

**NORTHAMPTON COUNTY
REGULAR SESSION
November 3, 2014**

Be It Remembered that the Board of Commissioners of Northampton County met on November 3, 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 a closed session will be added for the purpose of G.S. 143-318.11(a)(4) under Tab 13.

Regular Session:

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

Vice-Chairwoman Greene delivered the Invocation and the Pledge of Allegiance was recited.

Approval of Regular Session Minutes for October 20, 2014:

A motion was made by Chester Deloatch and seconded by Virginia Spruill to approve the Regular Session Minutes for October 20, 2014. **Question Called: All present voting yes. Motion carried.**

Approval of Closed Session Minutes for October 20, 2014:

A motion was made by Virginia Spruill and seconded by Chester Deloatch to approve the Closed Session Minutes for October 20, 2014. **Question Called: All present voting yes. Motion carried.**

Approval of Agenda for November 3, 2014:

A motion was made by Fannie Greene and seconded by Joseph Barrett to approve the agenda with the one amendment adding Tab 13. **Question Called: All present voting yes. Motion carried.**

Public Hearing- Special Use Permit for Grover Edwards:

Chairman Carter recessed regular session to conduct a Public Hearing relative to a Special Use Permit.

Mr. William Flynn, Planning and Zoning Director, appeared before the Board to conduct a Public Hearing to receive and consider public comment on a Special Use Request that if granted,

will allow Mr. Grover Edwards to construct Phase One of a Planned Unit Development on his property located in Henrico, NC. The site is known as Edward's Beach. Mr. Edwards is looking to develop a portion of that property. Mr. Flynn submitted the preliminary site plan, the offsite drainage/septic field map, and floor plan as evidence. They are recorded as Exhibits 1, 2, and 3.

Mr. Edwards appeared before the Board. He noted that the everyday working person needs to have access to Lake Gaston. He said there will still be public access, but no one will be able to ride in and out like they have been in the past. He said that he will try to do something long range so that Northampton County will have a presence on Lake Gaston, and according to Mr. Edwards there needs to be something on Lake Gaston so that people can have access to it that are coming from I-95. Mr. Edwards stated that he has not worked out all the kinks, but he says everything will be cleared through the Zoning Office and any other office that it needs to go through. He said nothing will go up without going through the proper procedures first.

Chairman Carter called for citizens' questions for Mr. Flynn or Mr. Edwards.

Mr. Jack Saunders asked if the structure was under the height limits in accordance with the ordinance. Mr. Flynn replied yes. Mr. Saunders also asked if they have fire hydrants coming to the area. He said that will be important for the Fire Department because they don't have an aerial truck, so they are going to have to be able to stream hard if there was ever a structure fire. He mentioned that this is his biggest concern.

Mr. Flynn replied that the maximum building height in that district is 35 feet. The plans that Mr. Edwards has submitted have measured out just under 35 feet.

Mr. Edwards replied that right now they have fire hydrants at the property, and they have some that will be down on the site. With the engineer right now, they have a fire hydrant design all the way down in the middle of the property. There are also fire hydrants at the edge of the property.

Mrs. Mazine Lowe noted that she owns a townhome in Edward's Beach in the King Solomon Cove subdivision. She has been there since 2006. She would fully support any kind of economic development. However, she and some of the homeowners in the townhome community have a couple of concerns. She says there are legal issues that are underway. They had a mediation on August 31st, and the community is trying to resolve some of the issues that would make the first community home association fully compliant. One of the issues is to make sure that the nitrification field for the townhome community is deeded to the townhome. She stated that Mr. Edwards said he would do that, but they are still waiting for this to happen. She said they need to make sure that the nitrification field meets the requirements for the townhome community and that everything there is fully compliant with the local and State laws. The community has also asked Mr. Edwards to deed over the common property; that has not happened yet. There are a couple of other issues that they are waiting for Mr. Edwards to resolve for the HOA.

Mrs. Lowe strongly urges the Board to consider delaying or postponing this project until they can get the other issues resolved with the Edwards. As she mentioned, they had mediation on August 31st. There was a 60-day period where the Edwards were supposed to come together with the lawyers to resolve the issues. The 60 days passed and nothing happened. She noted there are legal issues that are still pending. She feels that the issues should be resolved in the first community before Mr. Edwards begins a second community.

Chairman Carter called upon Mr. Edwards for comment.

Mr. Edwards noted that he has given all information regarding Mrs. Lowe's concerns to his Attorney. He said that those issues have nothing to do with the structures he is building now.

Mrs. Lowe responded that they have been trying to resolve these issues for years now, and if the lawyer has the documentation, they have tried on numerous occasions to get the lawyer to get in contact with them. They have not been able to get the matter settled. The nitrification field that supports the townhome community is somewhere in the vicinity for the new planned community. That is a concern as well. She mentioned that she has talked with someone in the Health Department and asked them to come out and look at the nitrification field to make sure that everything is in place, so that when it is deeded to them, all the guidelines have been met. Mrs. Lowe noted that although they are on different areas of the Beach, they are connected in terms of the infrastructure.

Mr. Flynn asked Mr. Edwards when construction for King Solomon Cove started. Mr. Edwards replied in 1989 or 1990. Mr. Flynn noted that Northampton County did not have zoning regulations until 1994. He said that he thinks King Solomon Cove was probably one of the reasons that the County adopted planned use development guidelines. Mr. Flynn stated that King Solomon Cove apparently has some things that are still going on, but there was nothing in place at that time when they started development to catch them. But now, the County has something in place that is supposed to help get things done correctly. He told Mrs. Lowe that he understands her concern, and says it does need to be fixed. Mr. Flynn mentioned that however we are talking about a different piece of property.

Chairman Carter asked Ms. Turner if she had any comment. She said no, she agrees with Mr. Flynn that the County's ordinance now covers that. She also pointed out the fact that they are indeed talking about two different properties.

Mrs. Lowe wanted to say one last thing— that for the residents in the townhome community, the law requires that when you buy a place, when you sell a place, when you refinance a place, that there are certain things that should be in place in order to get a loan. They look to see if the common property is deeded and that's not the case for the community. They look at the infrastructure of the townhome community and there are some items that need to be addressed. So when someone tries to sell a place, buy a place, or refinance a place in the community, it is hard to do because by law, those things should be in place. The law is very clear on that and the banks are very strict about that.

Commissioner Spruill wanted to point out that even though these are two different pieces of property, they are by the same developer. Mr. Flynn said that is correct. Commissioner Spruill noted that whenever the Board makes decisions, they have to also consider the viability of the project, and whether the developer can be trusted to do the things that need to be done. She said those are the kinds of things that are disturbing the public by what she hears. Mr. Flynn says he believes Commissioner Spruill is correct, and he thinks that the County Attorney should probably speak on this. He stated that he is not sure if Mr. Edwards' past track record with King Solomon Cove has any bearing on this issue.

Attorney McKellar says it seems to him that the litigation or mediation reference by Mrs. Lowe is a private matter and Mr. Flynn can educate him if those are relevant pertaining to the Special Use Permit before this Board, but it seems to him that this private litigation is not relevant. Commissioner Spruill said it does have some bearing in terms of how the Board as a public body is going to review this issue and make a decision on it. Mr. McKellar asked if viability is a factor in the Zoning ordinance. Mr. Flynn said he thinks it is up to the developer to sit down and make his own plan, and figure out if it makes sense for him to do this, if he can afford to do it, and if the economy is going to support it. Those are the things that he feels are not up to a body to decide, but the person that is putting the money out there. If this is granted today, Mr. Edwards gets a vested right for a period of two years. He will have a certain amount of time to get his building permits to get this project going. If he doesn't do it within two years, it goes away. He could reapply, but he would have to go through the entire process again.

Commissioner Spruill asked does not the previous history of the developer, or any particular circumstances have any bearing on the decisions that the Board will make today. Mr. Flynn says he can't withhold a permit; it is not within his purview to take that into account. Whether this Board decides if that is what they need to do, that's up to them.

Commissioner Barrett noted that Mrs. Lowe had a comment that the infrastructure was tied together in some way. Commissioner Barrett asked if all units will be sold or rented. Mr. Edwards responded that some of them will be sold, and some of them might be retained by the family. He also mentioned that this property is not attached to Edward's Beach at all where the nitrification field is for King Solomon Cove.

Commissioner Spruill noted that she is not against what Mr. Edwards wants to do. She thinks economic development in Northampton County is vital. She said the Board also has to ask the crucial questions that are important to this particular situation. Mr. Edwards said he did exactly what the County told him to do in putting up the townhouses. He said it wasn't his fault that the guidelines were not in place at the time. Commissioner Spruill hopes that if they grant the Special Use Permit, that someday they will be happy with what Mr. Edwards has done in the area.

