



CAMDENCOUNTY

new energy. new vision.

**BOARD
OF
COMMISSIONERS**

May 6, 2013

7:00 PM - Regular Meeting

**Historic Courtroom
Courthouse Complex**

This agenda is only a tentative schedule of matters the Commissioners may address at their meeting and all items found on it may be deleted, amended or deferred. The Commissioners may also, in their absolute discretion, consider matters not shown on this agenda.

Please turn Cell Phone ringers off during the meeting.

Agenda

**Camden County Board of Commissioners Regular Meeting
May 6, 2013
7:00 P.M. - Regular Meeting
Historic Courtroom, Courthouse Complex
Camden, North Carolina**

7:00 P.M. **Call to Order** - Chairman Garry Meiggs

Welcome

Invocation & Pledge of Allegiance – Randy Krainiak

ITEM 1. **Public Comments**

It is requested that comments be limited to (2-3) minutes. The length and number of comments may be limited upon the Chairman's discretion due to scheduling and other issues.

ITEM 2. **Consideration of Agenda (For discussion and possible action)**

ITEM 3. **Old Business (For discussion and possible action)**

- A. Ordinance No. 2013-02-01; Amendment to Chapter 151 (Unified Development Ordinance) of the Camden County Code of Ordinances (Pg 1-8)
- B. Ordinance No. 2013-04-01; Creation of Chapter 155 (Voluntary Agricultural Districts) to the Camden County Code of Ordinances (Pg 9-22)

ITEM 4. **New Business**

- A. U.S. Coast Guard Junior Leadership Program- Annual Leadership Camp (Pg 23-24)
- B. Hwy 158 Sewer Extension Feasibility Proposal, McGill Associates (Pg 25-27)

ITEM 5. **Board Appointments (For discussion and possible action)**

- A. COA Board of Trustees- Dr. W. Roger Lambertson Re-appointment (Pg 28-31)

ITEM 6. Consent Agenda (All items listed below are routine and will be approved by one motion. Separate discussion of an item(s) will be held by request of a member of the Board.)

- A. Budget Amendments – 2012-13-BA023 through BA024 (Pg 32-34)
- B. Estimated Tax Values for 2013 (Pg 35-36)
- C. Tax Refunds, Pickups, & Releases (Pg 37-39)
- D. Tax Authorization to Collect (January 2013 Renewals) (Pg 40-41)
- E. School Budget Amendments (Pg 42-48)
- F. Resolution 2013-05-01; Opposing Governor McCrory and the General Assembly Closing and Consolidating NC Highway Patrol Communications Center (Pg 49-50)
- G. Set Public Hearing; FY 2013-2014 Budget Hearing (Pg 51-52)
- H. Amendment to the County Management Records Retention and Disposition Schedule (Pg 53-54)
- I. Set Public Hearing; Stormwater Utility Ordinance (Pg 55-62)
- J. South Mills Sewer Billing Agreement (Pg 63-67)

ITEM 7. Commissioner's Report (For discussion and possible action)

ITEM 8. County Manager's Report (For discussion and possible action)

ITEM 9. Information, Reports & Minutes From Other Agencies (Pg 68-106)

- A. Sales Tax Collection
- B. ECBH Finance Committee & Area Board Packet

ITEM 10. Other Matters (For discussion and possible action)

ITEM 11. Adjourn

**Camden County Board of Commissioners
AGENDA ITEM SUMMARY SHEET**

MOTION MADE
BY:
S. Duckwall _____
G. Meiggs _____
M. McLain _____
R. Krainiak _____
C. Riggs _____
NO MOTION _____
VOTE:
S. Duckwall _____
G. Meiggs _____
M. McLain _____
R. Krainiak _____
C. Riggs _____
ABSENT _____
RECUSED _____

Item Number: 3.A

Old Business

Meeting Date: May 6, 2013
Attachments: 1 (3 Pages)
Submitted By: Planning Department

ITEM TITLE: Ordinance No. 2013-02-01;
Amendment to Chapter 151 (Unified
Development Ordinance) of the Camden
County Code of Ordinances

SUMMARY:

At the January 2013 Planning Board meeting, Mr. Eddie Hyman of “Hyman & Robey Surveying/Engineering” requested to the board to consider an ordinance amendment in the payment of water connections fees to apply it at building permit rather than at final plat submission. Mr. Hyman stated this would aid the developers in upfront costs (as bank loans are harder to get approved) and would help jumpstart residential and commercial development. Board instructed staff to bring back some proposed ordinance amendments at their next meeting.

At the February 20, 2013 Planning Board meeting staff presented the proposed ordinance amendment and after little discussion voted to recommend approval on a 5-0 vote.

Public hearing was held on April 1, 2013.

RECOMMENDATION:

For review and possible action.

Ordinance No. 2013-02-01

**A Ordinance
Amending the Camden County
Code of Ordinances**

Camden County, North Carolina

BE IT ORDAINED BY THE CAMDEN COUNTY BOARD OF COMMISSIONERS as follows:

Article I: Purpose

The purpose of this Ordinance is to amend the Article 151 of the Camden County Code of Ordinances of Camden County, North Carolina, which was originally adopted by the County Commissioners on December 15, 1997, and subsequently amended and as otherwise incorporated into the Camden County Code.

Article II. Construction

For purposes of this Ordinance, underlined words (underline) shall be considered as additions to existing Ordinance language and strikethrough words (~~strikethrough~~) shall be considered deletions to existing language. New language of proposed ordinance shall be shown in italics (*italics*) and underlined.

Article III. Amend Section 151 as amended of the Camden County Code which shall read as follows:

CHAPTER 151: UNIFIED DEVELOPMENT

§ 151.171 MAJOR SUBDIVISIONS TO INSTALL WATER LINES.

(E) If the developer is developing new lots within any area served by a public water system in the county, the subdivider shall construct a water system and connect it to the system owned and operated by the water system that serves the area where the subdivision is located, subject to the following conditions.

(1) Construction plans for the proposed system shall be prepared by a registered engineer, materials and construction to be in accordance with the specifications for the public water system, as prepared by the water system's engineer, that serves the area where the subdivision is located and submitted with the preliminary plat to the Planning Board and public water system that serves the area where the subdivision is located and all appropriate state agencies.

(2) The cost of the construction, connection and approval of the subdivision water

48 system shall be paid by the subdivider.

49

50 (3) All water mains, laterals, meter boxes and easements shall be dedicated to the
51 public water system. Water lines shall be installed within street rights-of-way, where possible.

52

53 (F) (1) The water system where the subdivision is being developed may require installation
54 of certain oversized facilities, such as water mains in excess of eight inches in diameter, when it
55 is in the interest of future development.

56

57 (2) When this is required, the water system where the subdivision is located shall pay
58 for that portion of the improvement that exceeds the standards set forth in this chapter.

59

60 (G) All connection fees shall be paid prior to issuance of the building permit for the
61 dwelling. ~~by the developer for each lot required to be connected to the county water system,~~
62 ~~prior to the submission of final plat approval.~~

63

64

65 **151.233 REQUIRED MAJOR SUBDIVISION SUBMISSION DOCUMENTS AND**
66 **INFORMATION.**

67

	<i>Sketch Plat</i>	<i>Preliminary Plat</i>	<i>Final Plat</i>
Location and construction details of either wet or dry fire hydrants		X	
Lighting plan and details, if proposed		X	
Landscape and tree-planting plan with details, if required		X	
Solid waste management-dumpster plan, if required		X	
Sight triangles		X	X
Two copies of as-built plans to be submitted, showing any utilities, drainage and infrastructure improvements installed			X
Construction details, as required by Ch. 151 of the code of ordinances		X	X
Monumentation set and control corner established			X
Payment per lot connection fees for county water			X

68

69 Adopted by the Board of Commissioners for the County of Camden this _____ day of

70 _____, 2013

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County of Camden

Garry Meiggs, Chairman
Board of Commissioners

ATTEST:

Ashley Honaker
Clerk to the Board

**Issues for consideration of Ordinance No 2013-02-01
Payment of Water Tap Fees**

This ordinance would require payment of water tap fees - \$4,000 per lot – at the time of application for a building permit, rather than the current requirement to pay the fees in order to obtain approval of subdivision final plat.

This change would effectively shift the burden of the payment from the subdivision developer to the home builder.

The change would affect timing of fee revenue for the county. The water connection fee includes two parts, the cost of installing the connection (\$1500), and a capacity charge (\$2500) which is set aside in a capital reserve fund for future expansion of treatment facilities to accommodate projected growth. Since planning, siting, testing, permitting, constructing, and certifying production of water is a multiyear undertaking (3 to 5 years), and costs are very high (hundreds of thousands dollars), it is incumbent to accumulate a robust capital reserve and to bring expansions on-line in advance of the need to expand capacity. The attached table reflects a simple comparison of fee revenue of the two scenarios.

Assumptions used in the projections:

- **The comparison is for the purpose of showing the effects to timing of fee revenues – not actual projections of actual subdivision and building activity and income generation.**
- The comparison only projects single family residential lots.
- Commercial connections were not projected due to the highly variable potential uses and the lack of visibility of any significant projects. Any commercial or industrial development will accelerate the need to expand capacity.
- Based on the Comprehensive Plan population projections the current amount the current known subdivision projects will absorb all the population growth, and no other subdivision will be submitted in the next 20 years. This is highly unlikely.
- The projection for the current requirement of payment prior to final plat is based on the subdivisions that are in any stage of approval, and 2 that we feel confident will be submitting applications within 60 days. Timing of final plat approval is based on developers' indications of phased development and/or educated guess. (*Camden Plantation is projected at 75% build out for each phase in order to compare totals of each scenario more closely.*)
- The projection for payment with building permit assumes beginning with last year's pace of construction, increasing pace by 5 houses per year for 20 years up to the level of construction earlier in this decade.
- The total units constructed over the 20 year period was compared to totals units based on the 1.8% population growth rate projected in the comprehensive plan, and the current household size of 2.7 persons. The above projections are slightly less than the growth projection.

Other considerations

The change was requested by a member of the development community as a means to reduce the up-front costs and to facilitate associated financing for developers. As banking regulations become tighter lenders

are less inclined to finance speculative subdivisions, and more inclined to finance actual home construction. However, the tightening credit standards also affect individuals' house financing by requiring higher percentage of down payment, and lower ratios of debt to income.

Easing the burden on builders has a greater impact on local job creation in that developers may or may not be local and have fewer employees. Builders are typically local contractors and subcontractors.

Neighboring counties and the NC planners' list serve was asked to identify other NC counties that delayed connection fees to building permit state.

Creedmoor *	recently changed back from building permit to final plat
N Focus *	building permit, but would recommend against
Perquimans	final plat
Gates	final plat
Pasquotank	final plat
Currituck	recently changed to building permit, no problems yet, recently expanded capacity
Onslow County	building permit, no problems. County does not operate water system
Cumberland	building permit, but they don't own and build the water system

N Focus is a planning group that staffs county planning departments around the state. Their experience is that payment before final plat approval is far better because:

- If lumped with building permits, the perceived costs of a building permit scares off builders.
- Water availability is obligated at preliminary plat. If no capacity fee is collected prior to recordation of the lots,; 1) they can be sold with little or no transparency of the fee to the buyer, and 2) the potential exists that a lot is sold now and not developed for a few years when capacity may or may not be available – and the county is obligated to provide it anyway.
- Shifting the burden off of developers allows them to develop more speculative projects without phasing, resulting in overbuilding for the market i.e. overgrown vacant lots, as they move on to next project.

Camden's UDO permits and encourages developers to complete project and record final plats in phases, thus spreading costs over multiple years based on market demand, and keeping them committed to project.

PROJECTED(Residential Only) WATER TAP FEES - BY PERMIT VERSUS BY SUBDIVISION PLATED LOS

Building permit projections based on current annual rate increased by 5 each year

Platted lot projections based on projects in the pipeline and estimated phasing of final plats.

Total Capacity	(Both Water systems)	1,420,000
20 Percent threshold	(80% Usage)	284,000
10 Percent threshold	(90% Usage)	142,000.0

Year	1.8% Growth	Increasing Pace	Water tap Fees	Acumulated Fees	Capacity reserved	Capacity Available	Final Plat Lots	Water Tap Fees	Acumulated Fees	Capacity Reserved
						770,000				
1	67	25	\$ 62,500	\$ 62,500	9,000	761,000	24	\$ 60,000	\$ 60,000	8,640
2	68	30	\$ 75,000	\$ 137,500	10,800	750,200	37	\$ 92,500	\$ 152,500	13,320
3	69	35	\$ 87,500	\$ 225,000	12,600	737,600	36	\$ 90,000	\$ 242,500	12,960
4	70	40	\$ 100,000	\$ 325,000	14,400	723,200	95	\$ 236,875	\$ 479,375	34,110
5	72	45	\$ 112,500	\$ 437,500	16,200	707,000	72	\$ 180,625	\$ 660,000	26,010
6	73	50	\$ 125,000	\$ 562,500	18,000	689,000	108	\$ 270,625	\$ 930,625	38,970
7	74	55	\$ 137,500	\$ 700,000	19,800	669,200	29	\$ 71,875	\$ 1,002,500	10,350
8	76	60	\$ 150,000	\$ 850,000	21,600	647,600	41	\$ 101,875	\$ 1,104,375	14,670
9	77	65	\$ 162,500	\$ 1,012,500	23,400	624,200	105	\$ 261,250	\$ 1,365,625	37,620
10	78	70	\$ 175,000	\$ 1,187,500	25,200	599,000	117	\$ 292,500	\$ 1,658,125	42,120
11	80	75	\$ 187,500	\$ 1,375,000	27,000	572,000	112	\$ 279,375	\$ 1,937,500	40,230
12	81	80	\$ 200,000	\$ 1,575,000	28,800	543,200	65	\$ 161,250	\$ 2,098,750	23,220
13	83	85	\$ 212,500	\$ 1,787,500	30,600	512,600	103	\$ 256,875	\$ 2,355,625	36,990
14	84	90	\$ 225,000	\$ 2,012,500	32,400	480,200	236	\$ 588,750	\$ 2,944,375	84,780
15	86	95	\$ 237,500	\$ 2,250,000	34,200	446,000	157	\$ 391,875	\$ 3,336,250	56,430
16	87	100	\$ 250,000	\$ 2,500,000	36,000	410,000	90	\$ 225,000	\$ 3,561,250	32,400
17	89	105	\$ 262,500	\$ 2,762,500	37,800	372,200	68	\$ 168,750	\$ 3,730,000	24,300
18	90	110	\$ 275,000	\$ 3,037,500	39,600	332,600	-	\$ -	\$ 3,730,000	-
19	92	115	\$ 287,500	\$ 3,325,000	41,400	291,200	-	\$ -	\$ 3,730,000	-
20	94	120	\$ 300,000	\$ 3,625,000	43,200	248,000	-	\$ -	\$ 3,730,000	-
	1,588	1450	\$ 3,625,000				1,492	\$ 3,730,000		
Net Present Value			\$ 2,009,993					\$ 2,277,061		

1,420,000

284,000

142,000

Capacity

Available

770,000

761,360

748,040

735,080

700,970

674,960

635,990

625,640

610,970

573,350

531,230

491,000

467,780

430,790

346,010

289,580

257,180

232,880

232,880

232,880

232,880

**Camden County Board of Commissioners
AGENDA ITEM SUMMARY SHEET**

Item Number: 3.B

Old Business

Meeting Date: May 6, 2013
Attachments: 1 (13 Pages)
Submitted By: Planning Department

ITEM TITLE: Ordinance No. 2013-04-01; Creation of Chapter 155 (Voluntary Agricultural Districts) to the Camden County Code of Ordinances

MOTION MADE	
BY:	
S. Duckwall	_____
G. Meiggs	_____
M. McLain	_____
R. Krainiak	_____
C. Riggs	_____
NO MOTION	_____
VOTE:	
S. Duckwall	_____
G. Meiggs	_____
M. McLain	_____
R. Krainiak	_____
C. Riggs	_____
ABSENT	_____
RECUSED	_____

SUMMARY:

Camden County seeks to establish Voluntary Agricultural Districts to protect and preserve agricultural lands and activities. An Agriculture Advisory Board appointed by the Board of Commissioners will make recommendations to the board approving or disapproving applications of landowners for enrollment of qualified farmland, horticultural land, or forestland into a district. Landowners will sign a voluntary 10 year Conservation Agreement with Camden County to preserve and protect parcels from non-farm uses. The agreement may be terminated with thirty (30) days written notice.

