

**GATES COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
MARCH 16, 2015**

The Gates County Board of Commissioners met in Regular Session at 7:00 p.m. Monday, March 16, 2015 in the Main Court Room, 202 Court Street, Gatesville. Commissioners Hofler, Owens, Jordan, Felton, and Freeman were present. Also present was County Manager, Natalie Rountree.

Chairman Hofler led in prayer and the pledge of allegiance.

Chairman Hofler called the meeting to order.

Approval of Minutes

Minutes are approved during the 1st monthly meeting; none are available at this time.

Approval of Agenda

Chairman Hofler stated the agenda needs to be amended to add an Update on Parker Road and Sunbury Street Light Update under Old Business. Under New Business a DSS Budget Amendment to item VII (6) and a Discussion on maintenance needs for the Community Center as item VII (9) and Attorney Inquiries as item VII (10).

Commissioner Owens made a motion to approve the agenda as amended. Commissioner Freeman seconded the motion, motion carried unanimously.

Delegations – Unannounced

None

Delegations – Announced

None

Administrative Reports

Administrative reports are presented during the 1st monthly meeting; none are available at this time

Public Hearings

None

Old Business

Natalie Rountree, County Manager, stated EMS has received all of the needed information from NCACC but have not completed the contract between them and the County at this time.

Natalie Rountree, County Manager, provided a brief update on the structural repair work at the Historic Courthouse. Ms. Sass, a consultant who can read old buildings, has been contacted about providing an estimate to look at the Historic Courthouse but at this time we have not been able to make contact with her. Until a conversation is held with Ms. Sass the repairs are on hold. Ms. Sass works out of Charlottesville VA for Sass Conservation. Chairman Hofler stated Ms. Sass is very well known and we hope she will be able to look at the project.

Natalie Rountree, County Manager, stated at the last meeting there was a request to check on the width of Parker Lane SR 1205 off of Byrum Road. Randy Midgett, NC DOT, informed MS. Rountree it is just over ½ mile long, shoulders are grass, the road only serves 8 houses and the width is consistent with many secondary roads in the region.

Natalie Rountree, County Manager, updated the Board on her correspondence with Mr. Crocker about the Sunbury street lights. Ms. Rountree has spoken with Mr. Crocker regarding the previous discussion and the tax department in the process of updating the property owner spreadsheet. Ms. Rountree was told an informal survey was conducted in 2010 and citizens were not interested in increasing taxes to pay for the street lights.

Since the petition would have to be signed by 2/3 of the property owners he is no longer interested in receiving the list and contacting citizens. The phone conversation was followed up with a letter to Mr. Croker letting him know the property listing would be in the County Managers Office should they decide to pursue the petition.

Chairman Hofler stated she spoke with several citizens about the situation and found out the firemen in Sunbury had went around door to door collecting money at one time to try to help the Ruritan Club out but that has stopped. Commissioner Freeman asked if any of the electric companies have a cost share with the street lights. Ms. Rountree stated she has looked on the website and did not find any information on a cost share program. Ms. Rountree has not been able to find out how the Board of Commissioners name was placed on the bill. Chairman Hofler explained the program was started in the 1960's and most of the business owners were a part of the Ruritan Club at that time. There have been problems since the late 1990's collecting the money from residents. Commissioner Jordan asked if there could have been a grant at one time to cover the costs which may have required the Board of Commissioners name to be listed on the account. Sheriff Webb said one time there was a safe school grant that dealt with lights around schools but he isn't familiar with a grant for lighting in community districts. Commissioner Jordan said one thing we could do is look into some grant opportunities for the Ruritan Club to apply for.

New Business

Watson Lawrence, Board of Elections Chairman, stated The Board of Elections is asking for a budget adjustment to carry the office through to the end of the year. Elections has had a very busy year and is requesting \$7,450 to be spread across five different line items. The Budget is somewhat highly variable and depends on the amount of activity that takes place during an election year. When submitting the budget for the upcoming year they have made a strong attempt to correct inadequacies in the budget. Elections, in the past, has utilized the budget pretty close to the allocated amount. In 2007/2008 the budget was \$120,00 and 83% was used for FY 11/12 the budget was \$81, 965 and 99% was utilized and for FY 12/13 \$95,000 was budgeted and 92% was utilized. One stop voting has increased the expenditures amount quite a bit and is becoming even more popular, people like one stop voting and this year it was necessary to facilitate two sites. The budget information was prepared with the assistance of Ms. Rountree and Ms. Pittman and they all feel it will get the department through to the end of the year.