Mr. Flynn asked Mr. Edwards if the nitrification field for the Edward's Beach project is on the same lot as the nitrification field for King Solomon Cove. Mr. Edwards replied no. Mr. Flynn clarified that they are on two different properties. Mr. Edwards said yes. Mr. Flynn asked if the proposed septic site for this project is on a totally different piece of property. Mr. Edwards replied yes.

Mrs. Lowe wanted to add that she has called the Health Department to ask them to come out and look at the nitrification field to help them identify the one for the townhome community, and see if the field had been deeded over to them. She said they had problems identifying where everything was, and determining if what was there was adequate for the townhome community. Mrs. Lowe said that someone from John White's office had promised to get back to them and she hasn't heard back yet.

At this point Mr. John White, Acting Health Director came in.

Chairman Carter asked Mrs. Lowe to ask Mr. White the question that she had.

Mrs. Lowe explained that Chris from the Health Department looked at the septic system to see if it was adequate to support the townhome community, and he came out but said he didn't have time to fully investigate the nitrification process. She said Chris promised to come back and give them a report, and he has not done that.

Mr. White said he can take care of that and review it. He said this issue has been looked at several times over the years. Mr. White also stated that citizens have had questions about this issue for years. He said the biggest issue with Mr. Edwards was the way that he had his agreements on his deeds that were recorded in the courthouse that spelled out the requirements for the homeowners, verses his requirements as far as maintenance of the system was concerned.

Mr. Flynn noted that for this project, the nitrification field was sealed by a soil scientist, Mr. Fred Smith. He said when a soil scientist says something will work, and he seals it, it is like an engineer's stamp.

Vice-Chairwoman Greene said she is familiar with the property, but she is concerned about the same issue that Commissioner Spruill brought up. She thinks an existing issue for the previous property is a concern.

Chairman Carter declared the Public Hearing closed to convene the regular session.

Chairman Carter asked the Board to consider that the discussion and debate that they've heard in the Public Hearing is centered around an issue that was in place before Northampton County had any planning and zoning laws. He mentioned that as they deliberate on their decision, it is important to recognize that these are two different parcels with different ordinances.

A motion was made by Chester Deloatch and seconded by Virginia Spruill that Mr. Edwards be granted the Special Use Permit as requested. **Question Called: All present voting yes. Motion carried.**

Commissioner Spruill added that she heard Mr. Edwards say that he will follow all the guidelines that the County has, and will abide by all the policies and General Statues that the State has, and that wherein there comes an issue with the residents of the community and with this County that he will rectify situations that occur. If he is earnest in that statement, then she has no problem with seconding the motion.

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

DECISION PAPER

To: Northampton County Board of Commissioners
From: William Flynn, Planning and Zoning Director
Date: October 3, 2014
Subject: Special Use Permit Request – Grover Edwards – Planned Unit Development

PURPOSE:

The purpose of this public hearing is to receive and consider public comment on a Special Use Request that, if granted, will allow the applicant to construct Phase One of a Planned Unit Development (PUD) on his property located in Henrico, NC.

FACTS:

- The property is parcel number 01-09679 and is located at the end of Edward's Beach Road in Henrico, NC.
- It is 17.63 acres in size and is zoned Agricultural – Residential Watershed (AR-2).
- Planned Unit Developments (PUDs) are allowed with a Special Use Permit in an AR-2 zoning district.
- The applicant proposes to construct eight (8) buildings. Each building will have three (3) living units, one on each of the three floors. The buildings will be situated so that it is possible for two buildings to be joined by decks and balconies, thereby making the total number of buildings appear to be only four (4).
- A Planned Unit Development of this type has a maximum density of 6 units per gross acre. With the property size of 17.63 acres is it theoretically possible to have 105 units (discounting driveways, parking and septic areas). The number of units proposed in this development is twenty-four (24).
-

DECISION PAPER
NOV. 3, 2014
S.U.P REQUEST
G. EDWARDS

- For the purposes of this hearing, the applicant has submitted a preliminary site plan developed by civil engineer and surveyor, Lewis Burr and a proposed off site septic system proposed by soil scientist Fred Smith.

DISCUSSION:

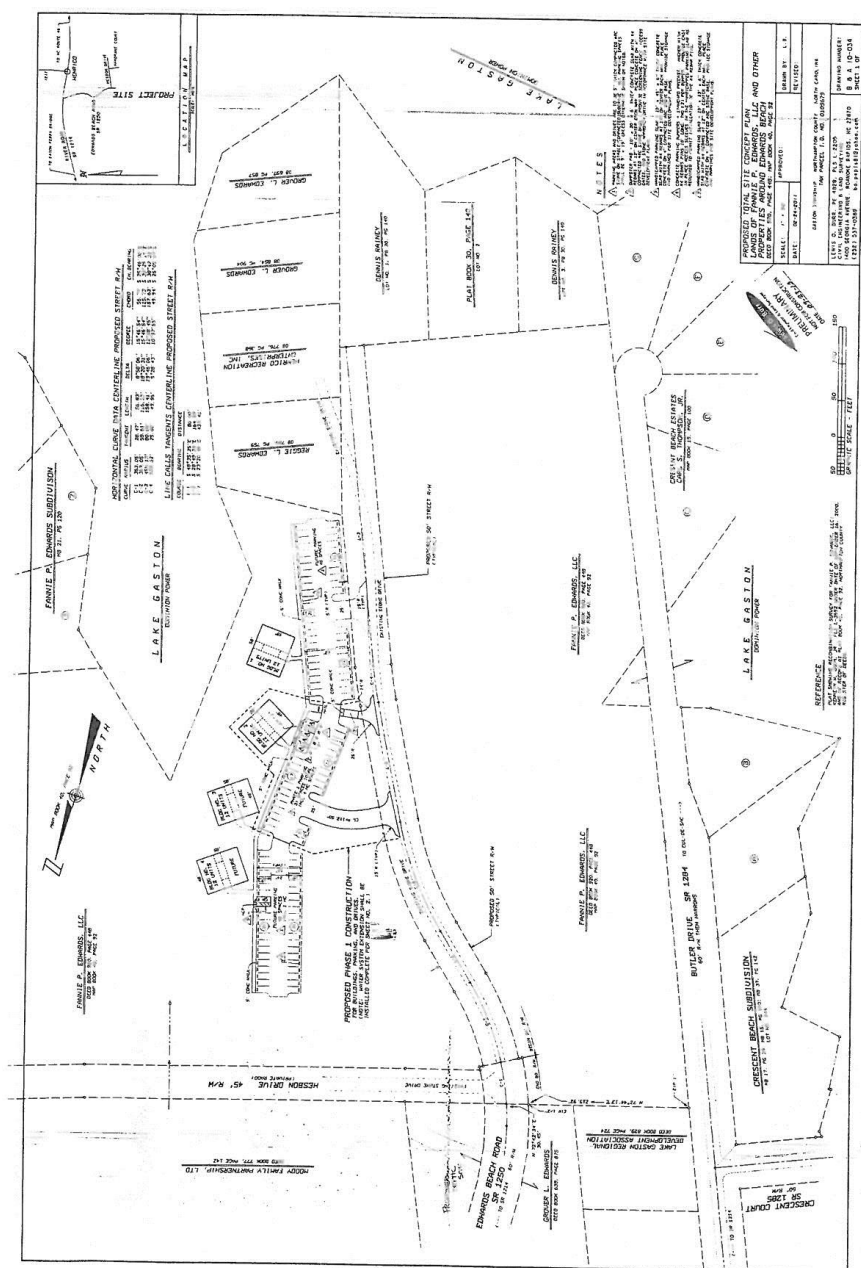
- This proposed project has appeared before the Northampton County Planning Board and received a favorable recommendation for presentation to the Northampton County Board of Commissioners.
- Edward's Beach is currently used for daily access and activities for paying customers.
- The proposed septic field for this project is located on a separate parcel approximately 400 feet north northwest of the project sight.