Public Hearing Held on April 1, 2013. Ordinance language amended per BOC.

RECOMMENDATION:

For review and possible action.

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4
5 **Ordinance No. 2013-04-01**

6
7 **An Ordinance**
8 **Amending the Camden County**
9 **Code of Ordinances**

10
11 **Camden County, North Carolina**

12
13 BE IT ORDAINED BY THE CAMDEN COUNTY BOARD OF COMMISSIONERS as
14 follows:

15
16
17 **Article I: Purpose**

18
19 The purpose of this Ordinance is to create Chapter 155 (Voluntary Agricultural Districts) of the
20 Camden County Code of Ordinances of Camden County, North Carolina.

21
22 **Article II. Construction**

23
24 **For purposes of this Ordinance, underlined words (underline) shall be considered as**
25 **additions to existing Ordinance language and strikethrough words (~~strikethrough~~) shall**
26 **be considered deletions to existing language. New language of proposed ordinance shall**
27 **be shown in italics (*italics*) and underlined.**

28
29
30 **Article III. Create Chapter 155 of the Camden County Code of Ordinances**
31 **which shall read as follows:**

32
33
34 **CHAPTER 155: VOLUNTARY AGRICULTURAL DISTRICTS**

35
36 **§ 155.01 PURPOSE**

37
38 **The purpose of this Chapter is to promote agricultural values and the general welfare of the**
39 **county and more specifically, increase identity and pride in the agricultural community and its**
40 **way of life; encourage the economic and financial health of agriculture, horticulture and**
41 **forestry; and increase protection from non-farm development and other negative impacts on**
42 **properly managed farms.**

43
44
45
46
47 **§ 155.02 DEFINITIONS.**

48
49 For the purpose of the subchapter, the following definitions shall apply unless the context
50 clearly indicates or requires a different meaning:

51
52 **Advisory Board.** Camden County Agricultural Advisory Board.

53
54 **Chairperson.** Chairperson of the Camden County Agricultural Advisory Board.

55
56 **District.** Voluntary Agricultural District as established by this ordinance.

57
58 **Board of Commissioners.** Camden County Board of Commissioners.

59
60 **§ 155.02 AGRICULTURAL ADVISORY BOARD**

61
62 (A) The Board of Commissioners shall establish an Agricultural Advisory Board to
63 implement the provisions of this program.

64
65 (B) The Advisory Board shall consist of no less than five members appointed by the Board
66 of Commissioners.

67
68 (C) Membership Requirements:

69
70 (1) Each Advisory Board member, except those serving in an ex officio capacity, shall
71 be a Camden County resident or landowner.

72
73 (2) At least four of the members shall be actively engaged in farming, horticulture
74 and/or forestry. Of the members actively engaged in farming, horticulture and/or forestry
75 there shall be at least one such member from each Voluntary Agricultural District in Camden
76 County. This determination shall be made without reference to ex officio members.

77
78 (3) The members actively engaged in farming, horticulture and/or forestry as well as
79 other members, shall be selected for appointment by the Board of Commissioners from the
80 names of individuals submitted to the Board of Commissioners by the Soil and Water
81 Conservation District Board of Supervisors, the County Office of North Carolina Cooperative
82 Extension, the U.S. Farm Service Agency County Committee, nonprofit agricultural
83 organizations, conservation organizations, agribusiness, horticultural businesses, forestry
84 businesses, and the public at large.

85
86 (4) Additional members may be appointed to the Board in an ex officio capacity from
87 the Soil and Water Conservation District Board, North Carolina Cooperative Extension, the
88 U.S. Farm Service Agency, or other agencies, as deemed necessary by the Board of
89 Commissioners. Members serving in an ex officio capacity shall neither vote nor count toward
90 quorum requirements.

91
92
93 (D) Tenure.

94
 95 The initial board is to consist of two appointees for terms of one year; and three
 96 appointees for terms of three years. Thereafter, all appointments are to be for terms of three
 97 years, with reappointment permitted.

98
 99 (E) Vacancies.

100
 101 Any vacancy on the Advisory Board is to be filled by the Board of Commissioners for the
 102 remainder of the unexpired term.

103
 104 (F) Removal.

105
 106 Any member of the Advisory Board may be removed by the Board of Commissioners upon
 107 a two-thirds vote of the Commissioners. No cause for removal shall be required.

108
 109 (G) Funding.

110
 111 The per diem compensation, if any, of the members of the Advisory Board may be fixed by
 112 the Board of Commissioners and funds may be appropriated to the Advisory Board to perform
 113 its duties.

114
 115 (H) Advisory Board Procedure.

116
 117 (1) Chairperson.

118
 119 The Advisory Board shall elect a chairperson and vice-chairperson each year at its
 120 first meeting of the fiscal year. The chairperson shall preside over all regular or special
 121 meetings of the Advisory Board. In the absence or disability of the chairperson, the vice-
 122 chairperson shall preside and shall exercise all the powers of the chairperson. Additional
 123 officers may be elected as needed.

124
 125 (2) Determination of Procedure.

126
 127 The Advisory Board may adopt rules of procedure not inconsistent with this Ordinance
 128 or with other provisions of State law.

129
 130 (3) Advisory Board Year.

131
 132 The Advisory Board shall use the Camden County fiscal year as its meeting year.

133
 134 (4) Meetings.

135
 136 Meetings of the Advisory Board shall be held at the call of the chairperson and at such
 137 other times as the Advisory Board may specify in its rules of procedure or upon the request of
 138 at least a majority of the Advisory Board Membership. A meeting shall be held at least
 139 annually and notice of any meetings to the members shall be in writing, unless otherwise

140 agreed to by all Advisory Board members. Meeting dates and times shall be posted as far in
 141 advance as possible on the door of the meeting site and by advertisement in local newspapers
 142 or by other means of public dissemination of the meeting dates as may be agreed upon by at
 143 least a majority of the Advisory Board Membership. All meetings shall be open to the public.
 144

145 (5) Majority Vote and Quorum Requirements.

146
 147 All issues shall be decided by a majority vote of the members of the Advisory Board
 148 present, except as otherwise stated herein. A quorum is defined as at least two-thirds of the
 149 members in attendance. No business may be conducted by the Advisory Board without a
 150 quorum present.
 151

152 (6) Records.

153
 154 The Advisory Board shall keep minutes of the proceedings showing the vote of each
 155 member upon each question, or if absent or failing to vote, indicating such fact, and shall keep
 156 records of its examinations and other official actions, all of which shall be filed in the office of
 157 the Advisory Board, or its designee, and shall be a public record. All records are public
 158 records open to the public.
 159

160 (7) Administrative.

161
 162 The Advisory Board may contract with the Camden Soil and Water Conservation
 163 District office to serve the Board for record keeping, correspondence, application procedures
 164 under this, and whatever services the Board needs to complete its duties.
 165

166 (1) Duties.

167
 168 The Advisory Board shall:
 169

170 (1) Review and approve or disapprove applications of landowners for enrollment of
 171 qualified farmland, horticultural land, or forestland into a District.
 172

173 (2) Make recommendations concerning the establishment and modification of Districts.
 174

175 (3) Conduct public hearings.
 176

177 (4) Advise the Board of Commissioners on projects, programs, or issues affecting the
 178 agricultural economy and agricultural, horticultural or forestry activities within the county that
 179 will affect Districts.
 180

181 (5) Review and make recommendations concerning proposed amendments to this
 182 ordinance.
 183

184 (6) Develop and maintain a draft countywide farmland protection plan as defined in
 185 N.C.G.S. §106-744 (e) for presentation to the Board of Commissioners.

186
187 (7) Study additional methods of protection for farming, horticulture, forestry, and the
188 attendant land base, and make recommendations to the Board of Commissioners.

189
190 (8) Perform other agricultural, horticultural, and forestry-related tasks or duties
191 assigned by the Board of Commissioners.

192
193 **§ 155.03 CREATION OF VOLUNTARY AGRICULTURAL DISTRICTS**

194
195 (A) Regions.

196
197 Camden County is hereby divided into five regions as defined below:

198
199 (1) South Mills Watershed District

200
201 (2) Joyce Creek Watershed District

202
203 (3) Shiloh Watershed District

204
205 (4) North River Watershed District

206
207 (5) Sawyer’s Creek Watershed District

208
209 (B) Implementation.

210
211 (1) In order to implement the purposes stated in Article 155.01, this program provides
212 for the creation of Voluntary Agricultural Districts, which meet the following standards:

213
214 (a) The District shall contain a minimum of 20 contiguous acres of qualified forest
215 land; 10 contiguous acres of qualified farm land; or 5 contiguous acres of qualified
216 horticultural land.

217
218 (b) All land enrolled in a region defined in section (A) above shall be part of a
219 single District. If a single farm has acreage in two or more regions, the farm shall participate
220 in the District where the largest acreage is found. All land in a region as defined in section (A)
221 above shall be treated as a single District.

222
223 (C) Education.

224
225 The county may take such action as it deems appropriate through the Advisory Board
226 or other entities or individuals to encourage the formation of the Districts and to further their
227 purposes and objectives, including the implementation of a public information program to
228 reasonably inform landowners of the Voluntary Agricultural District program.

229
230 (D) Addition.

231

232 Qualifying farmland in a region with an existing District shall be added to the District
 233 as herein provided.

234
 235 **§ 155.04 CERTIFICATION AND QUALIFICATION OF FARMLAND**

236
 237 (A) Requirements.

238
 239 (1) To secure county certification as qualifying farmland in a Voluntary Agricultural
 240 District, a farm must:

241
 242 (a) Be participating in the farm present-use-value taxation program established by
 243 N.C.G.S. §105-277.2 through §105-277.7, or is otherwise determined by the county to meet all
 244 the qualifications of this program set forth in G.S. 105-277.3.

245
 246 (b) Be managed, if highly erodible land exists on the farm, in accordance with the
 247 Natural Resources Conservation Service defined erosion-control practices that are addressed
 248 to said highly-erodible land.

249
 250 (c) Be the subject of a conservation agreement, as defined in N.C.G.S. §121-35,
 251 between the county and the owner of such land that prohibits non-farm use or development of
 252 such land for a period of at least ten years, except for the creation of not more than three lots
 253 that meet applicable county zoning and subdivision regulations; and

254
 255 **§ 155.05 APPLICATION, APPROVAL, AND APPEAL PROCEDURE**

256
 257 (A) Application Procedure.

258
 259 (1) A landowner may apply to participate in the Voluntary Agricultural District
 260 program by making application to the chairperson of the Advisory Board or a designated staff
 261 person. The application shall be on forms provided by the Advisory Board.

262
 263 (2) A conservation agreement (required by N.C.G.S. §106-737 and defined in
 264 N.C.G.S. §121-35) to sustain, encourage, and promote agriculture must be executed by the
 265 landowner with the Advisory Board, which shall record a certified copy of such with the
 266 Camden County Register of Deeds. Permitted uses include agriculture, horticulture, forestry,
 267 and outdoor recreation.

268
 269 (B) Approval Process.

270
 271 (1) Upon submission of the application to the Advisory Board, the Advisory Board
 272 shall meet within thirty (30) days to approve or disapprove the application. The chairperson
 273 shall notify the applicant by first class mail of approval or disapproval of participation in a
 274 District.

275

276 (2) Upon receipt of an application, the chairperson will forward copies immediately
 277 to the following Offices which shall be asked to provide comments, if any, to the Advisory
 278 Board prior to the date set for the Advisory Board vote on the application:

279
 280 (a) The Camden County tax assessor;

281 (b) The Camden Soil and Water Conservation District office;

282

283 (C) Appeal.

284

285 (1) If an application is denied by the Advisory Board, the landowner may, within ten
 286 (10) days of notification of disapproval of the application, request in writing that the Advisory
 287 Board reconsider its decision. The request for reconsideration shall state the reason(s)
 288 therefore. Upon either an initial denial, if no request for reconsideration was made, or denial
 289 after reconsideration, the landowner shall have thirty (30) days from the date of notification to
 290 appeal the decision to the Board of Commissioners. Such appeal shall be presented in writing.
 291 The decision of the Board of Commissioners is final.

292

293 **§ 155.06 REVOCATION, ENFORCEMENT AND RENEWAL OF CONSERVATION**
 294 **AGREEMENTS.**

295

296 (A) Revocation and Enforcement.

297

298 (1) By providing 30 days advance written notice to the Advisory Board, a landowner
 299 of qualifying farmland within a District may revoke the Conservation Agreement or the
 300 Advisory Board may revoke the same Conservation Agreement based on noncompliance by the
 301 landowner, subject to the same provisions as contained in Article VIII(C) for appeal of denials.
 302 Such revocation shall result in loss of qualifying farm status and loss of eligibility to
 303 participate in a District. Absent noncompliance by the landowner, neither the Advisory Board
 304 nor the Board of Commissioners shall revoke any Conservation Agreement prior to its
 305 expiration. If the Advisory Board shall revoke this Conservation Agreement for cause, the
 306 landowner shall have the appeal rights set forth in Article VIII(C). Transfers of land in a
 307 District due to death of the landowner, sale or gift shall not revoke the Conservation
 308 Agreement unless the land no longer qualifies for the present-use-value taxation program or, in
 309 the event that there are water or sewer assessments held in abeyance, the new owner(s) fails to
 310 agree in writing to accept liability for those assessments in the event that the land is withdrawn
 311 either voluntarily or involuntarily from the District. Enforcement of the terms of a
 312 Conservation Agreement for land enrolled in a District shall be limited to revocation of the
 313 Conservation Agreement and the benefits derived therefrom. A notice of revocation shall be
 314 recorded in the county land record system sufficient to provide notice that the land has been
 315 withdrawn from the Voluntary Agricultural District program.

316

317 (B) Renewal.

318

319 (1) A Conservation Agreement for land within a Voluntary Agricultural District shall
 320 be automatically renewed unless the landowner provides 30 day written notice to the Advisory
 321 Board of intent not to renew. Absent noncompliance by the landowner, neither the Advisory

322 Board nor the Board of Commissioners shall fail to renew any Conservation Agreement unless
 323 this Ordinance or its authorizing legislation has been repealed.

324
 325 **§ 155.07 WAIVER OF WATER AND SEWER ASSESSMENTS**

327 (A) Water Connections No Connection Required so long as the requirements of § 155.04
 328 (A) of this ordinance are adhered to.

329
 330 (1) A landowner belonging to a District shall not be required to connect to Camden
 331 County water and/or sewer systems within an established District shall not be required to
 332 connect to Camden County water and/or sewer systems until such time as the residential
 333 portion of the property is subdivided with the intent to sell.

334
 335 (2) At the time a subdivision of the residential property is proposed the subdivision
 336 shall comply with chapter 50 of the Camden County Code of Ordinances .

337
 338 (B) Abeyance.

339
 340 (1) Any Special Assessments established for the Water and/or sewer system
 341 assessments shall be held in abeyance, without interest, for farms in a District, until
 342 improvements on such property are connected to the water or sewer system for which the
 343 assessment was made.

