

**NORTHAMPTON COUNTY
REGULAR SESSION
October 20, 2014**

Be It Remembered that the Board of Commissioners of Northampton County met on October 20, 2014 with the following present: Robert Carter, Fannie Greene, Virginia Spruill, Chester Deloatch, and Joseph Barrett

Others Present: Kimberly Turner, Scott McKellar, Michelle Nelson, and Katherine Parker

Agenda Work Session:

A 10-minute work session was held to discuss today's agenda items. Chairman Carter called upon County Manager Kimberly Turner for input. Ms. Turner mentioned that Tab 4 will be removed from the agenda, and a closed session will be added as Tab 14 after Citizens/Board Comments for the purpose of G.S. 143-318.11(a)(6).

Regular Session:

Chairman Carter called the meeting to order, welcomed everyone, and announced when citizens could make comments.

Commissioner Barrett delivered the Invocation and the Pledge of Allegiance was recited.

Approval of Regular Session Minutes for October 6, 2014:

A motion was made by Chester Deloatch and seconded by Virginia Spruill to approve the Regular Session Minutes for October 6, 2014. **Question Called:** *All present voting yes.* **Motion carried.**

Approval of Closed Session Minutes for October 6, 2014:

A motion was made by Virginia Spruill and seconded by Chester Deloatch to approve the Closed Session Minutes for October 6, 2014. **Question Called:** *All present voting yes.* **Motion carried.**

Approval of Agenda for October 20, 2014:

A motion was made by Fannie Greene and seconded by Joseph Barrett to approve the Agenda with the two amendments. **Question Called:** *All present voting yes.* **Motion carried.**

Water Rate Petitions:

Chairman Carter asked the citizens in the audience to raise their hands if they were there pertaining to the water rates. He requested that Mrs. Heller speak for the group, and after she has spoken, they will hear from the Board. He mentioned that if they must speak, to be sure to pass a form to the Clerk, so that he can call upon them at that time.

Mrs. Gloria Heller appeared before the Board on behalf of Northampton County citizens with signed petitions concerning the increased water rates. Mrs. Heller introduced Ms. Vera Lowe to read the letter that she wrote addressing the citizens' concerns.

Mrs. Heller said in addition to the letter, there were questions as she went around to the petitioners. The citizens wanted to know why they had to pay \$300 for a deposit. If their rate is at \$19.50, after that why is it that they have to pay \$5 a gallon or \$2.50 a gallon. Also if the water bill is not paid on the 14th (not including if the 14th falls on a weekend) there is no grace period. Also reading on the back of the water bill each month, there is a 10 percent late fee of the water bill that they have to pay. She also wanted to know why the water bill in Garysburg is the highest amongst the other towns in Northampton County. She said the citizens want to know why there isn't a grace period of three or four days. After the 14th they have to pay the late fee plus a ten percent. Mrs. Heller then introduced Reverend Richard Webb.

Rev. Webb came before the Board to voice his concern as well on behalf of the citizens in the County. He said he researched the July 2014 rate structure for water from a 1,000 to 10,000 rate per gallon. He said his concern is if you are already paying a rate per month, why couldn't the Board put a little slack in the structure. He is asking the Board to consider the income of the people and the employment in this County. He said that 8.2 percent of the County is unemployed. A large percentage of people in the County are on a fixed income and public assistance from Social Services. He asked that the Board take this matter into consideration. He mentioned that the Board members said they would make a difference, and the citizens trust them and put their confidence in them to be honest and do the right thing, not to bring hardship upon the citizens. He is asking them to do what they promised the citizens in Northampton County—to look out for their best interest. Rev. Webb also mentioned that in two weeks, they need to know something from the Board.

Chairman Carter wanted to make a couple of points. He said in the letter from Ms. Lowe, it was indicated that there should be a waiver of time to pay the water bill. He believes the water bills are sent out on the first day of each month, and it takes maybe until the 5th for most people to receive it, and they have until the 14th to pay it (before they have to pay the 10 percent). So that gives them a nine day grace period to get the bill paid. He said his second point is that the Enterprise Fund (which is the fund from the water and sewer) has been supplemented by the citizens' tax dollars for many years. Every year, when the Auditor comes before the Board, they tell them they have to do something about the Enterprise Fund because it is running in the red. Tax paying dollars go to catch up the slack. The Board thought that by having a rate increase, they would not have to use tax dollars to cover the Enterprise Fund because the Fund is supposed to be a user's fund that should be self-sufficient.

Mrs. Heller said they do understand the grace period, but that there is no flat rate in the late fee. It is 10 percent of whatever the bill is.

Rev. Webb referenced the comment that Chairman Carter made about the date that the citizens get their water bill. He noted that not everyone gets their checks by the 3rd. Some people don't get their checks on the 3rd because the system has changed. Some get theirs around the 15th or the 18th so that would make them late. He is asking the Board to consider and fix this issue on the rate. He noted his late fee changes every time he gets a bill. He stated that they are not saying they should not have gone up on the water, but they need to consider the citizens, and who they

are dealing with in the community. He said everyone is not fortunate, some are struggling to make ends meet.

Chairman Carter let the citizens know that they feel their pain. He said before the citizens came, the Board members including himself talked about the increase after they received their first bill. He called upon County Manager Turner to speak to the citizens.

Ms. Turner addressed the citizens and agreed that she also feels their pain. She said she and the Board are concerned, and the question is what to do now. She explained how the rates came about so that the citizens could understand. She became Interim County Manager on March 18th. The water rates were already established and discussed by the former County Manager, the NC Rural Water Association, and the Public Works Director. By the time she became Interim, it was too late for her to go back and review what had been established. She said they were doing the budget process at that time. The Board could only work with what they had at that time. She said they will be looking at what they can do from this point forward. They will have to see what the Auditors will tell them about where they stand fiscally and financially. At that point, they will be able to determine what they can do as far as adjusting the water rates. However, she can guarantee them that by next fiscal year, she will re-evaluate the rates to make sure they are doing what is in the best interest of the citizens. She said this issue can't be a quick fix. The Enterprise Fund budget is based on these water rates. That means this is the revenue that is coming into that budget. The expenditures must meet that revenue. If they decrease the water rates, that means the revenue will decrease, and that means the Enterprise Fund will be operating in the red.

One of the citizens asked why this increase mostly affected the citizens of Garysburg. She said there are people that live in the County that are not affected as much. People from Gaston get their water from Halifax County. She said she's gotten three different answers from Public Works. She said that because citizens from Garysburg get water and sewer, their bills have doubled. Ms. Turner confirmed that any citizen that has water and sewer, their bill increased double because there was an increase on the water side as well as the sewer side.

Mrs. Heller wanted to clarify what Ms. Turner said previously: that within the year, she can't see or do anything about this until the fiscal year is in progress. Ms. Turner said she is not going to say we can't do anything; right now she can't say if they can or can't. But she knows that by the next fiscal year, they can do something. Mrs. Heller then asked if the water they get is from Weldon. Ms. Turner confirmed. Mrs. Heller asked if the citizens are going to have to wait for another fiscal year before a change comes. Ms. Turner said that is a possibility. Mrs. Heller wanted to clarify that something will be done in the next fiscal year. Ms. Turner replied yes. Another citizen asked when the fiscal year ends. Ms. Turner responded June 30th.

Chairman Carter called the audience to order. He said it is impossible for them to say to the citizens right now that in two weeks their rate will be reduced. He said the Board will be working on this issue, and the citizens will have some relief; if not this fiscal year, by next fiscal year. Depending upon the audit report, the Board is going to work towards a way to fix this situation. He said from this point on, the Board will go forward to aid and assist the citizens in any way they can.

Chairman Carter thanked the citizens for coming. He mentioned that the Board should receive the Auditor's report some time next month. He assured the citizens that the Board will inform them as soon as the Auditor's report results come out. He said the Public Works Director is in

the room and hears the citizens' concerns. The Board will give directives to the Public Works Director based upon the financial condition to give the citizens some relief. Rev. Webb asked that when the Board gets that information, to please forward the results via a letter to Mrs. Heller.

**PLEASE SEE SCANNED DOCUMENT WHICH IS
HEREBY MADE A PART OF THESE MINUTES:**

Vera S Lowe
200 Carlos Drive
P.O. Box 314
Larysburg N.C. 27831
10/2/2014

Greeting Members of the Board of Commissioners,
As a concerned citizen of Larysburg, N.C.
I find the increase in the water and
sewer bill from the Public Works Dept in
Jackson, N.C. to be excessive. When I
called the Public Works (Water & Sewer) Dept.
I was informed that the basic rate
for my water ^{& sewer} starting Sept 2014
would be \$60.50 instead of \$39.50
This is a \$21.00 increase just for basic
rate. If a citizen goes over a certain
amount of thousands of gallons that
would be an even higher water ^{sewer} bill.
While talking with my neighbors
some of them had \$100.00, \$120.00,
\$80.00, \$135.00 (etc.) (water & sewer)
Bills for the month. Some citizens
are disabled, retired, have low
paying jobs, or no jobs and are
trying to make ends meet. Most
citizens have not received a cost

of living increase in years. I would hate to see any citizens water cut off because there bill is so high they cannot pay it, including myself. In talking with some citizens they informed me that they did not receive a notice of the increase or they thought that there was a leak because the water & sewer bill had jumped up so high. We the citizens of Northampton County voted the Board members in office with the hope, faith and understanding that what is being done for this County is for the good of the citizens and there survival. I appreciate your time and consideration about the issue of excessive increase in the water and sewer bill for the citizens of Garysburg and Northampton County.

Thank you, A
Concern Citizen
Vera Lowe

P.S. Attached is a petition of Complaint signed by citizens of Northampton County about the excessive water & sewer rate of the Dept of Public Works

PLEASE SIGN

A petition against the excessive water bill rate
from the Department of Public Works

1. Dasie Simmons		
2. Jackie Robinson	32	Jefferson Williams
3. Demetric K Clark	34	Ben Sellers
4. Orson Davis	35	Arthur Benson
5. Shirley Sanders	36	Shirley
6. Corey Brooks	37	Clinton R. Scott
7. Sherron Williams	38	John M. Wrasche
8. Matthew Kee	39	Maxine Williams
9. Deymon Jones	40	Pat
10. Arles Bitts	41	Tomoka Walden
11. Gower C. Randle	42	David Brooks
12. Monte Hughes	43	Barbara Darden
13. Anthony Ransom	44	W. A. Johnson
14. Tony Best	45	VICILIE PRINCE
15. Danny Pables	46	Lamie
16. David Bottom	47	Robert Long
17. Johnnie Thomas	48	James Garris
18. Christopher Gray	49	Johnnie Dyer
19. Catherine M. Lee	50	Betty Huebs
20. Walter Chilton	51	James Mitchell
21. Henry Smith	52	Yvonne Ruffin
22. Michael Harris	53	Sharon D. D.
23. Debra Perry	54	W. M.
24. K. D. Smith	55	Walter M. Smith
25. Curtis Williams	56	W. M. Smith
26. Izidore Faulcon	57	Daniel Belle
27. Eric Broadnax	58	Allen Evans
28. Katrina Grier	59	Mabel Williams
29. D. A. Long	60	Rita Williams
30. A. G. Smith	61	Joseph Smith Q.
31. Calvin Boone	62	Minnie Smith

PLEASE SIGN

A petition against the excessive water bill rate
from the Department of Public Works

1. Yiki F. Brown
2. ~~John Hockaday~~
3. ~~John Hockaday~~
4. ~~John Hockaday~~
5. ~~John Hockaday~~
6. ~~John Hockaday~~
7. ~~John Hockaday~~
8. ~~John Hockaday~~
9. ~~John Hockaday~~
10. ~~John Hockaday~~
11. ~~John Hockaday~~
12. ~~John Hockaday~~
13. ~~John Hockaday~~
14. ~~John Hockaday~~
15. ~~John Hockaday~~
16. ~~John Hockaday~~
17. ~~John Hockaday~~
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23. ~~John Hockaday~~
24. ~~John Hockaday~~
25. ~~John Hockaday~~
26. ~~John Hockaday~~
27. ~~John Hockaday~~
28. ~~John Hockaday~~
29. ~~John Hockaday~~
30. ~~John Hockaday~~
31. ~~John Hockaday~~

PLEASE SIGN



A petition against the excessive water bill rate
from the Department of Public Works

