

**NORTHAMPTON COUNTY
REGULAR SESSION
August 17, 2015**

Be It Remembered that the Board of Commissioners of Northampton County met on August 17, 2015 with the following present: Robert Carter, Fannie Greene, Chester Deloatch, Virginia Spruill, and Joseph Barrett

Others Present: Kimberly Turner, Scott McKellar, Leslie Edwards, and Michelle Nelson

Agenda Work Session:

A 10-minute work session was held to discuss today's agenda items. Chairwoman Greene called upon County Manager Kimberly Turner for input. Ms. Turner noted that Tab 9 should be removed.

Regular Session:

Chairwoman Greene called the meeting to order, welcomed everyone, and announced when citizens could make comments. Commissioner Carter gave the Invocation, and the Pledge of Allegiance was recited.

Approval of Special Called Meeting Minutes for July 7, 2015:

A motion was made by Chester Deloatch and seconded by Virginia Spruill to approve the Special Called Meeting Minutes for July 7, 2015. **Question Called: All present voting yes. Motion carried.**

Approval of Emergency Meeting Minutes for July 28, 2015:

A motion was made by Virginia Spruill and seconded by Chester Deloatch to approve the Emergency Meeting Minutes for July 28, 2015. **Question Called: All present voting yes. Motion carried.**

Approval of Closed Session Minutes for July 28, 2015:

A motion was made by Joseph Barrett and seconded by Robert Carter to approve the Closed Session Minutes for July 28, 2015. **Question Called: All present voting yes. Motion carried.**

Approval of Regular Session Minutes for August 3, 2015:

A motion was made by Robert Carter and seconded by Virginia Spruill that the Regular Session Minutes for August 3, 2015 be adopted. **Question Called: All present voting yes. Motion carried.**

Approval of Closed Session Minutes for August 3, 2015:

A motion was made by Chester Deloatch and seconded by Virginia Spruill to approve the Closed Session Minutes for August 3, 2015. **Question Called: All present voting yes. Motion carried.**

Approval of Agenda for August 17, 2015:

A motion was made by Joseph Barrett and seconded by Robert Carter to approve the Agenda with the omission of Tab 9 for August 17, 2015. **Question Called:** *All present voting yes.* **Motion carried.**

NCDOT Division of Aviation Airport Safety/Maintenance Program:

Mrs. Dia Denton, the Deputy County Manager for Halifax County, appeared before the Board on behalf of the Halifax-Northampton Regional Airport as the Administrator of their Board. Information was received from NCDOT's Division of Aviation to allow the Airport to participate in a safety and maintenance program. All sponsors are asked to approve a letter of commitment and a resolution for the program.

A motion was made by Virginia Spruill and seconded by Chester Deloatch to approve the resolution and a letter of commitment for the Airport Safety and Maintenance Project for a five-year term. **Question Called:** *All present voting yes.* **Motion carried.**

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



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PAT MCCRORY
GOVERNOR

ANTHONY J. TATA
SECRETARY

June 30, 2015

Re: NCDOT Division of Aviation Airport Safety/Maintenance Program

Dear Airport Sponsor:

Some years ago, the Division of Aviation (DoA) created the Airport Safety/Maintenance Program to apply available state funds to assist publicly owned and operated airports with airfield safety projects. This program has been a huge success and has been well received by many airports across our state. The purpose of this letter is to briefly update Sponsors on program abilities and to request completion of an updated Commitment letter that legally allows NCDOT to provide safety/maintenance services on your specific airport. Airports are requested to provide a notarized Letter of Commitment by August 31, 2015 (or sooner if a maintenance project is scheduled for summer/fall 2015).

Each NC airport should understand its own responsibility to provide all needed maintenance. That said, DoA's Safety/Maintenance Program can potentially provide assistance in a manner of ways. DoA supports a dedicated Project Manager position who works with our regional Airport Project Managers to directly assist your facility in a number of ways, such as:

1. Prioritize additional DoA safety/maintenance state-allocations (currently \$1.0 million per year) that can fund specific projects, as warranted. These projects supplement airports' ongoing maintenance programs.
2. Assist airports to identify safety/maintenance needs.
3. Share favorable unit costs of DoA's maintenance contracts with airports. Within legal means, it is hoped that Airports might engage the DoA unit-cost contractors to apply their unit-cost and specification structures to maintenance projects that are funded directly by an airport (and for which DoA is not involved). This informal arrangement potentially benefits both the contractor and airport.

If your airport would like to be considered for continued safety/maintenance support projects by Division of Aviation, then NCDOT requires an on-file copy of a sponsor's Letter of Commitment. Receipt of the Commitment must be received before any NCDOT work can commence. Please note that this agreement has a five-year term to reduce the administrative costs of the program and improve the timeliness of project commencement; however an airport always retains its right to cancel the Commitment with a written letter. This Commitment does not obligate the Division of Aviation to a particular project, but it does allow us to expeditiously start a project once it has been identified and selected for funding.

Please return a hardcopy or electronic scan (.pdf format) of the adopted, notarized form to your appropriate Airport Project Manager. A mail or delivery address is listed below.