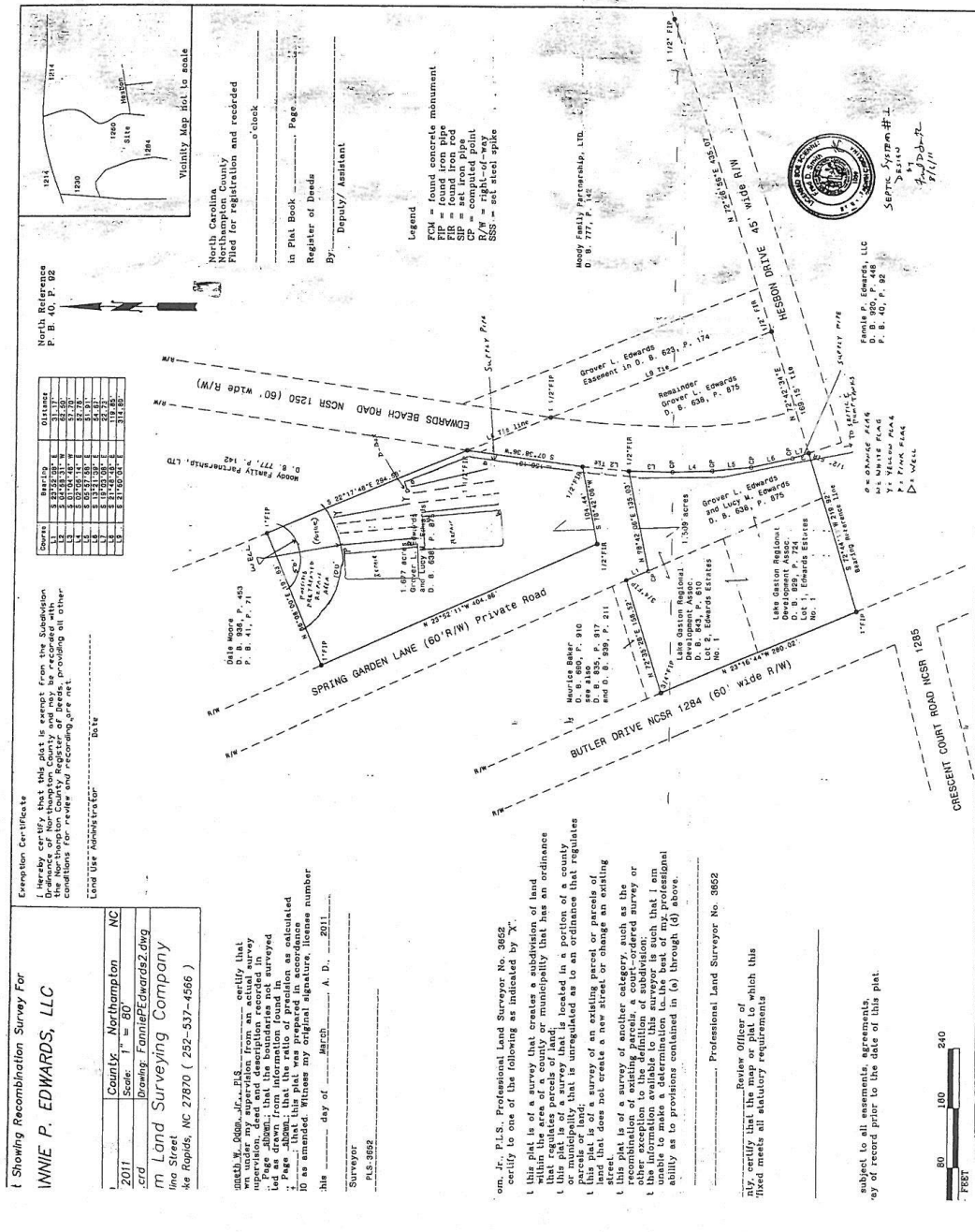
CONCLUSION:

The applicant is seeking a Special Use Permit to construct a Planned Unit Development on a portion of parcel number 01-09679 known as Edward's Beach in Henrico, NC. The proposed development will consist of essentially four (4) buildings with each building containing six (6) living units for a total of twenty-four (24) units. The proposed site plan has been prepared by civil engineer and surveyor, Lewis Burr and the septic layout was done by soil scientist, Fred Smith.

If the Board moves to grant the Special Use Permit request, the applicant will be required to follow all guidelines for developing a Planned Unit Development as set forth in the Northampton County Zoning Ordinance as well as all State and local codes and ordinances.

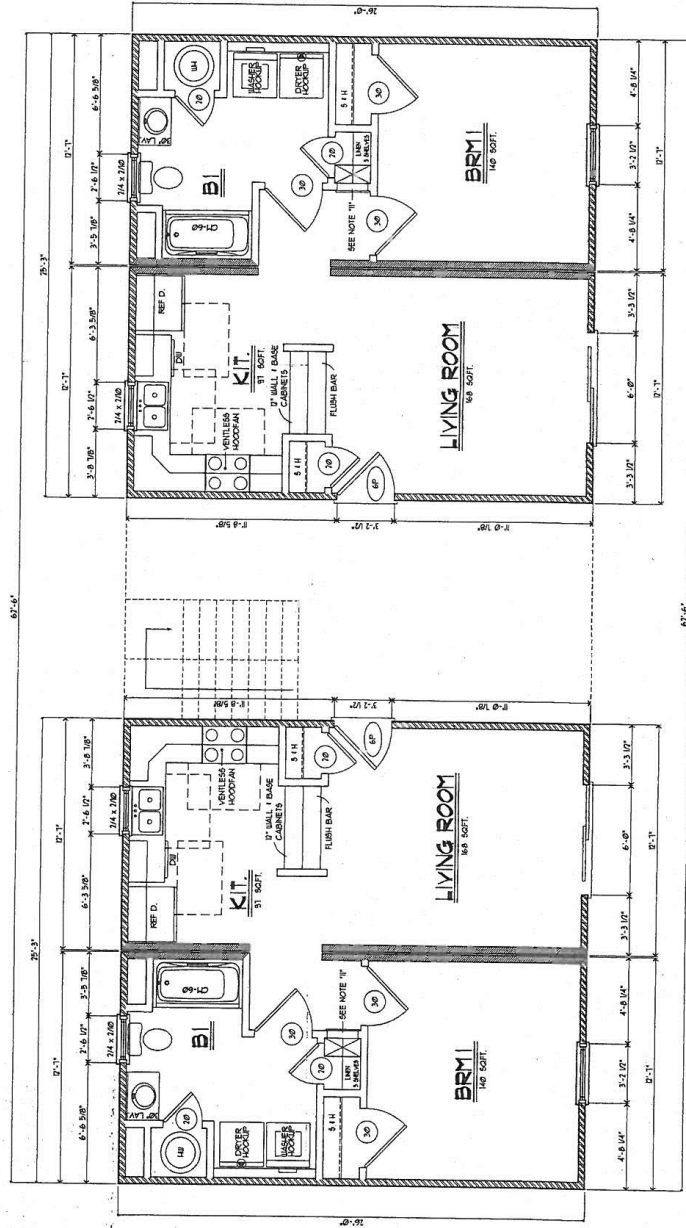
NOTE: VARIOUS MAPS AND DRAWINGS WILL BE SUBMITTED AS EVIDENCE DURING THE HEARING.





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2ND & 3RD LEVEL FLOOR PLAN

SQFT PER LIVING UNIT 651

EXHIBIT 3

Appointment for Board of Adjustment:

Mr. William Flynn also appeared before the Board to recognize the withdrawal of County Commissioner Joseph Barrett from the Northampton County Board of Adjustment, and to appoint in his place at his recommendation, Mrs. Winnie White as a regular member.

Mr. Flynn noted that several members need to be replaced and when they get them all in place, they will be conducting some educational workshops for the members.

Commissioner Spruill asked if the bylaws stipulate that one of the positions on the Board of Adjustment be filled by a Commissioner. Mr. Flynn replied no. Vice-Chairwoman Greene asked if he needed an appointment from her District. Mr. Flynn said yes. Vice-Chairwoman Greene recommended Mr. Jack Saunders to represent her District.

A motion was made by Virginia Spruill and seconded by Fannie Greene to approve the recommendation coming from Commissioner Barrett to be replaced by Mrs. White. **Question Called: All present voting yes. Motion carried.**

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

DECISION PAPER

To: Northampton County Board of Commissioners
From: William Flynn, Northampton County Planning and Zoning Director
Date: October 20, 2014
Subject: New Board of Adjustment Member

PURPOSE:

The purpose of this paper is to recognize the withdrawal of County Commissioner, Mr. Joseph Barrett, from the Northampton County Board of Adjustment, and to appoint in his place, at his recommendation, Mrs. Winnie White as a regular member of the Northampton County Board of Adjustment.

FACTS:

1. Commissioner Barrett has chosen to resign from his position as a regular member of the Northampton County Board of Adjustment.
2. Commissioner Barrett has suggested Mrs. Winnie White as his replacement.
3. Mrs. White is a citizen of Northampton County that has retired with thirty (30) years of experience in education.