344
 345 (C) Termination of Abeyance.

346
 347 (1) When the period of abeyance ends, the assessment is payable in accordance with
 348 the terms set out in the assessment resolution.

349
 350 (D) Suspension of Statute of Limitations.

351
 352 (2) Statutes of limitations are suspended during the time that any assessment is held in
 353 abeyance without interest. The landowner may be required to sign an acknowledgement (that
 354 may be incorporated into the Conservation Agreement) of the abeyance of the statute of
 355 limitations upon collecting water and sewer assessments, or other utility assessments.

356
 357 (E) Other Statutory Abeyance Procedures.

358
 359 (1) Nothing in this section is intended to diminish the authority of the County to hold
 360 assessments in abeyance under N.C.G.S. §153A-201, or other applicable law.

361
 362 (F) Conflict with Water and/or Sewer System Construction and Improvements Grants

363
 364 (1) To the extent that this section conflicts with the terms of federal, state, or other
 365 grants under which county utility systems are constructed this section shall not apply. This
 366 section shall not apply to utilities that are not owned by the County unless the County has

367 entered into an agreement with the entity(ies) owning the utilities and that agreement provides
 368 that this Ordinance shall apply.

369
 370 **§ 155.08 PUBLIC HEARINGS.**

371
 372 (A) Purpose.

373
 374 (1) N.C.G.S. §106-740 provides that no state or local public agency or governmental
 375 unit may formally initiate any action to condemn any interest in qualifying farmland within a
 376 District until such agency or unit has requested the Advisory Board to hold a public hearing on
 377 the proposed condemnation. This provision ensures that the condemning agency or unit
 378 considers the impact of its actions upon agriculture, forestry, and/or horticultural prior to
 379 taking action that is not reversible. This provision is not intended to, and does not prohibit, the
 380 condemning agency or unit from taking action authorized by law.

381
 382 (B) Procedure

383
 384 (1) Upon receiving a request, the Advisory Board shall publish notice describing the
 385 proposed action in the appropriate newspapers of Camden County within five (5) business days
 386 of the request, and will in the same notice notify the public of a public hearing on the proposed
 387 condemnation, to be held within ten (10) days of receipt of the request.

388
 389 (2) The Advisory Board shall meet to review:

390
 391 (a) Whether the need for the project has been satisfactorily established by the
 392 agency or unit of government involved, including a review of any fiscal impact analysis
 393 conducted by the agency involved; and

394
 395 (b) Whether there are alternatives to the proposed action that have less impact
 396 and are less disruptive to the agricultural activities of the District within which the proposed
 397 action is to take place.

398
 399 (3) The Advisory Board shall consult with the County Agricultural Extension Agent,
 400 the Natural Resources Conservation Service District Conservationist, and any other
 401 individuals, agencies, or organizations deemed by the Advisory Board to be necessary for its
 402 review of the proposed action.

403
 404 (4) Within five (5) days after the hearing, the Advisory Board shall make a report
 405 containing its findings and recommendations regarding the proposed action. The report shall
 406 be made available to the public prior to its being conveyed to the decision-making body of the
 407 agency proposing the acquisition.

408
 409 (5) There will be a period of ten (10) days allowed for public comment on the report
 410 of the Advisory Board.

411

412 (6) After the ten (10) day period for public comment has expired, the Advisory Board
 413 shall submit a final report containing all of its findings and recommendations regarding the
 414 proposed action to the decision making body of the agency proposing the acquisition.

416 (7) The total time period, from the day that a request for a hearing has been received
 417 to the day that a final report is issued to the decision making body of the agency proposing the
 418 acquisition, shall not exceed thirty (30) days. If the agency agrees to an extension, the agency
 419 and the Advisory Board shall mutually agree upon a schedule to be set forth in writing and
 420 made available to the public.

422 (8) Pursuant to N.C.G.S. §106-740, the Board of Commissioners shall not permit any
 423 formal initiation of condemnation by local agencies while the proposed condemnation is
 424 properly before the Advisory Board.

426 **§ 155.09 NOTIFICATION.**

428 (A) Signage.

430 (1) There shall be signage posted at the farm gate of each qualifying farm. Placement
 431 of signage shall be coordinated with the North Carolina Department of Transportation.

433 (B) Maps.

435 (1) Maps identifying approved Districts shall be provided to the following agencies or
 436 offices:

438 (a) Planning Department;

440 (b) Register of Deeds;

442 (c) Natural Resources Conservation Service;

444 (d) North Carolina Cooperative Extension;

446 (e) Soil and Water Conservation District; and

448 (f) Any other such agency or office the Advisory Board deems appropriate.

450 **§ 155.10 SUBDIVISION ORDINANCE AND ZONING ORDINANCE REVIEW**

452 (A) Developers of major subdivisions or planned unit developments shall designate on
 453 preliminary development plans, the existence of the Districts within one-half mile of the
 454 proposed development.

456 **§ 155.11 COUNTY LAND-USE PLANNING**

457

458 (A) Duty of the Advisory Board.

459
460 (1) It shall be the duty of the Advisory Board to advise the Board of Commissioners or
461 the agency or office to which the Board of Commissioners delegate authority to oversee county
462 land use planning, on the status, progress, and activities of the county's Voluntary Agricultural
463 District program and to also coordinate the formation and maintenance of
464
465 Districts with the county's land use planning activities and the county's land use plan if one
466 currently exists at the time this is enacted or when one is formed.

467
468 (B) Posting of Notice.

469
470 (1) The following notice, of a size and form suitable for posting, shall be posted in the
471 office of the Register of Deeds, and any other office or agency the Advisory Board deems
472 necessary:

473
474 Camden County has established Districts to protect and preserve agricultural lands and
475 activities. These Districts have been developed and mapped by the county to inform all
476 purchasers of real property that certain agricultural and forestry activities, including but not
477 limited to pesticide spraying, manure spreading, machinery and truck operation, livestock
478 operations, sawing, and other common farming activities may occur in these Districts any time
479 during the day or night. Maps and information on the location and establishment of these
480 Districts can be obtained from the North Carolina Cooperative Extension Service office, the
481 office of the Register of Deeds, the County Planning office, or the Natural Resources
482 Conservation Service office.

483
484 (C) Growth Corridors

485
486 (1) At such time as the county might establish designated growth corridors, Districts
487 shall not be permitted in the designated growth corridors, as delineated on the official county
488 planning map without the approval of the Board of Commissioners. Districts located in growth
489 corridors designated after the effective date of this program may remain, but shall not be
490 expanded within the growth corridor area without the approval of the Board of Commissioners.

491
492 **§ 155.12 CONSULTATION AUTHORITY**

493
494 (A) The Advisory Board may consult with North Carolina Cooperative Extension, the
495 Natural Resources Conservation Service, the North Carolina Department of Agriculture and
496 Consumer Services, and with any other individual, agency, or organization the Advisory Board
497 deems necessary to properly conduct its business.

498
499 **§ 155.13 NORTH CAROLINA AGENCY NOTIFICATION**

500
501 (A) Annual Report to the North Carolina Department of Agriculture and Consumer
502 Services.

503

504 (1) A copy of this Ordinance shall be sent to the Office of the North Carolina
 505 Commissioner of Agriculture and Consumer Services, the Board of Commissioners, the County
 506 Office of North Carolina Cooperative Extension, and the Soil and Water Conservation District
 507 office after adoption. At least annually the county shall submit a written report to the
 508 Commissioner of Agriculture and Consumer Services on the county's Voluntary Agricultural
 509 District program, including the following information:

510

511

512 (1) Number of landowners enrolled;

513

514 (2) Number of acres enrolled;

515

516 (3) Number of acres certified during the reporting period;

517

518 (4) Number of acres denied during the reporting period;

519

520 (5) Number of acres for which applications are pending;

521

522 (6) Municipalities with which Memorandums of Understanding have been signed;

523

524 (7) Municipalities that have adopted this Ordinance for the purpose of the county
 525 enforcing this Ordinance within their corporate boundaries;

526

527 (8) Copies of any amendments to this Ordinance or Memorandums of Understanding
 528 signed with municipalities; and

529

530 (9) Any other information the Advisory Board deems useful.

531

532 **§ 155.15 LEGAL PROVISIONS**

533

534 (A) Severability

535

536 (1) If any article, section, subsection, clause, phrase, or portion of this Ordinance is
 537 for any reason found invalid or unconstitutional by any court of competent jurisdiction, such
 538 decision shall not affect the validity of the remaining portions of this Ordinance.

539

540 (B) Conflict with other ordinances and statutes

541

542 (1) Whenever the provisions of this Ordinance conflict with other ordinances of
 543 Camden County, this Ordinance shall govern. Whenever the provisions of any federal or state
 544 statute require more restrictive provisions than are required by this Ordinance, the provisions
 545 of such statute shall govern.

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Adopted by the Board of Commissioners for the County of Camden this day of , 2013.

County of Camden

Garry Meiggs, Chairman
Board of Commissioners

ATTEST:

Ashley Honaker
Clerk to the Board

**Camden County Board of Commissioners
AGENDA ITEM SUMMARY SHEET**

Item Number: 4.A

New Business

Meeting Date: May 6, 2013
Attachments: 1 (1 Pages)
Submitted By: Sherriff

ITEM TITLE: U.S. Coast Guard Junior Leadership Program- Annual Leadership Camp

MOTION MADE	
BY:	
S. Duckwall	_____
G. Meiggs	_____
M. McLain	_____
R. Krainiak	_____
C. Riggs	_____
NO MOTION	_____
VOTE:	
S. Duckwall	_____
G. Meiggs	_____
M. McLain	_____
R. Krainiak	_____
C. Riggs	_____
ABSENT	_____
RECUSED	_____

SUMMARY:

United States Coast Guard Captain (ret) Al Keith, Senior Maritime Science Instructor of the USCG Junior Leadership Program at Camden High School, is requesting monetary support to send eligible cadets to the 2013 Annual Leadership Academy hosted at the Citadel, Charleston, SC, Cadet Officer Leadership School (COLS).

In the past, the USCG has provided funding for this critical leadership experience, but this year with sequestration, that funding had been withdrawn.

RECOMMENDATION:

For review and possible action.



U. S. Coast Guard Junior Leadership Program
 Camden County High School, Cam Tech High School
 Camden County, North Carolina 27921-7549
 Telephone: (252) 338-0114 ext 226
akeith@camden.k12.nc.us



Donations: Camden Cnty Schools, USCG JLP
 Tax ID # 56-6000999

16 Apr 2013

Dear Camden County Board of Commissioners,

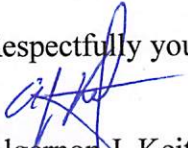
As you know, the Camden County High School and CamTech High School U. S. Coast Guard Junior Leadership Program (USCG JLP) program goals include providing student cadets with experiences that will develop leadership, team work, personal responsibility, commitment, self confidence, and devotion to school, community, and country.

To enable accomplishment of our program goals the cadets learn in the classroom, participate in extra and co-curricular activities, and work in the community performing community service. The USCG JLP is also committed to providing three modest academic scholarships to deserving seniors each year for which our cadets plan and conduct various fundraisers.

In addition to the opportunities offered here at school, each summer a select number of qualified cadets attend a week-long leadership academy hosted by U.S. Air Force JROTC at The Citadel, Charleston SC, Cadet Officer Leadership School (COLS). In the past, the U.S. Coast Guard has provided funding for this critical leadership experience, but this year with sequestration, that funding has been withdrawn. Because the annual leadership camp is so essential to the growth of our cadets, their leadership development, exposure to other young adults in similar programs, and to constant improvement of our own program, the cadets and I are redoubling our fund raising efforts to ensure that at least a modest number of our cadets might be able to attend COLS this summer.

The cost per cadet to attend COLS is approximately \$390. So far this year we have raised enough funds to send about ten of the 25 qualified cadets, along with at least one instructor, to COLS. Our fundraising efforts will continue through the end of school as we endeavor to increase that number. Any help your organization might provide us in an effort to reach our COLS goal will be met with genuine gratitude.

Respectfully yours,


 Algernon J. Keith
 Captain, U.S. Coast Guard (ret)
 Senior Maritime Science Instructor, USCG JPL

**Camden County Board of Commissioners
AGENDA ITEM SUMMARY SHEET**

MOTION MADE	
BY:	
S. Duckwall	_____
G. Meiggs	_____
M. McLain	_____
R. Krainiak	_____
C. Riggs	_____
NO MOTION	_____
VOTE:	
S. Duckwall	_____
G. Meiggs	_____
M. McLain	_____
R. Krainiak	_____
C. Riggs	_____
ABSENT	_____
RECUSED	_____

Item Number: 4.B

New Business

Meeting Date: May 6, 2013

Attachments: 1 (2 Pages)

Submitted By: Michael Renshaw, County Manager

ITEM TITLE: HWY 158 Sewer Extension
Feasibility Study Proposal, McGill Associates

SUMMARY:

During its March 18, 2013 Capital Improvement Plan work session, the Board of Commissioners had requested that engineering consultant McGill Associates provide a proposal for a study that would examine the feasibility of extending sanitary sewer along HWY 158 from HWY 343 to Country Club.

The purpose of this extension would be to serve future anticipated development along this corridor as well as service existing businesses and residential development. Such study would include providing a current cost estimate for project design and construction.

McGill Associates has submitted a fee proposal for this study in the amount of \$12,500.

RECOMMENDATION:

For discussion and possible action.



April 9, 2013

Mr. Mike Renshaw
County Manager
Camden County
330 US Highway 158 East
Camden, North Carolina 27921

RE: Proposal for Civil Engineering Services
Proposed US Hwy 158 Sanitary Sewer
Extension Study
Camden County, North Carolina

Dear Mr. Renshaw:

McGill Associates is pleased to submit this proposal to furnish a sanitary sewer feasibility study for the US Hwy. 158 corridor extending southwest along US Hwy 158 from Hwy 343 to Country Club Road. It is our understanding that the study generally consists of assessing the feasibility to extend sewer along US Hwy. 158 along with cost estimates to serve future development and potentially serve existing developments in the corridor. As we evaluate the proposed sewer extension we will also evaluate the existing sanitary sewer outfall which includes the pump stations at the County Courthouse, Burnt Mills and the influent pump station at the Wastewater Treatment Plant along with the constraints of the existing wastewater treatment technology and disposal spay field. It is our understanding that the County will provide McGill Associates with the information for the service area to be studied, including existing and future zoning densities.

McGill Associates will provide our findings of the study in a bound report as well as present the information to the County Commissioners and the Camden Economic Development Commission.

We anticipate providing the above services for a lump sum fee of **\$12,500.00**.

E n g i n e e r i n g • P l a n n i n g • F i n a n c e

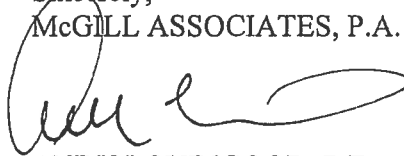
McGill Associates, P.A. • P.O. Box 1136, Hickory, NC 28603 • 1240 19th St. Lane NW, Hickory, NC 28601

Office: 828-328-2024 • Fax: 828-328-3870

Mr. Mike Renshaw, County Manager
April 9, 2013
Page 2

Thank you for the opportunity to work with the County on this project. If you have any questions concerning this proposal or any element of our work, please do not hesitate to contact myself or Dave Richmond at 828-328-2024. If the above is acceptable to you, please sign and return a copy to our office.

Sincerely,
McGILL ASSOCIATES, P.A.



ANDY LOVINGOOD, P.E.
Vice President

ACCEPTANCE:

This proposal is accepted this the _____ day of _____, 2013.

