
**Camden County Board of Commissioners
Regular Meeting
April 2, 2012
7:00 P.M. - Regular Meeting
Historic Courtroom, Courthouse Complex
Camden, North Carolina**

MINUTES

The regular meeting of the Camden County Board of Commissioners was held on Monday April 2, 2012 in the Historic Courtroom, Camden, North Carolina. The following Commissioners were present:

Chairman Sandra Duckwall,
Vice Chairman Garry Meiggs, and
Commissioners Randy Krainiak, and Michael McLain.

Also attending were County Manager Mike Renshaw, Clerk to the Board Ashley R. Honaker, and County Attorney John Morrison. Present for purposes of making a presentation(s) or providing supporting information for agenda items were the following persons: Lisa Anderson- Assistant Tax Administrator.

Chairman Sandra Duckwall called to order the April 2, 2012 meeting of the Camden County Board of Commissioners at 7:00 PM.

Invocation and Pledge of Allegiance

Commissioner Clayton Riggs gave the invocation and led those present in the Pledge of Allegiance.

Public Comments –

None.

Consideration of Agenda

Commissioner Michael McLain made a motion to approve the agenda as presented. At 7:01PM, the motion passed 5-0 with Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Michael McLain, Clayton Riggs, and Randy Krainiak, voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Old Business

Item 3.A – Proclamation- Autism Awareness

Commissioner Michael McLain read the proclamation declaring April 2 Camden “Light it up Blue” Autism Awareness Day.

Vice Chairman Garry Meiggs made a motion to approve the proclamation as presented. At 7:04PM, the motion passed 5-0 with Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Michael McLain, Clayton Riggs, and Randy Krainiak, voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

New Business

Item 4.A - Amendment to the Camden County Personnel Policy, Article IV.

County Manager Mike Renshaw came before the Board to present the following:

- Staff is recommending an amendment to Article IV Pay Plan, Section 12
- Current policy states that employees are strongly encouraged to collect no more than 80 hours of Compensatory Time
- Amendment would change the policy to say that County employees are strongly encouraged to collect no more than 40 hours of Compensatory Time
- Amendment is in consideration of budgetary demands should an employee resign from County employment requiring monetary compensation for collected compensatory time

Commissioner Michael McLain made a motion to approve the amendment to the personnel policy as presented. At 7:05pm, the motion passed 5-0 with Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Michael McLain, Clayton Riggs, and Randy Krainiak, voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Item 4.B- Monthly Tax Report

Assistant Tax Administrator Lisa Anderson presented the Board with the February 2012 Monthly Tax Report.

Commissioner Clayton Riggs made a motion to approve the monthly tax report as presented. At 7:08pm, the motion passed 5-0 with Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Michael McLain, Clayton Riggs, and Randy Krainiak, voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Item 4.C – 2011 Advertisement of Tax Liens on Real Property

Assistant Tax Administrator Lisa Anderson presented the following information:

- Pursuant to G.S. 105-369(a), the Tax Administrator must report to the County Commissioners the total amount of unpaid taxes for the current fiscal year that are liens on real property.
- Pursuant to G.S. 105-369(c), the County Commissioners need to set the date for advertising the tax lien for real property.

Commissioner Clayton Riggs questioned whether the list of tax liens would be updated prior to the advertisement date of April 6, 2012. Mrs. Anderson responded 'Yes'.

Commissioner Michael McLain questioned what the final day to pay on property liens before they would be advertised. Mrs. Anderson responded that should the requested advertisement date of April 6, 2012 be approved by the Board, that April 3, 2012 would be the day that the list of tax liens on real property would be sent to the local newspaper by the close of business on April 3, 2012.