- | | |
|------------------------|--------------------|
| 1. Grant Tany | 34. James P. Pines |
| 2. Robert Owens | 35. Vir Hunt |
| 3. Thomas Alton | 36. W. H. Hunt |
| 4. Gilbert Darden | 37. W. H. Hunt |
| 5. Ernest Faison | 38. W. H. Hunt |
| 6. James T. Brown | 39. W. H. Hunt |
| 7. James P. Pines | 40. W. H. Hunt |
| 8. LARRY RANSON | 41. W. H. Hunt |
| 9. Donald B. Brown | 42. W. H. Hunt |
| 10. Joseph V. Brown | 43. W. H. Hunt |
| 11. Eva Smith | 44. W. H. Hunt |
| 12. L. Adams Evans | 45. W. H. Hunt |
| 13. James R. Hunt | 46. W. H. Hunt |
| 14. Hung K. Hunt | 47. W. H. Hunt |
| 15. Latisha Arrington | 48. W. H. Hunt |
| 16. Roscoe Greene | 49. W. H. Hunt |
| 17. Marlin Broadnax | 50. W. H. Hunt |
| 18. Mable Ridgway | 51. W. H. Hunt |
| 19. Rosa Webb | 52. W. H. Hunt |
| 20. Joseph D. Hunt | 53. W. H. Hunt |
| 21. Thomas J. Phillips | 54. W. H. Hunt |
| 22. William Bell | 55. W. H. Hunt |
| 23. John H. Hunt | 56. W. H. Hunt |
| 24. George Hunt | 57. W. H. Hunt |
| 25. William H. Hunt | 58. W. H. Hunt |
| 26. John Hunt | 59. W. H. Hunt |
| 27. John Hunt | 60. W. H. Hunt |
| 28. John Hunt | 61. W. H. Hunt |
| 29. Maggie Hunt | 62. W. H. Hunt |
| 30. Russell Hunt | 63. W. H. Hunt |
| 31. Russell Hunt | |

PLEASE SIGN

A petition against the excessive water bill rate from the Department of Public Works

1. Lamorris Everette
2. EDWARD DAVIS
3. James P. Evans
4. DORIS JIMSON
5. Victoria Harper
6. L. W.
7. BARRY Mackill
8. MONICA J. JAMES
9. Roderic Wable
10. Bernadette Soy
11. Gilbert Harper
12. Bobby Lee
13. Michael Manley
14. Darius White
15. Christa Cole
16. Mine Onleum
17. Johnny McKen
18. Melissa Robinson
19. Shelia Cooper
20. V. D. Robinson
21. Reginald Scott
22. Chae Vann
23. Juan Hernandez
24. Kenneth Jackson
25. Jerry F. Lee
26. Markard O. Davis
27. Dorah Mann
28. Debra Williams
29. Helen Ramirez
30. Reyes B.
31. Troy Bond

PLEASE SIGN

A petition against the excessive water bill rate
from the Department of Public Works

1. William Wilson	38. Teddy Lucas
2. Natsea Sugrue	39. Reginald K. Hughes
3. Simone Town	40. Eric Broadhead
4. James Gorman	41. Mark Savage
5. James Gorman	42. Eric Broadhead
6. James Gorman	43. Mr. Broadhead
7. Alfred Best	44. Arthur Jones
8. Mary Taylor	45. B. B. B. B. B.
9. Shirley Rogers	46. Arthur B. B. B.
10. John B. B.	47. Hail Scott
11. John B. B.	48. John B. B.
12. John B. B.	49. John B. B.
13. John B. B.	50. John B. B.
14. John B. B.	51. John B. B.
15. John B. B.	52. John B. B.
16. John B. B.	53. John B. B.
17. John B. B.	54. John B. B.
18. John B. B.	55. John B. B.
19. John B. B.	56. John B. B.
20. John B. B.	57. John B. B.
21. John B. B.	58. John B. B.
22. John B. B.	59. John B. B.
23. John B. B.	60. John B. B.
24. John B. B.	61. John B. B.
25. John B. B.	62. John B. B.
26. John B. B.	63. John B. B.
27. John B. B.	64. John B. B.
28. John B. B.	65. John B. B.
29. John B. B.	66. John B. B.
30. John B. B.	67. John B. B.
31. John B. B.	68. John B. B.

C

PLEASE SIGN

A petition against the excessive water bill rate from the Department of Public Works

- | | |
|---------------------------------|---------------------------|
| 1. Lataya Shoulder | Lanell Whitaker |
| 2. Rose Shum | Calvin Harris |
| 3. James Lee | Curtis Williams |
| 4. Chapan Mince | Regina Bell |
| 5. Sahnoria Baxter | David L... |
| 6. Hanna Williams | Marlene M. B... |
| 7. Chaman Taylor | Wynne J. M... |
| 8. Handrice Whitaker | Willie M... |
| 9. Jonathan Thomas | Ernest J. M... |
| 10. Gregory Bar | David G... |
| 11. Larry Scott | John D. J... |
| 12. Tiffany Williams | George Thomas |
| 13. Crabone Phillips | Sabrina Thomas |
| 14. Delores Butts | Jonathan Thomas |
| 15. Guy Caran | Phyllis Bottoms |
| 16. Anthony Caran | Edwards Williams |
| 17. Liliana Jackson | Zola M... |
| 18. Indena Parker | Robert B... |
| 19. Janna Penton / India Parker | William J... |
| 20. David Shum | Charles Lynch |
| 21. Gordon S. S... | Tasha Taylor |
| 22. Reese J... | Glenn A. Philomen / Kelle |
| 23. Bert Coode | |
| 24. John Scott | |
| 25. Julia Epps | |
| 26. William Hatching | |
| 27. Elsie Graham | |
| 28. D. Clark | |
| 29. Mohammed M... | |
| 30. Valerie McNeil | |
| 31. Frederica Banks | |

PLEASE SIGN

A petition against the excessive water bill rate
from the Department of Public Works

1. Alex Shubir
2. Mohammad Shubir
3. Bob
4. Graham Chen
5. John Wilson
6. Francis Anderson
7. Suzanne O
8. James Barry
9. Maurice Barry
10. Paul Barry
11. Robert F
12. Don J
13. Sharon Davis
14. K. Vincent
15. AS LC
16. Deloris Davis
17. Darryl Webb
18. John C. Davis
19. Michael L. Davidson
20. Samantha M. Bell
21. John M. Bell
22. Linda Webb
23. Virginia Webb
24. Steven Webb
25. Maria Webb
26. The Taylor Parker
27. Clinton Williams
28. M. David Davis
29. C. J. Davis
30. Linda Davis
31. James Davis

PLEASE SIGN

A petition against the excessive water bill rate from the Department of Public Works

1. Steven & Maria Webb
2. Teresa Pina
3. Jason Love
4. Community Motors
5. Patricia Champion
6. Ken Gaudin
7. Pamela W. Simmons
8. Krishnaena Bynema
9. Richard Wynn
10. Raymond G. Muller
11. Edward Jones
12. David Dunscomb
13. David Gaudin
14. Dorsey Jones
15. Susan J. Hance
16. [Signature]
17. [Signature]
18. Latonia Aug
19. Latonya Scott
20. [Signature]
21. [Signature]
22. [Signature]
23. [Signature]
24. Josephine Clayton
25. Reginald Whitehead
26. Cynthia B. Payne
27. Michael Clark Jr.
28. [Signature]
29. [Signature]
30. [Signature]
31. [Signature]
32. Eke McNeil

PLEASE SIGN

A petition against the excessive water bill rate
from the Department of Public Works

1. Jaqueline Price
2. [Signature]
3. [Signature]
4. [Signature]
5. [Signature]
6. [Signature]
7. Trevor Phillips
8. [Signature]
9. Debbie Reel
10. Dana Reel
11. Bryan Adams
12. Robert C. Barney
13. Hebert Daniel
14. Castelle Turner
15. Nancy Turner
16. McDane G. R. R. S.
17. Kennell Green
18. Shirley H. Best
19. Arthur L. Best
20. Linda Davis
21. Te Ray Garner
22. Shelby Phillips
23. Michael Davis
24. Barbara Cooper
25. [Signature]
26. [Signature]
27. Chris Williams Jr.
28. Proctor Smith
29. Charles Daniel
30. Trevor Phillips
31. Travis Phillips

PLEASE SIGN

A petition against the excessive water bill rate
from the Department of Public Works

1. Linda Bork
2. William R. K.
3. Mc Kinley Sykes
4. Earlie A. Boone
5. Willie Rame
6. Larnell K.
7. Tennessee Rame
8. EDWARD DAVIS
9. Allen Cross
10. Joyce Simpson
11. STANLEY GILBERT LASHLEY
12. Edward Jordan
13. VICKY Hopper
14. Dwight Gilbert
15. Russell Burnum
16. Clarence Phillips
17. Duane Hammett
18. Rosanna Whitcomb
19. Howard Curry
20. Jesse R. Britt
21. Christopher Smith C. Smith
22. Wilhelmina Britt
23. Jamilla Rosemond
24. Ann Lawrence
25. Thomas Williams
26. Tammy Graham
27. Linda K.
28. Gene B. Senon
29. Ethel Greene
30. Lela Green
31. Howard DAVIS

PETITION of COMPLAINT of the excessive increase
of the (Water) ^{Sewer} Bill for the Citizens of GARYSBURG N.C.
(Flat Rate increase \$60.50)

1. Vera Lowe 200 Carlos Drive, P.O. Box 314, Garysburg N.C. 27831
2. Lois Knight-Davis 110 Carlos Dr PO Box 521 Garysburg N.C. 27831
3. Gwendolyn Rainey P.O. Box 432 Garysburg N.C. 27831
4. Mildred Buffaloe P.O. Box 760 Garysburg, N.C. 27831
5. Gwendolyn Moody P.O. Box 691 Garysburg NC 27831
6. ~~John J. Williams~~ P.O. Box 855 Garysburg N.C. 27831
7. Elizabeth Abdeeen P.O. Box 343 Garysburg N.C. 27831
8. Fuy Chis 119 Hilltop Drive Garysburg NC 27831
10. Lamin Bone P.O. Box 41 Garysburg N.C. 27831
11. Ernestine Brown P.O.
12. Anita V. Underwood PO Box 104 Garysburg NC.
- Freddie Mayo
- 14) Curtis Ransom - P.O. Box 232 Garysburg N.C. 27831
15. Clabaine Phillips
16. Joseph S. Ransom
17. Mary Clabaine 200 Maple St. Garysburg NC
18. Ina Loti Lot 9 44 Perry St Garysburg NC.
19. Harry Moore 400 Elm St 27831
20. Nancy Turner-Garner - Turners Grocery
21. Clarence + Juanda Smith
22. Robert C. May
23. ~~Sandra L. Brown~~ 301 Maple
24. ~~Archie Brown~~ 306 Maple St.
25. Minnie Whitaker 202 Carlos Dr
26. \$90 - 100 + per month

- 26.7 Ionia Fausen & Jobley CARLOS DRIVE
27. Lois & Ernest Fausen
28. Bessie Underdue CARLOS DRIVE
29. Ola Davis Perry St.
30. Louiza Webb (La Kitchen Delight)
31. Jacqueline & Melvin Burgum - Carlos Drive
32. Simon Goode - Carlos
33. Cathy Webb
34. M. J. Coates 103 CARLOS DR.
35. Cleo Perry 108 Carlos Drive
36. Miss Lynn M.
37. Mrs. Esther L. Lockett
38. Hattie H. Vine
39. Mary Robinson

Public Hearing for ROAP Grant Application:

A motion was made by Virginia Spruill and seconded by Joseph Barrett to recess regular session for the purpose of convening a Public Hearing. **Question Called:** *All present voting yes.*

Motion carried.

Ms. Joslyn Reagor, Office on Aging Director, appeared before the Board to obtain approval of the Northampton County Rural Operating Assistance Program (ROAP) Grant Application FY 2014-2015.

Ms. Reagor is asking the Commissioners to allow her the opportunity to submit the application as well as to accept and approve the allocation as shown on attachment 1.

Chairman Carter called for citizens comments.

A citizen asked what the three programs were. Mr. Carter replied that the three programs are the Elderly and Disabled, the Workfirst, and the Rural General Public.

Chairman Carter called for Board comments.

Commissioner Barrett asked if this was the same funding as last year. Chairman Carter replied that it is the same as last year.

Ms. Turner asked Ms. Reagor if she could state the providers and the funding for each provider for the public's purpose. Ms. Reagor stated that JW Faison Senior Center is requesting \$31,993, Roanoke Valley Adult Day is asking for \$20,000, Workfirst Aging is asking for \$8,895, and the General Transportation Program Provider is CPTA who is asking for \$47,424.

Chairman Carter declared the Public Hearing closed.

A motion was made by Fannie Greene and seconded by Virginia Spruill to approve the application that is requested in the amount of \$108,312. **Question Called:** *All present voting yes.* **Motion carried.**

Ms. Reagor noted that there is a volunteer sheet for the audience to sign saying that they were here for the hearing and that they support her on this issue.

**PLEASE SEE SCANNED DOCUMENTS WHICH ARE
HEREBY MADE A PART OF THESE MINUTES:**

DECISION PAPER

To: Northampton County Board of Commissioners
From: Office on Aging
Date: October 20, 2014
Reference: Rural Operating Assistance Program Application

Purpose: To obtain the Boards approval of the Northampton County Rural Operating Assistance Program (ROAP) Grant Application FY 2014-2015.