Northeast	Mr. Phil Lanier	planier@ncdot.gov	(919)814-0562
Southeast	Ms. Kristen Dwiggins	kdwiggins2@ncdot.gov	(919)814-0583
Northwest	Ms. Rachel Bingham	rsbingham@ncdot.gov	(919)814-0570
Southwest	Mr. Basil Yap	bkyap@ncdot.gov	(919)814-0554

Thank you for your cooperation in this process. Please contact me or your Airport Project Manager if you have any questions or comments regarding the Airport Safety/Maintenance Program. I can be reached or at (919) 814-0572 or at tedevens@ncdot.gov

Sincerely,



Thomas E. Devens, PE
Manager of Aviation Development

cc: Bobby Walston, PE, Director
DoA - Maintenance Project Manager
DOA - Airport Project Managers

The LETTER OF COMMITMENT in adopted form should be returned to the Division of Aviation's designated Airport Project Manager. General telephone number is: (919) 814-0550

Physical Address (for UPS and FedEx deliveries)
1050 Meridian Drive
Morrisville, NC 27560

US Mail Deliveries:
1560 Mail Service Center
Raleigh, NC 27699-1560

**LETTER OF COMMITMENT FOR
AIRPORT SAFETY/MAINTENANCE PROJECTS
(FIVE YEAR TERM)**

THIS COMMITMENT is made, this day of _____ (month, day, year),
from the _____,
(Official Airport Name)
which is hereinafter referred to as "Airport," and the

_____,
(Airport Owner)
which is hereinafter referred to as "Sponsor," to the North Carolina Department of
Transportation (Division of Aviation), an agency of the State of North Carolina
(hereinafter referred to as "Department"), for the purposes of future and as-yet
unspecified safety or maintenance services performed by said Department.

WITNESSETH

WHEREAS, the Sponsor and the Department are concerned with maintaining the
facilities of the Airport to enhance the safety of the traveling public and flight operations,
and

WHEREAS, the Sponsor and the Department may mutually determine that certain paved
surfaces and adjacent areas on the airport have aged and deteriorated and/or that other
infrastructure is in need of maintenance, and

WHEREAS, pursuant to Article 7 of North Carolina General Statute 63, the Department
is authorized to undertake safety improvements of these areas, on publicly owned and
operated airports, and

WHEREAS, the Sponsor and the Department desire that the needed improvements be
undertaken by the Department in conformance with the provision of North Carolina
General Statute 63, and

WHEREAS, the Department requires a Commitment and Release of Liability statement to be
on file, in order to provide and oversee maintenance and safety improvements on the operational
surfaces.

NOW THEREFORE, the Sponsor does hereby commit to the following measures:

1. The Department, using NCDOT state forces and/or private contractor(s) under a
Purchase Order Contract, may perform maintenance and safety improvements to the
Sponsor's airport. This work may include, but not be limited to; Joint and Crack
Sealing, Pavement Repairs and Patching, Surface Treatments, Maintenance Overlays,

Electrical, Grading, Drainage Improvements, Pavement Markings, or other infrastructure maintenance.

2. The Sponsor would expect notification from the Department prior to any work being performed.
3. The Sponsor hereby assures the Department that the title to the pavement and adjacent areas are vested under the Sponsor and hereby authorizes the Department and authorized Contractor(s) to enter onto the premises of the Sponsor and accomplish any of the work items as described in Paragraph 1 above.
4. The Sponsor agrees to provide a duly authorized representative who will be present and/or available at all times work is in progress (including nights and weekends, as applicable) to monitor project operations and assist the Department's representative.
5. The Sponsor agrees to provide a duly qualified operator who will monitor the airport's UNICOM radio transceiver at all times work is in progress (including nights and weekends, as applicable) and will issue airport advisories as necessary on the UNICOM radio transceiver.
6. The Sponsor agrees, when needed, to formally close any runway, taxiway, or apron at all times work is in progress on that pavement and to take appropriate steps to prohibit use of such areas by aircraft and/or ground vehicles.
7. The Sponsor agrees to issue and keep current the necessary Notices to Airmen (NOTAMS) through the Federal Aviation Administration (FAA) until all work is completed and the Department's representative notifies the Sponsor's representative that the affected areas may be returned to service.
8. The Sponsor agrees that the Department may, in its sole discretion, determine the design, scope of work, materials to be used, and methods of accomplishing this safety improvement project.
9. To the maximum extent allowed by law, the Sponsor shall indemnify and hold harmless the Department and its officers and employees from all suits, actions, or claims of any character because of injury or damage received or sustained by any person, persons, or property resulting from work performed under this Commitment or on account of, or in consequence of any negligence in safeguarding the performance of said work.
10. The Sponsor agrees that, at its sole and unlimited discretion, the Department shall have the right to immediately stop all work being performed should the Sponsor not comply with provisions pursuant to this Commitment.
11. The Sponsor understands that for the Department to perform maintenance or safety services, the Airport and Sponsor must be in good standing on all State and Federal

Grant Requirements and Assurances before any project shall be performed under this Commitment.

12. Subject to the provisions of paragraph 10 above, this Commitment will expire in five years. Subject to the provisions of paragraph 10 above, this Commitment may be terminated by either the Department or the Sponsor by providing written notification of termination. The effective date of termination pursuant to this paragraph shall be the date of receipt of the notice of written termination by the non-terminating party.

IN WITNESS WHEREOF, the Sponsor has executed this Commitment on the date first written on Page 1 of this document.

FOR THE LOCAL AIRPORT SPONSORING AGENCY

Signed: _____

Title: _____

Official Sponsor: _____

Attest: _____

SEAL OF THE SPONSOR

The LETTER OF COMMITMENT in adopted form should be returned to the Division of Aviation's designated Airport Project Manager. General telephone number is: (919) 814-0550

Physical Address (for UPS and FedEx deliveries)

1050 Meridian Drive
Morrisville, NC 27560

US Mail Deliveries:

1560 Mail Service Center
Raleigh, NC 27699-1560

Resolution of the Sponsor

A motion was made by _____
(Name and title)

and seconded by _____
(Name and title)

for the adoption of the following resolution, upon being put to a vote it was duly adopted:

THAT WHEREAS _____ (hereinafter referred
(Airport Owner)

to as "Sponsor") the North Carolina Department of Transportation (hereinafter referred to as
"Department") requires a Commitment and Release of Liability statement to be on file, in order to
provide and oversee maintenance and safety improvements on the operational surfaces of the
_____; in accordance
(Official Airport Name)
with the provisions of North Carolina General Statute 63.