CAMDEN COUNTY

(Signature)

(Date)

(Name)

(Title)

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

By: _____
Clarann Mansfield
Finance Officer

**Camden County Board of Commissioners
AGENDA ITEM SUMMARY SHEET**

Item Number: 5.A
Board Appointments
Meeting Date: May 6, 2013
Attachments: 1 (3 Pages)
Submitted By: Administration

ITEM TITLE: COA Board of Trustees- Dr. W.
Roger Lambertson Re-appointment

MOTION MADE	
BY:	
S. Duckwall	_____
G. Meiggs	_____
M. McLain	_____
R. Krainiak	_____
C. Riggs	_____
NO MOTION	_____
VOTE:	
S. Duckwall	_____
G. Meiggs	_____
M. McLain	_____
R. Krainiak	_____
C. Riggs	_____
ABSENT	_____
RECUSED	_____

SUMMARY:

Dr. Lambertson's term has expired and the BOT has requested his re-appointment.

RECOMMENDATION:

For review and possible action.



College of The Albemarle

Est. 1960

January 30, 2013

Mr. Garry Meiggs
Chairman, Camden County Board of Commissioners
1081 North NC 343
Camden, NC 27921

Dear Mr. Meiggs:

Dr. W. Roger Lambertson is a member of College of The Albemarle's Board of Trustees and was appointed by the Camden County Board of Commissioners in 2005. Dr. Lambertson's term ends June 30, 2013, at which time he may be reappointed or replaced.

I have had the opportunity to speak to Dr. Lambertson and he is willing to continue serving on the College's Board of Trustees. Dr. Lambertson has been an exceptional and supportive trustee for COA, and served as Past Chairman for two years. Please consider this request to reappoint Dr. W. Roger Lambertson to the COA Board of Trustees. The term for trustee appointments is four years and would end on June 30, 2017. Enclosed is COA's current trustee membership for your information.

On behalf of the Board of Trustees, I want to thank you and the Commissioners for your continuous support of COA.

Sincerely,

Kandi W. Deitemeyer, Ed.D.
President

Enclosure

cc: **Michael Renshaw**
County Manager

*Michael -
Dr. Lambertson has
done a tremendous
job representing Camden.
Thanks in advance.
KC*

Edenton-Chowan Campus
1316-C North Broad Street
Edenton, NC 27932
P (252) 482-7900
F (252) 482-7999

Elizabeth City Campus
P.O. Box 2327
Elizabeth City, NC 27906
P (252) 335-0821
F (252) 335-2011

Dare County Campus
132 Russell Twiford Road
Manteo, NC 27954
P (252) 473-2264
F (252) 473-5497

COLLEGE OF THE ALBEMARLE
 Dr. Kandi W. Deitemeyer, President
 1208 N. Road Street (P.O. Box 2327), Elizabeth City, NC 27906-2327
 Office (252) 335-0821, Ext. 2234 / FAX (252) 335-2350
kandi_deitemeyer@albemarle.edu
 Trustee Region: 6

2012-2013 BOARD OF TRUSTEES DIRECTORY

TRUSTEE NAME/SPOUSE OCCUPATION	MAILING ADDRESS	PHONE/CELL/FAX/E-MAIL Area Code (252)	APPOINTED BY	TERM
J. Fletcher Willey {Linda} CHAIR J. Fletcher Willey Agency, Inc.	P.O. Box 848 Nags Head, NC 27959	252-473-5273 (H) 252-480-4600 (O) 252-423-0056 (Cell) 252-480-3377 (FAX) fletcher@willeyagency.com	County Commissioners [Dare]	2006-2013
Marion Harris, Jr. {Wilma} * VICE-CHAIR Retired Educator	794 Oak Stump Road Elizabeth City, NC 27909	335-2029 (H) marionandwilma@embarqmail.com	Board of Ed. [Elizabeth City- Pasquotank]	2007-2015
Dr. Travis Burke Northeastern District Extension Director, NCSU	302 Troy Drive <u>Mailing:</u> P.O. Box 3028 Elizabeth City, NC 27906	264-3393 (H) 338-3954 (O) 331-3381 (Cell) 338-6442 (FAX) 1travis@embarqmail.com	Board of Ed. [Elizabeth City- Pasquotank]	2011-2016
Rev. Charles L. Foster {Ruby} * Pastor and Part-time Instructor, ECSU	1200 Southern Avenue Elizabeth City, NC 27909	338-3063 (H) 335-3683 (FAX)	Governor	1995-2015
Douglas S. Gardner {Diana} Financial Consultant, Smith Barney	10 Bateman Drive Elizabeth City, NC 27909	330-3535 (H) 338-5121 (O) 339-5063 (Cell) 338-7568 (FAX) douglas.s.gardner@wfadvisors.com	County Commissioners [Pasquotank]	2007-2014
Sonja W. Hibbard CPA FORMER CHAIR	103 E. Main Street Elizabeth City, NC 27909	338-2371 (H) 338-4055 (O) 333-4349 (Cell) 338-5173 (FAX) sonja@swhibbardcpa.com	Governor	1993-2013
Warren C. Judge III {Tess} ** Hotel/Rental Homes	4016 Ivy Lane Kitty Hawk, NC 27949	261-8003 (H) 441-2021 (O) 473-8250 (Cell) warrenj@darenc.com	County Commissioners [Dare]	2011-2016
Dr. W. Roger Lambertson {Joyce} Retired Naval Officer Retired Lockheed, Director Program for Space and Missiles FORMER CHAIR	P.O. Box 311 162 Sand Hills Road Camden, NC 27921	331-2057 (H) 331-1969(HO) 312-9107 (Cell) 331-1969 (FAX) wrlambertson@centurylink.net	County Commissioners [Camden]	2005-2013
Dr. Ellis E. Lawrence ECSU-Professor, Technology Dept.	P.O. Box 334 Edenton, NC 27932	335-3444 (O) 340-3446 (Cell) eelawrence@mail.ecsu.edu	County Commissioners [Chowan]	2011-2013

Robin A. Mann <i>{Paul}</i> Co-owner, Finance & Human Resource Manager, Mann Custom Boats, Inc.	6049 Highway 64 Manns Harbor, NC 27953	31 252-475-3995 (H) 252-473-1716 (O) 252-423-0842 (Cell) 252-475-1523 (FAX) robin@paulmanncustomboats.com	Governor	2010 -2014
Paul R. Martin <i>{Charlotte}</i> Retired Educator	107 White Heron Drive Currituck, NC 27929	232-3514 (H) 599-2663 (Cell) Paul.martin@currituckcountync.gov	County Commissioners [Currituck]	2011-2016
Donald L. McCabe <i>{Roberta}</i> * Retired USAF Officer	577 Water Crest Circle Elizabeth City, NC 27909	335-5998 (H) 339-4035 (Cell) mccabes@embarqmail.com	County Commissioners [Pasquotank]	2007-2015
S. Paul O'Neal <i>{Sharon}</i> Towne Insurance – A TowneBank Company	893 Waterlily Road Coinjock, NC 27923	453-3011 (H & FAX) 435-6331 (O) 207-5399 (Cell) sponeal@hotmail.com	Governor	2000-2016
Dr. Joseph W. Peel <i>{Carolyn}</i> Retired Educator/Consultant, NC Department of Public Instruction	1525 Rivershore Road Elizabeth City 27909	335-7692 (H) 722-3444 (Cell) jandcpeel@aol.com	Board of Ed. [Elizabeth City- Pasquotank]	2009-2013
George E. Thomas, Jr. <i>{Mary}</i> Market President, Gateway Bank	806 Lister Chase Road Elizabeth City, NC 27909	330-7882 (H) 331-4015 (O) 334-1743 (FAX) georgethomas@gwfh.com	Board of Ed. [Elizabeth City- Pasquotank]	2007-2014
Graham L. Twine <i>{Gloria}</i> Self Employed	1428 Carters Road Hobbsville, NC 27946	221-8378 (H) 578-3744 (Cell) gtwine@gmail.com	County Commissioners (Gates)	2012-2016
Charles H. Ward <i>{Alice Jeanne}</i> Charles H. Ward, Inc.	159 Halsey Bay Road Hertford, NC 27944	426-5936 (H) 426-5716 (ACE) 426-5088 (Cotton Gin) 338-0611 (Cell) 426-7147 (FAX) dixieauto@embarqmail.com	County Commissioners [Perquimans]	2009-2013
Joseph S. Winslow, Jr. <i>{Sandy}</i> Winslow Accounting & Tax Service	120 Hunter's Trail West Elizabeth City, NC 27909	338-6959 (H) 335-1619 (O) 312-3080 (Cell) 335-0540 (FAX) Jsrw2@embarqmail.com	County Commissioners [Pasquotank]	2011-2013
G. Matt Wood <i>{Holly}</i> George Wood Farms, Inc.	1603 Rivershore Road Elizabeth City, NC 27909	338-8676 (H) 202-7025 (Cell) 338-5596 (FAX) gmattwood@mac.com	County Commissioners [Pasquotank]	2000-2016
Student Senate President Ex officio	P.O. Box 2327 Elizabeth City, NC 27906-2327	252-599-1218 or COA 335-0821, ext. 2264 sgaecpres@albemarle.edu	Student Body Ex officio	

**Camden County Board of Commissioners
AGENDA ITEM SUMMARY SHEET**

Item Number: 6.A
Consent Agenda
Meeting Date: May 6, 2013
Attachments: 1
Submitted By: Budget & Finance Officers
ITEM TITLE: Budget Amendment

MOTION MADE
BY:
S. Duckwall _____
G. Meiggs _____
M. McLain _____
C. Riggs _____
R. Krainiak _____
NO MOTION _____
VOTE:
S. Duckwall _____
G. Meiggs _____
M. McLain _____
C. Riggs _____
R. Krainiak _____
ABSENT _____
RECUSED _____

SUMMARY:

2012-13-BA023	Purchase of Property for Additional Wells
2012-13-BA024	Increase in Library Signage & Furniture Funds

RECOMMENDATION:

Approve budget amendment

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, 2013.

Section 1. To amend the Water/Sewer Upgrade Fund as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
Expenses:			
237200-574000	Capital Outlay	\$55,000.00	
237200-599900	Fund Reserves		\$55,000.00

Purchase of property for additional wells.

This will result in a decrease of \$.00 in the Contingency of the General Fund

Balance in Contingency \$39,928.00.

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 6th day of May, 2013.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

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, 2013.

Section 1. To amend the General Fund as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
Expenses:			
106110-574000	Capital Outlay	\$18,000.00	
Revenues:			
10399400-439900	Fund Balance Appropriated	\$18,000.00	

This will result in a decrease of \$.00 in the Contingency of the General Fund

Balance in Contingency \$39,928.00.

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 6th day of May, 2013.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

**Camden County Board of Commissioners
AGENDA ITEM SUMMARY SHEET**

Item Number: 6.B
Consent Agenda
Meeting Date: May 6, 2013
Attachments: 1Page
Submitted By: Lisa S. Anderson, Tax Administrator
ITEM TITLE: Estimated Tax Values for 2013

MOTION MADE	
BY:	
S. Duckwall	_____
G. Meiggs	_____
M. McLain	_____
R. Krainiak	_____
C. Riggs	_____
NO MOTION	_____
VOTE:	
S. Duckwall	_____
G. Meiggs	_____
M. McLain	_____
R. Krainiak	_____
C. Riggs	_____
ABSENT	_____
RECUSED	_____

SUMMARY:

Estimated Tax Values for 2013

RECOMMENDATION:

APPROVAL

TO: CAMDEN COUNTY BOARD OF COMMISSIONERS

THE FOLLOWING IS THE ESTIMATED PROPERTY VALUE OF CAMDEN COUNTY:

	<u>Real</u>	<u>Personal</u>	<u>Vehicles</u>	<u>Total</u>
South Mills	399,256,580	11,938,947	30,061,827	441,257,354
Courthouse	404,719,493	16,813,618	36,442,834	457,975,945
Shiloh	248,329,291	3,867,290	19,273,725	271,470,306
Subtotal of County				1,170,703,605
Estimated Utilities				16,730,580
Total of County				1,187,434,185

FROM _____
 LISA S. ANDERSON (TAX ADMINISTRATOR) DATE

TAX RATE COUNTY _____ FIRE _____ TOTAL= _____

Joyce Creek District	<u>Real</u>	<u>Personal</u>	<u>Vehicles</u>	<u>Total</u>
	230,576,329	3,105,566	19,621,820	253,303,715

JOYCE CREEK WATERSHED IMPROVEMENT TAX _____

 GARRY W. MEIGGS, CHAIRMAN DATE

**Camden County Board of Commissioners
AGENDA ITEM SUMMARY SHEET**

Item Number: 6.C

Consent Agenda

Meeting Date: May 6, 2013
Attachments: 2Page
Submitted By: Lisa S. Anderson, Tax Administrator

ITEM TITLE: Tax Refunds, Pickups, & Releases

MOTION MADE	
BY:	
S. Duckwall	_____
G. Meiggs	_____
M. McLain	_____
R. Krainiak	_____
C. Riggs	_____
NO MOTION	_____
VOTE:	
S. Duckwall	_____
G. Meiggs	_____
M. McLain	_____
R. Krainiak	_____
C. Riggs	_____
ABSENT	_____
RECUSED	_____

SUMMARY:

Tax refunds, pickups, & releases, and refunds by the finance office

RECOMMENDATION:

APPROVAL

<u>Name</u>	<u>Amount</u> <u>Reason</u>	<u>Type.</u> <u>No.</u>
Cheryl Staples Bartlett	123.69 Turned in plates	Release/15597 V-68826-12
Nicholas Alexander Rhodes	160.08 Military exempt	Release/15599 V-64969-12
Hunter Matthew Mizelle	113.04 Release to Currituck County	Release/15626 V-69713-12
Ana Zenaida Garcia Alvarez	105.36 Currituck released to Camden	Pick Up/15606 V-69795-12
Shelby Harris Mansfield	162.12 Currituck released to Camden	Pick Up/15604 V-69797-12
George Burton Vogt, Jr.	102.05 Pasquotank released to Camden	Pick Up/15603 V-69794-12

ACS Tax System
4/23/13 16:37:00

REFUNDS OVER \$100.00
Refunds to be Issued by Finance Office

CAMDEN COUNTY

Refund\$ Remit To:
104.44 HEWITT,LINDSEY WARREN
406 SUSSEX DRIVE
PORTSMOUTH VA 23707

Reference:
2012 V 0041819
TAGS TURNED IN

Drawer/Transaction Info:
20130423 99 196225

104.44 Total Refunds

SUBMITTED BY Lisa S. Anderson DATE 4-24-13
Lisa S. Anderson, Tax Administrator Camden Co.

APPROVED BY _____ DATE _____
Garry Meiggs, Chairman of Board of Comm. Camden Co.

**Camden County Board of Commissioners
AGENDA ITEM SUMMARY SHEET**

Item Number: 6.D
Consent Agenda
Meeting Date: May 6, 2013
Attachments: 1Page
Submitted By: Lisa S. Anderson, Tax Administrator
ITEM TITLE: Tax Authorization to Collect

MOTION MADE	
BY:	
S. Duckwall	_____
G. Meiggs	_____
M. McLain	_____
R. Krainiak	_____
C. Riggs	_____
NO MOTION	_____
VOTE:	
S. Duckwall	_____
G. Meiggs	_____
M. McLain	_____
R. Krainiak	_____
C. Riggs	_____
ABSENT	_____
RECUSED	_____

SUMMARY:

January 2013 Renewals

RECOMMENDATION:

APPROVAL

STATE OF NORTH CAROLINA

COUNTY OF CAMDEN

TO: The Tax Administrator of Camden County (Jan. Ren.) Due 05/01/13

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the office of the Tax Administrator and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon personal property of the respective taxpayers in the County of Camden, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell personal property of such taxpayers for and on account thereof, in accordance with the law.