Facts:

1. The Rural Operating Assistance Program (ROAP) consolidates the Elderly and Disabled Transportation Assistance Program, Rural General Public Transportation Program and Work First Transitional-Employment Program into one application.
2. Northampton County has been allocated \$ 51,993. for the Elderly and Disabled Transportation Program, \$8,895. for the Work First Transportation Program and \$47,424 for Rural General Public Transportation through the North Carolina Department of Transportation.
3. No local match is required from Northampton County.
4. Choanoke Public Transportation authority (CPTA) has applied for the Rural General Public funds and Northampton County Department of Social Services has applied for Work First Transitional-Employment funding.
5. It is the responsibility of the Northampton County Office on Aging Financial Advisory Board to recommend allocations and service providers for the elderly and Disabled Transportation funding. (Attachment 1).

Discussion:

The Elderly and Disabled Transportation Assistance Program provides transportation to senior adults and disabled residents. The Work First/Employment program provides operating assistance for transitional Work First and general public employment transportation needs. The Rural General Public Program provides transportation services to individuals who are not human service agency clients. The Office on Aging Financial Advisory Board has prioritized transportation needs as medical, multipurpose, nutrition, education, employment and social/recreational for the purpose of the elderly and Disabled Transportation Assistance Program.

Conclusion:

Approval of the Rural Operating Assistance Program (ROAP) applicants and recommended allocations will allow Northampton County to submit the grant application and thereby, continuing transportation services.

Recommendation:

That the Board of County Commissioners approves the Rural Operating Assistance Program application and recommended allocations as identified in Attachment 1.

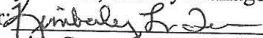
Respectively Submitted,



Joslyn Debraux-Reagor, Director

Coordination:

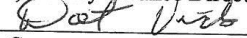
Kimberly Turner, County Manager

Concur:  10/14/14

Concur with Comment: _____

Non-Concur: _____


Dorothy Vick, County Finance Director

Concur:  10-14-14

Concur with Comment: _____

Non Concur: _____

Joslyn Debraux-Reagor, Office on Aging Director

Concur: 

Concur with Comment: _____

Non- Concur _____

**ATTACHMENT 1
ROAP FY 2014-2015**

Elderly and Disabled Transportation Assistance Program

Provider	Funding
J. W. Faison Senior Center	\$ 31,993.00
Roanoke Valley Adult Day	\$ 20,000.00

Work First Transitional/Employment Transportation Program

Provider	Funding
Aging	\$ 8,895.00

Rural General Public Transportation Program

Provider	Funding
CPTA	\$ 47,424.00

Preservation Proposal:

Mrs. Pauline Deloatch, Register of Deeds Director, appeared before the Board to obtain approval for monies for 28 recorder binders to replace worn binders for permanent real estate indexes from 1741 to 1976.

Mrs. Deloatch noted that she has included proposals from three vendors for the Board to review. She is recommending C.W. Warthen Records Preservation Specialists who provided the lowest bid. The funds will be coming out of the Automation Funds which are collected in the Register of Deeds office and part of that money is for the preservation of permanent records.

Commissioner Spruill asked if the fund can support all of this work. Mrs. Deloatch confirmed that it can.

A motion was made by Virginia Spruill and seconded by Chester Deloatch that the Northampton County Board of Commissioners approve the proposal with C.W. Warthen in conjunction with RecordsSave/Etherington Conservation Services. **Question Called:** *All present voting yes.*
Motion carried.

Commissioner Barrett asked Mrs. Deloatch if C.W. Warthen is the same company that has done the other preservation for us. Mrs. Deloatch replied that they are.

**PLEASE SEE SCANNED DOCUMENTS WHICH ARE
HEREBY MADE A PART OF THESE MINUTES:**

DECISION PAPER

TO: Northampton County Board of Commissioners

FM: Pauline E. Deloatch, Register of Deeds

DT: September 11, 2014

RE: Preservation Proposal

PURPOSE: The purpose of this decision paper is to obtain the approval of the Board of Commissioners to approve monies for 28 recorder binders, 18 x 14 inch, standard capacity, to replace worn binders for permanent real estate indexes from 1741 to 1976. Three proposals have been submitted for professional services from (1) Logan Systems, Inc., (2) C. W. Warthen Records Preservation Specialists and (3) R. L. Ballard and Associates and Northampton County to provide professional services to the Northampton County Register of Deeds for replacement binders for permanent records maintained in the office of Register of Deeds.

FACTS:

- 1) Logan Systems, Inc. proposal is for **\$5,785.51**.
- 2) C. W. Warthen Records Preservation Specialists proposal is for **\$5,525.28**, and
- 3) R. L. Ballard and Associates proposal is for **\$5,790.29** (and does not include shipping).
- 4) ***Monies for proposal will come out of the Automation Fund*** (G.S. 161-11.3).
- 5) C. W. Warthen proposal is the lowest submitted.

DISCUSSION: All three companies have provided outstanding service to other Registers of Deeds throughout the State of North Carolina, the Library of Congress and others.

The proposal and G.S. 161-11.3 are attached along with Automation Fund balance from Finance.

RECOMMENDATION: Recommend that the Northampton County Board of Commissioners to approve the proposal with C. W. Warthen in conjunction with RecordsSave/Etherington Conservation Services.

RESPECTFULLY,



Pauline E. Deloatch
Register of Deeds

COORDINATION:

Finance Officer: Mrs. Dorothy Vick

Concur:

Dorothy Vick

Concur with Comment:

Balance in automation fund \$57,804.53

Non-concur:

6-30-14

County Manager: Ms. Kimberly Turner, County Manager

Concur:

Kimberly Turner 9/15/14

Concur with Comment:

Non-concur:



LOGAN SYSTEMS, INC.
P.O. Box 20844 • Greensboro, NC 27420
4003 Clifton Road • Greensboro, NC 27407
Toll Free: 1-800-342-2208 • Fax: 336-299-9905



August 21, 2014

Pauline Deloatch
Register of Deeds
Northampton County Courthouse
101 Thomas Bragg Street
Jackson, NC 27845

Re: Binder Quote

Dear Ms. Deloatch:

I am writing in response to your request for a quote for 28 recorder binders, 18 x 14 inch, standard capacity. Those binders would be \$189.88 each for a total of \$5,316.64. Shipping is estimated at \$110.00.

Combined cost of binders, shipping and tax would be \$5,785.51.

If you have questions regarding this pricing, please let me know.

Sincerely,

Natalie Sanders



(804) 559-5949

Northampton County
Pauline Deloatch, Register of Deeds
P. O. Box 128
Jackson, NC 27845

July 25, 2014

Dear Ms. Deloatch,

I am pleased to offer a quotation on the following:

Record Binders For Index Books (Poly) 28 @ \$179.50 each..... \$5,026.00
Shipping..... \$150.00
Plus 6.75% tax..... \$349.38
Total..... \$5,525.28

Thank you for the opportunity to quote and we hope to have the pleasure of your business.

Sincerely,

A handwritten signature in black ink, reading 'Greg Brooks'.

Greg Brooks
President

SERVICES

Record Book
Conversion

Record Book
Repairs

Canvas Covers

Book Binding

City Office
Scanning

Wide Format
Plot Scanning

Digital to
Microfilm
Conversion

Microfilm
to Digital
Conversion

Computerized
File Systems

Book File
Conversion

Record Room
Shelving

Mobile Filing
Systems

File Cabinets

Custom Printed
File Folders
Coversheets

Mouse Cords
& Mouse Mats

R. L. Ballard and Associates
 3500 Wedgewood Drive
 New Bern, NC 28562
 (252) 637-3002

Estimate

DATE	ESTIMATE NO.
7/16/2014	1731

NAME / ADDRESS
Northampton County Register of Deeds P.O. Box 128/101 Thomas Bragg St Jackson, NC 27845

			PROJECT
DESCRIPTION	QTY	COST	TOTAL
Binder Misc., Index Binders	28	193.72	5,424.16T
R.L. Ballard & Associates are from New Bern, NC. If you have any questions please contact me at 252-637-3002. Thank you for letting me quote these binders. NC/County Sales Tax		6.75%	366.13
It's been a pleasure working with you!			TOTAL \$5,790.29

FCC Spectrum Lease Agreement with SENSUS, SR 1284- Butler Drive Utility Relocation Agreement, and Landfill Gas Monitoring for NHC Closed Landfill:

Mr. Jason Morris, Public Works Director, appeared before the Board to obtain approval on a Spectrum Lease Agreement with Sensus in connection with the radio-read water meters.

Mr. Morris said he was contacted by Sensus which is our meter provider for our radio read system that Public Works is installing. There are new regulations imposed by the FCC. They are requiring the license holders for the radio frequencies to have subleases to the governments or entities that are the end user. The County is the end user for these radio frequencies. This agreement is a sublease agreement between the County and Sensus. Sensus is the license holder for the radio frequencies.

Chairman Carter asked if there was any fee. Mr. Morris replied no.

Commissioner Spruill asked if there was a cost connected to this agreement. Mr. Morris replied no.

Vice-Chairwoman Greene asked if this was an ongoing lease. Mr. Morris replied yes.

A motion was made by Joseph Barrett and seconded by Fannie Greene that the Northampton County Board of Commissioners approve the Spectrum Lease Agreement with Sensus. **Question Called: All present voting yes. Motion carried.**

Mr. Morris also appeared before the Board to obtain approval for a Utility Relocation Agreement with NCDOT to relocate the existing water main for the NC State Highway Project 1.206611.

Mr. Morris explained that this was a reimbursable agreement with NCDOT for some work that is to be done on Butler Drive, State Road 1284. They are looking to replace some existing pipes where the County's water line is located. It could be interfered with, so they are looking to do some work to set up a bypass to allow the citizens back there to continue with water. It is a possibility the road could be shut down a couple of days while they do this replacement. Public Works will be doing all the work with County forces; they will not be contracting anything out. Any charges that DOT will be charged for are set upon the rates that the Board had approved back in May. Also, materials and time will be reimbursed.

Commissioner Barrett asked where Butler Drive is. Mr. Morris said it is off of River Rd.

Commissioner Spruill asked why this was necessary. Mr. Morris replied that NCDOT is doing a pipe replacement of two existing pipes. He said it is a very deep ravine and he believes the road is washing away. They are looking to start work at the end of the month.

Chairman Carter said his concern is that there is a citizen that has come before them on several occasions about the deterioration of her driveway, and DOT does not want to do anything for her, but they want to work on this road. Mr. Morris stated that this is a state maintained road. The other road Chairman Carter is referring to is not a state maintained road.

A motion was made by Fannie Greene and seconded by Joseph Barrett to approve the Utility Relocation Agreement for the NC State Highway Project 1.206611. **Question Called: All present voting yes. Motion carried.**

Mr. Morris also appeared before the Board to obtain approval and acceptance by the Board of Commissioners to enter into an agreement with S&ME for preparing a methane monitoring plan acceptable and approved by NCDENR, installation of Landfill Gas Probes, and quarterly monitoring and reporting of methane gases acceptable as required by NCDENR.

Mr. Morris came before the Board a month ago for an exemption on a General Statute related to this issue. He has gone to engineering firms to get cost related to perform this work; preparing a landfill gas monitoring plan that would be accepted by NCDENR, then the installation of the landfill gas monitoring wells, then the quarterly monitoring of the wells.

Vice-Chairwoman Greene asked if the landfill was closed. Mr. Morris confirmed that it has been closed since 1993. He said they operate a convenience center at the landfill where they accept construction and demolition debris, but nothing is buried there.

Commissioner Barrett said he noticed that there is a discrepancy in gas probe costs as well as the monitoring costs. He asked if the monitoring costs are an annual fee. Mr. Morris replied that this is a total proposal to take care of the issue from the beginning to the full four quarterly monitoring. He said when it comes back around, he will probably re-evaluate, get costs from engineering firms again just to do the monitoring on these sites, and then they can make it into a 12-month agreement with an engineering firm to do the quarterly monitoring. He also mentioned that there is a potential cost savings in the gas monitoring because it could be done at the same time as their ground water monitoring.

Commissioner Barrett said he is asking this because the company that has been chosen, S&ME is \$2,400 higher in its monitoring costs even though the installation cost is quite a bit lower. Over a certain time that you had to pay the additional \$2,400, you can easily see you may not be getting the best situation. Mr. Morris said he will probably go back and look into getting another firm to give quotes again. Commissioner Barrett said he is still confused. Right now, it is only the installation of the monitoring system itself, not the monitoring part. Mr. Morris said they are going to do the monitoring. He said there is a possibility they won't do four monitors because it is already October. The monitoring has to be done quarterly. Commissioner Barrett asked if the \$3,600 cost is for one sample, or do you have to multiply that times four. Mr. Morris said no, it is \$900 per visit per quarter for a potential of seven monitoring wells, and there is a full report that is done that will be submitted to NCDENR.