Vice Chairman Garry Meiggs made a motion to approve the updated version of the tax liens on real property report from the Tax Administrator. The motion passed 5-0 with Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Michael McLain, Clayton Riggs, and Randy Krainiak, voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Clayton Riggs made a motion to set the 2011 Tax Liens on Real Property advertising date of April 6, 2012. At 7:11pm, the motion passed 5-0 with Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Michael McLain, Clayton Riggs, and Randy Krainiak, voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Consent Agenda

Commissioner Michael McLain made a motion to approve the Consent Agenda as presented. At 7:12pm, the motion passed 5-0 with Chairman Sandra Duckwall, Vice Chairman Garry Meiggs, and Commissioners Michael McLain, Clayton Riggs, and Randy Krainiak, voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

A. Draft Minutes- February 6, 2012, February 20, 2012, & March 19, 2012

B. Budget Amendments- 2011-12-BA030-2011-12-BA032

2011-12-BA030
CAMDEN COUNTY BUDGET AMENDMENT

BE IT ORDAINED by the Governing Board of the County of Camden, North Carolina that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2012.

Section 1. To amend the General Fund as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
Expenses:			
105900-596000	Home/Community Care Match	\$494.00	
109990-500000	Contingency		\$494.00

Approved match Home Community Care Block Grant March 19, 2012.

This will result in a decrease of \$494.00 in the Contingency of the General Fund.

Balance in Contingency \$50,832.00.

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for their direction. Adopted this 2nd day of April, 2012.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

2011-12-BA031
CAMDEN COUNTY BUDGET AMENDMENT

BE IT ORDAINED by the Governing Board of the County of Camden, North Carolina that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2012.

Section 1. To amend the Social Services Fund as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE

Expenses:

528000-554321 LIEAP Expenses \$19,000.00

Revenues:

52330610-434848 LIEAP Revenues \$19,000.00

Additional funding notification March 8, 2012.

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for their direction. Adopted this 2nd day of April, 2012.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

2011-12-BA032

CAMDEN COUNTY BUDGET AMENDMENT

BE IT ORDAINED by the Governing Board of the County of Camden, North Carolina that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2012.

Section 1. To amend the General Fund as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
106600-574103	Capital Outlay – Vehicle	\$17,368.00	
109990-500000	Contingency		\$17,368.00

This will result in a decrease of \$17,368.00 in the Contingency of the General Fund.

Balance in Contingency \$33,464.00.

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for their direction. Adopted this 2nd day of April, 2012.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

C. Tax Refunds, Pickups and Releases

D. Tax Authority to Collect

December 2011

SOUTH MILLS	COURTHOUSE	SHILOH	TOTAL
11,539.33	14,687.16	8,747.96	34,974.45

E. Property Maintenance Worker Job Description

F. Set Hearing Dates- 2012 Board of Equalization & Review

Commissioner's Report

Commissioner Michael McLain read the following personal statement into the record:

East Carolina Behavioral Health Comments:

East Carolina Behavioral Health, without the approval of the Board of Directors gave certain employees raises of up to 30%. These are not employees receiving minimum wages. You will find a handout of the compensation. From the dates this was even done prior to the February Board meeting. No vote was held on this compensation by the Board of Directors.

Let us take a different view of this situation. As a County Commissioner, do you give your County Manager the authority to increase the compensation of your county employees? What if your County Manager increased the compensation of certain employees by 30% without a vote? In Camden we do not grant our County Manager that authority. I presume that in Hertford County your Manager has that authority to act to give employees 30% raises each year. Under North Carolina General Statutes this Board had a duty to act, since ECBH is a local government entity.

By what authority did management have to increase the compensation? This Board has oversight authority to at least have a vote on this issue with full and informative information.

This is taxpayers' money. This money does not belong to ECBH. This salary increase shows a lack of transparency. During a period when school teachers have not received raises for over five years and local government employees are not receiving raises, why did you increase compensation by 30%?

How does the action taken by management follow the mission statement of the organization? The mission statement clearly points out the following "to maintain high ethical standards." Along with the statement to, "Seek to trust as well as to be trusted". Providing incorrect information to the members of the governing body does not agree with the mission statement of the organization.

Our contract with the State of North Carolina requires use to have an "Active" Board of Directors. See the citations to the State of North Carolina contract. We have a duty to question the actions taken by management of this organization. In fact we have a fiduciary responsibility to question the actions taken. I do not intend to break my fiduciary responsibility to question the actions taken by management.