NOW THEREFORE, BE IT AND IS HEREBY RESOLVED, that the

_____ of the Sponsor be and is hereby authorized
(Title of Airport Official)
and empowered to enter into a Commitment and Release of Liability with the Department,
thereby binding the Sponsor to fulfillment of its obligation as incurred under this resolution and
its commitment to the Department.

I, _____, of the
(Name and title of Public Notary)
_____, do hereby certify that the above
(Name of Sponsoring Agency)
is a true and correct copy of the minutes of _____
(Name of Authorizing Board)
_____, held on _____
of the Sponsoring Agency) (Date of Meeting)

WITNESS my hand and the official seal of the Sponsor.

This the day of _____ (month, day, year).

NOTARY S E A L

Signed: _____

Capital Outlay Release of Funds, Vehicle Purchase:

Mr. Reed Felts, Resource Conservation Specialist, appeared before the Board to obtain a decision regarding the purchase of a truck for the Department of Soil and Water Conservation.

Paul Boone, the District Conservationist for the County, was also present to explain the background on this issue and why the vehicle is needed.

A motion was made by Robert Carter and seconded by Virginia Spruill to authorize the Department of Soil and Water Conservation to purchase the vehicle so identified. **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: Reed Felts, Northampton County Resource Conservation Specialist

Re: Capital Outlay Release of Funds, Vehicle Purchase

Date: 8/3/2015

Purpose: To secure a decision of the Northampton County Board of Commissioners regarding the purchase of a truck for the Department of Soil and Water Conservation.

Facts:

1. For the past 7-8 years the Northampton County Soil & Water Conservation Office has been relying on the employee to have a personal vehicle capable of doing farm related site visit and driving within farm boundaries both wooded and cropland situations
2. This position assists county landowners as well as residents with soil and water erosion issues that are important to reducing environmental impacts and sustaining agricultural lands throughout the county.
3. Requiring the employee in the Resource Conservation Specialist position to provide a truck for the job is an unrealistic expectation that should not be put on the employee.
4. The long term cost to the county would be much higher with the usage of vehicle mileage reimbursement at the current rate of 0.55 cents per mile.
5. A four wheel drive is required due to off-road situations when performing on farm compliance checks as well as conservation planning. The truck should be a minimum of extended cab to allow for multiple employees and equipment storage.
6. Currently our partner the Natural Resource Conservation Service only provides and insures their staff members with 1 vehicle per full time employee.

7. New NRCS state structure will require our District Conservationist to spend more time away from our office performing conservation field work in surrounding counties. There by making vehicle sharing more unrealistic
8. Line items for vehicle repair, fuel/oil, and insurance costs have been included and approved in the departments FY 2015/2016 budget.
9. Vehicle will be financed through our finance department as shown in the capital outlay spending plan, with the bank paying the first year and the department paying off the vehicle the following three years.

Recommendation: It is recommended that a vehicle be purchased for the Department of Soil and Water conservation that will have room in the vehicle to carry surveying, and conservation planning equipment. Also purchasing a vehicle for the office will be more practical and economical than reimbursing employees for the use of their private vehicles.

Respectfully submitted,



Reed Felts
Resource Conservation Specialist
Northampton County Soil & Water Conservation District

Coordination:

Finance Officer

Concur Dot Vicks 8-3-15

Non-concur _____

Concur with comment _____

County Manager

Concur Kimberly L. Lee 8/5/15

Non-concur _____

Concur with comment _____

Action by Decision Makers

Approved _____

Disapproved _____

Other _____

State Term Contract 070G – Trucks, Vans and SUVs

ITEM 27 PICKUP TRUCK, 7000 LB. GVWR, EXTENDED CAB, 4-WHEEL DRIVE-NC Forest Service- (Item 27.1 for Alternative Fuel)

	ITEM 27-UPDATED:12/29/2014	ITEM 27.1-UPDATED:12/29/2014
CONTRACTOR/PRICE	Sir Walter Chevrolet \$24,647.00	Sir Walter Chevrolet \$24,647.00
BODY CODE/TRIM LEVEL/ORDER CODE	CHEVY SILVERADO 1500/CK15753/WT/CK15753	CHEVY SILVERADO 1500/CK15753/WT/CK15753
DELIVERY		

CONVENTIONAL FUEL

ALTERNATIVE FUEL-ONLY DIFFERENCES WILL BE
NOTED BELOW

- 1 BLANK
- 2 Number of doors: 4
Extended cab, with rear seat
- 3 Wheelbase: 143.5"
- 4 GVWR: 7200 lbs.
- 5 Bed: 78.7" length, wide type,
- 6 Drive wheels: 4-wheel drive, shift on the fly
- 7 Passenger capacity as furnished: 6
- 8 Engine type: gasoline, 8-cylinder, EFI
- 9 Engine size: 5.3L, 355 HP
- 10 Transmission: automatic
- 11 Limited slip rear axle
- 12 All mfr's standard equipment,