CONCLUSION:

Commissioner Joseph Barrett is resigning as a regular member of the Northampton County Board of Adjustment and has nominated Mrs. Winnie White of Pendleton, NC as his replacement. If the Board is in agreement with Commissioner Barrett's nomination and appoints Mrs. White as his replacement, then it would please us to welcome Mrs. White to the Northampton County Board of Adjustment

Request for Lottery Draw Down- Repair Roof at Gaston Middle School and Waiver of Ambulance Fee:

Mr. Joe Holloway, Finance Director of Northampton County Schools, appeared before the Board to request to draw down lottery funds. There is a need to do roofing repairs at Gaston Middle School, and it is going to take a little more than the lottery funds that he is requesting. They will pull that down from the regular allocation that the Board has made to them for Capital Outlay to finish the project.

Commissioner Barrett asked what the total cost of the repair is. Mr. Holloway referred to Mr. Doug Miller, Executive Director of Auxiliary Services for Northampton County Schools. Mr. Miller said it was bid out and the cost is about \$230,000.

Chairman Carter asked how old the school is. Mr. Holloway responded that it was done in the late 80's or 90's. He said they have had a couple of repair projects on the roof— some patching—that didn't work.

Commissioner Spruill asked about the \$8,000 plus in the draw down. She wanted to know if it will complete the repair work. Mr. Holloway said no, they will have to request the difference and they have a painting project that they will have to forego. They will pull money from that particular project to come up with the full amount needed.

A motion was made by Joseph Barrett and seconded by Virginia Spruill to approve the draw down from the lottery funds for repairs at Gaston Middle School. **Question Called:** *All present voting yes.* **Motion carried.**

Mr. Doug Miller mentioned that on the Ambulance Waiver Fee, he had contacted Chuck Joyner, EMS Director, and he has informed him that the people that were transported will have to apply for a waiver from the County. He will pass that information along to them.

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

**APPLICATION
PUBLIC SCHOOL BUILDING CAPITAL FUND
NORTH CAROLINA EDUCATION LOTTERY**

Approved: _____

Date: _____

County: Northampton County

Contact Person: Joe Holloway

LEA: 660

Title: Fiance Officer

Address: 701 N Church Street

Phone: 252-534-1371

Project Title: Roofing of Gaston Middle School

Location: Gaston Middle School 152 Hurricane Drive, Gaston NC

Type of Facility: Middle School

North Carolina General Statutes, Chapter 18C, provides that a portion of the proceeds of the North Carolina State Lottery Fund be transferred to the Public School Building Capital Fund in accordance with G.S. 115C-546.2. Further, G.S. 115C-546.2(d) has been amended to include the following:

- (3) No county shall have to provide matching funds.
- (4) A county may use monies in this Fund to pay for school construction projects in local school administrative units and to retire indebtedness incurred for school construction projects.
- (5) A county may not use monies in this Fund to pay for school technology needs.

As used in this section, "Public School Buildings" shall include only facilities for individual schools that are used for instructional and related purposes, and does not include central administration, maintenance, or other facilities. **Applications must be submitted within one year following the date of final payment to the Contractor or Vendor.**

Short description of Construction Project: Replace roof on Gym and auditorium.

Estimated Costs:

Purchase of Land	_____	\$	_____
Planning and Design Services	_____		_____
New Construction	_____		_____
Additions / Renovations	_____		206,000.00
Repair	_____		_____
Debt Payment / Bond Payment	_____		_____
TOTAL	_____	\$	206,000.00

Estimated Project Beginning Date: 11/15/2014

Est. Project Completion Date: 07/2015

We, the undersigned, agree to submit a statement of state monies expended for this project within 60 days following completion of the project.

The County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$ _____ from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

(Signature — Chair, County Commissioners)

(Date)

(Signature — Chair, Board of Education)

10/28/2014
(Date)

NCTN Agreement Renewal and Nash County Health Department MOU:

Mr. John White, Acting Health Director, appeared before the Board to obtain approval to allow the Health Department to renew a Subscription Agreement with the Public Health Authority of Cabarrus County for the purpose of internet service connection at a discounted price.

Commissioner Spruill asked if they've ever had to use the back-up. Mr. White responded that the back-up is something brand new. He said in the past, this service has been reserved for the Health Department, and he found that they could pay the extra one percent and it would serve as a back-up for the rest of the County.

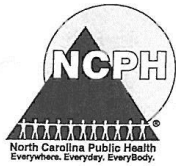
A motion was made by Joseph Barrett and seconded by Fannie Greene to approve to allow the Health Department to renew the Subscription Agreement between the Public Health Authority of Cabarrus County for the purpose of extending internet service. **Question Called:** *All present voting yes.* **Motion carried.**

Mr. White also appeared before the Board to obtain approval for the Northampton County Health Department to enter into an MOU with Nash County Health Department for the purpose of accepting a \$1,000 mini grant to be used for Breast Cancer Awareness activities.

A motion was made by Virginia Spruill and seconded by Chester Deloatch to accept the request coming from the Health Director, Mr. White. **Question Called:** *All present voting yes.* **Motion carried.**

Mr. White stated that he will get with Mr. Edwards to make sure all is well with the property that was mentioned in the previous Public Hearing.

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



NORTHAMPTON COUNTY HEALTH DEPARTMENT

9495 NC 305 HIGHWAY
POST OFFICE BOX 635
JACKSON, NORTH CAROLINA 27845



DECISION PAPER

TO: Northampton County Board of County Commissioners
FROM: Northampton County Health Department
DATE: November 3, 2014
RE: NCTN Agreement Renewal

PURPOSE:

The purpose of this decision paper is to seek the approval of the County Commissioners to allow the Health Department to renew a Subscription Agreement with the Public Health Authority of Cabarrus County for the purpose of internet service connection at a discounted price.

FACTS:

1. The health department entered into a Subscription Agreement with the Public Health Authority of Cabarrus County in April of 2011.
2. The original agreement was presented to and approved by the Northampton County Commissioners on November 15, 2010.
3. This agreement was designed to assist participants in the North Carolina TeleHealth Network (NCTN) in obtaining broadband services (internet) under the Federal Communications Commission's Rural Healthcare Pilot Program. (RHCPP).
4. NCTN broadband service previously included an 85% discount for eligible services that was paid by the FCC's RHCPP and was due to end April 18, 2014; however a Subscription Agreement extension was presented to and approved by the Board of Health at the January 9, 2014 meeting to extend the agreement to December 18, 2014.
5. The renewal agreement will be at a slightly higher rate because the pilot program expires at the end of the above stated extension.
6. The renewal rate will be subsidized at 65%, making the cost increase from \$322.53 to \$538.94 per month and was included in the 2014-2015 approved budget.
7. The offer also includes a 1% Fair Share Arrangement to account for the occasional use of the NCTN service as a backup for the county when their other connections are down.
8. The renewal agreement was sent to Scott McKellar, County Attorney on September 4, 2014 to begin the contract process.
9. The effective date of the three year renewal, upon approval, is December 18, 2014.

DISCUSSION:

In this new world of Medicaid reform, affordable care act, etc., local health departments must be prepared to play a role in the new world of "health" that will include having the best infrastructure for electronic data exchange. In April 2011, the health department entered into a Service Agreement with the Public Health Authority of Cabarrus County to participate in the Federal Communications Commission Rural Health Care Pilot Program (RHCPP) known as the

PHONE: (252) 534-5841

PHONE: (252) 534-1291 (Home Health)

FAX: (252) 534-1207 Adm.


MAIN FAX: (252) 534-1045

North Carolina Telehealth Network (NCTN). This agreement authorized Cabarrus Health Alliance to act as an agent on the health department's behalf before the FCC in matters related to the RHCPP. The original Service Agreement was presented to and approved by the Northampton County Board of Commissioners in November 2010. NCTN broadband service previously included an 85% discount for eligible services that was paid by the FCC's RHCPP which saved the health department in excess of \$57,000.00 over the agreement's three-year period. The original agreement was scheduled to end on April 18, 2014; however the NCTN project found residual funding sufficient to extend the 85% discount service for an additional 8 months. The Subscription Agreement extension was presented to and approved by the Board of Health at the January 9, 2014 and the County Commissioners on January 27, 2014. This extension is set to expire on December 18, 2014. The proposed renewal agreement rate will be subsidized at 65%, making the cost \$538.94 per month (the previous rate was \$322.53.) The proposed rate also includes a 1% Fair Share Arrangement to account for the occasional use of the NCTN service as a failsafe backup for the county when their other connections are down. The County's share will be \$8.94 each month. The renewal was sent to Scott McKellar, County Attorney for review. This amount was included in the 2014-2015 approved budget to be paid with Aid-to-County funding. The effective date of the three year renewal, upon approval, is December 18, 2014.