SOUTH MILLS	COURTHOUSE	SHILOH	TOTAL
19,302.72	19,850.44	9,386.37	48,539.53

Witness my hand and official seal this _____ day of _____

Chairman, Camden County Board of Commissioners

Attest:

Clerk to the Board of Commissioners of Camden County

This is to certify that I have received the tax receipts and duplicates for collection in the amounts as listed herein.

Tax Administrator of Camden County

**Camden County Board of Commissioners
AGENDA ITEM SUMMARY SHEET**

Item Number: 6.E
Consent Agenda
Meeting Date: May 6, 2013
Attachments: 6 Page
Submitted By: Finance Department
ITEM TITLE: School Budget Amendments

MOTION MADE	
BY:	
S. Duckwall	_____
G. Meiggs	_____
M. McLain	_____
R. Krainiak	_____
C. Riggs	_____
NO MOTION	_____
VOTE:	
S. Duckwall	_____
G. Meiggs	_____
M. McLain	_____
R. Krainiak	_____
C. Riggs	_____
ABSENT	_____
RECUSED	_____

SUMMARY:

Budget Amendments submitted by The School Board

RECOMMENDATION:

APPROVAL

Budget Amendment


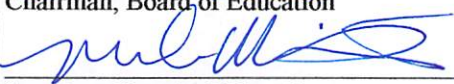
Camden County Schools Administrative Unit

Capital Outlay Fund

The Camden County Board of Education at a meeting on the 11th day of April, 2013, passed the following resolution.

Be it resolved that the following amendments be made to the Budget Resolution for the fiscal year ending June 30, 2013.

Code Number	Description of Code	Amount	
		Increase	Decrease
9100	Category I Projects		0.00
Explanation:			
	Total Appropriation in Current Budget	\$	457,227.00
	Amount of Increase / (Decrease) of Above Amendment		.00
	Total Appropriation in Current Amended Budget	\$	457,227.00

<p>Passed by majority vote of the Board of Education of Camden County Schools on the 11th day of April 2013.</p>  <p>Chairman, Board of Education</p>  <p>Secretary, Board of Education</p>	<p>We the Board of County Commissioners of Camden County hereby approve the changes in the County School Funds Budget as indicated above, and have made entry of these changes in the minutes of said Board, this ____ day of _____ 2____.</p> <p>_____ Chairman, Board of County Commissioners</p> <p>_____ Clerk, Board of County Commissioners</p>
--	---

BUDGET AMENDMENT
April 11, 2013

4. Capital Outlay Fund

- A. We have reviewed our budget and must increase to cover the cost of painting/ floor covering and door lock upgrades. We will transfer the funds from the Field House renovation. We request your approval of the following amendment.

Category I Projects

9112.077.529	Painting/Floor Covering	\$ +	3,175.00
9129.077.529	Field House Renovation	-	3,177.00
9131.077.529	Door & Lock Upgrades	+	<u>2.00</u>
Total – Category I Projects		\$ +	.00

Passed by majority vote of the Board of Education of Camden County on the 11th day of April, 2013.



Chairman, Board of Education



Secretary, Board of Education

45
Budget Amendment

Camden County Schools Administrative Unit

State Public School Fund

The Camden County Board of Education at a meeting on the 11th day of April, 2013, passed the following resolution.

Be it resolved that the following amendments be made to the Budget Resolution for the fiscal year ending June 30, 2013.

Code Number	Description of Code	Amount							
5100	Regular Instructional Programs	Increase 350.00	Decrease						
<p>Explanation:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">Total Appropriation in Current Budget</td> <td style="text-align: right;">\$ 12,775,346.00</td> </tr> <tr> <td>Amount of Increase/Decrease of Above Amendment</td> <td style="text-align: right;">+350.00</td> </tr> <tr> <td>Total Appropriation in Current Amended Budget</td> <td style="text-align: right;">\$ 12,775,696.00</td> </tr> </table>				Total Appropriation in Current Budget	\$ 12,775,346.00	Amount of Increase/Decrease of Above Amendment	+350.00	Total Appropriation in Current Amended Budget	\$ 12,775,696.00
Total Appropriation in Current Budget	\$ 12,775,346.00								
Amount of Increase/Decrease of Above Amendment	+350.00								
Total Appropriation in Current Amended Budget	\$ 12,775,696.00								

Passed by majority vote of the Board of Education of Camden County on the 11th day of April 2013.



Chairman, Board of Education



Secretary, Board of Education

We the Board of County Commissioners of Camden County hereby approve the changes in the County School Funds Budget as indicated above, and have made entry of these changes on the minutes of said Board, this ____ day of _____ 20 ____.

Chairman, Board of County Commissioners

Clerk, Board of County Commissioners

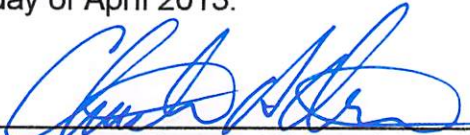
BUDGET AMENDMENT
April 11, 2013

1. State Public School Fund

- A. We have reviewed this program area and we must increase our budget for funds received for substitutes. We request your approval of the following amendment.

<u>Non-Instructional Support</u>		
5110.003.162 Substitute Pay	\$ +	350.00
 Total – Non-Instructional Support	 \$ +	 350.00
 3100 Revenue – State Public School Fund	 \$ -	 350.00

Passed by majority vote of the Board of Education of Camden County on the 11th day of April 2013.



Chairman, Board of Education



Secretary, Board of Education

47
Budget Amendment

Camden County Schools Administrative Unit


Other Local Current Expense Fund

The Camden County Board of Education at a meeting on the 11th day of April, 2013, passed the following resolution.


Be it resolved that the following amendments be made to the Budget Resolution for the fiscal year ending June 30, 2013.

Code Number	Description of Code	Amount							
		Increase	Decrease						
5100	Regular Curricular Services	1,457.45							
<p>Explanation: Additional funds received for USCG Jr. Leadership Program</p> <table style="width: 100%; margin-top: 10px;"> <tr> <td style="width: 60%;">Total Appropriation in Current Budget</td> <td style="text-align: right;">\$ 1,438,711.00</td> </tr> <tr> <td>Amount of Increase/Decrease of Above Amendment</td> <td style="text-align: right;">1,457.45</td> </tr> <tr> <td>Total Appropriation in Current Amended Budget</td> <td style="text-align: right;">\$ 1,440,168.45</td> </tr> </table>				Total Appropriation in Current Budget	\$ 1,438,711.00	Amount of Increase/Decrease of Above Amendment	1,457.45	Total Appropriation in Current Amended Budget	\$ 1,440,168.45
Total Appropriation in Current Budget	\$ 1,438,711.00								
Amount of Increase/Decrease of Above Amendment	1,457.45								
Total Appropriation in Current Amended Budget	\$ 1,440,168.45								

Passed by majority vote of the Board of Education of Camden County on the 11th day of April 2013.



Chairman, Board of Education



Secretary, Board of Education

We the Board of County Commissioners of Camden County hereby approve the changes in the County School Funds Budget as indicated above, and have made entry of these changes on the minutes of said Board, this _____ day of _____ 20_____.

Chairman, Board of County Commissioners

Clerk, Board of County Commissioners

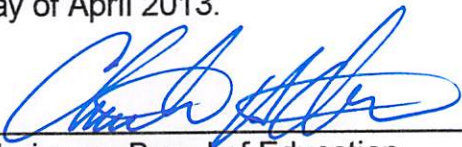
BUDGET AMENDMENT
April 11, 2013

8. Other Local Current Expense Fund

- A. We must increase our budget for the current year to reflect the additional funds received for the USCG Jr. Leadership Program. We request your approval of the following amendment.

<u>USCG Jr. Leadership Program</u>			
5110.301.333 Field Trips	\$	+	<u>1,457.45</u>
 Total – Carol M. White PEP Grant	 \$	 +	 1,457.45 =====
 3700.301 Revenue – USCG Jr. Leadership Prog	 \$	 -	 1,457.45 =====

Passed by majority vote of the Board of Education of Camden County on the 11th day of April 2013.



Chairman, Board of Education



Secretary, Board of Education

**Camden County Board of Commissioners
AGENDA ITEM SUMMARY SHEET**

Item Number: 6.F

Consent Agenda

Meeting Date: May 6, 2013
Attachments: 1 Page
Submitted By: Administration

ITEM TITLE: Resolution 2013-05-01

MOTION MADE	
BY:	
S. Duckwall	_____
G. Meiggs	_____
M. McLain	_____
R. Krainiak	_____
C. Riggs	_____
NO MOTION	_____
VOTE:	
S. Duckwall	_____
G. Meiggs	_____
M. McLain	_____
R. Krainiak	_____
C. Riggs	_____
ABSENT	_____
RECUSED	_____

SUMMARY:

Resolution opposing Governor McCrory and the General Assembly closing and consolidating NC Highway Patrol Communications Center

RECOMMENDATION:

APPROVAL

RESOLUTION 2013-05-01
OPPOSING GOVERNOR MCCRORY AND THE GENERAL ASSEMBLY CLOSING
AND CONSOLIDATING NC HIGHWAY PATROL COMMUNICATIONS CENTERS

WHEREAS, Governor Pat McCrory proposes closing three of eight NC Highway Patrol communication centers and consolidating them with the Raleigh office; and

WHEREAS, in an effort to control costs, plans are to close the State Highway Patrol stations in Williamston, as well as stations in Asheville and Greensboro; and

WHEREAS, the State Highway Patrol has more than 1,600 troopers who cover 78,000 miles in North Carolina roadways, enforcing the state's traffic laws, guiding traffic during hurricane evacuations, rerouting traffic around hazardous chemical spills, and standing ready, should any act of terrorism occur; and

WHEREAS, the Williamston Highway Patrol Communication Center (Troop A), alone, processes 600 incoming calls daily (219,000 annually), serves 20 counties (Martin, Pitt, Beaufort, Washington, Tyrrell, Hyde, Dare, Currituck, Jones, Lenoir, Carteret, Craven, Pamlico, Hertford, Bertie, Gates, Chowan, Perquimans, Pasquotank, Camden) and dispatches to 180 troopers; and

WHEREAS, the Highway Patrol Communication Center has been remodeled and upgraded to house the latest equipment and technology; and

WHEREAS, the Highway Patrol Communication Center is a key employment center for our community; And

WHEREAS, although it has been suggested revenue may be saved through consolidation, a higher turnover of state jobs often occur in metropolitan areas, and the consolidation could actually end-up costing more, due to personnel costs associated with employee turnover rates; and

WHEREAS, there is the concern that lives will be lost due to delayed response time caused by operators in a communication center centralized in Raleigh becoming overloaded and being unfamiliar with the area.

NOW, THEREFORE BE IT RESOLVED, the Camden County Board of Commissioners strongly appeal to Governor McCrory to reconsider his recommendation to members of the General Assembly to close the NC Highway Patrol communications centers in Williamston as well as in Asheville and Greensboro to balance the state budget.

ADOPTED, this the 6th day of May 2013.

Garry Meiggs, Chairman of the Board

ATTEST:

Ashley Honaker, Clerk to the Board

**Camden County Board of Commissioners
SUMMARY SHEET**

MOTION MADE BY:
S. Duckwall _____
G. Meiggs _____
R. Krainiak _____
C. Riggs _____
M. McLain _____
NO MOTION _____
VOTE:
S. Duckwall _____
G. Meiggs _____
R. Krainiak _____
C. Riggs _____
M. McLain _____
ABSENT _____
RECUSED _____

Item Number: 6.G

Consent Agenda

Meeting Date: May 6, 2013
Attachments: 1 (1 Page)
Submitted By: County Budget Officer

**ITEM TITLE: Set Public Notice of Public Hearing
on Annual Budget for Fiscal Year**

SUMMARY:

According to the approved Calendar for the Annual Budget for Fiscal Year 2013-2014 and (G.S. 159-12(A) the Budget Hearing must be set for June 10, 2013 at 7 p.m. in the Upstairs Courtroom of the Historic Camden County Courthouse.

RECOMMENDATION:

Please approve the setting of the date for the Public Hearing for the Camden County Budget for FY 2013-2014, June 10, 2013 at 7 p.m.

PUBLIC NOTICE

Pursuant to NCGS 159-12 (b), the Camden County Board of Commissioners will hold a public hearing on Monday, June 10, 2013 at 7:00 p.m., or as soon as the agenda allows, in the upstairs Historic Courthouse, 117 North NC 343, Camden, NC for the purpose of receiving public input regarding the Fiscal Year 2013-2014 Budget which has been submitted to the Board of Commissioners.

Ashley Honaker
Clerk to the Board

Please run the above announcement in the Daily Advance on May30 in the legal section of the newspaper.

Charge to Camden County Account 2100210

**Camden County Board of Commissioners
AGENDA ITEM SUMMARY SHEET**

Item Number: 6.H

Consent Agenda

Meeting Date: May 6, 2013
Attachments: 1 Page
Submitted By: Administration

ITEM TITLE: Amendment to the County
Management Records Retention & Disposition
Schedule

MOTION MADE	
BY:	
S. Duckwall	_____
G. Meiggs	_____
M. McLain	_____
R. Krainiak	_____
C. Riggs	_____
NO MOTION	_____
VOTE:	
S. Duckwall	_____
G. Meiggs	_____
M. McLain	_____
R. Krainiak	_____
C. Riggs	_____
ABSENT	_____
RECUSED	_____

SUMMARY:

The State has approved amendments to its records retention and disposition schedule for County Records Management.

RECOMMENDATION:

APPROVAL

County Management Records Retention and Disposition Schedule

The records retention and disposition schedule and retention periods governing the records series listed herein are hereby approved. In accordance with the provision of Chapters 121 and 132 of the *General Statutes of North Carolina*, it is agreed that the records do not and will not have further use or value for official business, research, or reference purposes after the respective retention periods specified herein and are authorized to be destroyed or otherwise disposed of by the agency or official having custody of them without further reference to or approval of either party to this agreement. The local government agency agrees to comply with 07 NCAC 04M .0510 when deciding on a method of destruction. Confidential records will be destroyed in such a manner that the records cannot be practicably read or reconstructed. However, records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule. ***Public records, including electronic records, not listed in this schedule are not authorized to be destroyed.***

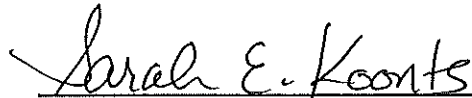
This local government agency and the Department of Cultural Resources agree that certain records series possess only brief administrative, fiscal, legal, research, and reference value. These records series have been designated by retention periods which allow these records to be destroyed when "*administrative value ends.*" The local government agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that Cultural Resources has scheduled with the disposition instruction "*destroy when administrative value ends.*" If a county does not establish internal policies and retention periods, the county is not complying with the provisions of this retention schedule and is not authorized by the Department of Cultural Resources to destroy the records with the disposition instruction "*destroy when administrative value ends.*"

The local government agency and the Department of Cultural Resources concur that the long-term and/or permanent preservation of electronic records require additional commitment and active management by the agency. The agency agrees to comply with all policies, standards, and best practices published by the Department of Cultural Resources regarding the creation and management of electronic records.

It is further agreed that these records may not be destroyed prior to the time periods stated; however, for sufficient reason they may be retained for longer periods. This schedule is to remain in effect from the date of approval until it is reviewed and updated.