Bob Rowe

919-235-3636

government sales

Consultant

E-85 FLEX FUEL

State Term Contract

070G – Trucks, Vans and SUVs

- 13 Power steering
- 14 Brakes: 4-wheel ABS
- 15 Tires: P265/70R17-All terrain with tire pressure monitoring system
- 16 Spare tire: full size, mounted on wheel, include jack
- 17 Fuel tank: mfr's standard
- 18 Radio: mfr's standard AM/FM
- 19 Heater and air conditioner, factory installed
- 20 Driver and front passenger airbags-as mandated by NHTSA at time of production
- 21 Floor covering: mfr's standard
- 22 Exterior mirrors, left and right side, manual, fold-away
- 23 Two (2) front tow hooks, OEM-approved, may be dealer installed. If mfr does not provide OEM approval for tow hook on this vehicle, then same tow hook approved by mfr on similar vehicle is to be provided.
- 24 Cargo lights.
- 25 Rear safety step bumper
- 26 Exterior color: NC Forest Service Green PPG#939889 (minimum order of 5 for this color) All manufacturer standard colors available
- 27 Cigarette lighter and ashtray. Power point is NOT an acceptable substitute.
- 28 Seat material: Vinyl, light colors only (to prevent becoming too warm in sunlight), 40/20/40 split

State Term Contract

070G – Trucks, Vans and SUVs

- 29 Alternator: 150 Amp, hot, stabilized.
- 30 Battery: 730 CCA
- 31 Axle ratio: 3.42
- 32 Mfr's towing package (Z82)
- 33 Suspension package intended for trailer towing, when identified as such in the mfr's published literature.
- 34 Mfr's frame mounted hitch receiver, installed (hitch ball not required)
- 35 Cruise control
- 36 Skid plate package (NZZ), mfr furnished and installed.
- 37 Power windows
- 38 Power door locks
- 39 Electronic Stability Control

ITEM 28 PICKUP TRUCK, 7050 LB. GVWR-(Item 28.1 for Alternative Fuel)

	ITEM 28- UPDATED:12/29/2014-12/17/12	ITEM 28.1- UPDATED:12/29/2014-12/17/12
CONTRACTOR/PRICE	CAPITAL FORD-WILMINGTON \$18,762.00	CAPITAL FORD-WILMINGTON \$18,762.00
BODY CODE/TRIM LEVEL/ORDER CODE	FORD F150/F1C/XL/100A	FORD F150/F1C/XL/100A
DELIVERY	60-120 Days	60-120 Days

CONVENTIONAL FUEL

ALTERNATIVE FUEL-ONLY DIFFERENCES WILL BE NOTED BELOW

1 BLANK

Designation of Voting Delegate, Proposed Agreement with Hunton & Williams, and Management Matters:

Ms. Kimberly Turner, County Manager, appeared before the Board to ask for a voting delegate for the NCACC Annual Conference taking place in Pitt County this week.

A motion was made by Joseph Barrett and seconded by Robert Carter that Mrs. Greene, our Chair, be the voting delegate for the NCACC Conference. **Question Called:** *All present voting yes.* **Motion carried.**

Commissioner Carter asked if the County Manager could keep them informed of their travel budget. He noted that it was reduced this budget year, and he does not want them to go over the amount allotted.

Ms. Turner also presented a letter of engagement from Hunton & Williams in reference to obtaining services to help us work through the referendum for the proposed supplemental tax for the school district. This letter comes at the request of our County Attorney.

The Board asked the County Manager to ask if the School Board will pay half the fee incurred by Hunton & Williams.

A motion was made by Robert Carter and seconded by Joseph Barrett to approve the letter of engagement for Hunton & Williams, and ask the County Manager to make contact with the Board of Education to see if they will pay 50% of the fees and expenses incurred. **Question Called:** *All present voting yes.* **Motion carried.**

Ms. Turner also asked the Board for dates to set up a joint meeting with the Board of Education for a plan for the new school which was part of the mediation agreement. Three proposed dates were given: September 10th, September 22nd, and September 24th. The time would most likely be 4:00 pm.

Ms. Turner also informed the Board that we are looking at the month of October for the Board Retreat. She is waiting for the facility to confirm some dates.

Next, Ms. Turner noted that since Mrs. Vick will be retiring on August 31st, the Board will need to appoint Ms. Leslie Edwards as the Finance Officer effective September 1 and approve for her to sign checks beginning September 1.

A motion was made by Robert Carter and seconded by Virginia Spruill that Ms. Leslie Edwards be appointed the Finance Officer for Northampton County effective September 1, 2015 and be able to sign checks. **Question Called:** *All present voting yes.* **Motion carried.**

Finally, Ms. Turner asked for a decision from the earlier work session concerning the water and sewer rate discussion. Mr. Jason Morris, Public Works Director, presented options by which the rates could be reduced.

A motion was made by Robert Carter and seconded by Chester Deloatch to accept Option 1 which was presented at the work session whereby the sewer fee would be reduced \$10.00. **Question Called:** *All present voting yes.* **Motion carried.**

Chairwoman Greene stated to Mr. Morris that she is not totally happy with this reduction, and she trusts that he will continue to monitor this situation closely and hopefully they will be able to make a better reduction next year. Mr. Morris said they will do the best that they can; they try to run the system as efficiently as possible with the funds that are granted to them.

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



Designation of Voting Delegate to NCACC Annual Conference

I, _____, hereby certify that I am the duly designated voting delegate for _____ County at the 108th Annual Conference of the North Carolina Association of County Commissioners to be held in Pitt County, N.C., on August 20-23, 2015.

Signed: _____

Title: _____

Article VI, Section 2 of our Constitution provides:

“On all questions, including the election of officers, each county represented shall be entitled to one vote, which shall be the majority expression of the delegates of that county. The vote of any county in good standing may be cast by any one of its county commissioners who is present at the time the vote is taken; provided, if no commissioner be present, such vote may be cast by another county official, elected or appointed, who holds elective office or an appointed position in the county whose vote is being cast and who is formally designated by the board of county commissioners. These provisions shall likewise govern district meetings of the Association. A county in good standing is defined as one which has paid the current year's dues.”