Vice-Chairwoman Greene wanted to clarify that Mr. Morris stated that he will revisit with them to look at the monitoring fee. Mr. Morris said not for now, at the end of the fiscal year there will be a different proposal, a different contract. This would just get the wells in and monitored for four quarters. Then they would come back again and he may approach the same engineering firms that had given quotes and see if they would be willing to give another quote for the gas monitoring wells.

Commissioner Deloatch asked if anyone has ever monitored before. Mr. Morris said they don't have anyone. They are being required by NCDENR to put these in place in accordance with a rule that was in their closure letter from 1993.

A motion was made by Joseph Barrett and seconded by Virginia Spruill to approve and accept the proposal of S&ME for preparing a methane monitoring plan acceptable and approved by NCDENR, installation of Landfill Gas Probes (7), and quarterly monitoring and reporting of methane gases acceptable as required by NCDENR; and authorize you as Chairman, the County Manager, the County Attorney and other staff as appropriate to develop and execute all subsequent related contract documents as may be necessary to administer the project. **Question Called:** *All present voting yes.* **Motion carried.**

**PLEASE SEE SCANNED DOCUMENTS WHICH ARE
HEREBY MADE A PART OF THESE MINUTES:**

DECISION PAPER

To: Northampton County Board of Commissioners

From: Jason S. Morris, Public Works Director

Date: October 20, 2014

Reference: FCC Spectrum Lease Agreement with Sensus

Purpose: The purpose of this Decision Paper is to obtain approval by the Board of Commissioners a Spectrum Lease Agreement with Sensus in connection with the radio-read water meters.

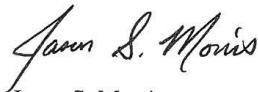
Facts:

1. The water meters being installed with the Phase V project uses radio frequencies to transmit the readings to drive-by equipment.
2. Sensus holds the FCC License for the radio frequencies to be used by this equipment.
3. Updated regulation by the FCC requires the end user (Northampton County) to hold a sub-lease for these frequencies from the license holder (Sensus).

Discussion: The purpose of this agreement is to remain in compliance with FCC guidelines and regulations for the use of radio frequencies for the radio-read water meters being installed within the county. Sensus holds the license for the for any radio frequency used by our drive-by equipment. FCC regulation requires the end user to hold a sub-lease from Sensus for the use of these frequencies.

Recommendation: In consultation with the County Attorney, the County Manager, and Finance Director, the Public Works Department recommends the Northampton County Board of Commissioners approve the Spectrum Lease Agreement with Sensus.

Respectfully submitted,



Jason S. Morris
Public Works Director

Coordination:

Finance Officer

Concur Def Vrb 10-9-14

Non-concur _____

Concur with comment _____

County Manager

Concur Kimberly R. Dunn 10/10/14

Non-concur _____

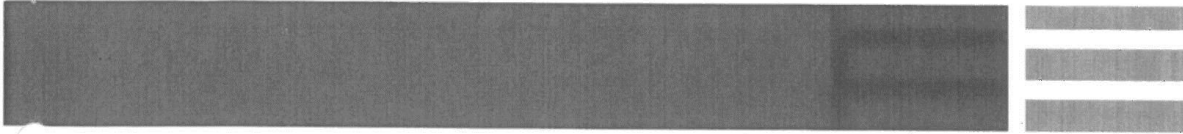
Concur with comment _____

Action by Decision Makers

Approved _____

Disapprove _____

Other _____



**FCC Notification for Spectrum Manager Lease
Ownership Disclosure Information
and
Spectrum Lease Agreement
("Agreement")**

This Agreement contains two parts: Part (1) is The FCC Notification for Spectrum Manager Lease, to be filed with the FCC by Sensus on behalf of the Customer, coupled with Ownership Disclosure Information required for the FCC lease and Part (2) is a Spectrum Lease Agreement between Sensus as Lessor and Customer as Lessee. Together, these two parts create the Agreement.

The number of pages in this Agreement is indicated below, and Customer represents that it has received, reviewed, and completed the entire Agreement. By their signatures below, the parties agree to the terms and conditions set forth in this Agreement. The parties have caused this Agreement to be executed by their duly authorized representatives as of the day and year written below.

Sensus USA Inc. & Sensus Spectrum, LLC (together, "Sensus")	Customer: Northampton County Public Works (NC)
Sensus USA Inc. Signature: _____ Name: <u>Colin Flannery</u> Title: <u>Vice President</u> Date: _____	Signature: <u>Jason S. Morris</u> Name: <u>Jason S. Morris</u> Title: <u>Public Works Director</u> Date: <u>September 30, 2014</u>
Sensus Spectrum, LLC Signature: _____ Name: <u>Colin Flannery</u> Title: <u>Vice President</u> Date: _____	Customer contact person for FCC filings: Name: <u>Jason S. Morris</u> Phone: <u>252-534-6341 Ext. 307</u> Email: <u>jason.morris@nhcnc.net</u> Customer FRN: _____ Customer Tax ID: <u>56-6000325</u>



Part 1: Notification for Spectrum Manager Lease

In order for Sensus to apply to the FCC on the Customer's behalf for a spectrum manager lease, Customer must complete the information below in boxes one (1) through ten (10) and certify via authorized signature. Customer's signature will indicate that Customer authorizes Sensus to file the spectrum manager lease notification on FCC Form 608 with the Customer as spectrum Lessee, and if Customer does not already have one, ownership disclosure information on FCC Form 602.

Customer / Lessee Information

1	Customer/Lessee Name: Northampton County Public Works		
	Attention To: Jason S. Morris		Name of Real Party in Interest: Northampton County, North Carolina
	Street Address: 9371 NC Hwy 305 (PO Box 68)		City: Jackson
	State: North Carolina	Zip: 27845	Phone: 252-534-6341 Ext. 307
	Fax: 252-534-1525		Email: jason.morris@nhcnc.net
	Is Customer contact information same as above? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (If No, complete box 2 below)		

Additional Customer/Lessee Contact Information

2	Company Name:		
	Attention To:		
	Street Address:		City:
	State:	Zip:	Phone:
	Fax:		Email:

3	Customer/Lessee is a(n) (Select one): <input type="checkbox"/> Individual <input type="checkbox"/> Unincorporated Association <input type="checkbox"/> Trust		
	<input checked="" type="checkbox"/> Government Entity <input type="checkbox"/> Corporation <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input type="checkbox"/> Limited Liability Partnership <input type="checkbox"/> Consortium <input type="checkbox"/> Other _____		

4	FCC Form 602: FCC File Number of Customer's Form 602 Ownership Information: _____. If Customer has not filed a Form 602, Sensus will file one for Customer. Please complete questions 5, 6, and 7 below if Customer does <u>not</u> have a Form 602 on file.		
	Customer must complete items 8, 9 and 10 irrespective of whether Customer has an ownership report on file.		

5	Customer Tax ID: 56-6000325
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6	Individual Contact For FCC Matters		
	Please designate one individual (the Director of Public Works or similar person) who is responsible to the FCC for the operation of the FlexNet radio system. This person would need to obtain his or her own personal FRN (FCC Registration Number) by going to the link below and completing the individual FRN registration.		
	Name Jason S. Morris		
	Title: Public Works Director		
	Email: jason.morris@nhcnc.net		Phone: 252-534-6341 Ext. 307
	Personal FRN: 0023974116		
	Link for obtaining personal FRN: https://apps.fcc.gov/coresWeb/regEntityType.do		

Ownership Disclosure Information

7	Customer/Lessee to list the names of the President and all Board Members below, as well as verify citizenship and ownership interests in any entity regulated by the FCC. Such ownership must be disclosed where a President/Board member owns 10% or more, directly or indirectly, or has operating control of any entity subject to FCC regulation. If any answer to Ownership question is Yes, or any answer to Citizenship question is No, provide an attachment with further explanation.		
		US Citizen?	Ownership Disclosure?
	President:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Board Member: Robert V. Carter, Chairman	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Board Member: Fannie P. Greene, Vice-Chairwoman	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Board Member: Joseph Barrett	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Board Member: Chester Deloatch	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Board Member: Virginia Spruill	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Board Member:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Board Member:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Board Member:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Board Member:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Alien Ownership Questions (if the answer is Yes, provide an attachment explaining the circumstances)

8	1) Is the Customer/Lessee a foreign government or the representative of any foreign government?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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Basic Qualification Information

9	1) Has the Customer or any party to this application had any FCC station authorization, license, or construction permit revoked or had any application for an initial, modification or renewal of FCC station authorization, license or construction permit denied by the Commission?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	2) Has the Customer or any party to this filing, or any party directly or indirectly controlling the Customer or any party to this filing ever been convicted of a felony by any state or federal court?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	3) Has any court finally adjudged the Customer or any party directly or indirectly controlling the Customer guilty of unlawfully monopolizing or attempting to unlawfully monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement, or any other means or unfair methods of competition?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Customer/Lessee Certification Statements

10	1) The Customer/Lessee agrees that the Lease is not a sale or transfer of the license itself.	<input checked="" type="checkbox"/> Yes
	2) The Customer/Lessee acknowledges that it is required to comply with the Commission's Rules and Regulations and other applicable law at all times, and if the Customer/Lessee fails to so comply, the Lease may be revoked, cancelled, or terminated by either the Licensee or the Commission.	<input checked="" type="checkbox"/> Yes
	3) The Customer/Lessee certifies that neither it nor any other party to the Application/Notification is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C § 862, because of a conviction for possession or distribution of a controlled substance (See Section 1.2002(b) of the rules, 47 CFR § 1.2002(b), for the definition of "party to the application" as used in this certification.)	<input checked="" type="checkbox"/> Yes
	4) The Customer/Lessee hereby accepts Commission oversight and enforcement consistent with the license and lease authorization. The Lessee acknowledges that it must cooperate fully with any investigation or inquiry conducted either by the Commission or the Licensee, allow the Commission or the Licensee to conduct on-site inspections of transmission facilities, and suspend operations at the direction of the Commission or the Licensee and to the extent that such suspension of operation would be consistent with applicable Commission policies.	<input checked="" type="checkbox"/> Yes

5) The Customer/Lessee acknowledges that in the event an authorization held by a Licensee that it has association with it a spectrum leasing arrangement that is the subject of this filing is revoked, cancelled, terminated, or otherwise ceases to be in effect, the Customer/Lessee will have no continuing authority to use the leased spectrum and will be required to terminate its operations no later than the date on which the Licensee ceases to have any authority to operate under the license, unless otherwise authorized by the Commission.	<input checked="" type="checkbox"/> Yes
6) The Customer/Lessee agrees the Lease shall not be assigned to any entity that is not eligible or qualified to enter into a spectrum leasing arrangement under the Commission's Rules and Regulations.	<input checked="" type="checkbox"/> Yes
7) The Customer/Lessee waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by spectrum lease or otherwise.	<input checked="" type="checkbox"/> Yes
8) The Customer/Lessee certifies that it is not in default on any payment for Commission licenses and that it is not delinquent on any non-tax debt owed to any federal agency.	<input checked="" type="checkbox"/> Yes

The Customer/Lessee certifies that all of its statements made in this Application/Notification and in the schedules, exhibits, attachments, or documents incorporated by reference are material, are part of this Application/Notification, and are true, complete, correct, and made in good faith. The Customer/Lessee shall notify Sensus in writing in the event any information supplied on this form changes.

Type or Printed Name of Party Authorized to Sign

First Name: Robert	MI: V.	Last Name: Carter	Suffix:
Title: Northampton County Commissioner, Board Chairman		Customer Name: Northampton County Public Works	
Signature:			Date:
FAILURE TO SIGN THIS APPLICATION MAY RESULT IN DISMISSAL OF THE APPLICATION AND FORFEITURE OF ANY FEES PAID.			
WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001) AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. Code, Title 47, Section 312(a)(1)) AND/OR FORFEITURE (U.S. Code Title 47, Section 503).			

This Instrument has been pre-audited in the manner as

Per NC.G.S. 159-28 (a) Dot V. V. 10-9-14
Finance Officer

Part 2: SPECTRUM LEASE AGREEMENT

Background

- A. Customer has bought or will buy or use FlexNet equipment manufactured by Sensus;
- B. Sensus is leasing spectrum to Customer to operate the FlexNet equipment;
- C. The spectrum that Sensus is leasing is authorized by Sensus' FCC License(s); and
- D. Sensus is leasing spectrum to Customer in the area where FlexNet equipment will be operated (the "Service Area").

