

MINUTES
REGULAR MEETING
HERTFORD COUNTY BOARD OF COMMISSIONERS
MULTI-PURPOSE ROOM -JUDICIAL CENTER
MONDAY, November 18, 2019
7:00 PM

PRESENT:

Com. Ronald J. Gatling, Chairman
 Com. John D. Horton, Vice-Chair
 Com. Leroy Douglas
 Com. Andre' Lassiter
Absent: Com. William F. Mitchell, Jr.

ALSO PRESENT WITH THE BOARD:

Ms. Loria D. Williams, County Manager
 Dr. Renee Fleetwood, Clerk to the Board
 Mr. Charles L. Revelle, III, County Attorney

 Ms. Maria R. Jones, Attorney ~ Revelle & Lee, LLP


Chairman Ronald J. Gatling called the meeting to order at 7:02 pm. Invocation was provided by, Reverend John Porter, Pastor – Meherrin Baptist Church, Murfreesboro, NC. Chairman Gatling thanked Reverend Porter for the Invocation.

CONSENT AGENDA

On a motion by Com. Andre' Lassiter, and second by Com. Leroy Douglas, the Board unanimously approved the Consent Agenda as follows:

Request Approval of November 4, Minutes

Request Approval of NCVTS Refunds Michael J. Saner & Suzanne E. Steinrock



North Carolina Vehicle Tax System

NCVTS Pending Refund report

Report Date 11/18/2019 11:05:47 AM

Payee Name	Primary Owner	Secondary Owner	Address 1	Address 2	Refund Type	Bill #	Plate Number	Status	Transaction #	Refund Description	Refund Reason	Create Date	Alt Jurisdiction	Tax Levy Type	Change	Interest Change	Total Change
SANER, MICHAEL JOSEPH	SANER, MICHAEL JOSEPH		302 WEST HIGH ST	MURFREESBORO, NC 27855	Prorate	004182756	6	PENCL	171776073	Refund Generated due to proration on bill #0041827566-2018-2018-0000-00	Vehicle Sold	10/15/2019		G01 Tax	(\$159.62)	\$0.00	(\$159.62)
														C04 Tax	(\$125.41)	\$0.00	(\$125.41)
														C04 Vehicle Fee	\$0.00	\$0.00	\$0.00
																	Refund \$285.03
STEINROCK, K. TIMOTHY	STEINROCK, K. TIMOTHY		535 WINDSOR PA 17366		Prorate	004278328	6	PENCL	172688688	Refund Generated due to proration on bill #0042783285-2018-2018-0000-00	Reg Out of state	10/28/2019		G01 Tax	(\$61.25)	\$0.00	(\$61.25)
SUZANNE ELIZABETH	SUZANNE ELIZABETH													C04 Tax	(\$48.12)	\$0.00	(\$48.12)
														C04 Vehicle Fee	\$0.00	\$0.00	\$0.00
																	Refund \$109.37

Request Approval of October 2019 Tax Levy Releases

RELEASES FOR MONTH ENDING

October 2019

AHOSKIE TOWNSHIP	NAME	LEVY YEAR	VALUE RELEASED	TAX RELEASED
Acct#17326 Bill#18A5992242038 Release due to town billing error Ahoskie Creek Drainage	Town of Ahoskie	2018		AC-\$58.21
Acct#17326 Bill#18A5992149925 Release due to town billing error Ahoskie Creek Drainage	Town of Ahoskie	2018		AC-\$58.21
Acct#17326 Bill #18A5992149046 Release due to town billing error Ahoskie Creek Drainage	Town of Ahoskie	2018		AC-\$58.21
MURFREESBORO TOWNSHIP				
Acct# 43816 Bill #18A5947724021 Bill#17A5947724021 Bill#16A5947724021 Bill#16A5947724021.1 Bill#16A5947724021.2 Bill#16A5947724021.3	Parker, Robert C.	2018 2017 2016		G01-\$845.26 G01-\$845.26 G01-\$842.76 G01-\$842.76 G01-\$842.76 G01-\$842.76
WINTON TOWNSHIP				
MANEY'S NECK TOWNSHIP				
ST. JOHN TOWNSHIP				
HARRELLSVILLE TOWNSHIP				
Acct#38538				
Bill # 18A6944-31-5482 Released the garnishment fee off of bill tax payer had mailed a check in to pay taxes	Greenwood, Jay Greenwood, Joy	2018		30.00
Acct# 430 Bill # 19A6943590375 Release due to property is not habitable or is unoccupied with no electrical service for the period of July1 through June 30 of the taxable year.	Askew, Isabella	2019		W01-\$90.00 W02-\$90.00

