public Hearing for the Rooks' Landing West Major Subdivision rezoning request. Commissioner Jernigan seconded the motion, motion carried without opposition.

Dan Bazemore, Eure, stated the Commissioners should not hold up rezoning from A-1 Agricultural to R1 Single Family Residential because when it is rezoned you are upgrading the property and increasing the tax base.

George Walters stated he was concerned about old structures being buried and contaminating private wells.

Earl Rountree, Sunbury, questioned what would the recourse be for Mr. Buck if the Commissioners do not pass the rezoning request.

Ms. Jethro stated the case would go to court before a judge. The judge would review the decisions made by the Planning Board, the Technical Review Committee and the Board of Commissioners and could possibly reverse the Commissioners' decision.

Pitt Godwin, County Attorney, stated he would like to recuse himself due to his professional association with Mr. Buck.

Tommy Langston asked the Commissioners if any of them have had financial dealings with Mr. Buck in the past.

Mr. Walters stated he did not feel Commissioner Askew should vote.

Mr. Langston questioned if there was a law suit between Mr. Buck and the Planning Board.

The Board was not aware of a law suit.

Joe Greene, Planning Board member, stated he was not aware of a pending lawsuit.

Mr. Langston presented a document.

After reviewing said document Chairman Jordan stated it was a document written by Mr. Buck's attorney about a situation that has been resolved; the papers had not been signed nor filed.

Erick Winborne stated he was a single home landowner and he felt the rezoning would benefit the county.

Kenny Buck stated his request received the same comments from the Planning Board as the four previous major subdivision requests and they have all been approved.

Commissioner Twine made a motion to close the Public Hearing on the Rooks' Landing West Major Subdivision rezoning request. Commissioner Jernigan seconded the motion, motion carried without opposition.

Commissioner Twine made a motion to approve the Rooks' Landing West Subdivision rezoning request from A-1 Agricultural to R-1 Single Family Residential. Commissioner Jernigan seconded the motion. Commissioners Jernigan, Askew and Twine voted for the rezoning request. Chairman Jordan and Commissioner Nickens voted against the request. Motion carried by a majority vote.

#### **New Business**

Chairman Jordan presented three issues that had been presented to the Personnel Board. Patrice Lassiter, GITS Director, presented a request for a 9% salary increase for the drivers due to the minimum wage increase as of July 24, 2009. This increase was included in the 2009-2010 budget. The recommendation of the Personnel Board was to approve the request.

Commissioner Nickens made a motion to approve the 9% salary increase for the GITS drivers. Commissioner Jernigan seconded the motion, motion carried without opposition.

The second issue brought to the Personnel Board was a request by Timothy Hedgepeth, Water Department Supervisor, to adjust the Water Collections Clerk's salary from 53-D (\$20,575) to 54-D (\$21,567). The recommendation of the Personnel Board was to re-classify the Water Collections Clerk to 54-A (\$20,933).

Commissioner Askew made a motion to accept the Personnel Boards' recommendation to re-classify the Water Collections Clerk to 54-A. Commissioner Jernigan seconded the motion, motion carried without opposition.

The third issue brought to the Personnel Board was the Statement of Duties for the Finance Technician. The Personnel Board recommended the Finance Officer list the duties in order of priority and calculate the percentage of time needed to perform each duty before presenting it to the Personnel Board again.

Commissioner Nickens made a motion for a brief recess. Commissioner Twine seconded the motion, motion carried without opposition.

Chairman Jordan called the meeting to order.

#### **Citizen Comments**

Paulette Wester, Eure, voiced her concern with Mr. Kittrell having to appear before the Planning Board to have an ABC building replaced that had been destroyed. She felt buildings should be grandfathered and changes needed to be made to correct zoning

issues not to be confused with spot zoning. She also voiced her concern with a dress code issue for employees.

Earl Rountree, Sunbury, voiced his concern with a flyer circulating regarding items that would no longer be accepted at the convenience sites. He was also concerned with the projected reduction of service hours at the convenience sites; he suggested to raise the convenience site fees to be able to extend the evening hours.

Dan Bazemore, Eure, stated the convenience site funds should be used to maintain the site only and water fees should be used to maintain the water department, not to commingle the funds.

John Hora, Eure, suggested to rotate the days each convenience site is closed each week.

Mr. Chappell stated maintenance is performed at each site on the day the sites are closed.

George Walters, stated he preferred the convenience site hours be extended in the evening and reduced in the morning.

Dan Bazemore, discussed the newly formed private trash pickup company. If citizens sign up for home trash pickup, will their rates be reduced.

Chairman Jordan stated their rates will not be reduced.

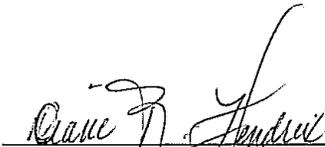
**Commissioners' Comments**

Commissioner Askew stated his concern with the adoption of the Preservation Commission. He does not feel the 50% reduction in taxes would benefit the County, there would be no return on the county's investment. The tax reduction would be an incentive to renovate the sites for tourism.

Chairman Jordan requested to table the discussion of the need for a Preservation Commission until the October 7, 2009 Commissioners' Meeting.

Commissioner Twine made a motion to adjourn. Commissioner Jernigan seconded the motion, motion carried without opposition.

  
Henry J. Jordan, Chairman

  
Diane R. Hendrix, Clerk

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