Agreement

- A. **Spectrum Lease.** Sensus hereby grants to Customer and Customer accepts a spectrum manager lease ("Lease") over the frequencies of the FCC License and solely within Customer's Service Area. (The frequencies of the FCC License within Customer's geographic Service Area are called the "Leased Spectrum"). For use of the spectrum, Sensus shall partition \$900 from the annual/monthly or other ongoing fees already being paid by Customer, and such amount is hereby allocated to the spectrum Lease pursuant to this Agreement.
- B. **FCC Forms.** At the Federal Communications Commission (FCC), Sensus will; (1) obtain an FCC Registration Number (FRN) for Customer; (2) submit on behalf of Customer the FCC Form 602 Ownership Disclosure Information if Customer has not already done so; and (3) file a FCC Form 608, notification/application for long-term spectrum manager lease. This Lease becomes effective when the FCC accepts the FCC Form 608.
- C. **Lease Application.** In order to complete the FCC lease application, Customer will:
 - i. Complete and sign the representations in Part 1 of this Agreement such that Customer demonstrates it qualifies for a spectrum lease under FCC rules. Customer's signature will indicate that Customer authorizes Sensus to; (1) obtain an FRN on behalf of Customer; (2) submit the FCC Form 602 Ownership Disclosure Information on behalf of Customer if Customer has not already done so; and (3) file the spectrum manager lease notification on FCC Form 608 with the Customer as spectrum lessee.
 - ii. Give Sensus the coordinates of the boundaries of Customer's Service Area or, alternatively, approve Sensus' estimation of the same.
 - iii. If Customer has not already done so; Customer hereby authorizes Sensus to apply on Customer's behalf and obtain for Customer a Federal Registration Number (FRN, the FCC's unique identifier for each licensee) and shall supply Sensus with Customer's Taxpayer Identification Number (TIN).
 - iv. Provide any other information or other cooperation reasonably necessary for the Parties to perform as set forth herein.
- D. **Permitted Use of Spectrum Lease.** Customer may transmit or receive over the Leased Spectrum only in the Service Area and only using FlexNet equipment manufactured by Sensus and used in accordance with Sensus' specifications. Customer may use the Leased Spectrum only to read and direct meters in support of Customer's primary utility business or any other operation approved by Sensus in writing. Without limiting the foregoing, Customer is prohibited from reselling, subleasing or sublicensing the Leased Spectrum or from transmitting voice communications over the Leased Spectrum.
- E. **Term of Spectrum Lease.** Unless terminated earlier (because for example Customer stopped using the FlexNet equipment), this Lease will have the same term as the FCC license. If Customer is operating in compliance with this Agreement and Customer's underlying agreement with Sensus and is current on any payments owed to Sensus, when the FCC License renews, the Parties will apply to the FCC to renew this Lease.
- F. **Termination of Spectrum Lease.** The Lease will terminate: (a) two months after Customer stops transmitting with FlexNet equipment manufactured by Sensus; (b) upon termination, revocation or expiration of the FCC License; or (c) upon Customer's breach of this Agreement.
- G. **FCC Compliance.** The following FCC requirements apply
 - i. Pursuant to 47 CFR 1.9040(a);
 - (a) Customer must comply at all times with applicable FCC rules. This Agreement may be revoked by Sensus or the FCC if Customer fails to so comply;
 - (b) If the FCC License is terminated, Customer has no continuing right to use the Leased Spectrum unless otherwise authorized by the FCC;
 - (c) This Agreement is not an assignment, sale or other transfer of the FCC License;
 - (d) This Agreement may not be assigned except upon written consent of Sensus, which consent may be withheld in its discretion; and
 - (e) In any event, Sensus will not consent to an assignment that does not satisfy FCC rules.
 - ii. Referencing 47 CFR 1.9010, Sensus retains *de jure* and *de facto* control over the applicable radio facilities, including that,

- (a) Sensus will be responsible for Customer's compliance with FCC policies and rules. Sensus represents and warrants that it has engineered the FlexNet equipment and accompanying software and other programs to comply with FCC rules. Customer will operate the FlexNet equipment subject to Sensus' supervision and control and solely in accordance with Sensus' specifications. Sensus retains the right to inspect Customer's radio operations hereunder and to terminate this Agreement or take any other necessary steps to resolve a violation of FCC rules, including to order Customer to cease transmission. Sensus will act as spectrum manager in assigning spectrum under the FCC License so as to avoid any harmful interference or other violation of FCC rules. Sensus will be responsible for resolving any interference complaints or other FCC rule violations that may arise; and
 - (b) Sensus will file any necessary FCC forms or applications and Customer agrees reasonably to assist Sensus with such filing by providing any necessary information or other cooperation. Sensus will otherwise interact with the FCC with respect to this Agreement, the FCC License or FlexNet equipment.
- H. **Interference.** Customer agrees to report to Sensus promptly, and in no event later than 72 hours afterward, any incident related to the Leased Spectrum, including where Customer experiences harmful interference, receives a complaint or other notice of having caused harmful interference, or receives any type of communication from the FCC or other government agency regarding radio transmission.
- I. **Limitation of Liability.** Each parties' liability in any and all causes of action arising under, out of or in relation to this Agreement, its negotiation, performance, breach or termination (collectively, "Causes of Action") shall be limited to direct damages. Neither party shall be liable for any indirect, incidental, special or consequential damages. This is so whether the Causes of Action are in tort, including, without limitation, negligence or strict liability, in contract, under statute or otherwise. The limitations on liability set forth in this Agreement are fundamental inducements to both parties to enter into this Agreement. They apply unconditionally and in all respects. They are to be interpreted broadly so as to give the maximum protection permitted under law.
- J. **E-Verify Compliance.** Employers and their subcontractors with twenty-five (25) or more employees in the State of North Carolina as defined in Article 2 of Chapter 64 of the North Carolina General Statutes must comply with E-Verify requirements in order to contract with governmental units. E-Verify is a program operated by the United States Department of Homeland Security and other federal agencies, or any successor or equivalent program used to verify the work authorization of newly hired employees. Sensus certifies that it is aware of and in compliance with the requirements of E-Verify and Article 2 of Chapter 64 of the North Carolina General Statutes. In addition, Sensus certifies that to the best of its knowledge, any subcontractors employed by it as a part of this agreement are in compliance with the requirements of E-Verify and Article 2 of Chapter 64 of the North Carolina General Statutes. Sensus acknowledges and agrees that local governments are prohibited from contracting with persons or entities that do not comply with E-Verify requirements and that Northampton County, North Carolina is relying on the certifications set forth herein in order to contract with Sensus.

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###

EXHIBIT A

FCC LICENSE(S) AND LICENSED FREQUENCIES

Call Sign	Market Number	Channel Block	Market Name
WQDP646	BEA019	AM	Raleigh-Durham-Chapel Hill, NC
WQDP647	BEA019	AN	Raleigh-Durham-Chapel Hill, NC
WQDP648	BEA019	AO	Raleigh-Durham-Chapel Hill, NC
WQDP649	BEA019	AP	Raleigh-Durham-Chapel Hill, NC

EXHIBIT B

GEOGRAPHIC BOUNDARIES OF UTILITY'S SERVICE AREA

Channels (Base/Remote Frequency)	Locations (Coordinates)
932.0000 - 932.0125 MHz uplink, 932.0375 - 932.0500 MHz downlink	The service area is the entire county of Northampton, NC.

Decision Paper

To: Northampton County Board of Commissioners

From: Jason S. Morris, Director Public Works

Date: October 20, 2014

Reference: SR 1284 (Butler Drive) Utility Relocation Agreement

Purpose: The purpose of this decision paper is to obtain approval of the Board of Commissioners for a Utility Relocation Agreement with NCDOT to relocate existing water main for the NC State Highway Project 1.206611.

Facts:

1. NCDOT has a project to replace an existing 24"x 26' RCP and 30" x 26' CMP with a 96"x 60' CAP without headwalls. The existing 6" water main is located on top of the existing pipe to be replaced and will need to be relocated to give adequate space for NCDOT improvements.
2. A by-pass will be installed in order to provide customers with uninterrupted water flow. Upon completion of the new storm drain pipe being installed by NCDOT, the waterline will be re-positioned to fit over the new pipe being installed.
3. All work and parts will be supplied by Northampton County Public Works Department. Time records of all personnel and records of parts used on this project will be documented.
4. Costs will be reimbursed by NCDOT in accordance with current rates as approve previously by the Northampton County Board of Commissioners.

Discussion: All costs associated with this relocation of Northampton County water lines will be reimbursed to the county from NCDOT in accordance with the utility relocation agreement. It is estimated that the costs of this project will not exceed \$25,000.00.

Recommendation: It is the recommendation of the Public Works Department that the Board of Commissioners approve the Utility Relocation Agreement for NC State Highway project no. 1.206611.

Respectfully submitted,



Jason S. Morris
Public Works Director

Coordination:

Finance Officer

Concur Dot Vink 10-9-14

Non-concur _____

Concur with comment _____

County Manager

Concur Kimberley L. Jan 10/10/14

Non-concur _____

Concur with comment _____

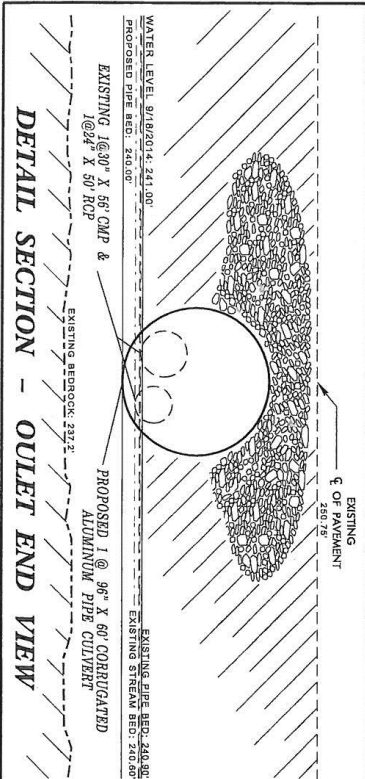
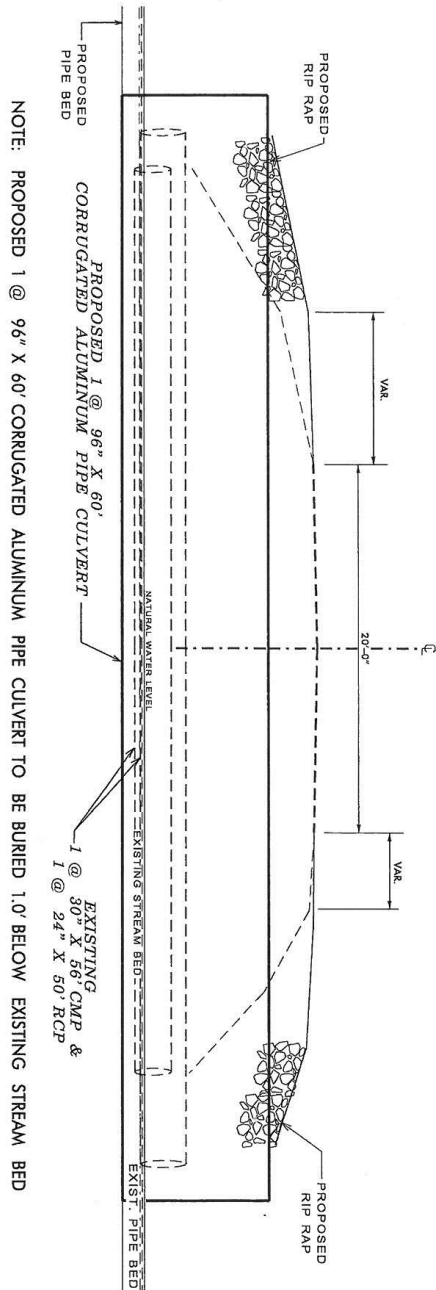
Action by Decision Makers

Approve _____

Disapprove _____

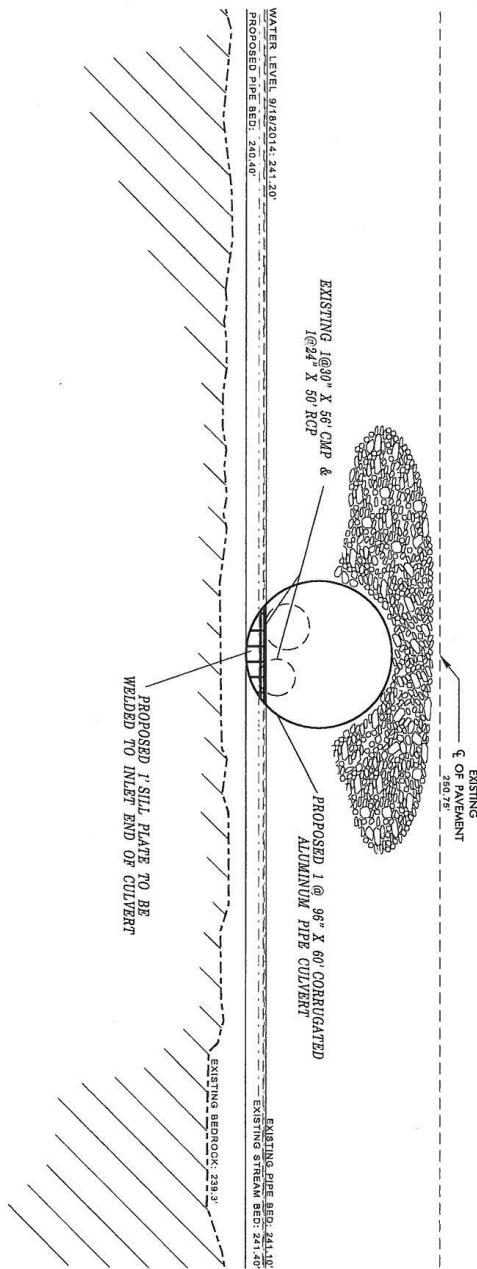
Other _____

DETAIL SECTION - CROSS SECTION



SYMBOLS	
—	PROPOSED CROSS SECTION
- - -	EXISTING CROSS SECTION
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION	
DIVISION 1	
113 AIRPORT DR.	
EDENTON, NC 27832 (282) 482-1850	
COUNTY: NORTHAMPTON	WBS#: 1.206811
QUAD: VALENTINES	DATE: SEPTEMBER 25, 2014
BASIN: ROANOKE	SHEET: 2 OF 3
PLACEMENT OF PIPE CULVERT ON SR 1284 BUTLER DRIVE	
LAT. = 36.526960 N	LONG. = 77.837896 W
DRAWN BY: D.H. STALLINGS	SCALE: 1" = 5'