RECOMMENDATIONS:


Recommend that the Northampton County Board of Commissioners approve to allow the Health Department to renew the Subscription Agreement with the Public Health Authority of Cabarrus County for the purpose of extending internet service connection at a discounted price.

Respectfully submitted,


John L. White
Acting Health Director

COORDINATION:

County Manager:

Concur  10/27/14
Concur with Comment _____
Non-concur _____

Finance Director :

Concur 
Concur with Comment _____
Non-concur _____



NORTHAMPTON COUNTY HEALTH DEPARTMENT
9495 NC 305 HIGHWAY
POST OFFICE BOX 635
JACKSON, NORTH CAROLINA 27845



DECISION PAPER

TO: Northampton County Board of Commissioners
FROM: Northampton County Health Department
DATE: November 3, 2014
RE: Nash County Health Department MOU

PURPOSE:

The purpose of this decision paper is to seek the approval of the County Commissioners for Northampton County Health Department to enter into a MOU with Nash County Health Department.

FACTS:

1. Nash County Health Department received Susan G. Komen grant funding and has agreed to offer Northampton County Health Department a mini-grant of \$1,000.00.
2. Funding will be used for breast cancer awareness activities.
3. Nash County is requesting a MOU be established stating that the agency received the funding, understands the purpose of the funds, and will provide some follow-up as to the use of the funds.
4. The proposed MOU was e-mailed to Scott McKellar, County Attorney, on October 7, 2014 and approved by the Board of Health on October 9, 2014.

DISCUSSION:

Nash County Health Department is providing a mini-grant in the amount of \$1,000.00 to Northampton County Health Department for the purpose of breast cancer awareness activities, including education and screening services promotion. This funding was provided through a Susan G. Komen grant to the Nash County Health Department who is requesting a MOU be established between the two agencies stating that Northampton acknowledges receipt of the funding, understands the purpose of the funds, and will provide follow-up as to the use of the funds. Funding must be spent by November 30, 2014. The MOU was faxed to Scott McKellar, County Attorney, on October 7, 2014. It was presented to and approved by the Board of Health on October 9, 2014.

PHONE: (252) 534-5841

PHONE: (252) 534-1291 (Home Health)

FAX (252) 534-1207 Adm.

MAIN FAX: (252) 534-1045

RECOMMENDATION:

Recommend that the Board of Commissioners approve for Northampton County Health Department to enter into a MOU with Nash County Health Department to receive \$1,000.00 for the purpose of breast cancer awareness activities.

Respectfully submitted,



John White
Acting Health Director

CO-ORDINATION

County Manager:

Concur: Kimberly R. Jew
Concur with Comment: 10/17/14
Non-concur: _____

Finance Director:

Concur: Oct Visk 10-17-14
Concur with Comment: _____
Non-concur: _____

NORTHAMPTON COUNTY		CONTRACT/VENDOR	
CONTRACT		Nash County Health Department	
CONTROL SHEET		Address	P.O. Box 849, Nashville, NC 27856
VENDOR #N/A		Contact	Kim Lowry
		2	Originals 0 Copies
CONTRACT # _____		Amount \$ _____ received \$1000.00	
Original Contract sent to Contract Administrator		Date: 10/7/2014	
Originating Department/Individual: John L. White, Acting H.D.		Item or Service: breast cancer awareness	
Department Involved: Health Department		Type of Contract: MOA	
Line Item Budgeted: 113330-451460		Period of Coverage: one time only	
GRANTS			
Board approval for Application		Approved _____	Set _____ Verified _____
Board approval for Acceptance		Approved _____	Sci _____ Verified _____
COUNTY ATTORNEY		Date Received: 10/7/2014	Date Approved: 10/13/2014
Approved as to Form: YES		Approved as to Legal Sufficiency: YES	
Revisions Necessary? NO		Board Action Necessary? YES <i>Don Mark</i>	
FINANCE		Date Received: 10-15-14	Date Audited: 10-17-14
Non encumbered contract Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		<i>Dot Vial</i>	
ASSISTANT COUNTY MANAGER		Date Received _____	Date Approved: _____
COUNTY MANAGER		Date Received: 10/17/14	Date Approved: 10/17/14
BOARD OF COMMISSIONERS		CLERK TO THE BOARD	
Date approved by Board _____		Date Received _____	Date Attested: _____
CONTRACT ADMINISTRATOR			
Attorney _____	Finance _____	Asst Cty Mgr _____	Cty Mgr _____ Clerk _____
Outside Agency Signatures: _____		Date Sent: _____ Date received: _____	
Copies Delivered to Appropriate Departments: _____		ORIGINATING _____ FINANCE _____	
Original to Outside Agency: _____ (Departments to deliver)		Date: _____	
File County Original / Add to Database: _____		Date: _____	
NOTES:			
Nash County received a grant from Susan Komen and has been approved to roll over money from the previous fiscal year in order for Northampton to receive \$1,000.00 to raise breast cancer awareness in Northampton County.			
____ copies sent to originating department with instruction to obtain signatures and return 1 executed original to Legal			
____ copies sent to originating departments with note to forward to vendor			
PROBLEMS:			
Corrective Action:		Date: _____	
		Initial: _____	

MEMORANDUM OF UNDERSTANDING

Northampton County Health Department
And
Nash County Health Department

For Breast Cancer Awareness Activities

Nash County Health Department is providing a mini-grant in the amount of \$1,000 to Northampton County Health Department for the purpose of breast cancer awareness activities, including education and screening services promotion. These funds must be used by November 30, 2014. This funding has been provided through a Susan G. Komen grant to the Nash County Health Department.

For the internal records of the Nash County Health Department, the signature of *at least one representative* (only one is necessary but others may be added) from the Northampton County Health Department is needed to verify receipt of the funds.

By signing below, a representative of the Northampton County Health Department indicates that the check has been received and that he/she has an understanding of how the funds are to be used. He/she also agrees that a one-page follow-up report will be completed and returned to the Nash County Health Department by October 31, 2014 to outline how the funds were/will be used to raise breast cancer awareness in your community.

1. John L. White
Printed Name

Signature

Acting Health Director
Title/Position

3. _____
Printed Name

Signature

Title/Position

2. _____
Printed Name

Signature

Title/Position

4. _____
Printed Name

Signature

Title/Position

Chairman Carter called for a five minute break.

Board of E & R:

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

Chairman Carter noted that the first thing on the agenda as a Board of E & R is to look at the minutes for May 19, 2014 and the minutes for October 20, 2014.

A motion was made by Fannie Greene and seconded by Joseph Barrett to approve the May 19, 2014 minutes. **Question Called:** *All present voting yes.* **Motion carried.**

A motion was made by Virginia Spruill and seconded by Chester Deloatch to approve the October 20, 2014 E & R minutes. **Question Called:** *All present voting yes.* **Motion carried.**

Mrs. Cathy Allen, Tax Administrator, appeared before the Board for Present Use Late Application. She asked if those who were present, and would be representing themselves in the hearing this morning would come forward so that she could administer the oath to them.

Mrs. Allen asked the Board to either confirm or reduce the appraised value of parcel 01-01374 for Floyd S. and Barbara R. Potter. She mentioned that the Potters have not presented any evidence that the value of parcel 01-01374 is not correctly appraised as of January 1, 2011. They failed to produce documentation that this parcel cannot obtain a boat house permit or that the parcel is unbuildable.

A motion was made by Fannie Greene and seconded by Virginia Spruill that based on information presented, to deny this appeal. **Question Called:** *All present voting yes.* **Motion carried.**

Mrs. Allen also appeared before the Board to obtain action concerning whether John B. Jr., and Dallas Burch have shown good cause for failure to make a timely application to receive Present Use Assessment on parcel 01-07124. The last day to file a timely application was July 14, 2014. The Burches appealed the removal of present use on this parcel on August 18, 2014.

The Burches were present to plead their case. Mrs. Burch noted that according to the information, they purchased the land on May 16th and as Mrs. Allen has said, they had 60 days to apply. They didn't receive notice until July, which was after the 60 days about the rollback. That is why they are making late application. Mrs. Burch mentioned that according to Mr. Davis, it is a courtesy of the County to send out a notice, and they did not get that courtesy.

Vice-Chairwoman Greene asked if they had an Attorney assist them in this matter. The Burches replied that they did. Vice-Chairwoman Greene asked if he informed them of the 60 days. The Burches replied that he did not.

Mr. Davis noted that Mrs. Burch is correct. He did not get notification that they purchased the property until after the 60 days. Some things slipped through the cracks and he didn't get a chance to notify them within the 60 days which he tries to do. By that time the Tax Department

didn't have the authority to include the late application. Mr. Davis stated that it is a courtesy that they notify citizens, it is not required by any Statute.