I have no reason not to get along. I believe that we have a duty to our citizens to provide proper oversight of this organization. In fact the North Carolina General Statutes remind us of our duty to provide for effective oversight of this organization.

We can tell from the recent past what happens when the board fails to provide effective oversight of an organization.

We were informed that the raises amounted to 1.8% not the 16% actually handed out. These raises were also implemented prior to the Board meeting. What is the purpose of the Board of Directors? I will have you review 55A-8-26 through 29 which states the duties of a board member. We have a duty to act in good faith, with the care of an ordinarily prudent person and in the best interest in the corporation. I would add that since this money belongs to the taxpayers we have a duty to act in the benefit of the taxpayers.

The Board must trust management to act in good faith in their performance of their duties. The question has to be why we were misled in the amounts and massive increases in compensation. It appears the salaries were already implemented prior to the board meeting. Why could this spreadsheet not have been provided? It brings about the lack of trust and good faith in the employees performing their duties.

I would point you to the NC General Statutes that state all information of this organization is subject to both the open meetings law and public inspection of the documents. Maybe we should be more transparent in our operations and remember the money does belong to the taxpayers not to the employees of the organization.

The compensation information was not provided at the board meeting, nor was it offered. I had to request that the information be provided to the members. Why was the compensation information not provided either in the board meeting or electronically prior to the meeting?

In reviewing the contract between ECBH and The North Carolina Department of Health and Human Services, I would like to point out several points:

- A) Section 1.2 concerning area board meetings, clearly states that the " Board actively reviews regular reports on finances ".*
- B) Section 2.0 subsection 1 "Active Board that meets at least 6 times a year."*
- C) Section 2.2 concerning financial records, "submit to its Board a monthly finance report". I have not received my monthly finance statement.*

At the time of implementing the Medicaid waiver we should not be distracted by this compensation or lack of trust issue. But, we have a duty to review and to provide oversight of this organization.

As admitted in your email, this organization did not perform any salary study. This action was arbitrary.

My opinion is that this issue should have been presented to the Board and had a vote either for or against at a meeting. Why did this not happen? My "agenda" is to have ECBH operate under proper governance.

Now we know why we receive such poor mental health service in this region. The apparent goal is to increase compensation.

Chairman Sandra Duckwall asked Commissioner McLain if he had never received any financial reports from ECBH. Commissioner McLain stated that the Board receives a monthly financial report every other month, contrary to the required monthly report.

Chairman Duckwall asked if the ECBH Board ever voted on the employee compensation increase. Commissioner McLain responded 'No'.

Chairman Duckwall asked if the overall compensation increase equaled to 1.8% of the overall ECBH budget. Vice Chairman Garry Meiggs stated that the increase in payroll equaled to 1.8% of the overall ECBH budget, but that each individual compensation increase equaled between 16% and 30%.

Vice Chairman Meiggs asked if the ECBH employees had ever received a cost of living raise in the past. Commissioner McLain stated that he was unsure of the answer to that question.

County Attorney John Morrison stated while he had no opinion on the merit of the compensation increase, as an attorney his issues were as follows:

1. By what authority did ECBH staff have to increase compensation without the Boards approval.
2. Commissioner Michael McLain went to some length to get public information, and received resistance to his requests.

3. Did the ECBH Director have the authority to increase compensation without the Boards approval, and if so, what was it, and why was there a conflict with providing it to anyone.

Commissioner McLain requested that Attorney Morrison look into North Carolina General Statute 122c- 156.

County Managers Report

County Manager Michael Renshaw reported the following:

- The County website now has information regarding Mosquito Spraying within the County, as well as preventative steps for County residents
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Any other Questions or comments?

Meeting Adjourned

At 7:27pm, Chairman Sandra Duckwall asked if there were any other matters to come before the Board of Commissioners, hearing none, she declared the meeting adjourned.

Chairman Sandra Duckwall
Camden County Board of Commissioners

ATTEST:

Ashley Honaker
Clerk to the Board