Commissioner Freeman asked if there is typically legal expenses. Mr. Lawrence explained this is typically not an expense that is incurred but this year the State advised the Board to reach out for legal advice on a specific issue that occurred. Commissioner Owens asked if the legal matter is closed. Mr. Lawrence stated the issue is not closed.

Chairman Hofler asked what the director and the part time help does during an off election year. Mr. Lawrence explained there is some file maintenance and mailings that have to be completed and the Director can provide more information on day to day duties. Chairman Hofler asked if records are being purged for individuals that are deceased. Mr. Lawrence informed the Board there is only two ways an individual can be removed from the polling books, there family must present a death certificate or a death certificate must be given by the Department of Health and Human Services. Ms. Rountree asked if the information could be communicated to the public because there are a lot of questions about the list and it is assumed that the polling list is cross referenced with the Register of Deeds. Commissioner Owens stated it adds additional expenses to the political parties when they are sending mailings and making phone calls based on voter registration lists.

Commissioner Owens made a motion to approve the Board of Elections Budget Amendment as presented. Commissioner Freeman seconded the motion; motion passed without opposition.

Sandy Pittman, Finance Director, presented a budget amendment for the Department of Social Services to budget for additional revenue that has been received for the LIEP Program that needs to be budgeted so it can be spent.

Commissioner Jordan asked if the \$5,000 has to be used prior to June 30, 2015. Ms. Pittman stated the money has to be used by the end of the fiscal year and will likely be used by the end of March.

Commissioner Owens asked if the additional revenue helped to create more vouchers for citizens. Ms. Pittman explained DSS takes applications until they run out of money and since the additional funds were received they were able to issue more vouchers.

Commissioner Owens made a motion to approve the Department of Social Services Budget Amendment. Commissioner Jordan seconded the motion, motion passed without opposition.

Mr. Bud Perrone, Fire Inspector, presented a list of fire inspection fees to be approved by the Board. Commissioner Jordan asked if this is the first time we have implemented these fees. Mr. Perrone stated there are about three fees currently in place but the others are new. The fees were compiled based on what surrounding counties charge. Commissioner Jordan asked if there are any travel costs associated with the fees. Mr. Perrone stated the fees help to keep stores and communities safe. Currently all we can do is tell a business to fix issues that are assessed there are no penalties for not correcting safety issues. Commissioner Jordan verified businesses pay an annual \$50 fire inspection fee. He feels we should publicize the fees and make sure businesses have sufficient notice that fees will start to be given for violations. Ms. Rountree stated there has been some discussion about holding meetings with businesses to make sure they are aware of the fees and how they will be implemented. Mr. Perrone has been providing businesses with checklist of all safety items they must comply with. Mr. Perrone stated he would like to make sure our community is safe, we are not in the business of conducting business to just collect fees. Ms. Rountree reiterated several fees are currently in place and a few of them have been added based on the norm in other counties and some are based on recent request of citizens. The fire inspection fees are the new fees that we would make sure that the public is aware of. Some of the fees listed we do not currently need but are listed as a safeguard incase the situation occurs.

Commissioner Jordan asked about fee an extinguisher hood not having been inspected. Mr. Perrone explained anything that has a heat vapor and grease is required to have a extinguisher hood. The system is required to be cleaned by a certified inspector because it is a life/safety issue. Commissioner Jordan feels it would be helpful to have the fire codes referenced on the fee schedule, this will help citizens know what they need to do to be in compliance and the steps they have to follow to correct issues.

Commissioner Owens asked about the extinguishing hood being required before an occupancy permit can be issued. Mr. Perrone verified a certificate of occupancy would not be issued if the extinguishing hood was not in place. When the equipment is installed the business received education on the equipment, the maintenance that is needed, and how to be in compliance.