TOTAL VALUE APPROVED THIS REPORT (2019 LEVY)

\$

TOTAL TAX RELEASED THIS REPORT (2019 LEVY)

\$

TOTAL VALUE APPROVED THIS REPORT (PRIOR LEVY)

\$

TOTAL TAX RELEASED THIS REPORT (PRIOR LEVY)

\$

TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE SITE 2019)

\$ 90.00

TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATON 2019)

\$ 90.00

TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE SITE 2018)

\$

TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2018)

\$

Respectfully submitted,

Tammy H. Eason

Tammy H. Eason, Tax Collector

REQUEST APPROVAL OF APPLICATION FOR AMBULANCE FRANCHISE FROM AHOSKIE AMBULANCE SERVICE

On a motion by Com. Lassiter, and second by Vice-Chair John D. Horton, the Board unanimously approved the Application for Ambulance Franchise from Ahoskie Ambulance Service based on 1) the need to specialize in Veteran Transportation to Hertford County and Virginia facilities; 2) potential for a service-Disabled Veteran Owned Small Business (SDVOSB); 3) obtain a Virginia contract potentially located in Hertford County; 4) potential faster response time; 5) provide support to the current Hertford County ambulance transport services as recommended by the Medical Transportation Advisory Committee.

On a motion by Com. Andre' Lassiter and second by Com. Douglas, the Board unanimously approved to leave Regular Session and convene as the Board of the Hertford County Northern Rural Water District.

REQUEST APPROVAL OF NORTHERN RURAL WATER DISTRICT BOND COUNSEL CONTRACT

On a motion by Com. Andre' Lassiter and second by Com. Douglas, the Board unanimously approved McGuireWoods, LLP Bond Counsel agreement with the Hertford County Northern Rural Water District as presented by Manager Williams as noted.

November 1, 2019

Ms. Loria D. Williams, County Manager
Hertford County, North Carolina
115 Justice Drive, Suite 1
Winton, North Carolina 27986

Re: Bond Counsel to Hertford County, North Carolina

Dear Loria:

This letter will set forth the terms of our engagement to serve as Bond Counsel to the Hertford County, North Carolina (the "County"), in connection with the issuance by the County of its Water and Sewer System Revenue Bond (the "Bond") and related bond anticipation note (the "BAN"), to finance the improvements to the County's water system (the "Project"). The Bond will be purchased by the United States of America, acting through the Rural Utilities Service, an agency of the United States Department of Agriculture (hereinafter "USDA").

As bond counsel, we will work with you to draft the resolutions that the Board of Commissioners will need to adopt, beginning with a resolution authorizing filing of an application to the North Carolina Local Government Commission (the "LGC"). In the meantime, the County will work with its engineers to complete and file the LGC application. The LGC staff will review it, and upon staff's positive recommendation, the LGC will approve the issue at one of its regularly scheduled meetings (on the first Tuesday of each month). As we discussed, construction of the Project is nearly complete using funds from another County water district under an interlocal agreement. The remaining costs of the Project will be financed by the issuance of a bond anticipation note purchased by a bank, which will be repaid with the proceeds of the purchase of the revenue bond by USDA upon completion of the Project. The LGC staff will assist in the preparation of a request for proposals from the banks for the purchase of that note.

In order to issue the revenue bond and related bond anticipation note, the County Council will adopt a bond order for the Bond (in the form of a resolution), as well as a resolution authorizing the issuance and sale of the Note to provide construction financing. In our role as bond counsel, we will provide the County with all the necessary resolutions and documents at the appropriate time to complete the issuance of the Bond and the Note.

Duties of Bond Counsel. As bond counsel, our client is the County and our attorney client relationship will be with the County. In that role, we are responsible for preparing or

reviewing the various authorizing resolutions of the County and the LGC described above, as well as preparing and revising the bond order that creates the lien on the revenues of the County's water system, and the series resolutions pursuant to which the Note and the Bond will be issued and secured. We will also provide such closing certificates, opinions and other documents as may be required by the terms of the financing and applicable Federal and state laws.