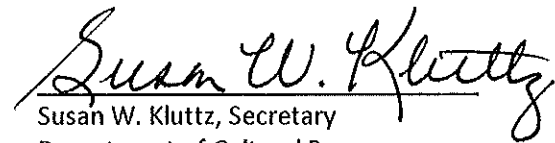
APPROVAL RECOMMENDED

Chief Administrative Officer/
County Manager


Sarah E. Koonts, Director
Division of Archives and Records

APPROVED

Chairman, Bd. County Commissioners


Susan W. Kluttz, Secretary
Department of Cultural Resources

County: _____

April 15, 2013

**Camden County Board of Commissioners
AGENDA ITEM SUMMARY SHEET**

MOTION MADE	
BY:	
S. Duckwall	_____
G. Meiggs	_____
M. McLain	_____
R. Krainiak	_____
C. Riggs	_____
NO MOTION	_____
VOTE:	
S. Duckwall	_____
G. Meiggs	_____
M. McLain	_____
R. Krainiak	_____
C. Riggs	_____
ABSENT	_____
RECUSED	_____

Item Number: 6.I

Consent Agenda

Meeting Date: May 6, 2013

Attachments: 1 (4 Pages)

Submitted By: Michael Renshaw, County Manager

ITEM TITLE: South Mills Sewer Billing Agreement

SUMMARY:

The attached Sewer Billing Agreement has been reviewed by both the South Camden Water/Sewer District staff as well as the staff of South Mills Water Association. The County Attorney has also reviewed the agreement as to legal form.

The agreement is required in order to ensure that the District has the ability to collect customer sewer bill payments through the Association billing system and to allow disconnection of water service in the event of non-payment of sewer fees.

Following approval by the Board of Commissioners and signature of the Chair, the Association president will be asked to execute the agreement and forward to USDA for review and approval.

RECOMMENDATION:

The County Manager and Public Works Director recommends that the Board of Commissioners approve this agreement and requests that the Chairman execute by signature.

**ORDINANCE ESTABLISHING A STORMWATER MANAGEMENT UTILITY
FOR CAMDEN COUNTY**

BE IT ORDAINED by the Camden County Board Commissioners (the "Board") as follows:

Section 1. Findings.

The Board does hereby find that:

- (a) Stormwater runoff is a critical concern for Camden County due to the potential for flood damage to residential and commercial structures and productive agricultural land as well as its potential pollutant damage to the surrounding creeks, rivers, and sound.
- (b) Water quality standards by state and federal law requiring that local governments develop more detailed, advanced, and costly stormwater programs are being mandated in an ever increasing number of cities and counties in North Carolina.
- (c) Heretofore maintenance of conveyances has been the sole responsibility of private property owners, with the exception of road side ditches maintained by the NCDOT, with no concern for the overall performance of the natural water courses and manmade ditches and canals that make up the stormwater system.
- (d) Effective stormwater management should be provided to protect, to the extent practicable, the citizens of the County from the loss of life and property damage from flooding.
- (e) Chapter 153A, Article 15 of the North Carolina General Statutes, authorizes the County to acquire, construct, establish, enlarge, improve, extend, maintain, own, operate, and contract for the operation of Stormwater Management Programs designed to protect water quality by controlling the level of pollutants in, and the quantity and flow of, stormwater and structural and natural stormwater and Drainage Systems of all types.
- (f) The establishment of a Stormwater Management Utility that would be accounted for as a separate enterprise fund and would facilitate the provision of a Stormwater Management Program is reasonable and in the public interest.
- (d) North Carolina General Statute 153A-277 authorizes Camden County to establish and revise, from time to time, a schedule of rates and charges to fund the Stormwater Management Program activities including both structural and natural stormwater conveyance and Drainage System services provided by the Stormwater Management Utility.

Section 2. Purpose.

A Stormwater Management Utility is hereby created as an identified fiscal and accounting fund for the purpose of comprehensively addressing the Stormwater management needs of the County. The County's Stormwater management needs are met herein (1) through programs designed to protect and manage water quality and quantity by controlling the level of pollutants in Stormwater runoff, and the quantity and rate of Stormwater received and conveyed by structural and natural Stormwater and Drainage Systems of all types, (2) by establishing a schedule of charges, (3) by defining the control, collection, and disbursal of funds, and (4) by setting forth penalties, methods of appeals and exemptions.

Section 3. Definitions.

For the purpose of this Article, the following words, terms, and phrases shall have the meanings given to them in this section, except where the context clearly indicates a different meaning:

Developed land shall mean a land parcel altered from its Natural State.

Drainage System shall mean natural and structural channels, swales, ditches, swamps, rivers, streams, creeks, wetlands, branches, reservoirs, ponds, drainage ways, inlets, catch basins, gutters, pipes, culverts, bridges, head walls, storm sewers, lakes, and other physical works, properties, and improvements that transfer, control, convey or otherwise influence the movement of storm water runoff.

Equivalent Residential Unit (ERU) is a unit of measure of impervious surface (in square feet) that represents the impervious surface area on the average Single Family Residential Parcel in the underlying jurisdiction as a unit of comparison. ERU shall mean for the purposes of this Ordinance 4,500 square feet of impervious surface.

Gross Parcel Area shall mean the property area contained within the legally described boundaries of a property or the total lot size of a property, in acres.

Impervious Surface shall mean developed areas of land that prevent or significantly impede the infiltration of Stormwater into the soil. Typical Impervious Surfaces include, but are not limited to: roofs, sidewalks, walkways, patios, , private driveways, parking lots, access extensions, alleys and other paved, engineered, compacted or gravel surfaces containing materials that prevent or significantly impede the natural infiltration of Stormwater into the soil. Impervious Surface Area is synonymous with *Built Upon Area* (“BUA”) as defined by the North Carolina Department of environment and natural Resources.

Natural State shall describe existing Undeveloped Land where the soil and vegetation characteristics have not been substantially modified or disturbed by human activities and the hydrologic function is in an unaltered or natural condition.

Service Area shall mean all land within Camden County and will be divided based on the topography and outfalls, into 4 watershed subareas as shown in Exhibit A as South Mills, Sawyers Creek, Shiloh, and North River watersheds.

Service Charge shall mean a Stormwater management service charge, applicable to a land parcel, which generally reflects the impact on or demand for Stormwater management services provided by the County to properly control and manage Stormwater runoff quantity and/or quality associated with the land parcel. The Service Charge will vary from one land parcel to another based on the Impervious Surface and Gross Parcel Areas. The Service Charge may vary for the same class of service in different areas of the Service Area and may vary according to classes of service.

Single Family Residential Parcel means a parcel with a single family residential structure used as a single family dwelling and whose primary use is as a single family residence.

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Stormwater shall mean the runoff from precipitation that travels over Natural State or Developed Land surfaces and enters a Drainage System.

Stormwater Manager. A person working for or on behalf of the County to administer the Stormwater Management Program

Stormwater Management Program shall mean an identified set of measures and activities designed to reduce and/or manage stormwater quantity by controlling velocity, volume, and rate – and to protect, restore and/or manage stormwater quality by controlling and/or reducing pollutant.

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Stormwater Management Utility shall mean an organizational structure that is responsible for funding, administering, and operating the County's Stormwater Management Program, and that is supported through a rate structure based on the Impervious Surface Area and Gross Area found on land parcels located within the Service Area.

Undeveloped Land shall mean all land that is not altered from its Natural State.

Section 4. Establishment of a Stormwater Management Utility and Stormwater Management Enterprise Fund.

- (a) There is hereby established a Camden County Stormwater Management Utility that shall be responsible for implementing, operating, and administering the County's Stormwater Management Program as defined herein.
- (b) There is hereby established a Camden County Stormwater Management Enterprise Fund for the purpose of dedicating and protecting funding applicable to the responsibilities of the Stormwater Management Utility including, but not limited to, rents, rates, fees, charges, and penalties as may be established after due notice having been given and a public hearing held by the Board. Funding may also include other funds transferred or allocated to the Stormwater Management Utility by the Board. All revenues and receipts of the Stormwater Management Utility shall be placed in the Stormwater Management Enterprise Fund and all expenses of the Stormwater Management Utility shall be paid from the Stormwater Management Enterprise Fund, except that other revenues, receipts, and resources not accounted for in the Stormwater Management Enterprise Fund may be applied to Stormwater management activities as deemed appropriate by the Board. The Stormwater Management Enterprise Fund accounting shall include the revenues and expenses attributed to each watershed subarea as separate departments and no inter-departmental transfers shall be permitted without the consent of the respective watershed committees and approval by the Board of Commissioners.

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Section 5. Jurisdiction.

The jurisdiction of the Stormwater Management Utility shall extend throughout the Service Area.

Section 6. Rate Structure.

- (a) Every parcel within the Service Area shall be subject to a Stormwater Management Utility Service Charge derived from the rate structure described below. The rate structure to distribute the cost of services associated with the operation, repair, improvement and maintenance of public Drainage Systems and facilities through a schedule of rates, fees, charges, and penalties related to the operation of a Stormwater Management Utility and Stormwater Management Enterprise Fund as established in Section 4 shall be based on the following 3 rate components:
1. *Fixed Charge Per Parcel* based on account existence which directly relates to certain administrative, billing, collections, public outreach, and other charges as may be allocated on a per parcel basis.
 2. *Gross Parcel Area* on a given land parcel, which is related to quantity of runoff and total pollutant loading of stormwater runoff discharged from that land parcel. The gross area of parcels will be fall into 5 tiers of parcel size and will be assigned Gross Area Units (GAUs) as follows:
 - i. A parcel of 0 to <2 acres in gross area is 1 GAU.
 - ii. A parcel of 2 to <5 acres in gross area is 2 GAUs.
 - iii. A parcel of 5 to <10 acres in gross area is 3 GAUs.
 - iv. A parcel of 10 to <100 acres in gross area is 4 GAUs.
 - v. parcel of 100 or greater acres in gross area is 5 GAUs.
 3. *Impervious Surface Area* on a given land parcel, which directly relates to the volume, rate and pollutant loading of Stormwater runoff discharged from that land parcel to the County's structural and natural Drainage Systems and facilities. An Impervious Area Units Charge for stormwater costs shall be allocated to impervious area on an ERU basis. *Impervious Surface Area rates will apply to each unit or part thereof of impervious area.*
 - i. Based on an analysis by the County upon the enactment of this Ordinance of Impervious Surface Area on properties throughout the County, an Impervious Surface Area of 4,500 square feet is hereby designated as one (1) ERU.
- (b) Each Single Family Residential Parcel shall be charged for one (1) ERU of impervious area.
- (c) Each residential unit in a townhome, condominium, or other multifamily structure with individual unit ownership and duplexes shall be billed for one (1) ERU of impervious area.
- (d) There will be no Impervious Area Units Charge for land parcels with fewer than 450 square feet of Impervious Surface Area.

Section 7. Schedule of Fees and Charges.

The schedule of rates, fees, charges, and penalties related to this Ordinance shall be adopted after notice and a public hearing as required by N.C. Gen. Stat. §153A-277. As set out in N.C. Gen. Stat. §153A-277, the hearing may be held concurrently with the public hearing on the County's proposed budget. The schedule of rates, fees, charges, and penalties shall apply to all land parcels within the Service Area, except as may be altered by credits or exemptions provided in this Article.

Section 8 Billing and Collection

- (a) *Method of billing.* Billing and collection of the Stormwater Management Utility Service Charges for Stormwater management services and facilities shall be billed with property taxes under the general administration of the County Manager and shall be payable in the same manner as property taxes.

Delinquencies. Stormwater Management Utility Service Charge billings that are not paid within the time allowed for the payment of property taxes shall be collected by any remedy provided by law for collecting and enforcing private debts or in any other manner authorized by law.

- (c) *Application of payment.* Payment will be applied to a customer's bill in the following order:

1. Civil penalties assessed pursuant to this Ordinance.
2. Stormwater Management Utility Service Charge.

- (d) *Appeal of disputed bills and adjustments.* If any citizen wishes to dispute a Stormwater Utility Service Charge billing or any other rents, rates, fees, charges, or penalties adopted pursuant to this Article, that citizen must submit a written appeal within 60 days from the date of billing, stating the reasons for the appeal, and providing information pertinent to the calculation of the billed charge. A timely appeal shall stay the penalty deadlines. An appeal of a disputed bill shall be filed with the Stormwater Manager for review and disposition. The appeal will follow a three step process as follows:

1. Over the shoulder appeals – Property owners are welcome to visit the Planning Department and view their own individual properties to see what was drawn and measured as impervious surface. Obvious errors will be corrected administratively.
2. Formal Appeal - Contested areas will be identified and the owner may complete a petition form and pay a fee to initiate a formal appeal. Upon a formal appeal Stormwater Manager will visit the property and physically measure impervious surfaces. The staff measurement will be used to correct the calculation whether there is a decrease or increase.
3. Final Appeal - If the owner still contests the measurement, the owner may submit a survey performed and sealed by a NC licensed professional a surveyor or engineer, or landscape architect. The surveyor shall use the definition of impervious surface from the state Division of Water Quality.
 - a.

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Section 9. Disposition of Service Charges and Fees.

(c) Stormwater Management Utility Service Charge and fee revenues shall be assigned and dedicated solely to the Stormwater Management Enterprise Fund in the County budget and accounting system, which shall be and remain separate from other funds, and shall be used only to fund identified Stormwater Management Program activities. The services charges and fees paid to and collected by virtue of the provision of this Article shall not be used for general or other governmental or proprietary purposes of the County, except to pay for costs incurred by the County in rendering services associated with the Stormwater Management Utility. The Stormwater Management Enterprise Fund accounting shall include the revenues and expenses attributed to each watershed subarea as separate departments and inter-departmental transfers shall not be permitted without the consent of the respective watershed committees and approval by the Board of Commissioners.

Section 10. Exemptions and Credits Applicable to Stormwater Management Service Charges.

(a) *Statement of Policy.* Except as provided in this section, no public or private property shall be exempt from Stormwater Management Service Charges or receive a credit or offset against such Stormwater Management Service Charges. No exemption or reduction in Stormwater Management Service Charges shall be granted based on the age, tax or economic status, race, or religion of the customer, or other condition unrelated to the cost of providing stormwater services and facilities.

(b) *Exemptions.* No public or private property shall be exempt from Stormwater Management Utility Service Charges, with the following exceptions:

1. Publically dedicated roads, streets, greenways, sidewalks and other publically dedicated rights of way and easements for vehicular or pedestrian traffic that are available for use by the general public for transportation purposes, shall be exempt from County Stormwater Management Utility Service Charges. This exemption shall not apply to internal site roadways within public facilities.
2. Railroad rights-of-way used or formerly used for trackage shall be exempt from County Stormwater Management Utility Service Charges. This exemption shall not be construed to apply to railroad stations, maintenance buildings, or other developed land used for railroad purposes.

(e) ~~Credits. The following credits may be allowed upon adoption of a Credit Application Instruction Manual by the Board:~~

- ~~1. Non single family residential parcels that provide measures to mitigate the impacts of runoff on the Stormwater system may be eligible for one or more credits to the Impervious Area Units or the Gross Acre Units Charge portions of the Stormwater Management Utility Service Charge, proportional to the extent those measures address the impacts of peak discharge and total runoff volume from the site.~~

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- ~~2. The Credit Application Instruction Manual may be approved by the Board and placed on file with the County Clerk at which time it shall be followed in establishing applicable credits to a customer's Impervious Area Units Charge or Gross-acre Units portion of the Stormwater Management Utility Service Charge.~~
- ~~3. Each credit allowed against a portion of the Stormwater Management Utility Service Charge shall be conditioned on continuing compliance with the performance standards set forth in the Credit Application Instruction Manual and/or the applicable standards set out in the County's Land Development Ordinance existing at the time of construction of such facilities and may be rescinded for noncompliance with those standards.~~
- ~~4. Each credit for which a customer applies shall be subject to review and approval by the Stormwater Manager. The Stormwater Manager may approve or reject any application for a credit in whole or in part.~~

Section 11. Miscellaneous.