Commissioner Spruill stated that in the decision part of this paper, Mrs. Allen indicated that this is an issue that they've ruled on previously. She said according to Mr. Davis this has nothing to do with the ignorance of the law, and that is how the Board ruled on other issues.

Mrs. Allen noted that it is the citizens' responsibility to make sure they follow the law, even though they may not have been aware, or contacted, or told by their Attorney. The law does not state that the Tax Department has to notify them. Again, that is a courtesy.

Mrs. Allen wanted to note that they try their best to do what they can to aid the tax payers. The Tax Department made notification and had the Register of Deeds Office put on their board, about any transfer of property, present use and what guidelines need to be followed. It is noted to any Attorney, that any property that has been transferred that has present use on it, must submit an application.

A motion was made by Chester Deloatch and seconded by Fannie Greene that Mr. and Mrs. Burch be granted a late application for the year 2014. ***Question Called: yes (Commissioners Deloatch and Greene); no (Commissioners Spruill, Barrett, and Carter). Motion carried.***

The late application was denied.

Mrs. Allen reminded the Board that the Burches can resubmit an application in January for 2015.

Mrs. Allen also appeared before the Board to obtain action concerning whether James Otis Pruden Heirs has shown good cause for failure to make a timely application to receive Present Use Assessment on parcels 09-02674 and 09-01976 for 2014.

Ms. Ann Lorette Pruden, daughter of James Otis Pruden and the Executrix of the Estate was present to plead her case before the Board. Ms. Pruden mentioned that her father died on December 5, 2013. Her sister had the Power of Attorney when Mr. Pruden was alive. She has only received what her sister has sent her on this property last month. She called the Tax Office to find out what the property taxes would be for the parcels. She had no idea that there had been an expectation from the County that she file for Present Use Value.

As soon as she found out, she spoke with Mrs. Allen and Mr. Davis. She made the application as soon as she was aware of the issue. Ms. Pruden is requesting that the Board give her serious consideration given the precedence that they discussed earlier, to let her have this 2014 appeal. She said she filed as timely as she could.

Commissioner Spruill asked if it was two or three pieces that they are reviewing. Chairman Carter said three. Mrs. Allen said two pieces are on the same account number; one is under the name of James Otis Pruden Heirs, and one is under the husband and wife's name.

Chairman Carter wanted to clarify for the Board that on the decision paper that they have, 09-02671 is separate. On the other decision paper 09-02674 and 09-01976 are together. There are

three parcel numbers—one on one sheet, and two on the other sheet. Both are following under the same characteristics.

A motion was made by Virginia Spruill and seconded by Joseph Barrett to deny the present use application for parcel 09-02674 and 09-01976 for the year 2014. **Question Called: All present voting yes. Motion carried.**

The next parcel is 09-02671. Chairman Carter asked the Board if they needed further clarification from Mrs. Allen.

Vice-Chairwoman Greene had a question for the Attorney. She asked that if the Board has no discretion on this matter, then why are they going through this. Attorney McKellar stated that the discretion is that the Board has to determine if there is good cause demonstrated under the Statute. Vice-Chairwoman Greene said there never seems to be good cause according to the Statute. Attorney McKellar said that good cause—as he’s reading the Statute—is not defined, so what he has read is that the Board is making a decision to follow its precedence so that its perfectly within the Board’s purview to do that.

Commissioner Spruill stated that General Statute does somewhat define what the Board might consider as good cause. In terms of if it doesn’t meet certain things that don’t apply to good cause.

A motion was made by Virginia Spruill and seconded by Joseph Barrett that the Board of County Commissioners deny the late Present Use application on parcel 09-02671 for the year 2014. **Question Called: All present voting yes. Motion carried.**

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

Public Hearing-No Wake Buoy:

Chairman Carter recessed the regular session to convene a Public Hearing.

Ms. Kimberly Turner, County Manager, appeared before the Board to conduct a public hearing to hear and receive public comment on a request from Ms. Kathleen Herrman for the placement of a no wake zone buoy in the North Point Cove located in Henrico, NC near South Belmont Drive. Mrs. Herrman was not present for the hearing. Ms. Turner read Ms. Herrman’s request letter for the benefit of the citizens present. This request will be forwarded to the NC Wildlife Resources Commission, and they will make the decision as to whether or not this request meets their guidelines for the placement of the buoy where indicated.

Chairman Carter asked if citizens had any comments.

None were heard.

Chairman Carter asked if the Board had any questions.

Commissioner Barrett asked if the County Manager's office had received any calls from anyone that lives in or around the Cove that is in opposition. Ms. Turner replied that we have not had any calls from anyone for or in opposition to this.

Chairman Carter declared the Public Hearing closed.

Chairman Carter mentioned that there is a resolution to adopt if the Board supports or denies the no wake zone.

A motion was made by Joseph Barrett and seconded by Virginia Spruill to approve the resolution to place a no wake buoy in the North Point Cove of Lake Gaston near South Belmont Drive located in Henrico, NC. **Question Called:** *All present voting yes.* **Motion carried.**

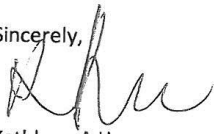
**PLEASE SEE SCANNED DOCUMENTS WHICH ARE
HEREBY MADE A PART OF THESE MINUTES:**

September 29, 2014

Dear Sir or Madam:

This letter is written to request the placement of a no wake zone/danger buoy in North Point Cove. The reason for the request is for the safety of swimmers, floaters, and people operating kayaks in this obstructed view area. People are often in the water and are unseen by personal watercraft operators because there is a blind point extending out into the water and the swimmers, floaters, and kayakers, are hidden from view until the boat or jet-ski come around the point. The wake produced by fast moving boats and other motorized watercrafts make it dangerous for those in the water to continue swimming, floating, and kayaking. The water around the point is very shallow and covered with brush and vegetation. It is easy, as a boater, to be unaware of the depth of the water and people in the water on the other side of the land extending into the water. Please consider granting this request for the safety of all people and property. It is understood the upkeep and placement of the no wake or danger buoy will be my responsibility. Please review 2 maps attached to this request.

Sincerely,



Kathleen A. Herrman

311 South Belmont Drive

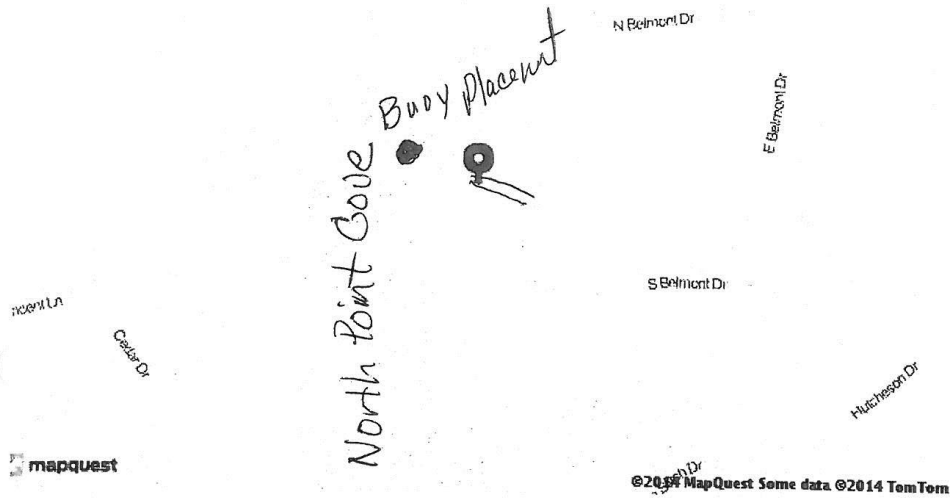
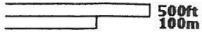
Henrico, NC 27842