We will also coordinate with the staff of the County, the County's engineer, counsel to the County, USDA staff and the LGC regarding the financing procedures and all closing documentation. Upon delivery in form satisfactory to the County and to us of all required documentation, certification of certain facts on behalf of the County and an opinion of counsel to the County as to, among other things, the validity of actions taken by the County, we will deliver at the closing our opinion approving the validity of the Note and Bond, as applicable, and the exclusion of interest thereon from gross income for Federal income tax purposes. Our engagement as bond counsel will terminate when the issuance of the Bond is successfully completed or is otherwise concluded. Unless separately engaged, we will not thereafter be responsible for advising the County of any actions necessary to ensure that interest paid on the Bond will continue to be excluded from gross income for federal income tax purposes.

Fees. For our service as bond counsel for the issuance of the Bond and the Note, we will charge a flat fee of \$25,000, plus expenses actually incurred in connection with the issuance of the Bond and the Note: \$15,000 when the bond order is adopted and the Note is issued, and the remaining \$10,000 when the USDA purchases the Bond. In the event USDA permits the County to complete the Project using funds obtained from another County water district under an interlocal agreement, our fees for serving as bond counsel for the USDA Bond will be \$17,500.

Expenses. In addition to the fees described above, the County will be charged for all costs associated with the services rendered. These costs will include, but are not to be limited to, travel expenses, costs of creating CDs after a deal is closed, delivery and courier services, air courier services, and document reproduction costs.

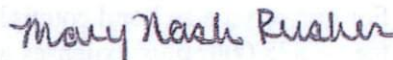
Conflicts. We are pleased to represent the County as its Bond Counsel. We propose to do so under an arrangement that protects the confidentiality of information we obtain from the County while recognizing that McGuireWoods represents other clients who may ask us to represent them in matters directly adverse to the County that is unrelated to our work for the County.

We would like to note that McGuireWoods represents many political subdivisions, companies, and individuals. It is possible that we may be asked to represent, in an unrelated matter, one or more of the entities involved in the Bond or the Note. In particular, it is possible that we may represent in other, unrelated matters, the bank that purchases the Note. We do not believe such representation, if it occurs, will adversely affect our ability to serve as bond counsel. We understand that you consent in advance to our representation of other clients in matters that are unrelated to matters we are working on with the County.

McGuireWoods Consulting LLC. In addition to the foregoing, we note that McGuireWoods Consulting LLC ("MWC") is a wholly owned subsidiary of the McGuireWoods LLP law firm. MWC provides a wide array of non-legal services, including government and public affairs, advocacy communications, infrastructure and economic development, and other strategic consulting services, to clients throughout the United States and around the world. MWC does not practice law. This engagement for legal services does not include MWC's consulting services or give rise to a client relationship with MWC. If MWC's services are desired, a separate engagement with MWC may be established; it is not necessary for a client to engage the McGuireWoods law firm in order to obtain MWC's services, or vice versa. By executing this agreement, you acknowledge that you are not represented by MWC and you consent to MWC's representation of other persons and entities on legislative, administrative, or other matters within MWC's consulting purview that may adversely affect your interests, directly or indirectly, but are unrelated to the specific representation you have asked McGuireWoods LLP to undertake on your behalf.

Thank you for asking us to serve the County as Bond Counsel. We look forward to working with you on this transaction.

Very truly yours,



Mary Nash Rusher

ACCEPTED:

HERTFORD COUNTY, NORTH CAROLINA

By: _____

Printed Name: _____

Title: _____

On a motion by Com. Andre' Lassiter and second by Vice-Chair Horton, the Board unanimously approved to adjourn as the Board of the Hertford County Northern Rural Water District and return to Regular Session.

PUBLIC COMMENT

No public comment was given.

NORTH CAROLINA FORESTRY SERVICE ANNUAL REPORT 2018-2019

Mr. Jason Odom, Hertford County Ranger/N.C. Forest Service presented the North Carolina Forestry service annual report for 2018-2019.

