

**GATES COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
MARCH 21, 2016**

The Gates County Board of Commissioners met in Regular Session at 7:00 p.m. Monday, March 21, 2016 in the Gates County Cooperative Extension Building, 112 Court Street, Gatesville. Commissioners Hofler, Owens, Jordan, Felton and Freeman were present. Also present was County Manager, Natalie Rountree.

Commissioner Owens led in prayer and the Pledge of Allegiance.

Chairman Hofler called the meeting to order.

Approval of Minutes

Minutes are approved at the first meeting of the month.

Approval of Agenda

Ms. Rountree stated the CAMA Grant Application will not need to be added to the agenda. The Housing Committee would like their grant application added.

Commissioner Owens made a motion to approve the agenda as amended. Commissioner Felton seconded the motion; motion passed without opposition.

Delegations – Unannounced

Sheila Brewster, Gregory Lane, expressed concerns with the Customer Service policy specifically when water is turned off. She explained her water bill was 4 days late and she came home to no water and could not get it paid that day because she worked late so had no water overnight. She feels the best thing to be done would be to place door hangers on each residence before any water is cutoff.

Theresa Fulcher, 7 Hobbs Lane, stated her water payment was in the drop box and entered into the system at 9:15 a.m. but her water was still turned off at 11am. She feels there was sufficient time for the water department to notify staff not to turn the water off.

Commissioner Owens stated the payment of water is very serious and the Board takes the quality of service very seriously also.

Ms. Rountree stated she has already reviewed both accounts and the ladies are in attendance because they did not agree with the Water Department and County Manager's enforcement of the policy.

Commissioner Jordan would like the policy reviewed once again and would like it to provide more flexibility to citizens. Commissioner Jordan feels the policy is strict as it is written.

Delegations – Announced

None

Administrative Reports

Administrative Reports are given at the first meeting of the month.

Public Hearings

Chair Hofler stated the Board needs to enter into a public hearing on the Consideration of Extending the Solar Farm Moratorium.

Jennifer Baptiste, said the Board requested an ad be placed for a continuation of the existing solar farm moratorium so the Board can further review the draft amendments to the proposed Solar Farm Ordinance.

Commissioner Owens made a motion to enter into public hearing for consideration of Extending the Solar Farm Moratorium. Commissioner Jordan seconded the motion; motion passed without opposition.

Kenny Habul, Sun Energy, stated he has built solar farms in Gates County as well as all across the State and would like to have input in the design of the ordinance. Mr. Habul stated they have been involved in helping several counties across the state develop their ordinance. Sun Energy supports the idea of an ordinance but have not heard anything in the past 6 months on the development of the ordinance and would like to offer assistance to help with the progress. Mr. Habul explained in Edgecombe County it was estimated that their solar farm increased the tax base to the County by approximately \$30-\$40 million. Mr. Habul stated their project in Edgecombe County provided some temporary labor positions and a few full time positions once construction was complete. They currently have two applications on file with the Energy Commission and they cannot submit to Gates County until the moratorium is released.

Commissioner Owens made a motion to exit the public hearing for the consideration of Extending the Solar Farm Moratorium. Commissioner Jordan seconded the motion; motion passed unanimously.

Commissioner Owens stated we are nearing the end of having our ordinance completed but need a little more time, like 60 days, to get it the way it needs to be. Commissioner Owens asked when a projected start date would be if Sun Energy was able to submit their applications immediately. Mr. Habul stated they typically like building in the summer and are really in attendance to offer services and ask for an approval as quickly as possible.

Commissioner Owens asked about the two properties in Hertford. Mr. Habul stated they went into negotiations with another company and while under contract they did not know there were wetlands and did not find it out until after the deal closed. Fortunately they were able to purchase some land across the road and build their site even though it was smaller than initially anticipated. The Sugar Run Rd. project in Gates County was purchased by NASCAR Driver Denny Hamlin and he has been to visit it several times and would like to spend some more time in Gates County.

Commissioner Jordan stated he would have no problem letting Sun Energy review the Ordinance and submit comments before the review at the next meeting. Mr. Habul stated the shrubbery for Sugar Run is due to be installed in April and will be outside of the fence. If there are changes that need to be made Mr. Habul stated he will be happy to have those corrected.