Commissioner Owens asked if a business is inspected on March of this year will it be inspected in March of next year. Mr. Perrone explained as it approaches time for an annual inspection door hangers are placed at the business indicating to the owner to call the office and schedule their fire inspection.

Commissioner Felton asked how the fees will affect a church building fire departments. Mr. Perrone said a church is viewed as a place of assembly and is still required to have the appropriate fire safety issues in place. Commissioner Felton also asked if things like smoke detectors are still required considering a church isn't in service but twice a week, if the smoke detector goes off there will not be anyone there to hear it. Mr. Perrone verified smoke detectors will be required as well as safety lighting.

Commissioner Felton asked about locked doors on churches and fire departments. Mr. Perrone said the doors of a church and fire department are different than the doors of a business. Doors that are determined the primary exit for the church will be unlocked when the building is occupied.

Commissioner Jordan stated a church is tax exempt, will the County still charge the fees. Mr. Perrone said the intention is to charge the fees but Commissioners have waived some fees like construction fees for churches.

Commissioner Jordan stated he would feel better if the topic was discussed over a public hearing before the County implements new fees. We certainly want to keep people safe but we also need to make sure the public is aware and have an opportunity to express their concerns and thoughts.

Chairman Hofler asked if the safety features are mandated by codes in new buildings do insurance companies require proof of successful inspection. Mr. Perrone said we have a few insurance companies contact us for proof of completed inspection.

Mr. Perrone explained when a citation and fee is issued the business has five days to comply. Mr. Perrone is asking for the Boards help to keep our community safe because lately there have been some major issues found and the only thing that is going to get people to take action to fix the issues will be the threat of fees.

Commissioner Owens asked about the re-inspection fee. Mr. Perrone explained the re-inspection fee is issued when the fire inspector inspects the business after the initial citation and the issue has not been fixed correctly.

Commissioner Jordan asked if the County Attorney has reviewed the fees and made sure the County has met all legal criteria and he feels there should also be a public hearing conducted. Ms. Rountree will submit the fire inspection fees to the County Attorney and will check to see if a public hearing needs to be conducted.

Commissioner Owens stated the benefit of the fees is it helps to educate owners become more aware of fire safety issues the only way the County can enforce fees and regulations is if there is an established ordinance. Mr. Perrone explained every item associated with a fee is a state regulation.

Commissioner Jordan feels since the fire inspection code does not reference a specific amount to be charged we are determining the amount and the fees should be written as an Ordinance. Commissioner Jordan would recommend the County Manager discuss with the County Attorney the fire inspection fees and possible ordinance with the County Attorney

Commissioner Jordan made a motion to recommend the County Manager meet with the County Attorney to discuss the fire inspection fees. Commissioner Owens seconded the motion; the Board opened up for discussion.

Commissioner Owens stated he is in favor of implementing the fees because they protect citizens, owners, and employees. Commissioner Owens would like to have the issue addressed at the first meeting in April. If it is not an ordinance it will not require a public hearing but will give us some time to educate our businesses on the fees.

Commissioner Freeman agrees the implementation of fire inspection fees is time sensitive as it raises the County's liability if we do not act in a timely manner.

Commissioner Hofler asked Ms. Rountree if a public hearing has to be conducted when the inspection fees are implemented. Ms. Rountree stated we did not have a public hearing for construction fees.

Commissioner Felton asked if it would be possible to compile a checklist to mail to nonprofits and churches explaining what fire safety items need to be in place before an inspection takes place. Mr. Perrone stated he would be happy to give churches a checklist but has been struggling to reach administration at the churches. As a courtesy, fines are not given on the first inspection. Mr. Perrone takes the first inspection as a chance to educate businesses and organizations on items of concern and ways to improve their fire safety.

Commissioner Jordan revised his motion to have the county manager speak with the county attorney and determine if the fire inspection fees should be written as an ordinance and if so does a public hearing need to be conducted. If an ordinance is not needed the Board will review at the April meeting. Commissioner Owens seconded the motion; motion passed unanimously.

Commissioner Felton made a motion to appoint Joy Greenwood to the Fish & Wildlife Service Steering Committee for the Fall Workshop. Commissioner Freeman seconded the motion; motion passed unanimously.