Please return this form to Sheila Sammons by: **Friday, August 7, 2015:**

NCACC
215 N. Dawson St.
Raleigh, NC 27603
Fax: (919) 719-1172
sheila.sammons@ncacc.org
(p) (919) 715-4365



HUNTON & WILLIAMS LLP
POST OFFICE BOX 109
RALEIGH, NORTH CAROLINA 27602

TEL 919 • 899 • 3000
FAX 919 • 833 • 6352

August 4, 2015

MARY NASH RUSHER
DIRECT DIAL 919-899-3066
EMAIL: mnrusher@hunton.com

Ms. Kimberly L. Turner
Northampton County Manager
Post Office Box 808
Jackson, North Carolina 27845

Referendum for proposed supplemental tax

Dear Ms. Turner:

I have discussed with Scott McKellar, County Attorney, the possibility of having Hunton & Williams LLP assist Northampton County (the "County") with its proposed referendum to authorize a supplemental tax to support the construction of a new high school in the County (the "Referendum"). We would be delighted to assist you with this. This letter will serve as the engagement and fee letter between the County and Hunton & Williams LLP (the "Firm"), with regard to our assisting the County with the election process. To the extent the County proceeds with a financing following a successful referendum, this letter will serve as the engagement letter for such financings in the future, except that we will discuss the fee arrangements for such financings separately and closer to the date thereof.

Scope of Services. In this engagement, we will represent the County and have an attorney-client relationship with the County. We will prepare the resolutions to be adopted by the County's governing body relating to the Referendum, and will work with you, your counsel and the Board of Elections on the timing of various actions that need to be taken in order to hold a valid referendum.

Attorney Client Relationship. The County will be our client and an attorney-client relationship will exist between the County and this firm. You and the County Attorney, Scott McKellar, will be our primary contacts.

Fees and Expenses. I will be the attorney primarily responsible for this engagement, with assistance from Kristen Kirby. Our fees are based upon the responsibilities we will undertake pursuant to this letter and the amount of time we spend in connection with the transaction. Our fees as special counsel to the County in connection with the Referendum will not exceed \$6,500. We will bill separately for actual expenses. Such expenses may include photocopying charges, couriers, travel expenses, and other costs that we may be required to advance on your behalf. We will pass on the actual costs of these expenditures. We will bill



Ms. Kimberly L. Turner
August 4, 2015
Page 2

the County for fees and expenses immediately following the Referendum, whether or not it passes.

Conflicts. We have checked our records and discovered no conflict with any persons or entities that would preclude our representation as bond counsel. We know of no other interests, including our own, that will materially and adversely affect our ability to exercise independent judgment.

We would like to note that our firm represents many political subdivisions, companies and individuals. It is possible that during the time that we are bond counsel to the County, one or more of our present or future clients will have transactions with the County. If appropriate within the rules of professional conduct, we will request the County's consent to our continued representation of such parties in unrelated transactions.

Miscellaneous. We understand, unless advised otherwise, that we may communicate concerning this matter by fax, cell phone, e-mail or letter.

We take pride in the clients that have selected us and whom we have agreed to represent. Unless clients indicate otherwise in writing to us, each client consents that we may list the client as a client of the firm in marketing materials or other materials the firm may generate in connection with business development or public relations or in various public announcements. The County's agreement herewith is consent for such other disclosure. We will not, however, disclose any confidential information.

If the foregoing arrangements are satisfactory to you and the County, we would appreciate your indicating the County's approval of our engagement on the foregoing terms on the enclosed copy of this letter and returning it to us. We look forward to working with you and the County on this financing.

Very truly yours,

A handwritten signature in cursive script that reads "Mary Nash K. Rusher".

Mary Nash K. Rusher

cc: Scott McKellar, Esq.

HUNTON
WILLIAMS

Ms. Kimberly L. Turner
August 4, 2015
Page 3

ACCEPTED:

The undersigned, on behalf of the County, hereby engages Hunton & Williams LLP in accordance with the foregoing terms and conditions.

COUNTY OF NORTHAMPTON, NORTH CAROLINA

By: _____

Its: _____

DECISION PAPER

To: Northampton County Board of Commissioners

From: Jason S. Morris, Public Works Director

Date: August 17, 2015

Reference: Water and Wastewater Rates for Northampton County

Purpose: The purpose of this Decision Paper is to obtain a decision by the Northampton County Board of Commissioners to decrease the water and/or wastewater user fees.

Facts:

1. Public Works Department revenue for fiscal year 2015-16 was proposed at \$3,250,033.00 by the department. Fiscal Year 2015-2016 approved revenue is \$3,158,533.00. This is a decrease in revenue of \$91,500.00.
2. Proposed revenues were calculated based on average water usages by current customers, projected farm water fees, projected return check fees, and projected installation fees.
3. Approved expenditures for the fiscal year 2015-16 budget is \$3,158,533.00 which matches the currently approved revenue for the fiscal year 2015-16 budget.
4. With the reduction of \$91,500.00 in the approved revenue for the water and sewer enterprise fund the Public Works Department proposes the following options:
 - a. **Option 1:** Reduce the sewer user fee by \$10.00 for residential and commercial users. This would be a decrease in revenue of \$80,760.00 over a twelve month period based on 673 total users.
 - b. **Option 2:** Reduce the sewer user fee by \$11.00 for residential and commercial users. This would be a decrease in revenue of \$88,836.00 over a twelve month period based on 673 total users.
 - c. **Option 3:** Reduce the sewer user fee by \$11.50 for residential and commercial users. This would be a decrease in revenue of \$92,874.00 over a twelve month period based on 673 total users.
 - d. **Option 4:** Reduce the water user fee by \$0.50 for residential and commercial users and reduce the sewer user fee by \$7.50 for residential and commercial users. This would be a decrease in revenue of \$31,290.00 on the water side based on 5,217 total users and a decrease in revenue of \$60,570.00 on the sewer side based on 673 total users. This would be a total decrease in revenue of \$91,860.00 over a twelve month period.
5. If any option is approved the new user fees would go into effect immediately and would be reflected on all water usage billed after July 1, 2015.