252-537-2696

Notes



of:
S Belmont Dr
Henrico, NC 27842-9100



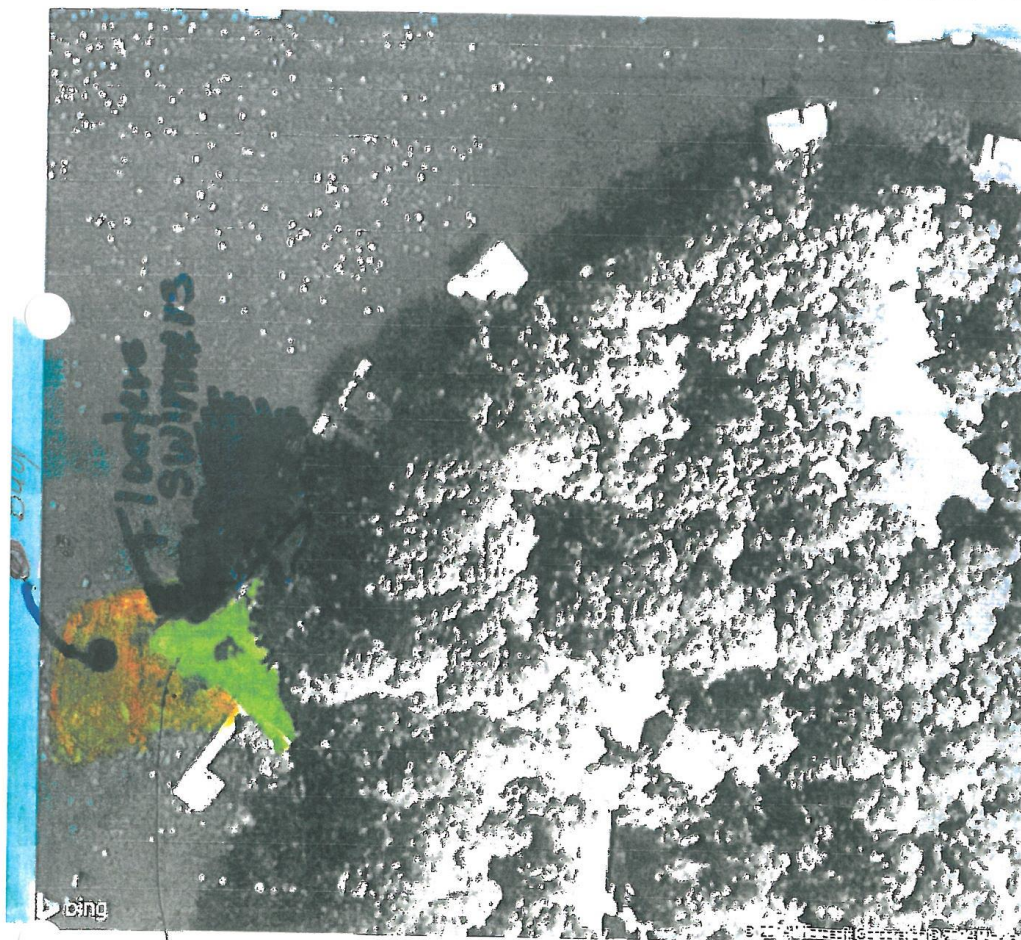
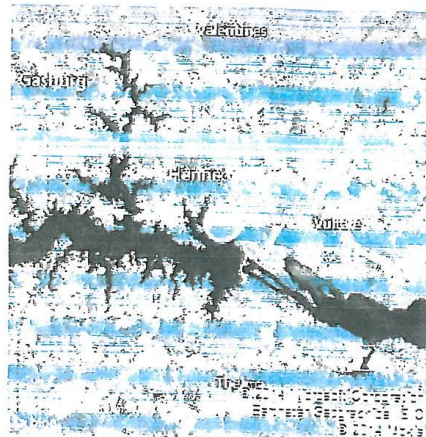
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Bing Maps

11 S Belmont Dr, Henrico, NC 27842

Notes

Land
Water/swimmers
Shallow (light green)
orange
m.bing.com
buoy



Bird's eye view maps can't be printed, so another map view has been substituted.

point

<http://www.bing.com/maps/print.aspx?mkt=en-us&z=19&s=b&cp=36.516560,-77.820221&poi=311%20S%...> 9/29/201

bing Maps

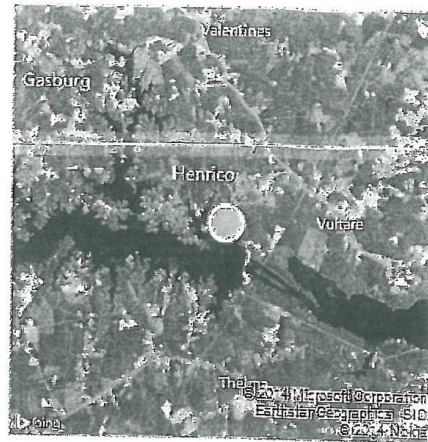
11 S Belmont Dr, Henrico, NC 27842

Notes

point/land
water

On the go? Use m.bing.com to find maps, directions, businesses, and more.

shallow water



shallow water
Buoy Placement



* : Bird's eye view maps can't be printed, so another map view has been substituted.

POINT

<http://www.bing.com/maps/print.aspx?mkt=en-us&z=19&s=b&cp=36.516560,-77.820221&poi=311%20S%...> 9/29/201

Northampton County

"A GREAT PLACE TO RAISE FAMILIES, PROFITS AND EXPECTATIONS"

BOARD OF COMMISSIONERS

P. O. BOX 808

JACKSON, N. C. 27845

PHONE (252) 534-2501 • FAX (252) 534-1166

NORTH CAROLINA COUNTY OF NORTHAMPTON

RESOLUTION OF THE BOARD OF COMMISSIONERS OF NORTHAMPTON COUNTY

WHEREAS under authority of North Carolina General Statutes Section 75A-15(a) any subdivision of the State of North Carolina may at any time, after public notice, make formal application to the Wildlife Resources Commission for special rules and regulations with reference to the safe and reasonable operation of vessels on any water within its territorial limits.

WHEREAS Northampton County has given public notice of its intention to make formal application to the Wildlife Resources Commission for special rules and regulations with reference to the safe and reasonable operation of vessels on the North Point Cove in Henrico within the territorial limits of Northampton County and for the implementation of the Uniform Waterway Marker System in all the waters of the County.

BE IT RESOLVED that in accordance with G.S. 75A-15, the Board of Commissioners of Northampton County requests the North Carolina Wildlife Resources Commission to promulgate special rules and regulations with reference to safe and reasonable operation of vessels on the waters of Lake Gaston located in said County, the pertinent substance of which proposed regulations is as follows: Placement of "No Wake Buoy" in the North Point Cove of Lake Gaston near South Belmont Drive located in Henrico, North Carolina.

BE IT FURTHER RESOLVED that the said Board of Commissioners requests the said Commission to promulgate regulations fully implementing the Uniform Waterway Marker System in all of the waters of the said County.

CERTIFICATION

This is to certify that the above is a true and exact copy of a resolution adopted by the Northampton County Board of Commissioners at the regular meeting held in the Northampton County Commissioners' Meeting Room on Monday, November 3, 2014. The same appears in Minute Book _____ at page _____.

Michelle Nelson, Clerk to the Board
Northampton County Board Commissioners

North Carolina Wildlife Resources Commission

Recommendation for Local Boating Regulations and Application for Placement of Markers Under the U.S. Aids to Navigation System on Navigable Waters of the United States.

1. Governmental Unit Northampton County Date 11-3-14
Mailing Address P.O. Box 808 Phone # 252-534-2501
Jackson, NC 27845
2. In accordance with G.S. 75A-15, the above-named local governing unit hereby recommends to the North Carolina Wildlife Resources Commission the promulgation of special rules and regulations with reference to the safe and reasonable operation of vessels applicable to the waters of Lake Gaston located in Northampton County, the pertinent substance of which regulation is as follows:
Assessment of NC Wildlife Resources Commission for placement of "No Wake" buoy - North Point Cove
[Please name the waterway in which the proposed zone is to be located. If the zone is in a canal, for example, name the canal and whatever larger body of water the canal flows from. Please include information specific enough to permit an ordinary person to locate the area.]
3. Enclosed herewith are the following:
 - a. A certified copy of the resolution of the above-named governmental unit:
 - (1) requesting the special rules and regulations for the waters named in Item 2 and
 - (2) requesting full implementation of the U.S. Aids to Navigation System in all waters within the governmental unit (if this has not previously been done)
 - (3) stating that public notice, its date and media source, was given of the intention to make application to the Wildlife Resources Commission for the regulations which are being proposed.
 - b. A draft of the proposed regulations.
 - c. Two copies of a map of the waters concerned showing the exact location and type and number of waterway markers which will be necessary for the enforcement of the proposed regulations.
 - d. Estimated cost of placement of markers (buoys, signs, anchoring system, pilings if applicable.) The North Carolina Wildlife Resources Commission is required to report the fiscal impact of any Rule. If purchase, erection or maintenance of the markers is to be by someone other than the governmental unit, a memorandum identifying that person or entity is attached. The North Carolina Wildlife Resources Commission does not purchase, place or maintain no wake markers.
4. Each waterway marker (buoy) required shall comply in color, size, shape, and structural design with the U. S. Aids to Navigation System and the supplementary standards for such markers adopted by the North Carolina Wildlife Resources Commission pursuant thereto. No other waterway marker will be placed or allowed to remain in waters in which the U. S. Aids to Navigation System has been fully implemented without approval of the Wildlife Resources Commission.
5. It is understood that the regulations promulgated by the North Carolina Wildlife Resources Commission for placement of waterway markers may be subject to approval by the United States Army Corps of Engineers and in coastal counties by the Division of Coastal Management of the Department of Environment and Natural Resources. The recommending governmental unit agrees to submit applications for such approvals to the appropriate agencies with copies to the Wildlife Resources Commission. Final approval by the North Carolina Wildlife Resources Commission for placement of such markers is contingent upon Division of Coastal Management and U.S. Army Corps of Engineers approval where required.
6. If the special rules and regulations for federal waters are promulgated by the North Carolina Wildlife Resources Commission and placement of the necessary regulatory waterway markers is approved by the applicable agencies, such markers shall be erected or installed within sixty days after receipt of notification of the last such official action, and thereafter maintained in good condition.