- (a) This Ordinance supersedes all other County ordinances, or parts of ordinances in conflict herewith.
- (b) Any part or provision of this Ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or of the State of North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the Ordinance.
- (c) This Ordinance shall become effective upon adoption.

This the ____ day of _____, 2013.

CAMDEN COUNTY
BOARD OF COMMISSIONERS

Gary Meiggs., Chairman

Attest:

Ashley Honaker

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**Camden County Board of Commissioners
AGENDA ITEM SUMMARY SHEET**

Item Number: 6.J

Consent Agenda

Meeting Date: May 6, 2013
Attachments: 1 (4 Pages)
Submitted By: Michael Renshaw, County Manager

ITEM TITLE: South Mills Sewer Billing Agreement

MOTION MADE	
BY:	
S. Duckwall	_____
G. Meiggs	_____
M. McLain	_____
R. Krainiak	_____
C. Riggs	_____
NO MOTION	_____
VOTE:	
S. Duckwall	_____
G. Meiggs	_____
M. McLain	_____
R. Krainiak	_____
C. Riggs	_____
ABSENT	_____
RECUSED	_____

SUMMARY:

The attached Sewer Billing Agreement has been reviewed by both the South Camden Water/Sewer District staff as well as the staff of South Mills Water Association. The County Attorney has also reviewed the agreement as to legal form.

The agreement is required in order to ensure that the District has the ability to collect customer sewer bill payments through the Association billing system and to allow disconnection of sewer service in the event of non-payment of sewer fees.

Following approval by the Board of Commissioners and signature of the Chair, the Association president will be asked to execute the agreement and forward to USDA for review and approval.

RECOMMENDATION:

The County Manager and Public Works Director recommends that the Board of Commissioners approve this agreement and requests that the Chairman execute by signature.

STATE OF NORTH CAROLINA
CAMDEN COUNTY

BILLING SERVICES AGREEMENT

This Billing Services Agreement ("Agreement") made and entered into this the _____ day of _____, 2013, by and between the South Camden Water and Sewer District, a body politic, ("District") and South Mills Water Association, Inc. a North Carolina non-profit corporation ("Association").

WITNESSETH:

Subject to the terms and conditions hereinafter stated, the District agrees to hire the Association to administer and manage billing, collection, and related services (the "Billing Services") for properties located within the Village of South Mills that receive sewer services from the District.

In consideration of the foregoing and the mutual benefits, covenants and agreement herein contained and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Term and Termination. The term of this Agreement shall be effective as of _____, and will continue until terminated. Either party may terminate and cancel this Agreement by written notice to the other party mailed by first class mail or delivered to the office of the other party more than 45 days prior to the termination date as selected by the terminating party. Any amounts owed to Association for the Billing Services incurred prior to the termination date and not previously paid by a customer shall be paid in full by District within thirty (30) days following termination. Any amounts collected by the Association for the District shall be transferred to District within thirty (30) days following termination or receipt from the Customer, whichever is later.

2. Association Fee and Billing.

- a. The Association shall provide the Billing Services at the rate of Two Dollars (\$2.00) per month for each of District's sewer customers covered by this Agreement. This fee is herein referred to as the "Billing Services Fee." District shall be liable for payment of the Billing Services Fee regardless of whether a customer pays his or her water/sewer bill.
- b. The Association may request a Billing Services Fee rate readjustment once every six months. Request will be based on documentation provided by the Association. If District does not agree to the readjustment, then the Association may terminate this Agreement upon thirty (30) days' notice.

- c. Association shall bill District sewer customers using the same billing format as used by the Association from time to time for billing water charges. Sewer charges shall be displayed clearly and separately from water charges on the bill so that District sewer customers can readily identify the amount being charged for water versus sewer service.
 - d. The amount owed by a customer shall be the combined charge for water and sewer, as shown on the bill. A customer account shall be considered delinquent if the total charge for water and sewer service is not paid in a timely manner based on Association billing policies and procedures. Payment of the entire amount owed shall be credited respectively to the water and sewer accounts.
 - e. The Association shall pay the District every 30 days based upon the monthly billing cycle designated by the parties.
 - f. A printout of the Association water billing for the District pursuant to this Agreement shall be sent to the District monthly showing billing, payments and balance for each customer utilizing the District sewer system.
 - g. All partial payments received by the Association pursuant to this Agreement shall be applied equally to the oldest sewer bill and the oldest water bill and continuing on in this process until paid in full.
 - h. Association shall have full authority to cut-off water service if any part or portion of the water/sewer bill is not paid as required by the Association's service rules and regulations. Association will collect and retain all cut-off fees and penalties. Association shall not be responsible for cutting off sewer service, which shall be the District's sole responsibility.
3. Payments to District. Association shall pay to District the amount actually collected for sewer charges following the close of the billing cycle minus the Billing Services Fee owed to Association for that billing cycle. Any late penalties or fees paid by water/sewer customers shall be retained by the Association as an administrative fee for collecting past due accounts.
4. Records of the Association. The Association agrees to keep accurate records of all the District sewer customer's accounts served pursuant to this Agreement. Such records shall be open to inspection by the District or its Agents at all reasonable times. The District may obtain copies of such records and perform or cause to be performed an audit of costs and charges submitted by the Association. Such audit and record preparation shall be at District's sole expense unless an audit by a Certified Public Accountant reveals gross negligence by Association. District will provide to the Association a copy of all signed wastewater agreements.

5. Relationship of the Parties. The parties hereby declare that the relationship of the Association to the District under this agreement is that of an independent contractor. No agent or employee of the Association shall be considered an agent or employee of the District. The District is concerned primarily with the results obtained under this Agreement; the time, manner and means of performing the work are under the control of the Association.

6. Indemnification; Warranty. Association shall indemnify and hold harmless District, its officers, employees and agents, from and against any damages, liabilities judgments, fees (including reasonable attorney's fees and expert witness fees) or costs caused solely by the negligence or willful misconduct of Association, its employees, or agents in connection with this Agreement. To the fullest extent allowed by law, District shall indemnify and hold harmless Association, its officers, employees, and agents, from and against any damages, liabilities, judgments, fees (including reasonable attorney's fees and expert witness fees) or costs caused solely by the negligence or willful misconduct of Association, its employees, or agents in connection with this Agreement or incurred in any action brought by a third party that is the result of any act of District, its employees or agents in connection with this Agreement. THE BILLING SERVICES ARE PROVIDED TO DISTRICT "AS-IS." ASSOCIATION MAKES NO REPRESENTATIONS OR WARRANTIES WHATSOEVER AND EXPRESSLY DISCLAIMS ANY ALL IMPLIED WARRANTIES. DISTRICT'S SOLE REMEDY FOR ANY ERROR OR DEFECT IN THE BILLING SERVICES IS CANCELLATION OF THIS AGREEMENT AND DAMAGES NOT TO EXCEED THE AMOUNT OF BILLING FEES PAID TO ASSOCIATION. DISTRICT FURTHER REPRESENTS AND WARRANTS THAT IT HAS NOT RELIED ON ANY REPRESENTATION OR WARRANTY BY ASSOCIATION, WHETHER EXPRESS OR IMPLIED, AS AN INDUCEMENT TO ENTER THIS AGREEMENT.

7. General Provisions. This Agreement shall not be assigned by either party hereto without the prior written consent of the other party. The Association is not obligated to begin Billing Services until and unless the U.S. Department of Agriculture approves or otherwise consents to this Agreement. All terms of this Agreement shall be binding upon and shall inure to the benefit of the respective heirs, executors, administrators, successors and assigns, as may be applicable, or the parties hereto. This Agreement shall be construed and enforced in accordance with and governed by the laws of the State of North Carolina. For purposes of construing the provisions of this Agreement, the singular shall be deemed to include the plural and vice versa and the use of any gender shall include the use of all genders. Captions are used herein for purposes of reference only and shall not limit or otherwise affect the provisions contained herein. The waiver of any right under this Agreement by any party hereto in any particular instance or instances shall not, unless so specified by such party, be construed as a continuing waiver. This Agreement contains the entire agreement and the understanding of the parties with respect to the Billing Services. If any one or more of the provisions of this Agreement shall be held to be invalid, illegal or unenforceable, the validity, legality or enforceability of the remaining provisions of this Agreement shall not be affected

thereby. This Agreement may be executed in identical counterparts, each of which shall be considered by original by all of which shall constitute one and the same instrument. No change or modification of this Agreement shall be valid unless the same is in writing and signed by the parties hereto.

SOUTH MILLS WATER ASSOCIATION, INC.

By: _____
Craig Cary, President

ATTEST:

_____, Secretary

[CORPORATE SEAL]

SOUTH CAMDEN WATER AND SEWER DISTRICT

By: _____
Garry Meiggs, Chairman of the Board of Commissioners

ATTEST:

_____, Secretary

[CORPORATE SEAL]

**Camden County Board of Commissioners
AGENDA ITEM SUMMARY SHEET**

Item Number: 9.A&B
Information & Reports
Meeting Date: May 6, 2013
Attachments: 2
Submitted By: Various Departments

ITEM TITLE: Information and Reports From Various
Departments, Boards, And Agencies

MOTION MADE	
BY:	
S. Duckwall	_____
G. Meiggs	_____
M. McLain	_____
R. Krainiak	_____
C. Riggs	_____
NO MOTION	_____
VOTE:	
S. Duckwall	_____
G. Meiggs	_____
M. McLain	_____
R. Krainiak	_____
C. Riggs	_____
ABSENT	_____
RECUSED	_____

SUMMARY:

- A. Sales Tax Collection
- B. ECBH Finance Committee & Area Board Packet

RECOMMENDATION:

Information only

Finance 11-Apr-13														
SALES TAX COLLECTION REPORT 2012-2013														
	July	August	September	October	November	December	January	February	March	April	May	June	Totals	Budgeted
Art. 39	\$50,393	\$36,232	\$42,289	\$37,107	\$39,665	\$42,362	\$54,307	\$39,233					\$341,588	\$510,000
Art. 40	\$34,902	\$31,520	\$29,859	\$29,419	\$27,959	\$30,688	\$32,281	\$25,765					\$242,393	\$325,000
Art. 42	\$11,630	\$8,747	\$12,448	\$8,891	\$9,213	\$9,830	\$12,418	\$9,162					\$82,339	\$120,000
Art. 44	\$32	\$18	-\$1	-\$17	\$24	\$23	\$5	-\$9					\$75	
Total	\$96,958	\$76,518	\$84,596	\$75,400	\$76,861	\$82,903	\$99,011	\$74,151					\$666,398	
Total Budgeted														\$955,000
SCHOOL CAPITAL RESERVE FUND														
	July	August	September	October	November	December	January	February	March	April	May	June	Totals	Budgeted
Art. 40	\$14,958	\$13,509	\$13,625	\$11,462	\$11,483	\$13,152	\$13,835	\$11,547					\$103,571	\$125,000
Art. 42	\$17,445	\$13,120	\$12,027	\$13,336	\$13,820	\$14,744	\$18,627	\$13,744					\$116,863	\$175,000
Totals	\$32,403	\$26,629	\$25,652	\$24,798	\$25,303	\$27,896	\$32,462	\$25,291					\$220,434	
Total Budgeted														\$300,000
Grand Total	\$129,360	\$103,147	\$110,248	\$100,199	\$102,164	\$110,799	\$131,473	\$99,442					\$886,832	\$1,255,000
SALES TAX COLLECTION REPORT 2011-2012														
	July	August	September	October	November	December	January	February	March	April	May	June	Totals	Budgeted
Art. 39	\$50,566	\$39,993	\$32,278	\$46,738	\$49,325	\$53,904	\$51,784	\$48,244	\$41,931	\$44,589	\$45,343	\$44,797	\$549,492	\$500,000
Art. 40	\$33,460	\$31,107	\$31,073	\$30,059	\$25,708	\$29,444	\$36,470	\$25,596	\$30,049	\$31,906	\$25,234	\$32,053	\$362,159	\$315,000
Art. 42	\$11,453	\$9,033	\$7,903	\$10,649	\$14,062	\$11,919	\$11,986	\$10,885	\$9,660	\$10,343	\$12,828	\$12,943	\$133,664	\$115,000
Art. 44	\$45	\$19	\$32	\$61	-\$443	\$4	\$1,002	\$44	\$3		-\$1	\$28	\$794	
Total	\$95,524	\$80,152	\$71,286	\$87,508	\$88,652	\$95,271	\$101,242	\$84,768	\$81,643	\$86,838	\$83,404	\$89,820	\$1,046,108	
Total Budgeted														\$930,000
SCHOOL CAPITAL RESERVE FUND														
	July	August	September	October	November	December	January	February	March	April	May	June	Totals	Budgeted
Art. 40	\$14,340	\$11,587	\$11,600	\$11,622	\$11,748	\$12,619	\$15,630	\$11,739	\$12,878	\$13,674	\$13,739	\$13,825	\$155,001	\$125,000
Art. 42	\$17,180	\$14,154	\$11,854	\$15,973	\$14,034	\$17,878	\$17,979	\$16,327	\$14,491	\$15,514	\$12,998	\$12,920	\$181,302	\$200,000
Total	\$31,520	\$25,741	\$23,454	\$27,595	\$25,782	\$30,497	\$33,609	\$28,066	\$27,369	\$29,188	\$26,737	\$26,745	\$336,303	
Total Budgeted														\$325,000
Grand Total	\$127,044	\$105,894	\$94,740	\$115,103	\$114,434	\$125,768	\$134,851	\$112,834	\$109,012	\$116,026	\$110,142	\$116,566	\$1,382,411	

**FINANCE COMMITTEE MEETING
205 East Main Street, Williamston, NC**

Tuesday, April 23, 2013 6:30 PM

AGENDA

	<u>Minutes</u>			<u>Page</u>
I.		Call to Order	Jerry Langley	
II.	2	Approval of the February 26, 2013 Minutes	Jerry Langley	1-2
III.	23	Finance Committee Report and March Financials	Joy Futrell	3-11
	5	Medicaid Claims Fund Analysis	Joy Futrell	12

FINANCE COMMITTEE

February 26, 2013

MINUTES

The Finance Committee of East Carolina Behavioral Health met Tuesday, February 26, 2013 at 6:30 p.m. at 205 East Main Street, Williamston, NC. The following members were present:

Beaufort County
Jerry Langley

Bertie County

Camden County
Michael McLain

Chowan County
Dr. Alex Kehayes

Craven County

Currituck County

Dare County
Max Dutton

Gates County

Hertford County
Johnnie Farmer
Dr. Melvin Clayton

Hyde County

Jones County
Zack Koonce

Martin County
Ronnie Smith

Northampton County

Pamlico County

Pasquotank County
Denauvo Robinson

Perquimans County
Janice McKenzie Cole

Pitt County
Dr. Tom Johnson

Tyrrell County
Leroy Spivey

Washington County
Tracey Johnson

The following members were absent: David Brown, Anson, Byrd, Scott Dacey, Chester Deloatch, Philip Faison, Ann Holton, Ken Jernigan, Cecil Perry, and Charles Smith.

Guests: Zach Commander, CFAC moderator; Dwayne Holder, Finance Officer, Pitt County

Staff Present: Leza Wainwright, Mike Kupecki, Joy Futrell, Cindy Ehlers, and Rita Joyner

I. CALL TO ORDER

Jerry Langley, Chairman, called the meeting to order and a quorum was declared.

II. APPROVAL OF DECEMBER 11, 2012 MINUTES

Mr. Langley asked for questions or discussion of the minutes for December 11, 2012. Mr. Koonce made a motion to approve the minutes. Dr. Clayton seconded the motion which passed unanimously.