Discussion: A reduction in the approved revenue for the Fiscal Year 2015-16 budget warrants the decision to decrease rates.

Recommendation: The Public Works Department recommends the Northampton County Board of Commissioners approve to decrease user fees as noted for Option 4.

Respectfully,



Jason S. Morris
Public Works Director

Coordination:

Finance Officer

Concur _____

Non-concur _____

Concur with comment _____

County Manager

Concur _____

Non-concur _____

Concur with comment _____

Action by Decision Makers

Approved _____

Disapprove _____

Other _____

7/22/2015 12:37 | NORTHAMPTON COUNTY N.C.
Bradley | NEXT YEAR BUDGET LEVELS REPORT

| P 1
| bgnyrpts

PROJECTION: 2016 FISCAL YEAR 2015/2016 PROPOSED BUDGET

FOR PERIOD 1

			2014	2015	2016	2016	2016
ENTERPRISE FUND			REVISED BUD	REVISED BUD	Department	Admin	Board

613710	WATER & SEWER REVENUE						

613710	438350	SALE/ASSET	.00	.00	.00	.00	.00
613710	438360	INSURANCE	.00	-6,466.00	.00	.00	.00
613710	438361	G/L ASSETS	.00	.00	.00	.00	.00
613710	438390	MISC	.00	.00	.00	.00	.00
613710	440042	TRAN-PROJ	.00	.00	.00	.00	.00
613710	440048	PHASE V	-279,382.00	.00	.00	.00	.00
613710	441000	RS W/S MGT	.00	.00	.00	.00	.00
613710	444400	DOT	-17,250.00	.00	.00	.00	.00
613710	444900	PUMP/HAUL	.00	.00	.00	.00	.00
613710	445500	REIM EQUIP	.00	.00	.00	.00	.00
613710	449700	INTEREST	.00	.00	.00	.00	.00
613710	451000	WATER	-2,144,888.00	-2,487,973.00	-2,701,701.00	-2,625,756.00	-2,625,756.00
613710	451100	SEWER	-364,109.00	-532,896.00	-518,832.00	-503,277.00	-503,277.00
613710	451500	FARM WATER	-9,500.00	-8,750.00	-7,500.00	-7,500.00	-7,500.00
613710	452000	HOOK UP	.00	.00	.00	.00	.00
613710	453000	INSTALL FE	-12,500.00	-20,000.00	-20,000.00	-20,000.00	-20,000.00
613710	453001	IMPACT FEE	.00	.00	.00	.00	.00
613710	455000	RET CHK	-368.00	-1,668.00	-2,000.00	-2,000.00	-2,000.00
613710	456340	DEP FORFEI	.00	.00	.00	.00	.00
613710	458000	RT CK OUT	.00	.00	.00	.00	.00
613710	460000	CONT FIXED	.00	.00	.00	.00	.00
613710	471100	SCRAP METE	.00	.00	.00	.00	.00
613710	491100	LOAN PROCV	.00	.00	.00	.00	.00
613710	499000	FUND BAL	.00	.00	.00	.00	.00
TOTAL WATER & SEWER REVENUE			-2,827,997.00	-3,057,753.00	-3,250,033.00	-3,158,533.00	-3,158,533.00
TOTAL ENTERPRISE FUND			-2,827,997.00	-3,057,753.00	-3,250,033.00	-3,158,533.00	-3,158,533.00
TOTAL REVENUE			-2,827,997.00	-3,057,753.00	-3,250,033.00	-3,158,533.00	-3,158,533.00
TOTAL EXPENSE			.00	.00	.00	.00	.00
GRAND TOTAL			-2,827,997.00	-3,057,753.00	-3,250,033.00	-3,158,533.00	-3,158,533.00

- 91,500

** END OF REPORT - Generated by Mary Bradley **

1ST KNOWLEDGE OF ITEMS REDUCED

WAS 7/23/15 *ASAM*

KEEP IN MIND COST OF LIVING INCREASE

1/22/2015 12:34 | NORTHAMPTON COUNTY N.C.
 radley | NEXT YEAR BUDGET LEVELS REPORT

| P 1
 | bgnyrpts

PROJECTION: 2016 FISCAL YEAR 2015/2016 PROPOSED BUDGET

FOR PERIOD 1

			2014	2015	2016	2016	2016	
ENTERPRISE FUND			REVISED BUD	REVISED BUD	Department	Admin	Board	