Commissioner Owens made a motion to approve the Extension of the Solar Farm Moratorium for sixty (60) days. Commissioner Felton seconded the motion; motion passed unanimously.

Commissioner Jordan made a motion to direct the County Manager to provide Sun Energy with a copy of the draft solar ordinance for review and input. Motion died with a lack of a second.

Old Business

Chair Hofler stated the letter requesting the elimination of the 80% Solar Tax Credit is before the Board for review.

Commissioner Owens asked if other counties have sent the letter. Mrs. Rountree stated she has attended several meetings at which Currituck has asked for surrounding counties to review and consider sending the letter but follow-up has not taken place to know

which counties have passed and sent the letter. Commissioner Owens said it is kind of a catch 22, if the tax credits are eliminated then the incentive to build is reduced.

Commissioner Jordan is in favor of sending the letter to Senator Cook and Representative Hunter and should be signed by all members of the Board.

Commissioner Jordan made a motion to submit the letter Requesting Elimination of the 80% Solar Tax Credit. Commissioner Felton seconded the motion; motion passed unanimously.

Chair Hofler stated the Planning Board has worked very hard for the past 6 months drafting a Solar Farm Ordinance. Chair Hofler reviewed the recommended changes to the draft ordinance that were discussed in the 6pm work session.

The Board will review the final draft of the Solar Farm Ordinance at the April 6th meeting before moving forward with a public hearing to be held in May.

Chair Hofler stated the Planning Board and the Board of Adjustment have worked hard to compile text amendments. Ms. Baptiste reviewed the recommended changes to the draft that were discussed in the 6pm work session.

Commissioner Felton made a motion to hold a public hearing on the Planning Board Text Amendments. Commissioner Freeman seconded the motion; motion passed without opposition.

Ms. Baptiste reviewed the changes to be made to the Board of Adjustment draft text amendments.

Commissioner Owens made a motion to hold a public hearing on the Board of Adjustment Text Amendments. Commissioner Jordan seconded the motion; motion passed unanimously.

Mrs. Rountree stated the Board has been given information from the School of Government. The Board also has information on counties with special EMS taxing districts. Tyrrell County voted this month to implement a special taxing district to be the same as the fire fees.

Commissioner Jordan asked why you would do a special taxing district. Mrs. Rountree stated if a special taxing district is created a referendum is not required only the Board of Commissioners must vote. Commissioner Jordan feels the next step would be to determine how many parcels are in the County that would be responsible for paying the fee.

Commissioner Owens stated the Board has discussed how renters should be considered since they are not the landowner. Mrs. Rountree stated from the information she has found the landowner is taxed and it is up to the landowner to pass it along to the renter if they so choose.

Commissioner Jordan would like a plan presented on how the fee will be appropriated to parcels. Mrs. Rountree stated to determine this information she needs to know if the Board is willing to fund the entire request or partial request. There are currently over 7,000 parcels. Commissioner Felton feels there needs to be a way to work population into equation. We cannot put the same fee on an individual household that we do for a 70 person nursing home. Commissioner Owens stated the possibility of a cap has also been discussed.

Chair Hofler explained the Board of Education has submitted a two page Petition to Replace Central Middle School asking for a referendum to be at the November election.

The Petition For Election to Replace Central Middle School

WHEREAS, the Gates County Board of Education deems it in the best interest of Gates County and the said Board of Education to replace Central Middle School and on March 7, 2016 approved the making of a request to obtain funding to replace Central Middle School.

WHEREAS, the North Carolina General Statutes provides a mechanism by which local elections may be called for the purpose of voting on a referendum to provide additional funding to local school administrative units.

WHEREAS, Section 115C-501 of the North Carolina General Statutes provides that "elections may be called by the local tax-levying authority to ascertain the will of the voters as to whether there shall be levied and collected a special tax in the several local school administrative units ...to supplement the funds from State and county allotments and thereby operate schools of a higher standard by supplementing any item of expenditure in the school budget ", which funds may be used for "any object of expenditure".

WHEREAS, Section 115C-503 of the North Carolina General Statutes provides that "[l]ocal boards of education may petition the board of county commissioners for an election in their respective local school administrative units or for any school area therein."