DETAIL SECTION - INLET END VIEW



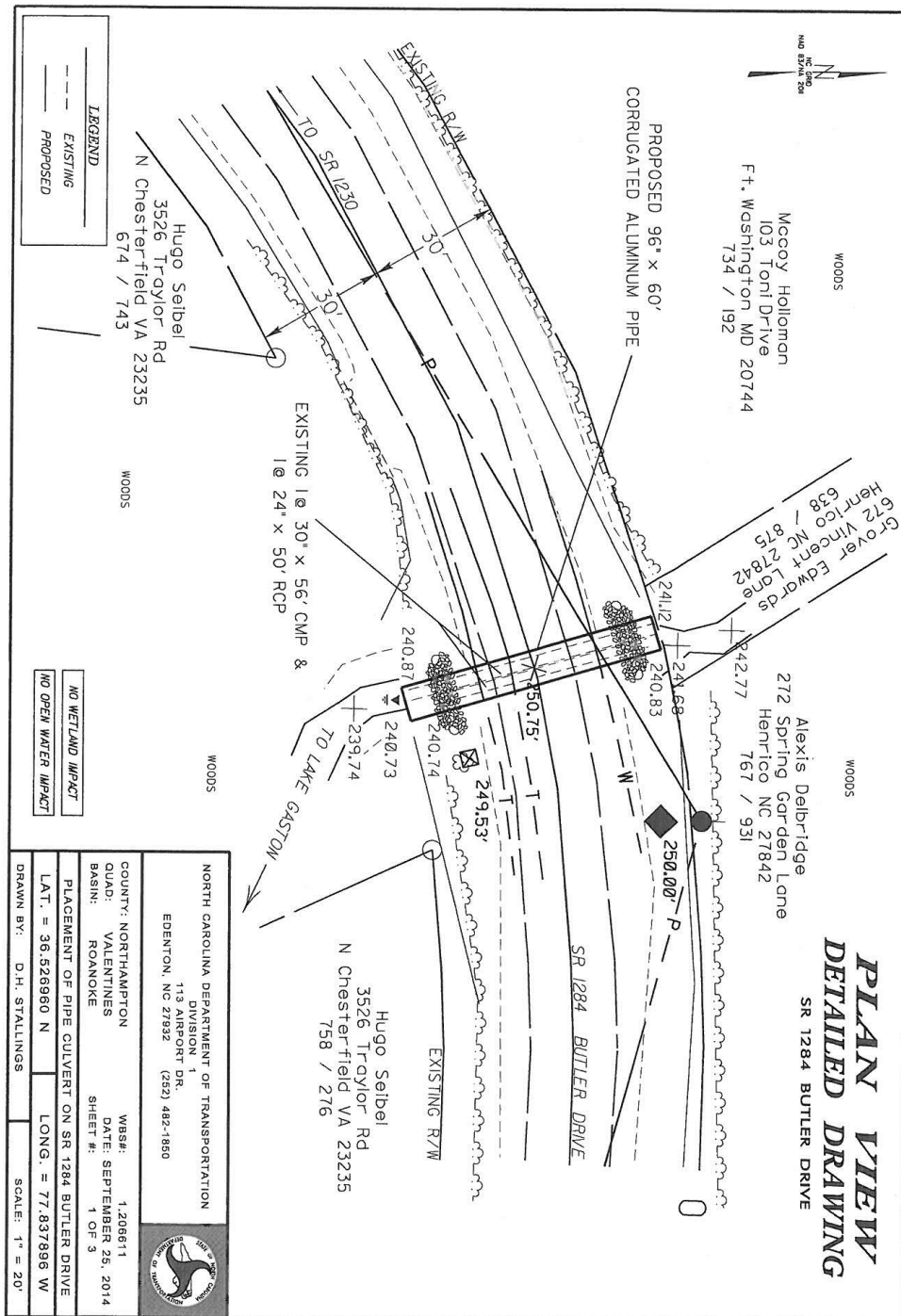
SYMBOLS

PROPOSED CROSS SECTION

EXISTING CROSS SECTION

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION	
DIVISION 1	
113 HANCOCK DR.	
EDENTON, NC 27832 (252) 482-1860	
COUNTY: NORTHAMPTON	WAS#: 1 206611
QUAD: VALENTINES	DATE: SEPTEMBER 25, 2014
BASIN: ROANOKE	SHEET#: 3 OF 3
PLACEMENT OF PIPE CULVERT ON SR 1284 BUTLER DRIVE	
LAT. = 36.526960 N	LONG. = 77.837896 W
DRAWN BY: D.H. STALLINGS	SCALE: 1" = 5'





UTILITY RELOCATION AGREEMENT

NORTH CAROLINA STATE HIGHWAY PROJECT NO 1.206611
WBS ELEMENT: 1.206611
COUNTY Northampton

This agreement made this ____ day of _____, 2014, by and between the Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the DEPARTMENT, and Northampton County hereinafter referred to as the COMPANY:

WITNESSETH:

THAT WHEREAS, the DEPARTMENT will submit a project for construction as follows:

Replacement of pipe on SR 1284, locally known as Butler Drive, which
consists of removing one (1) 24"x56' RCP and one (1) 30"x56' CMP and installing
One (1) 96"x60' CAP without headwalls
known as route SR 1284 in Northampton County, North Carolina to be designated as N.C. State Highway Project and/or WBS Element 1.206611 and,

WHEREAS, the construction of said project requires certain adjustments to be made to the existing facilities of the COMPANY;

NOW, THEREFORE, in order to facilitate the orderly and expeditious relocation of the said facilities of COMPANY, the DEPARTMENT and the COMPANY have agreed as follows:

1. That the scope, description, and location of work to be undertaken by the COMPANY are as follows: Accommodate pipe removal and installation by temporarily relocating the waterline and installing 6" water line after pipe installation complete..

2. That any work performed under this agreement shall comply with DEPARTMENT's "POLICIES AND PROCEDURES FOR ACCOMMODATING UTILITIES ON HIGHWAY RIGHTS OF WAY" dated January 1, 1975, and such amendments thereto as may be in effect at the date of this agreement. The work to be performed by the COMPANY shall conform with Federal Highway Administration's Federal-Aid Policy Guide, Subchapter G, Part 645, Subpart A hereinafter referred to as FAPG dated December 9, 1991, and such amendments thereto as may be in effect at the date of this agreement. The provisions of said FAPG and amendments thereto are incorporated in this agreement by reference as fully as if herein set out. Any work performed under this agreement not in compliance with FAPG shall constitute unauthorized work and the DEPARTMENT shall be relieved of participating in the costs of such unauthorized work unless such work is done pursuant to a supplemental agreement attached to and made a part hereof.

3. That the COMPANY will prepare an estimate, broken down as to estimated cost of labor, construction overhead, materials and supplies, handling charges, transportation and equipment, rights of way, preliminary engineering and construction engineering, including an itemization of appropriate credits for salvage, betterments and accrued depreciation, all in sufficient detail to provide the DEPARTMENT a reasonable basis for analysis. Unit costs, such as broad gauge units of property, may be used for estimating purposes where the COMPANY uses such units in its own operations. The COMPANY will also prepare plans, sketches or drawings showing their existing facilities, temporary and permanent changes to be made with reference to the DEPARTMENT's new right of way using appropriate nomenclature, symbols, legend, notes, color coding or the like. The aforementioned estimate and plans are attached hereto and made a part hereof. The DEPARTMENT will not reimburse the COMPANY for any utility relocations or changes not necessitated by the construction of the highway project, nor for changes made solely for the benefit or convenience of the COMPANY, its contractor, or a highway contractor.

4. That the DEPARTMENT's authority, obligation, or liability to pay for relocations as set forth in this agreement is based on the COMPANY having a right of occupancy in its existing location by reason of holding the fee, an easement or other real property interest, the damaging or taking of which is compensable in eminent domain.

5. That payment for all work done hereunder shall be made in accordance with the requirements of FAPG unless payment is being made pursuant to a supplemental agreement attached to and made a part of this agreement.

6. That the construction work provided for in this agreement will be performed by the method or methods as specified below:

- ☒ BY COMPANY'S REGULAR FORCE: The COMPANY proposes to use its regular construction or maintenance crews and personnel at its standard schedule of wages and working hours in accordance with the terms of its agreement with such employees.
- ☐ BY EXISTING WRITTEN CONTINUING CONTRACT: The COMPANY proposes to use an existing written continuing contract under which certain work as shown by the COMPANY's estimate is regularly performed for the COMPANY and under which the lowest available costs are developed.
- ☐ BY CONTRACT: The COMPANY does not have adequate staff or equipment to perform the necessary work with its own forces. The COMPANY proposes to award a contract to the lowest qualified bidder who submits a proposal in conformity with the requirements and specifications for the work to be performed as set forth in an appropriate solicitation for bids.

7. a. It is contemplated by the parties hereto that the construction of this State Highway Project will begin on or about the 27th day of October, 2014.

b. Based on the best information available at the present time to the COMPANY, indicate applicable paragraph below:

- ☒ Materials are available and it is expected that work will be complete prior to highway construction.
- ☐ All work will take place during highway construction and arrangements for said work will be coordinated with highway construction operations at preconstruction conference.
- ☐ Work will begin promptly upon notification by the DEPARTMENT; however, it is not expected to be complete prior to highway construction. Any remaining work will be coordinated with highway construction operations at preconstruction conference.
- ☐ Other (Specify) : _____

8. That the method used by the COMPANY in developing the relocation costs shall be as indicated by Paragraph (a), (b), or (c) as follows:

- a. X Actual direct and related indirect costs accumulated in accordance with a work order accounting procedure prescribed by the applicable Federal or State regulatory body.
- b. Actual direct and related indirect costs accumulated in accordance with an established accounting procedure developed by the COMPANY and approved by the DEPARTMENT.
- c. On a lump-sum basis where the estimated cost to the DEPARTMENT does not exceed \$_____. Except where unit costs are used and approved, the estimate shall show such details as man-hours by class and rate; equipment charges by type, size, and rate; materials and supplies by items and price; and payroll additives and other overhead factors.

9. Indicate if (a), (b), or (c) is applicable:

- a. X That the replacement facility is not of greater functional capacity or capability than the one it replaces, and includes no COMPANY betterments.
- b. That the replacement facility involves COMPANY betterments, or is of greater functional capacity or capability than the one it replaces.
- c. That the replacement facility is other than a segment of the COMPANY's service, distribution, or transmission lines, such as a building, pumping station, filtration plant, power plant or substation, production or transfer of storage facilities and other similar operating units of the COMPANY's physical plant or operating facilities.

If (c) is applicable, set forth credit to the project for the accrued depreciation of the facility being replaced.

10. That the total estimated cost of the work proposed herein, including all cost to the DEPARTMENT and COMPANY less any credit and COMPANY less any credit for salvage, is estimated to be twenty five thousand and 00/100 -----
-----dollars (\$25,000.00).

The estimated non-betterment cost to the DEPARTMENT, including all cost less any credits for salvage, betterments, accrued depreciation and additional work done by the COMPANY will be twenty five thousand and 00/100 -----
dollars (\$25,000.00).

The estimated cost to the COMPANY including betterments, accrued depreciation and any additional work done by the COMPANY will be zero and no/100 ----- dollars (\$0.00).

(The above costs shall be supported by attached estimate and plans)

11. That in the event it is determined there are changes in the scope of work, extra work, or major changes from the statement of work covered by this agreement, reimbursement shall be limited to costs covered by a modification of this agreement or a written change or extra work order approved by the DEPARTMENT.