Ms. Rountree informed the Board the Community Center has a sewer leak which will cost between \$3,000 & \$5,000 to repair. Ms. Rountree has spoken with the Community Center Director and informed her that the funds for the Community Center have been transferred to the School Board. The director brought it to the County's attention because she said in the past the Board of Commissioners funded capital needs for the facility. Also some of the pipes in the field house busted and had to be fixed before the athletic fields could be open for use.

Commissioner Hofler asked if the County Manager has had a conversation with the Superintendent. Ms. Rountree was not able to get in touch with the Superintendent but spoke with the finance officer for the school system who was not aware of the issue.

Commissioner Freeman stated if we provide the funding at this time we will need to consider it when we create this year's budget.

Commissioner Jordan feels the School Board should consider using their fund balance to cover the needs of the facility since the facility was transferred back in the prior budget year. It is a little arbitrary for the County to step in and cover the costs of these repairs. Commissioner Felton agrees it should come out of school funds before it is taken out of County funds.

Commissioner Owens made a motion to direct the county manager to communicate to the community center director to contact the school board to resolve the issue. Commissioner Freeman seconded the motion; motion passed without opposition.

Ms. Rountree informed the Board Attorney Godwin has submitted his FY15/16 retainer and hourly fees to the County. Currently the attorney is paid an \$8,000 retainer fee, the FY15/16 fee would be \$12,000. He is also requesting the hourly rate be increased from \$150 to \$200. The information was given to the Board for consideration before the upcoming budget is complete.

Citizen Comments

Perry Eure, Eure, said Mr. Perrone brought up very good points about why fire inspection fees may be needed but citizens don't have an understanding of what is going on and only being given five days to correct a problem is not a reasonable amount of time to correct most issues.

Commissioner Comments

Commissioner Freeman thanked citizens for attending and reiterated decisions are made for the best of the entire county.

Commissioner Felton thanked citizens for attending and making comments. Commissioner Felton encouraged folks watching on video to attend the meetings and make sure all information is understandable and clear to the public.

Commissioner Jordan thanked citizens for attending and staying till the end of the meeting. The decisions that are made affect every citizen and Commissioners have a dual job to make decisions that are in the best interest of citizens and efficient as possible for County processes. Commissioner Jordan thanked the Board for being present and working together to make the best decisions possible.

Commissioner Owens said the Board is glad Mr. Peronne is on staff and is interested in keeping citizens safe, we want to take good care of citizens in every form possible.

Chairman Hofler thanked everyone for attending and taking part in county government. We have a board that tries to work together and listen to each other to do what is best for all citizens of the county. The more discussion had and the more the public is heard the better chance we have at making the best decisions. We are in business again the first Wednesday of April at 10 a.m.

Closed Session

Commissioner Owens made a motion to enter into closed session pursuant to NCGS 143-318.11 a(3) Legal, (4) Economic Development, (5) Real Estate, (6) Personnel. Commissioner Freeman seconded the motion; motion passed without opposition.

Commissioner Owens made a motion to exit closed session. Commissioner Jordan seconded the motion; motion passed without opposition.

Commissioner Owens made a motion to instruct the County Manager to make the February 2015 payment as discussed in closed session. Commissioner Jordan seconded the motion; motion passed without opposition.

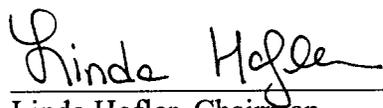
Board members provided updates on various community meetings they have attended.

Ms. Rountree informed the Board Representative Hunter received the Resolution about restoring the lottery funds for the schools and he is doubtful it will occur. Currently Pre-K is in the budget for an increase under DHHS in the initial budget release.

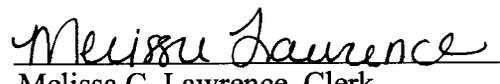
Chairman Hofler explained Claudia Diveny has emailed and asked for us to continue to ask our representatives to support tax credits for historical buildings.

Adjournment

Commissioner Jordan made a motion adjourn. Commissioner Freeman seconded the motion, motion passed without opposition.



Linda Hofler, Chairman



Melissa C. Lawrence, Clerk

GATES COUNTY BOARD OF COMMISSIONERS