Northampton County Governmental Unit
Governmental Unit

By: _____

Ms. Turner also appeared before the Board to seek approval of an amendment to the Personnel Policy in reference to advances or loans to employees. This information has been brought to their attention by the Auditors. It's not in writing, but it is a practice of the County. They do not allow advances or loans to employees, however, it was not in the personnel policy. At the request of the Auditor, they would like to add it. She is asking that the amendment be added to Article III, Section 7 of the Personnel Policy.

Commissioner Barrett asked if there have been any advances. Ms. Turner said no, not since they've had computerized payroll—which has been over 20 years.

A motion was made by Fannie Greene and seconded by Virginia Spruill to approve the following amendment to Article III, Section 7 of the Personnel Policy: "No advances on salaries or loans to employees shall be made." **Question Called: All present voting yes. Motion carried.**

Ms. Turner also appeared before the Board to ask for reappointments for the Northampton County Cultural Arts Committee. At the request of Mrs. Judy Collier who is the Chair, Ms. Turner is asking for the reappointments of Judy Collier, Brenda Taylor, Denise Barnes, Lucy Edwards, Wendell Edwards, Rhonda Holmes, and Samuel McCoy Baugham and an appointment to replace the County Manager with Shannon Vinson who works in the Finance Department.

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

Ad Valorem Tax Appeals, Adoption of 2015 Market Value Schedule, and Adoption of 2015 Use Value Schedule:

Mrs. Cathy Allen appeared before the Board once more for the Board of Equalization and Review to either confirm or reduce the appraised value of Northampton County Tax Parcel Number 09-02529 for Joseph F. and Brenda D. Byrum.

Mr. and Mrs. Byrum have appealed the value of the parcel known as Rogers Quarter track C, with a value of \$188,524. The Tax Department sent the Byrums a letter on May 16, 2014 notifying them of the present value at 100 percent market. They were mailed a second letter on April 23rd informing them of receipt of a timely form of appeal. Mr. Davis made a visit to the property on May 8th, where he also informed the Byrums that he saw reason to adjust the value at that time from \$225,229 to \$188,524. Mrs. Allen mentioned that at the time Mr. Davis reviewed the parcel, he observed that the buildings needed to operate the racetrack were still in place on the property. Therefore the parcel use had not changed. That would be a reason for an adjustment if the race track or the buildings were removed. It would be a different situation. The adjustment he made was based upon the condition of the track and some minor adjustments were done on the buildings which brought the value down.

The Byrums were present to plead their case. Mrs. Byrum stated that they are coming to discuss the value of the Margarettsville Speedway which has not been in operation in two years. They had to close it down due to the economy. They are coming to see if they can get the value down. She said they are in the process of selling the property, and back on March 17, 2014, the bank, where it was financed, had an appraisal done. Mrs. Byrum noted that the speedway and a second small parcel were appraised together. She said it is no longer being used as a business.

Mr. Davis has looked over the appraisal that the bank did, and he said that the Board cannot consider it. He noted that they can't consider making adjustments on economical reasons between revaluations. Every sale that the appraiser used for this appraisal was done after January 1, 2011. They are bound to appraise property as of January 1, 2011. Mr. Davis said that was stated in the general letter that they sent when they acknowledged the fact that they made a timely appeal, on April 23rd.

A motion was made by Virginia Spruill that the Board deny the appeal. **Question Called:** *yes (Commissioners Spruill and Carter); no (Commissioners Greene, Deloatch, and Barrett).* **Motion carried.**

The motion as it was carried meant that the Board is going to accept the appraisal that was brought forth. Mr. Davis said the Board can't accept the appraisal. He said they can lower it, and if they wanted to do that, what would they want him to lower it to. He noted that if they accept the appraisal, they are doing something that they don't have the authority to do.

There was a discussion that the vote was in violation of the General Statute, but the decision can be rescinded. Chairman Carter asked the Board what position they wanted to take on the issue. Mr. Davis explained that the Board can make an opinion of value not based on their appraisal, and the Board can instruct the Tax Office to adjust their value to an amount. The options are to get somewhere closer to the \$144,000 mark. He said he's got to have a number.

A motion was made by Fannie Greene and seconded by Joseph Barrett to rescind the previous motion. **Question Called:** *yes (Commissioners Greene, Spruill, Barrett and Carter); no (Commissioner Deloatch).* **Motion carried.**

Attorney McKellar will do his best to research and clarify the Statutes before the next meeting.

A motion was made by Virginia Spruill to accept the recommendation from the tax advisor. **Question Called:** *All present voting yes.* **Motion carried.**

Chairman Carter has adjourned the Board of E & R for the year 2014.

Mrs. Allen also appeared before the Board to obtain the Board's approval to release or refund Ad Valorem taxes assessed in the amount of \$766.17 on four appeals.

A motion was made by Fannie Greene and seconded by Joseph Barrett 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.**

Commissioner Barrett asked Mrs. Allen to explain what "income late (exempt)" means. Mrs. Allen replied that the taxpayer submitted a timely application and failed to submit the income at that time.

Mrs. Allen also appeared before the Board to ask them to adopt the 2015 Market Value Schedule of Rules, Standards and Values.

Mrs. Allen presented the Northampton County 2015 Market Value Schedules of Rules, Standards and Values and requested that the Board schedule a public hearing on October 20,

2014 at 2:00 pm pursuant to G.S. 105-317 for public comment and to give consideration to approving or disapproving the schedules on November 3, 2014.

A motion was made by Virginia Spruill and seconded by Joseph Barrett that the 2015 Market Value Schedule resolution be adopted. **Question Called: All present voting yes. Motion carried.**

Finally, Mrs. Allen appeared before the Board to ask them to adopt the 2015 Use Value Schedules of Rules, Standards and Values.

Mrs. Allen presented the Northampton County 2015 Use Value Schedules of Rules, Standards and Values and requested that the Board schedule a public hearing on October 20, 2014 at 2:15 pm pursuant to G.S. 105-317 for public comment and to give consideration to approving or disapproving the schedules on November 3, 2014.

A motion was made by Virginia Spruill and seconded by Chester Deloatch that the Board adopt and approve the 2015 Use Value Schedules as presented and to publish notice of adoption and public right to appeal the decision of the Board to the Property Tax Commission within 30 days of the date of adoption. **Question Called: All present voting yes. Motion carried.**

Citizens/Board Comments:

Chairman Carter called for Citizens Comments.

None were heard.

Chairman Carter called for Board Comments.

Chairman Carter explained that there are four General Statutes dealing with taxes that are very important. The Attorney is going to research and get them to the Board. He suggested to keep them in the Commissioners' books.

Commissioner Spruill stated that this is a very crucial part of the Board's job, talking about the property evaluations and what taxes are put on parcels and how they are going to handle use value. She felt that if the Board could get a session, one day or half a day session from the Institute of Government on this particular area of their job, she feels it will be very beneficial.

Chairman Carter asked if there would be a fee for doing this. Ms. Turner replied yes. Mr. Davis also suggested that someone from the Department of Revenue would probably be able to come down. Ms. Turner will look into this.

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

A motion was made by Chester Deloatch and seconded by Virginia Spruill to convene a closed session for the purpose of G.S. 143-318.11(a)(4). **Question Called: All present voting yes. Motion carried.**

A motion was made by Chester Deloatch and seconded by Fannie Greene to adjourn closed session to reconvene regular session. **Question Called:** *All present voting yes.* **Motion carried.**

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

Chairman Carter asked if there was anything to come before the Board in regular session.

Commissioner Barrett asked if any of the Commissioners were going to the Legislative Goals Conference. He would like to go to that as well as a training class in Rocky Mount, NC.

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

Michelle Nelson, Clerk to the Board
"r.m. 11-3-14"