12. Periodic progress billings of incurred costs may be made by COMPANY to the DEPARTMENT not to exceed monthly intervals; however, total progress billing payments shall not exceed 95% of the approved non-betterment estimate. Progress billing forms may be obtained from the State Utility Agent. One final and detailed complete billing of all costs shall be made by COMPANY to the DEPARTMENT at the earliest practicable date after completion of work and in any event within 6 months after completion of work. The statement of final billing shall follow as closely as possible the order of the items in the estimate portion of this agreement.

13. That the DEPARTMENT shall have the right to inspect non-reusable materials of the COMPANY recovered on this project prior to disposal by sale or scrap.

14. That the DEPARTMENT shall have the right to inspect all books, records, accounts and other documents of the COMPANY pertaining to the work performed by it under this agreement at any time after work begins and for a period of 3 years from the date final payment has been received by the COMPANY.

15. That the COMPANY obligates itself to erect, service and maintain the facilities to be retained and installed over and along the highway within the DEPARTMENT right of way limits in accordance with the mandate of the Statute and such other laws, rules, and regulations as have been or may be validly enacted or adopted, now or hereafter.

16. That if, in the future, it becomes necessary due to highway construction or improvement to adjust or relocate utilities covered in this agreement being relocated at DEPARTMENT expense that are crossing or otherwise occupying highway right of way, the non-betterment cost of same will be that of the DEPARTMENT.

17. That if, at any time, the DEPARTMENT shall require the relocation of or changes in the location of the encroaching facilities covered in this agreement being relocated at COMPANY expense, the COMPANY binds itself, its successors and assigns, to promptly relocate or alter the facilities, in order to conform to the said requirements, without any cost to the DEPARTMENT.

18. That the COMPANY agrees to relinquish their rights in that portion of right of way vacated by their existing facilities now absorbed within DEPARTMENT right of way.

19. Proper temporary and permanent measures shall be used to control erosion and sedimentation in accordance with all local, State and Federal regulations.

20. The company agrees to comply with Buy America. United States Codes (USC) 313 and Code of Federal Regulations 23 CFR 635.410: Requires the use of domestic steel and iron in all federally funded construction projects.

IN WITNESS WHEREOF, the parties hereby have affixed their names by their duly authorized officers the day and year first above written.

DEPARTMENT OF TRANSPORTATION

BY:

ASST. STATE UTILITY AGENT

ATTEST OR WITNESS

(Title)

NORTHAMPTON COUNTY

BY:

Chairman

ATTEST OR WITNESS

This Instrument has been pre-audited in the manner as

Per NC.G.S. 159-28 (a)

D. A. V. 10-9-07
Finance Officer

Clerk to the Board

N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

ATTACHMENT B
Northampton County Public Works Department
Water and Sewer Division - Effective May 1, 2014
Personnel/Equipment Rates

<u>Type of Service</u>	<u>Charges per Hour</u> <u>Current</u>
Management Assistance (Public Works Director)	\$40.00
Technical Assistance (Tech III)	\$35.00
Certified Operator (Tech II)	\$30.00
Two Man Repair Crew	\$50.00
Backhoe and Operator	\$100.00
Sewer Jetting Machine (Includes 1 Tech)	\$75.00
Road Bore Only (Includes 2 Techs)	\$75.00
Dump Truck and Operator	\$85.00
10 kW Generator (Run Time Only)	\$20.00
30 kW Generator (Run Time Only)	\$25.00
60 kW Generator (Run Time Only)	\$30.00

Note: There will be a charge for fuel if generators are returned without a full fuel tank.

The above fees are only intended for assistance to neighboring municipalities within the county and the county's school system.

<u>Tap on Fees</u>	<u>Current Fees</u>
3/4" Water Tap	\$800.00
1" Water Tap*	\$1,000.00
2" Water Tap*	\$3,000.00
>2" Water Tap	At Cost

*Cost of backflow preventer/hot box is additional

Water Taps will be made for the approved tap fee, provided it can be completed with the Water Department's manpower and equipment. If special equipment and/or manpower is required, the cost to the customer will be the actual contracted cost of the tap. (Materials Included)

<u>Miscellaneous Fees</u>	<u>Current Fees</u>
Asphalt Patch	\$1,000.00
Damaged Locks	\$50.00
Damaged Angle Stops	\$100.00

Note: The customer will be responsible for any other damaged equipment at the cost of materials for needed repairs plus twenty percent (20%)

<u>Sewer Tap on Fees</u>	<u>Current Fees</u>
Sewer Impact Fee (Fees assessed by Weldon) for Garysburg Sewer Customers Only	\$840.00

Any Capacity/Impact fees assessed to Northampton County for new taps will be invoiced to the respective customer.

Sewer Service Installation Policy - It is the present policy of the Northampton County Public Works, Water and Sewer Division not to make sewer taps. The present policy allows for a licensed plumber only to tap into the county's sewer system using a rubber saddle that seals the sewer main from leaks. From that point on, the building codes have precedence over materials and installation practice. The plumber must supply one (1) clean-out at the street right of way for county access for cleaning to the sewer main. Work shall be performed by the County's instruction and use only approved construction materials.

Inventory

When possible, repair parts will be supplied and furnished by the Public Works Department. Any and all parts used for repairs to another entity's water and/or wastewater system shall be re-ordered and invoiced to the respective entity for the replacement of the County's inventory.

DECISION PAPER

To: Northampton County Board of Commissioners

From: Jason S. Morris, Public Works Director

Date: October 20, 2014

Reference: Landfill Gas Monitoring for Northampton County Closed Landfill

Purpose: The purpose of this Decision Paper is to obtain approval and acceptance by the Board of Commissioners to enter into an agreement with S&ME for preparing a methane monitoring plan acceptable and approved by NCDENR, installation of Landfill Gas Probes (7), and quarterly monitoring and reporting of methane gases acceptable as required by NCDENR.

Facts:

1. By notification from the inspector from NCDENR, Landfill Gas Monitoring should be initiated as soon as possible to be in compliance with Landfill Closure letter dated September 12, 1995.
2. This project has been exempt from NCGS 143-64.31 by resolution passed by the board of commissioners on August 18, 2014.
3. In accordance with NCGS 143-131, the informal bid process was used and proposals were received by the Public Works Department from qualifying engineering firms.

Discussion: See attached for Public Works responses to proposals received.

Recommendation: In consultation with the County Attorney, the County Manager, and Finance Director, the Public Works Department recommends:

The Northampton County Board of Commissioners:

- 1: Approve and accept the proposal of S&ME for preparing a methane monitoring plan acceptable and approved by NCDENR, installation of Landfill Gas Probes (7), and quarterly monitoring and reporting of methane gases acceptable as required by NCDENR; and,
2. Authorize the Chairman, the County Manager, the County Attorney and other staff as appropriate to develop and execute all subsequent related contract documents as may be necessary to administer the project.

Respectfully submitted,

Jason S. Morris
Public Works Director

Coordination:

Finance Officer

Concur Dot Vich 10-9-14

Non-concur _____

Concur with comment _____

County Manager

Concur Kimberly L. Lee 10/10/14

Non-concur _____

Concur with comment _____

Action by Decision Makers

Approved _____

Disapprove _____

Other _____

Proposal Tabulation for Landfill Gas Monitoring Project

Company	Description of Work	Plan Preparation Cost	Gas Probe Installation Cost	Monitoring Cost	Lump Sum Total
S&ME	See attached proposal	\$900.00	\$5,400.00	\$3,600.00	\$9,900.00
Joyce Engineering	See attached proposal	\$1,800.00	\$6,700.00	\$2,460.00	\$10,960.00
Smith Gardner, Inc.	See attached proposal	\$1,000.00	\$8,100.00	\$2,000.00	\$11,100.00
Municipal Engineering Services Co., P.A.	See attached proposal	\$2,500.00	\$12,000.00	\$1,200.00	\$15,700.00

Chairman Carter called for a five minute break.

Public Hearing- Market Value Schedule of Rules, Standards, and Values and Public Hearing- Use Value Schedule of Rules, Standards, and Values:

A motion was made by Chester Deloatch and seconded by Virginia Spruill to recess regular session. **Question Called:** *All present voting yes.* **Motion carried.**

A motion was made by Fannie Greene and seconded by Joseph Barrett to convene a public hearing. **Question Called:** *All present voting yes.* **Motion carried.**

Mrs. Cathy Allen, Tax Administrator, appeared before the Board to receive public comment concerning the 2015 Revaluation Market and Use Value Schedules of Rules, Standards and Values.

Mrs. Allen asked the audience if they had any questions or comments.

Vice-Chairwoman Greene asked Mrs. Allen if she could explain revaluation for the citizens' benefit. Mrs. Allen explained that according to General Statutes, the County has to go through revaluation at least every eight years. The Board voted in 2004 that Northampton County would go through revaluation every four years. 2015 would be the year that it would come up again. The Tax Office has had their appraisers out in the field for the last 18 months. They have been out revaluating the properties according to market value. Market value is affected by deed transfers and also value according to information received from the State on the sale price on properties in Northampton County.

A citizen asked if that meant any improvements to the property. Mrs. Allen replied that means all property improvements, land, etc.-yes. Mrs. Heller asked what about location. Mrs. Allen said location is affected in the market. It depends on how the property is set up in that particular location. Another citizen asked if they will have access to that information—as to what the property valuation will be. Mrs. Allen replied that it would be on the 2015 listing forms along with notification on how to appeal those values. Another citizen asked when the revaluation stops; it keeps going up. Mrs. Allen said again it is based on the market and the particular time. The last revaluation was 2011, so it depends on how sales were three years prior to January 1, 2011. They have to take into consideration the sales that occurred after the last revaluation.

Vice-Chairwoman Greene stated that Mrs. Allen mentioned that if someone is not happy with their evaluation they can appeal it. She asked what the process was. Mrs. Allen said when they have a revaluation they send the notification on their listing form, and they also send an appeal form to everyone with the listing form. On that form, it asks for information such as what parcel they are appealing, what they think their value should be, and why they think it should be that. They can appeal during the listing period, from January through mid-February.

Commissioner Spruill asked if they have to appeal the value of the property as it existed as of January 1st. Mrs. Allen said yes, those values will take effect as of January 1, 2015.

Commissioner Spruill asked about a citizen that wants to appeal in 2014 revaluation. Mrs. Allen stated that they would be too late because the Board has adjourned for receiving appeal of value.

Mrs. Allen also appeared before the Board to receive public comment concerning the 2015 Revaluation Market and Use Value Schedules of Rules, Standards and Values.

Mrs. Allen mentioned that the public also has a right to ask questions concerning the use value. Citizens who own farm land, horticultural land or agricultural land can make an application to receive present use valuation. For example, if a property is valued at \$200,000, and they get \$50,000 deferred, then they pay on \$150,000 as long as the property is being used for the method that they applied it for. That \$50,000 valuation will remain until that property is either sold, or transferred in some manner. Once that happens, taxes will become due on that \$50,000 for that current year plus three years.

Commissioner Barrett noted that there is an exception to what Mrs. Allen said, because if they don't fill out the audit, then they are disqualified. Vice-Chairwoman Greene asked if there was a percentage of people that will be audited. Mrs. Allen said at least an eighth will be audited. Vice-Chairwoman Greene said the citizens need to be aware of this, and she wishes there was a better way of notifying them so that there are not so many that are in violation. She felt there should be a way to improve the process.

Mrs. Allen said the only suggestion that they received was to send everything by certified mail. She said that is more costly to the County, and right now they don't have that in their budget.

Mr. Avery Davis mentioned that this year, they have someone going through the second notices that were returned. He said he hopes that they have phone numbers, and he will try to call them to remind them that this can be an additional tax on their property. That's his goal before November 7th which is the deadline for this next group.

Commissioner Spruill asked if all Counties are required to do audits. Mrs. Allen said yes. Commissioner Spruill also asked if all of them are required to use the present use revaluation process as well. Mrs. Allen said yes. Mr. Davis said it is State mandated.

Chairman Carter declared the public hearing closed and reconvened regular session.

Mrs. Allen wanted to note that for the 2015 revaluation for Market and for Use Value, the notices were published according to G.S. 105-317 notifying citizens of the public hearings.

Ad Valorem Tax Appeals, Approval of 2014 Tax Scroll, Convene Board of E&R, and Appeal of Value:

Mrs. Allen also appeared before the Board to obtain approval to release of refund Ad Valorem taxes assessed in the amount of \$733.14 on eight appeals.

A motion was made by Virginia Spruill and seconded by Chester Deloatch to approve the request for release or refund of the Ad Valorem Tax appeals submitted herewith in the amounts and for the reasons stated on the listings. **Question Called: All present voting yes. Motion carried.**

Mrs. Allen also appeared before the Board to obtain approval of the 2014 Tax scroll. As the Tax Assessor, Mrs. Allen has prepared the 2014 Scroll summary which shows the total assessed

value for 2014 in the amount of \$1,893,847,182. Mrs. Allen explained the amounts for levy, penalties and fees to be collected for 2014 and charged to the Tax Collector.