617110	ENTERPRISE FUND							

617110	512100	SALARIES	368,545.00	365,949.00	379,567.00	370,337.00	370,337.00	- 9230
617110	512110	VAC PAY	.00	.00	.00	.00	.00	
617110	512135	SAL-STORM	.00	.00	.00	.00	.00	
617110	512183	HLT REFUND	15.00	.00	.00	.00	.00	
617110	512200	OT/OC	9,700.00	9,500.00	8,520.00	8,520.00	8,520.00	
617110	512201	ON CALL	.00	.00	.00	.00	.00	
617110	512203	OT-MOCK	.00	.00	.00	.00	.00	
617110	512205	STORM OT	.00	.00	.00	.00	.00	
617110	512600	TEMP/PT	.00	5,225.00	.00	.00	.00	
617110	512700	LONG	7,310.00	7,276.00	7,868.00	7,200.00	7,200.00	- 668
617110	512800	MERIT	.00	2,009.00	2,264.00	1,932.00	1,932.00	- 332
617110	518100	FICA	23,875.00	24,237.00	24,748.00	24,055.00	24,055.00	- 693
617110	518101	FICA-VEHI	.00	.00	.00	.00	.00	
617110	518200	RET.	27,696.00	28,114.00	28,707.00	28,129.00	28,129.00	- 578
617110	518300	HOSP. ER	55,300.00	75,045.00	72,307.00	72,307.00	72,307.00	
617110	518500	UNEMPLOY	2,500.00	.00	.00	.00	.00	
617110	518600	WKRKS COMP	5,099.00	7,108.00	4,487.00	5,958.00	5,958.00	+ 1471
617110	518800	MED	5,539.00	5,622.00	5,742.00	5,626.00	5,626.00	- 116
617110	518801	MED-VEH US	.00	.00	.00	.00	.00	
617110	518900	LIFE INS.	1,716.00	1,716.00	1,716.00	1,716.00	1,716.00	
617110	518999	PROJ-COL	.00	.00	.00	.00	.00	
617110	519200	LEGAL SERV	.00	650.00	300.00	300.00	300.00	
617110	519399	RECRUIT	.00	.00	75.00	75.00	75.00	
617110	519900	PROF SERVI	.00	.00	.00	.00	.00	
617110	519901	ENG	.00	.00	.00	.00	.00	
617110	519905	LEV-P5	.00	.00	.00	.00	.00	
617110	521100	JAN SUPP	1,400.00	1,100.00	1,100.00	1,100.00	1,100.00	
617110	521200	UNIFORMS	2,000.00	4,270.00	4,270.00	4,270.00	4,270.00	
617110	521400	SAF/CLO/EQ	3,400.00	11,000.00	5,000.00	5,000.00	5,000.00	
617110	525100	GAS/OIL	24,615.00	35,696.00	32,648.00	32,648.00	32,648.00	
617110	525200	TIRES	2,300.00	4,916.00	4,800.00	4,800.00	4,800.00	
617110	526100	OFF. SUPP.	10,280.00	9,108.00	10,150.00	10,150.00	10,150.00	
617110	529000	TOOLS	1,725.00	1,500.00	3,418.00	2,218.00	2,218.00	- 1200
617110	529100	DP SUPPLIE	.00	.00	.00	.00	.00	
617110	529200	CHEMICAL	11,650.00	9,300.00	9,300.00	9,300.00	9,300.00	
617110	529990	HURRICANE	.00	.00	.00	.00	.00	
617110	531100	TRAVEL	.00	.00	.00	.00	.00	
617110	532100	TELEPHONE	1,500.00	3,816.00	3,793.00	1,750.00	1,750.00	- 2043
617110	532110	PAGER/SERV	.00	.00	.00	.00	.00	
617110	532500	PSTG/BX RN	25,220.00	23,684.00	21,411.00	21,411.00	21,411.00	

'22/2015 12:34 | NORTHAMPTON COUNTY N.C.
radley | NEXT YEAR BUDGET LEVELS REPORT

| P 2
| bgnyrpts

PROJECTION: 2016 FISCAL YEAR 2015/2016 PROPOSED BUDGET

FOR PERIOD 1

ENTERPRISE FUND			2014 REVISED BUD	2015 REVISED BUD	2016 Department	2016 Admin	2016 Board
617110	533100	UTIL-ELEC	6,000.00	16,000.00	6,000.00	6,000.00	6,000.00
617110	533101	UTIL PUMPS	80,991.00	70,000.00	72,000.00	72,000.00	72,000.00
617110	533200	FUEL OIL	4,400.00	3,500.00	3,000.00	3,000.00	3,000.00
617110	533400	WATER	358,000.00	389,315.00	386,780.00	386,780.00	386,780.00
617110	533500	SEWAGE	480,000.00	402,536.00	378,780.00	378,780.00	378,780.00
617110	534200	COPIER COS	.00	.00	.00	.00	.00
617110	535000	STORM DAM	.00	.00	.00	.00	.00
617110	535010	BLDG-DAMAG	.00	.00	.00	.00	.00
617110	535012	GEN REPAIR	.00	.00	.00	.00	.00
617110	535100	MAINT/REP	6,400.00	5,000.00	5,000.00	5,000.00	5,000.00
617110	535200	MAIN/CONTR	6,341.00	14,231.00	14,832.00	14,832.00	14,832.00
617110	535201	REPAIR/PUM	20,000.00	52,375.00	45,231.00	45,231.00	45,231.00
617110	535300	VEH REPAIR	8,000.00	4,500.00	4,500.00	4,500.00	4,500.00
617110	535550	RELOCAT	17,250.00	.00	.00	.00	.00
617110	535900	REPAIRS	93,100.00	143,800.00	84,800.00	84,800.00	84,800.00
617110	535901	RADIO REPA	300.00	500.00	500.00	500.00	500.00
617110	536000	FREIGHT	1,400.00	2,000.00	1,000.00	1,000.00	1,000.00
617110	537000	ADV V & VI	.00	.00	.00	.00	.00
617110	538200	SOFTWARE	.00	.00	.00	.00	.00
617110	539500	TRAINING	6,367.00	4,623.00	3,768.00	3,768.00	3,768.00
110	539900	SAMPLING	22,000.00	22,000.00	25,000.00	25,000.00	25,000.00
617110	539998	SWER RIGHT	.00	.00	15,000.00	15,000.00	15,000.00
617110	539999	STORN PREP	.00	.00	.00	.00	.00
617110	542200	SOFT SUPP	11,156.00	11,172.00	11,172.00	11,172.00	11,172.00
617110	543200	LEASES	4,620.00	4,164.00	4,164.00	4,164.00	4,164.00
617110	544990	PUMP/HAUL	.00	.00	.00	.00	.00
617110	545100	LIAB INS	.00	.00	.00	.00	.00
617110	545200	VEHICLE IN	11,400.00	13,400.00	17,500.00	12,000.00	12,000.00 - 5500
617110	545300	BOND PRE	.00	.00	.00	.00	.00
617110	546100	DEP-EQUIP	.00	.00	.00	.00	.00
617110	546200	DEP-COMP	.00	.00	.00	.00	.00
617110	546400	DEP-VEHICL	.00	.00	.00	.00	.00
617110	546500	DEP-OTHER	.00	.00	.00	.00	.00
617110	546800	DEP-BLDG	.00	.00	.00	.00	.00
617110	548000	INDIRECT	7,000.00	52,000.00	106,662.00	106,662.00	106,662.00
617110	549100	PERMITS	6,040.00	5,540.00	5,540.00	5,540.00	5,540.00
617110	549500	OTHER LIC	670.00	1,670.00	1,365.00	1,365.00	1,365.00
617110	549900	RURAL WATE	.00	400.00	.00	.00	.00
617110	549999	< P.O.AMT	400.00	.00	.00	.00	.00
617110	551000	CO EQUIP	.00	.00	.00	.00	.00
617110	551500	MET/RADIOS	.00	8,500.00	.00	.00	.00
617110	552000	C.O.-COMP	.00	.00	11,400.00	11,400.00	11,400.00
617110	552005	C.O.-5000	.00	.00	.00	.00	.00
617110	553000	C.O. EQUIP	.00	18,000.00	50,310.00	.00	.00 - 50,310