WHEREAS, Section 115C-504 of the North Carolina General Statutes provides that the said petition shall contain the following information: (1) the purpose for calling the proposed election; (2) a description of the area in which the election is requested; and (3) the maximum rate of tax which is proposed to be levied.

WHEREAS, Section 115C-502(a) of the North Carolina General Statutes provides that "[a] tax for supplementing the public school budget shall not exceed fifty cents (50¢) on the one-hundred-dollar (\$100.00) value of property subject to taxation by the local school administrative unit." NOW, THEREFORE, pursuant to Chapter 115C of the North Carolina General Statutes, the Gates County Board of Education does hereby submit this Petition and does hereby request that the Gates County Board of Commissioners call an election for the voters to vote on whether there shall be levied a special tax with terms as follows:

- (1) The purpose of said special tax shall be to replace Central Middle School.
- (2) The area in which the election is requested is Gates County.
- (3) The maximum rate of tax which is proposed to be added is fifty cents (50¢) on the one-hundred-dollar (\$100.00) value of property subject to taxation in Gates County.

The undersigned does hereby certify that the Gates County Board of Education has authorized the filing of this Petition on behalf of the Gates County Board of Education.

Commissioner Jordan explained the Board of Education has submitted a petition as required by general statute, the Board of Education is not setting the rate. The Board of

Education has done what they need to do therefore the Board of Commissioners needs to adopt a resolution to go to the Board of Elections for the referendum to be added to the ballot. In order to put the resolution forward the Board needs to know how much of a tax increase is needed to cover the cost of construction and demolition. The Board of Elections needs the resolution 75 days prior to the November Election.

Chair Hofler would like to ask the Board of Education for further explanation on their vision because there are other schools that are older and need attention. Not all of the schools are at capacity and has merging schools been considered. Mrs. Rountree stated some information has been submitted with the budget request and can be sent to the Board.

Commissioner Owens is in favor of it being on the ballot and the public voicing their opinion and is ready to move in that direction once the final cost is defined.

Commissioner Jordan made a motion to direct the County Manager to develop a Resolution to be submitted to the Board of Elections for citizens to be in favor of or not in favor of the construction and demolition of Central Middle School. The tax amount is to be determined. Commissioner Owens seconded the motion; motion passed unanimously.

Commissioner Felton mentioned there will be four more schools needing funding.

Commissioner Owens stated the Board has met with the Board of Education at least four times, has toured the school, has had a major roofing company come in and review the school and the issues go way beyond the roof. There are issues that exist and there is no getting around that. Both Boards have asked a million questions and the referendum is for everyone to express their opinion and cast their vote. We are in a difficult situation and this isn't the only school that needs attention and these issues are not going to go away. If this goes forward the Board of Education has been asked to hold town meetings across the county to give everyone the opportunity to be heard before the vote.

New Business

Mrs. Rountree stated the Board has information about a requested budget amendment, which has not been received to date, from the Board of Elections for part time salaries.

Clytia Gordon and Chuck Hankinson stated the part time funding can be paid for by moving some funds out of contracted services. These funds will not cover the entire \$9,000 which is needed for the office to have coverage and be open until the end of June. The Director has the job of going out and being in the community, which is mandated by the State Board of Elections and explains why the part time line item has been exhausted.

Chair Hofler asked when the budget was submitted how was the amount needed for part time staff determined. Mrs. Gordon stated the previous Board determined the budget based on past information and the part time workers received a pay increase after the budget was approved. The funds can be received from unemployment and contracted services.

Chair Hofler directed the Board of Elections to create a budget amendment to explain the deficit and where the funds will be transferred from.

Commissioner Jordan made a motion to approve a forthcoming budget amendment that will be submitted by the Board of Elections in the amount of \$187.25. Commissioner Freeman seconded the motion; motion passed unanimously.

The Board of Elections has requested the additional part time salary funding be given to support part time workers until the end of the year. Commissioner Owens stated a budget request for additional funding must be submitted by March 24th. If the budget amendments are not received the part time workers will not be paid. A Budget request will also be needed to cover election costs.