Vice-Chairwoman Greene asked if the fees are based on population such as the Fire Department Service District. Mrs. Allen replied that it is based on the tax rate that the Board set during budgeting, times the values that are located in their District. Vice-Chairwoman Greene said she noticed the difference between Gaston and Garysburg. Mrs. Allen said it is based on the value of the property within the District times their rate.

A motion was made by Virginia Spruill and seconded by Joseph Barrett to approve the 2014 Scroll as presented and adopt the following order directing the Tax Collector to collect the taxes charged in the tax records and receipts. **Question Called: All present voting yes. Motion carried.**

Chairman Carter recessed regular session to convene as a Board of Equalization and Review.

Mrs. Allen also appeared before the Board to obtain approval of the attached list of late Present Use Applications submitted due to a transfer of property, when the application meets all requirements of General Statute 105-277.

The following property owners have met the requirements: Parcel number 01-00853 for Melody S. & Michael Branch and Parcel number 13-00931 for Adam B. Burgess.

A motion was made by Joseph Barrett and seconded by Virginia Spruill to approve the late Present Use Applications received on the above list of parcels for Melody S. and Michael Branch and Adam Burgess. **Question Called: All present voting yes. Motion carried.**

Mrs. Allen also appeared before the Board of Equalization and Review to either confirm or reduce the appraised value of Northampton County Tax Parcel No. 06-01145 for Too Nice Wildlife Corporation.

Mr. Gary Ennis came before the Board to state his case. He is the Treasurer for Too Nice Wildlife Corporation. He stated that his organization grows trees and there is a lot on the parcel that has a house that no one has lived in for 40 years. He is asking that the lot be put back into use value. They are looking to plant trees on the lot in the next couple of months. He doesn't feel the parcel should be valued at \$13,400.

Commissioner Spruill noted that she saw two parcels under the discussion. She said there is 601145 and then 602926. Mrs. Allen said the first one is correct, that is what Mr. Ennis is appealing. Commissioner Spruill wanted to know if the Board would hear about the other one also. Mrs. Allen said no. Mr. Davis explained that Mr. Ennis used the other property for the reason for his appeal. He said that particular property is almost an acre surrounded by the piece that he is appealing. Mr. Ennis was using that as a reason for them to make an adjustment on his property. That particular piece of property had already been denied for septic system use by the County. They had adjusted the value down because it didn't have a septic tank. Once they plant trees on it, they can get it for the following year.

Mr. Ennis said he thought he was getting it in for this year, for 2014. Mr. Len Ennis, mentioned that the house is inhabitable. He said it is condemned. Mr. Ennis felt they should not be appealing before the Board to begin with. Len Ennis didn't understand how they are still being charged use for it, when the house can't be used. He said there are trees growing through it.

Mr. Davis explained that they agreed that the house is not worth anything. They've zeroed the house value out. What they are assessing is for the home site. The septic system on the property is still there as of January 1, 2014. Mr. Ennis has said that they are in the process of planting trees, and he assumes the home has been removed. Mr. Davis said for 2015, they will be willing to get it back under bush land and go from there, but as long as the septic tank is still there, it can still be used for a septic system. They are not assessing for the house itself, they are assessing for the utilities that are still on that land.

Commissioner Spruill asked if that was the \$13,000 plus value. Mr. Davis confirmed that is the \$13,400.

Len Ennis wanted to note that this lot where the septic tank is, they've just cut 35-year old trees down. He wanted to know what kind of shape this septic tank and drainage line could be in after they've had roots from 35 year old trees in them. Mr. Ennis stated that across the street from the property that he is appealing, there is a lot that is not being charged and the house is still standing. The house is zeroed out and was put back in land use. He doesn't understand why he has to pay \$13,400 for a house that is in worse shape. Mr. Davis said he did look at that situation, and the house across the road has no septic tank.

Commissioner Spruill asked if there was a clerical error in his decision making. Mr. Davis said no. Commissioner Spruill asked was it a correct appraisal error resulting from this application schedule. Mr. Davis said no. Commissioner Spruill asked if he recognize a decrease or increase resulting from conservation or preservation agreements. Mr. Davis said there was none. Commissioner Spruill noted that unless those things existed, they would have to rule in favor of the Assessor. She asked if that was correct. Mr. Davis replied that is the way he understands the law.

A motion was made by Virginia Spruill and seconded by Fannie Greene to therefore, based upon the presentation by the Assessor, recommend that the appeal be denied. **Question Called: 3 yes (Commissioners Spruill, Greene and Carter), 2 no (Commissioners Barrett and Deloatch). Motion carried.**

Mrs. Allen also appeared before the Board of Equalization and Review to either confirm or reduce the appraised value of Northampton County Tax Parcel No. 01-03408 for Darrel Kenneth Lane.

Mrs. Allen's recommendation being that they are not present, is to deny their appeal. They were notified on April 23, 2014. They were also notified of the meeting today in order to appeal.

A motion was made by Fannie Greene and seconded by Virginia Spruill that the appeal be denied. **Question Called: All present voting yes. Motion carried.**

A motion was made by Virginia Spruill and seconded by Chester Deloatch to recess the Board of Equalization and Review until November 3, 2014 at 11:00 am. **Question Called: All present voting yes. Motion carried.**

A motion was made by Chester Deloatch and seconded by Joseph Barrett to convene regular session. **Question Called: All present voting yes. Motion carried.**

Lake Gaston Weed Control Council Board Appointments, Upper Coastal Plains COG Board Appointments, and Management Matters:

Ms. Kimberly Turner, County Manager, appeared before the Board to discuss appointments to the Lake Gaston Weed Control Council. She is bringing this before the Board for information purposes. Two appointments need to be made. Mr. Robert Whitehead no longer wishes to serve, neither does Mr. Roger West. Those are the two appointments that need to be made at the next meeting. She asked the Board if they could think of some names to be replacements. Mr. Saunders expressed that he would like to continue to serve. Ms. Turner will bring this issue back for appointments at the next meeting.

Ms. Turner also asked the Board for approval to appoint an alternate to serve in her stead on the Upper Coastal Plains COG's Executive Committee and Board of Directors. The alternate will serve when Ms. Turner is unavailable to attend those meetings. Her recommendation is Mr. Gary Brown, EDC Director. Mr. Brown has agreed to serve.

A motion was made by Chester Deloatch and seconded by Virginia Spruill that Mr. Gary Brown will be named as the alternate for the Upper Coastal Plain Council of Government. **Question Called: All present voting yes. Motion carried.**

Vice-Chairwoman Greene asked Ms. Turner if that meant that she would make all the meetings, but if she can't attend one, then Mr. Brown would attend. Ms. Turner said that was correct. Ms. Turner mentioned that recently those meetings have usually occurred when she is out of town, and they needed a representative from Northampton County that could attend.

Ms. Turner also asked the Board for a time for a Public Hearing in reference to a request for a no wake zone/buoy placement for North Point Cove for November 3rd.

Chairman Carter asked the Clerk for a time. Ms. Nelson gave a time of 11:20 am.

A motion was made by Fannie Greene and seconded by Joseph Barrett that a Public Hearing for a no wake zone will be heard on November 3, 2014 at 11:20 am. **Question Called: All present voting yes. Motion carried.**

Commissioner Barrett asked again where the no wake zone would be. Ms. Turner replied North Point Cove, near Belmont Drive.

Ms. Turner also appeared before the Board to present an amendment to a contract with RF Lee Substance Abuse that was approved by the Board in June. The amendment addresses some specific services that need to be provided through the TECS program that was not spelled out in the original contract. The County Attorney has reviewed and approved the amendment.

Commissioner Spruill asked if there were any changes in the money value. Ms. Turner replied no, that the changes are in the services.

A motion was made by Chester Deloatch and seconded by Virginia Spruill to approve an amendment to the RF Lee Substance Abuse services. **Question Called: All present voting yes. Motion carried.**

Commissioner Barrett asked where the funds come from for this program. Ms. Turner stated that they come through the State grant funds. Vice-Chairwoman Greene asked if we are familiar with RF Lee. Ms. Turner said we have been using the services for several years. The woman that runs the company is Della Deloatch.

Ms. Turner asked to request permission from the Board to grant employees one and a half hours of time to attend the Wellness Fair on October 24, 2014.

A motion was made by Joseph Barrett and seconded by Fannie Greene that employees be granted one and one half hours of leave time to attend the Wellness Session on October 24th. **Question Called: All present voting yes. Motion carried.**

Chairman Carter asked if employees can take their leave anytime from 8:30 to 5:00. Ms. Turner replied that the event starts at 11:00 and ends at 4:00, and it's up to the Department Heads as to how they schedule their employees.

Finally, Ms. Turner asked the Board for approval for a Christmas bonus for employees. Chairman Carter asked if an amount was specified. Ms. Turner replied that is up to the Board, but previously it was \$100. Commissioner Spruill asked in the past, what time of year they usually make that decision. Ms. Turner said that the Finance Officer needs to know this now in order to get the finances in order. She is not sure how it worked in previous years. Commissioner Barrett asked where the funds come from. Ms. Turner said usually, it is budgeted but she is not sure where Mrs. Vick gets the money from. Ms. Turner said she will go see Mrs. Vick after the Citizens/Board comments to get this information as well as the total figure.

Ms. Turner also wanted to remind the Board that she will be in Chapel Hill this week.

Chairman Carter asked Ms. Turner to discuss the conversation that they had about the idea that she had concerning the Board Chairs meeting. Ms. Turner said that she and the Superintendent as well as the two Board Chairs should get together to find out what they are thinking about before they have a meeting so that they can put a plan in place. Chairman Carter said that Board of Commissioners does not know the Board of Education's desires. So the Superintendent, County Manager and the two Board Chairs will meet to find out their desires, and then discuss the findings with each Board.

Citizens/Board Comments:

Chairman Carter called for citizens comments.

Constance Powell had a comment regarding the water. She asked why citizens that are already on the water, have to pay a reconnection fee. She addressed the question to Mr. Jason Morris,

Public Works Director. Mr. Morris said he thinks she is referring to the user fee. Vice-Chairwoman Greene asked how much the fee is. Ms. Powell replied that it is \$19.50. She mentioned that her water bill has gone up \$25. Ms. Powell mentioned that she did not bring her bill with her, but will come to the Public Works office so that Mr. Morris can go over her bill.

Chairman Carter called for Board Comments.

Vice-Chairwoman Greene said she was confronted at her church yesterday about the water bills. She informed the citizens of the conversation from the last meeting that the Board is going to revisit the issue.

Commissioner Barrett brought up the issue of the old DSS building. He was concerned that the communications hub (telephones, internet) is still in that building. He knows the Health Board is interested in using a portion of those offices. If they are in fact going to use the rear portion of the building, they need to explore other needs and assessments of the County. He advised the Acting Director of the Health Department, John White, to provide a needs assessment plan to present to the Board so that they can make an informed decision. He said they are also renting a couple of office spaces, and it is foolish for us to rent property when we have access to buildings that we own. He would like for the Board to engage in some dialogue to make a wise decision moving forward on use, and possibly moving the hub.

A motion was made by Fannie Greene and seconded by Virginia Spruill to recess regular session. **Question Called: All present voting yes. Motion carried.**

A motion was made by Virginia Spruill and seconded by Joseph Barrett to enter into closed session for the purpose of G.S. 143-318.11(a)(6) session. **Question Called: All present voting yes. Motion carried.**

A motion was made by Virginia Spruill and seconded by Fannie Greene to adjourn closed session for G.S. 143-318.11(a)(6). **Question Called: All present voting yes. Motion carried.**

A motion was made by Chester Deloatch and seconded by Fannie Greene to enter into closed session for the purpose of G.S. 143-318.11(a)(3). **Question Called: All present voting yes. Motion carried.**

A motion was made by Chester Deloatch and seconded by Virginia Spruill to adjourn closed session for of G.S. 143-318.11(a)(3). **Question Called: All present voting yes. Motion carried.**

A motion was made by Joseph Barrett and seconded by Chester Deloatch to enter into regular session. **Question Called: All present voting yes. Motion carried.**

Ms. Turner stated that she has spoken to Mrs. Vick concerning the Christmas bonuses for employees. The total of the bonuses came to about \$38,000 last year. 35 percent is reimbursable for departments that get paid by the state, such as Health Department, DSS, and the Day Reporting Center. Each employee received \$100. The money comes within the already established budget through reprograming of funds through hirelag, from everyone's budget. It is not contingency or undesignated fund balance.

A motion was made by Fannie Greene and seconded by Chester Deloatch to continue with the Christmas bonuses of \$100. **Question Called:** *All present voting yes.* **Motion carried.**

A motion was made by Chester Deloatch and seconded by Virginia Spruill to adjourn. **Question Called:** *All present voting yes.* **Motion carried.**

Michelle Nelson, Clerk to the Board
“r.m. 10-20-14”