07/22/2015 12:34 | NORTHAMPTON COUNTY N.C.
 adley | NEXT YEAR BUDGET LEVELS REPORT

| P 3
 | bgnyrpts

PROJECTION: 2016 FISCAL YEAR 2015/2016 PROPOSED BUDGET

FOR PERIOD 1

ENTERPRISE FUND	2014 REVISED BUD	2015 REVISED BUD	2016 Department	2016 Admin	2016 Board
617110 554000 C.O.-VEH	.00	.00	.00	.00	.00
617110 554005 VEHICLES	42,806.00	29,621.00	.00	.00	.00
617110 554100 LEASE-VEH	.00	.00	.00	.00	.00
617110 555000 EQUIPMENT	300.00	8,000.00	.00	.00	.00
617110 557000 LAND PUR	.00	.00	.00	.00	.00
617110 558005 CONSTRUCT	.00	.00	.00	.00	.00
617110 558100 ENGIN-PH V	72,000.00	.00	.00	.00	.00
617110 559500 CO-TANKS	71,659.00	73,808.00	76,308.00	76,308.00	76,308.00
617110 569300 IMPACT-WEL	.00	.00	.00	.00	.00
617110 570000 DEBT SER	907,369.00	1,054,768.00	1,054,767.00	1,054,767.00	1,054,767.00
617110 570100 BAD DEBT	.00	.00	.00	.00	.00
617110 571000 DEREC EXP	.00	.00	.00	.00	.00
617110 572000 INT EXPENS	.00	.00	.00	.00	.00
617110 598000 PHASE V	.00	.00	.00	.00	.00
617110 598011 TRAN-GF	6,500.00	.00	.00	.00	.00
617110 598023 TRANSFER	.00	.00	.00	.00	.00
617110 598047 TRAN-F47	.00	.00	.00	.00	.00
617110 598060 TRAN F 60	.00	.00	.00	.00	.00
617110 598806 PHASE VI	.00	.00	.00	.00	.00
617110 599000 CR EXPAN	.00	.00	200,000.00	177,799.00	177,799.00
617110 599901 APPROP	.00	.00	.00	.00	.00
617110 599998 DEBT-COPIE	3,010.00	.00	.00	.00	.00
617110 599999 DEBT PAY	19,439.00	32,644.00	32,363.00	32,363.00	32,363.00
TOTAL ENTERPRISE FUND	2,866,303.00	3,080,908.00	3,249,933.00	3,158,533.00	3,158,533.00
TOTAL ENTERPRISE FUND	2,866,303.00	3,080,908.00	3,249,933.00	3,158,533.00	3,158,533.00
TOTAL REVENUE	.00	.00	.00	.00	.00
TOTAL EXPENSE	2,866,303.00	3,080,908.00	3,249,933.00	3,158,533.00	3,158,533.00
GRAND TOTAL	2,866,303.00	3,080,908.00	3,249,933.00	3,158,533.00	3,158,533.00

- 22201

- 91,400

** END OF REPORT - Generated by Mary Bradley **

Citizens/Board Comments:

Chairwoman Greene called for citizens comments.

Mr. Ron Lane, Woodland Commissioner, appeared before the Board with concerns from the Town about Ad Valorem Tax Collections.

Chairwoman Greene called for Board comments.

Commissioner Carter mentioned reinstituting the program where high school students sit in on Commissioners' meetings. He asked if he could go ahead and start organizing this effort. The Board is receptive to him starting to get this program together.

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

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

Closed Session G.S. 143-318.11 (a)(6):

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

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

A motion was made by Joseph Barrett and seconded by Robert Carter to adjourn. **Question Called: All present voting yes. Motion carried.**

Michelle Nelson, Clerk to the Board
"r.m. 08-17-15"