TAX FORECLOSURE UPSET BID – PIN # 5072-90-5383 & 5072-90-5474 RACHEL WAY (FRB CUSTOM HOMES OF NE NC, LLC)

On a motion by Com. Douglas and second by Com. Lassiter, the Board unanimously approved the bid of \$3,000.00 for tax foreclosure payment on PIN#s 5072-90-5383 & 5072-90-5474 Rachel Way (FRB Custom Homes of NE NC, LLC) as presented by Attorney Charles Revelle, III.

COUNTY MANAGER'S COMMENTS

County Manager Williams had no comments.

COMMISSIONERS' COMMENTS

The Board provided the following comments:

Com. Lassiter and Com. Douglas thanked everyone for attending the Board meeting.

Vice-Chair Horton had no comments.

Chairman Gatling announced the following: 1) this years' employee Christmas Celebration and Social; 2) Hertford County received approval for \$15 million for the New Ahoskie Elementary School Project construction.

CLOSED SESSION

On a motion by Com. Lassiter and a second by Vice-Chair Horton, the Board unanimously approved to move to Closed Session as allowed under G.S. 143-318.11 (a) (3) to consult with the County Attorney.

Minutes of Closed Session are on file in the Office of the Clerk to the Board.

On a motion by Com. Lassiter and a second by Com. Douglas, the Board voted unanimously to return to Regular Session.

On a motion by Com. Lassiter and a second by Com. Douglas, the Board approved the November 4, 2019 Closed Session Minutes.

On a motion by Com. Douglas and a second by Vice-Chair Horton, the Board voted unanimously to accept the terms of employment for Mr. David Cotton as outlined by the County Attorney to be hired as Interim Assistant County Manager from December 1, 2019 – December 31, 2019 and Interim County Manager from January 1, 2020 – March 31, 2020.

Interim County Manager Terms

- (1) Cotton will be hired as an employee (not a 1099 self-employed contractor) of Hertford County, who is eligible to participate in the NC Local Government Retirement System.
- (2) Cotton will serve as Interim Assistant County Manager from December 1, 2019 – December 31, 2019 (Loria D. Williams is the County Manager through December 31, 2019); Cotton will serve as Interim County Manager from January 1, 2020 – March 31, 2020.
- (3) Cotton will attend all meetings of the Board of Commissioners, whether regular or special, as well as any necessary work sessions, committee meetings, or other County agency board meetings, if required.
- (4) Cotton will generally work during normal business hours of Hertford County (8:30 AM – 5:00 PM), Monday through Thursday each week; Cotton will generally not work on Fridays.
- (5) The initial term of employment will begin on December 1, 2019, and end on March 31, 2020, unless a full-time County Manager is hired, whichever occurs first; Cotton and the County may extend the term beyond March 31, 2020, upon mutual agreement.
- (6) It is understood that Cotton will continue to evaluate other potential offers of employment, but that Cotton will give Hertford County a minimum of a thirty (30) day notice should Cotton decide to leave for other employment, or for any other reason, prior to March 31, 2020; should Hertford County decide to terminate Cotton's services prior to March 31, 2020 in order to hire a full-time County Manager, Cotton will be given a minimum of two (2) weeks notice; should Hertford County decide to terminate Cotton's services prior to March 31, 2020, for any other reason, Cotton will be given a minimum of thirty (30) days notice.

- (7) Hertford County will reimburse Cotton the prevailing IRS rate for travel to and from Cotton's residence to Winton, as well as mileage for any other duties and responsibilities required for the position; Hertford County will reimburse Cotton for lodging expenses in Hertford County up to a maximum of three hundred dollars (\$300.00) per week, as such travel and lodging is for the convenience of the employer; travel and lodging expenses will be reimbursed monthly following submission of claim paperwork.
- (8) Cotton will not receive annual leave, personal leave, sick leave, holiday pay, or other leave benefits given to other employees, as Cotton will be paid on an hourly basis for hours actually worked; it is understood that, from time to time, Cotton's services may be performed at a location other than Winton, N.C., such as at or from his residence, provided such arrangement is approved by the Board Chair.
- (9) Cotton is declining health insurance coverage as an employee.
- (10) Cotton's only compensation shall be an hourly rate of sixty dollars (\$60.00) per hour, to be disbursed according to the County payroll cycle, and any required retirement system contributions.