Chair Hofler stated the Board has received notification from Graham Twine that his appointment with College of The Albemarle is expiring and he has requested to be reappointed. The Board would like to see information from College of The Albemarle verifying that a reappointment is needed and Mr. Twine is eligible to be reappointed.

Chair Hofler stated Building & Grounds has requested the surplus of the green 2002 Ford F-350. The current mileage is 173,153 and it is requested to have a reserve bid of \$1,500.

Commissioner Owens made a motion to approve the surplus of the green 2002 Ford F-350. Commissioner Freeman seconded the motion; motion passed unanimously.

Chair Hofler stated the Personnel Board has recommended the salary increase request from an employee at the Department of Social Services not be granted.

Commissioner Jordan stated the employee received a new pay grade and step when being promoted to a supervisor position in December of 2014. She has been in the position for a year and an increase has not been given. Commissioner Jordan feels to hire an employee at a step one and not advance them to a step two within a year is not in line with industry standards.

Mrs. Rountree stated there are numerous employees that have been hired at a step one and have not been advanced after being in their position for a year. If this salary increase is approved the Board can expect numerous employees that fall under this same situation to request step increases.

Commissioner Felton explained the Personnel Board has given the issue a lot of thought and study and if all of the recommendations are turned down or discussed for over an hour then we do not need a Personnel Board. Commissioner Jordan stated the purpose of government is to address all view points and hear all opinions.

Chair Hofler stated the employee had a very nice increase when being promoted to the supervisor position. If we develop a policy to handle this situation it will deal with all employees at once instead of an employee here and there.

Commissioner Owens stated the Personnel Board does spend a good amount of time reviewing the situation and he can see both sides.

The Personnel Board's recommendation to not give a pay increase passed four to one. Commissioners Hofler, Owens, Felton and Freeman voted in favor. Commissioner Jordan voted against.

Mrs. Rountree stated the employee that coordinated the SHIIP Program with Cooperative Extension now works for the Community Center. Budget Amendment 24 is to budget for the return of SHIIP grant funds as the program will now run through the Community Center.

Commissioner Owens made a motion to approve Budget Amendment 24 to return SHIIP grant funds. Commissioner Freeman seconded the motion; motion carried.

Mrs. Rountree explained the Gates County Housing Committee would like to submit a grant to the NC Housing Finance Agency for the Essential Single-Family Housing Rehabilitation Loan Pool (ESFRLP-16).

Commissioner Felton made a motion to approve the Gates County Housing Committee's grant submission to the NC Housing Finance Agency for the Essential Single-Family Housing Rehabilitation Loan Pool (ESFRLP-16). Commissioner Freeman seconded the motion; motion carried.

Citizen Comments

Valerie Riddick, Sunbury, stated this is her first time attending a night session. Ms. Riddick would like to encourage citizens to pay multiple water bills at one time to help cover when you have a life changing event that comes up and you have to miss a payment.

Commissioner Comments

Commissioner Freeman skipped comments due to sickness.

Commissioner Felton stated he appreciates all of the attendance tonight and understands the water bill policy isn't always fair if you have to be late but the best way to avoid issues is to pay your bill on time.

Commissioner Jordan thanked everyone for attending and for citizens being interested in the business of the County because the decisions made effect everyone. The Board does plan to have a referendum to build a new school and he encourages citizens to put a lot of thought and consideration into the topic before going to vote.

Commissioner Owens thanked everyone for participating. Democracy at work is what we saw tonight and it is appreciated.

Chair Hofler thanked everyone for attending and stated the differences in opinion is a strength to the Board. It ensures that all items are questioned and due diligence is put into making every decision. The Board tries to do the best for all citizens but can only spend a dollar once.

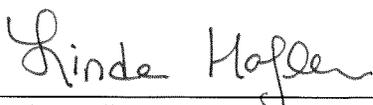
Closed Session

Commissioner Owens made a motion to enter into closed session pursuant to NCGS 143-318.11 a (4) Economic Development. Commissioner Jordan seconded the motion; motion passed without opposition.

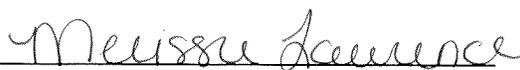
Commissioner Owens made a motion to exit closed session. Commissioner Felton seconded the motion; motion carried without opposition.

Adjournment

Commissioner Felton 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