On a motion by Com. Douglas and a second by Vice-Chair Horton, the Board voted unanimously to accept the updated County Manager Job Advertisement as noted.

COUNTY MANAGER- Hertford County Board of Commissioners (BOC) is pleased to announce they are looking for an executive-level leader to serve as their next County Manager. The incumbent will provide strategic direction to County operations and use innovative approaches to achieve County goals set forth by the Board. For this incumbent to be successful, s/he must have effective communication skills and have dynamic interpersonal skills to build and maintain internal and external relationships. We are seeking someone who is a proactive problem-solver and supports efforts maintaining the County's good governance status. The County Manager must be able use modern software tools for managing information to make informed decisions. They must have a record of accomplishment in building economic growth and community development --securing business opportunities and managing highly complex projects. Hertford County is seeking someone who values accountability, shares and models its core values to ensure efforts support a high quality of life for its residents.

About Hertford County:

Hertford County is located in northeast North Carolina bordering Virginia. It is home to roughly 24,000 residents who have long enjoyed quiet southern living. Hertford is 120 miles from Raleigh and 100 miles from the Outer Banks, NC. It is also an hour from the largest natural deep-water harbor in the world. Hertford is a thriving community where agriculture and manufacturing is the County's economic backbone. County leaders and developers have been strategic-minded planning for business growth that has resulted in the development of Hertford County Industrial Park along with other identified commercial sites. Roanoke-Chowan Community College and Shaw University Cape Center produce highly skilled graduates who are prepared to fill positions resulting from business expansion and development opportunities. Hertford County has high quality technical infrastructure (LAN and WAN) resources for residential and commercial expansion. The County provides a host of events throughout the year for all age ranges.

Key Skill Areas and Duties:

- **People Management:**
Implement innovative approaches to improve employee performance, supervision, empower staff members to see their role supporting county business, optimize day-to-day operations, must have the ability to determine workforce needs
- **Budgetary management:**
Must have strong budgetary skills to ensure fiscal accountability to residents. You will be responsible for creating budgets that support county operations.

- **Communication:**
Must communicate concisely and provide transparency. Practice diplomacy and impartiality when working with various stakeholders. Work may include communicating via media and making presentations. You will be working and collaborating routinely with members of various government entities, capital investors, board and committee members, and residents.
- **Problem-solving:**
The position requires ability to make sound decisions under emergency situations. Must be able to use data analysis tools and apply critical thinking skills based on logic and reasoning to prevent, mitigate and/or resolve problems. Must use an effective collaborative problem-solving approach when working with team members.
- **Operations Management:**
Must oversee all public services and ensure the County is operating properly in the direction of the Board of Commissioners. You must provide risk management oversight protecting county assets to prevent data vulnerability.
- **Policy Development:**
Must review and update policies to reflect effective business practices that align with delivering quality services and supports good governance. Must have strong comprehensive knowledge of local, state and federal laws and guidelines.
- **Project and Acquisition Management:**
Must be able to attract business opportunities using various marketing strategies and familiar with project management tools.

Ideal Candidate:

Education: Minimum of a Bachelor's degree in a related field such as Public or Business Administration, Public Policy, Finance, Economics, Urban-Planning, Economic and Community Development, or equivalent.

Management prefers a Master's degree.

Work Experience: Minimum of 7 years of progressive responsible experience in county or municipal government at an executive level.

Additional Information:

Hertford County residency will be required as a condition of employment.

Hiring Range - \$85,000 - \$120,000 (depends on qualifications and experience)

Applications will be accepted until vacancy is filled.

How to Apply:

Your application package should include:

- Letter of interest/cover letter
- Salary history
- Detailed resume
- 3-work related professional references
- Completed county application:
<http://www.hertfordcountync.gov/jobs/ApplicationforEmploymentHertfordCounty.pdf>

All items in the application package should be submitted to:

Mr. Ronald J. Gatling, Chairman of the Board of Commissioners

Hertford County Commissioners' Office

115 Justice Drive, Suite 1

Winton, NC 27986

(252)-358-7823

On a motion by Vice-Chair Horton and second by Com. Douglas, the Board voted unanimously to adjourn the meeting.