III. FINANCE COMMITTEE REPORT AND JANUARY FINANCIALS

Ms. Futrell highlighted a few items on the January balance sheet. She noted that the Medicaid Risk Reserve account balance is now at \$2.9 million. She explained that the main reason for the year to date increase in fund balance is because of the of the Medicaid funds.

Mr. McLain asked about the accounts payable and if they had been written off. Ms. Futrell replied that none had been written off at this point, but that a procedure has been written and is being sent to the

Quality Improvement Committee (QIC) to be approved. The accounts payable amount has decreased, but most of this has been taken against provider payments that have come through.

Mr. McLain asked about the negative balance on the Federal and State Tax withholdings. Ms. Futrell explained that both of these negative balances were from a payroll error in December where we overpaid. This has been followed up on and should be corrected.

Under revenues, Ms. Futrell pointed out the Medicaid capitation funds saying that all three of these accounts are a little over budget. She explained that these payments are received monthly and are based on the number of Medicaid eligible in our 19 counties. This number has been higher than anticipated when the budget was originally developed.

IV. MEDICAID CLAIMS FUND ANALYSIS

Ms. Futrell explained a report that shows payments that have been made by dates of service. Rubicon, listed on this report, is an administrative service organization for all of the intermediate care facilities. These are the largest contracts and a big part of our capitation. IBNR represents the amount of funds that we estimate that is due to providers for Medicaid services that they have not yet billed. Overall, 95.83% of Medicaid service funds have been spent from April 1, 2012 through January 31, 2013, on an accrual basis.

V. BUDGET ORDINANCE AMENDMENT II FY 2012 - 2013

Ms. Futrell stated that Budget Ordinance Amendment II is a net increase of \$1,736,470. The main reason for this is an addendum to our contract with Medicaid for the Department of Justice (DOJ). The State of North Carolina and the Department of Justice entered into an agreement in August 2012, to serve people that were in adult care homes that have a mental illness, but should be served in the community with mental health services rather than in adult care homes. We will receive service funds for these individuals. Staff will also be hired for this department.

With there being no other business, the meeting was adjourned by acclamation.

Respectfully submitted,

*Rita Joyner
Secretary*

*Jerry Langley
Chair*

Finance Committee Agenda and Report04/23/1303/31/13 Financials:Balance Sheet:

- The Medicaid Risk Reserve account balance is \$3,575,779.84 and as a reminder 2% of each of our Medicaid capitation payment is deposited into this account. These funds can only be accessed with approval from DHHS in the event our Medicaid service expenditures exceed our available funds.
- The negative amount in Accounts Payable is \$337,723.63. Again the primary reason for a negative amount is recoupments that have come over from our CI client system and are to be applied against payments to those clients. The payable will not apply until the provider has a payment. Until that next check write when the provider is paid, the recoupment remains in Accounts Payable, along with the amounts to be paid, as a negative balance. Recouping payments keeps our accounting system and client information system in synch and maintains the integrity of our data for encounter reporting to the State and the Division of Medical Assistance (DMA). It is also the method that is preferred by our providers, rather than our issuing invoices and providers having to write a check. Thirty-four percent is over 90 days and we have recently written a procedure which will allow us to write off the uncollectible ones.
- Our Medicaid IBNR as of 03/31/13 is \$12,654,959. This means based on our historical paid Medicaid claims, we estimate there is \$12,654,959 in claims which have not been billed to us as of 03/31/13. The IBNR is calculated each month based on our historical paid claims. This amount is a decrease from previous month. As you may recall, our original IBNR model was very conservative, so in addition to moving towards more realistic numbers now that we have a year of billing history, we have also seen decreases in specific service categories. These decreases have followed the clinical models we developed and anticipated going into the waivers. There is more detailed information on the Medicaid report included.
- The amount of our fund balance that is restricted has been significantly reduced from last fiscal year. The restricted amount of \$1,135,632 reflects funds restricted for purchase of computer equipment (\$1,000,000) and for Pugh Memorial (\$18,602 from AMHC) and we have now added the proceeds from the sale of the Clark building in New Bern (\$117,030).

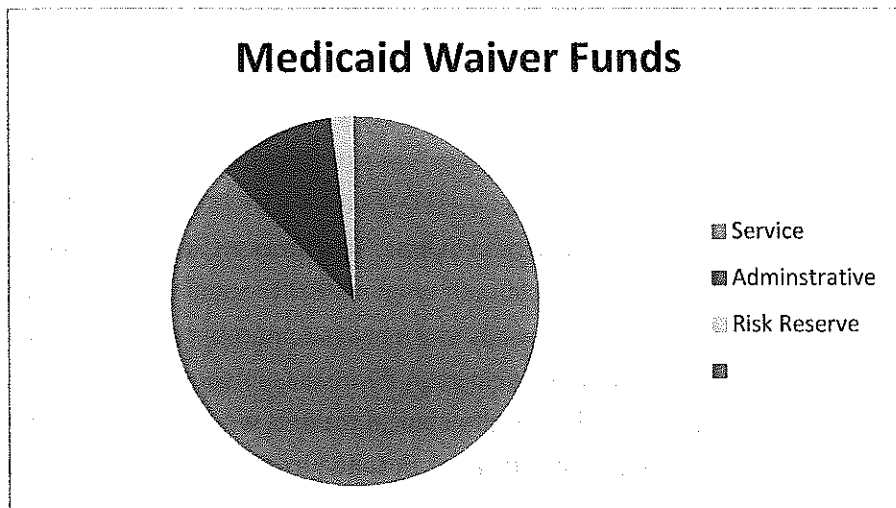
- Our year to date income is a \$20,951,802.99 which is a significant increase from prior months. This is primarily due to the changes discussed earlier made to the IBNR. Additional information on Medicaid funds is included at the back of this report.

Our total fund balance is \$61,467,029.93 and the total unrestricted as of 03/31/13 is \$51,085,807.90 which is 22% of our budget. (This unrestricted amount includes the year to date income and the unrestricted fund balance.) For next fiscal year we are considering separating our DMH/SA/IDD and DMA fund balances.

Total Revenues:

Since we are at 9 months of the year, the revenues should be at 75%.

- Account numbers 4030 – 4040 are funds that are pass through so while the revenue is below 75% the offsetting expense is as well.
- Account numbers 4045 – 4060 are our Medicaid waiver funds. As a reminder we receive these monthly and the payment is based on the number of Medicaid eligibles in our 19 counties. 87.5% of each payment is the service funds, 2% is for the risk reserve and the remaining 10.5% is for administration including care coordination. Each of these is approximately 77% for the year. This is due to a higher number of Medicaid eligibles. Below is a pie chart showing our Medicaid funds received to date in each of the categories.



- Account numbers 4105 – 4259 represent ABC and county general funds from each of our 19 counties. An employee routinely follows up with any counties that are behind on their contributions.
- Accounts 4810- 4835 are our federal funds from the Division. As our providers file claims, federal funds are drawn down first, prior to using our state single stream funds. These are always higher in the first part of the year. Some federal

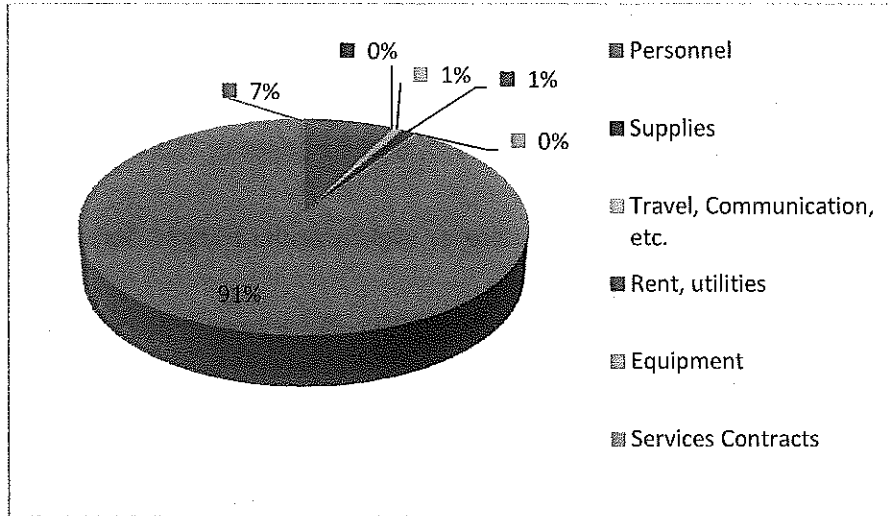
funds such as account 4820 Child Substance Abuse are always slower for providers to earn. As funds in all of these federal categories are earned, they are paid to us and then to the providers.

- Overall our revenues are 75.37% of the budget at 75% of the year.

Total Expenses:

- Most expenditures are in line or slightly under budget. Some exceptions are explained below.
- Contracts and Grants: Accounts 0690 –XX represent all of our contracts. This are for State and Pass through funding. You will note that 690-95 which represents provider IPRS billing is at 95%. This is due to the IPRS billing issues related to our new software CI last year. We may need to move some of these same type of funds budgeted in 690-45 to this account to cover expenditures for the year in a budget revision. It is also important to note that some of these expenses may need to be budgeted to be paid out of our fund balance since that is where unearned State Single Stream funds are from last fiscal year.
- Account number 5000 is our Medicaid service expenditures. Providers have 90 days for the date of service to bill for any services delivered and they also have an additional 90 days to re-bill a denied claim. There is more detailed information analyzing the Medicaid service fund expenditures in an additional report included. These accounts do include the posting of an accrual for outstanding claims in the amount of \$12,654,959. To date we have spent 67.65% of our Medicaid service funds at 75% of the year.
- Account 820 is to balance the budget for the Medicaid Risk Reserve and would be used in the future IF we were ever to have to pay or transfer funds for Medicaid services.
- Overall expenses are 65.99% of the budgeted amount at 75% of the year.

Below is a chart of our expenditures by category and percentage year to date from July 1 – March 31st:



- 1. General Journal Entries:** As requested at the August, 2011 Finance and Board meeting, all general journal entries for February and March were emailed to the Director's executive assistant to send to the two Board members who requested them.

3. Medicaid Claims Fund Analysis: The Medicaid claims service funds as of 03/31/13 is attached and includes the accrual mentioned in the report above. Again, this is cumulative and includes Medicaid revenue received and Medicaid service expense funds paid from 04/01/12 through 03/31/13. As of 03/31/13 we are at 88.74% of our Medicaid service fund and this completes our first full contract year. This means that on an accrual basis, we have spent 88.74% of our Medicaid service funds received.

For our first contract year, our Medicaid service expenditure amount has ranged from a high of 99.81% in October to a low of 88.74% at contract year end in March. The majority of the decrease is due to requiring better adherence on the part of providers to DMA clinical policy guidelines for community services.

This is a delicate balancing act; we do not want to overspend our funds, nor do we want to underspend. Our DMA contract prohibits us from falling under 80% expenditures. We are examining changes for next year which should improve access to appropriate Medicaid services in our area and increase our earnings. Some of our upcoming changes include increased rates for services that do not typically pay for themselves under fee for service and that we want to

provide an incentive to providers to ensure their availability. Examples include mobile crisis, facility based crisis and psychological testing. We are also planning to make changes to payment rates for psychiatry services to ensure the continued availability of that scarce resource.

EAST CAROLINA BEHAVIORAL HEALTH

For the Nine Months Ending 3/31/2013

	<u>3/31/2013</u>
Cash In Bank - Southern Bank	\$46,336,462.99
IMS Health Ins Benefit Acct	324,206.97
IMS Flex Spending Acct	17,733.74
NC Cash Management Trust	3,811,043.26
Risk Reserve Account	3,575,779.84
Ironstone Securites Account	706,909.46
Accts Receivable Other	68,842.96
Reimbursable Expenses	160,630.00
Due From Other Government Unit	8,097,109.49
Prepaid Expense	<u>1,973,481.99</u>
CURRENT ASSETS	65,090,200.70
Land	612,971.81
Buildings	5,169,002.99
Leaseholds Improvements	212,248.73
Furniture And Fixtures	417,620.54
Equipment	2,816,468.92
Vehicles	<u>17,277.04</u>
FIXED ASSETS	9,245,590.03
TOTAL ASSETS	<u>74,335,790.73</u>
Accounts Payable	(337,723.63)
Accrued Expenses	198,540.51
IBNR- Medicald	12,654,959.00
Employee UNUM Life Ins W/H	24.00
Medical Flex Spending W/H	10,232.13
Reserve For Health Care Costs	274,251.93
Reserve For Retirees Hosp	<u>68,476.86</u>
LIABILITIES	12,868,760.80
Investments In Fixed Assets	9,245,590.03
Unrestricted Fund Balance	30,134,004.91
Restricted Fund Balance	1,135,832.00
YTD Income	<u>20,951,802.99</u>
FUND BALANCE	<u>61,467,029.93</u>
TOTAL LIABILITIES & FUND BALANCE	<u>74,335,790.73</u>

EAST CAROLINA BEHAVIORAL HEALTH
INCOME STATEMENT
CURRENT MONTH

	<u>March</u>	<u>YTD</u>
Total Revenue	\$20,115,747.01	\$188,437,635.30
Total Expense	<u>\$13,268,901.04</u>	<u>\$147,485,832.31</u>
Net Income	<u>\$6,846,845.97</u>	<u>\$20,951,802.99</u>

EAST CAROLINA BEHAVIORAL HEALTH
TOTAL REVENUES
3/31/2013

	Current Month	YTD	Budget	% of Budget
4030 CAP MR	\$0.00	\$26,099.05	\$200,000.00	13.05%
4040 Medicaid Patient Fees	6,240.21	309,629.65	3,000,000.00	10.32%
4045 Medicaid Waiver Service Funds	13,121,625.45	117,623,489.87	150,873,618.00	77.96%
4050 Medicaid Risk Reserve Funds	300,404.00	2,689,495.00	3,501,685.00	76.81%
4060 Medicaid Waiver Administrative Funds	1,598,147.00	14,161,655.82	18,468,287.00	76.68%
4105 Beaufort County ABC Funds	0.00	17,000.00	17,000.00	100.00%
4110 Bertie County ABC Funds	0.00	2,400.00	4,800.00	50.00%
4111 Camden County ABC Funds	581.99	2,467.67	4,246.00	58.12%
4113 Chowan County ABC Funds	(301.82)	2,297.47	3,000.00	76.58%
4115 Craven County ABC Funds	2,084.92	18,237.47	27,000.00	67.55%
4117 Currituck County ABC Funds	1,007.65	8,182.49	9,984.00	81.96%
4120 Gates County ABC Funds	0.00	772.22	1,700.00	45.42%
4125 Hertford County ABC Funds	661.75	6,822.33	6,000.00	113.71%
4130 Jones County ABC Funds	313.89	2,110.06	3,600.00	58.61%
4133 Hyde County ABC Funds	85.99	1,000.37	1,500.00	66.69%
4135 Northampton County ABC Funds	0.00	0.00	4,000.00	0.00%
4137 Martin County ABC Funds	0.00	0.00	3,500.00	0.00%
4140 Pamlico County ABC Funds	449.90	2,358.74	3,000.00	78.56%
4145 Pitt County ABC Funds	(17,203.85)	41,287.52	108,000.00	38.23%
4147 Pasquotank County ABC Funds	833.54	6,950.38	7,000.00	99.29%
4149 Perquimans County ABC Funds	221.35	1,944.06	2,500.00	77.76%
4153 Tyrrell County ABC Funds	523.35	1,046.70	1,092.00	95.85%
4159 Washington County ABC Funds	0.00	1,500.00	3,000.00	50.00%
4205 Beaufort County General	0.00	156,599.00	156,599.00	100.00%
4210 Bertie County General	0.00	33,442.50	44,590.00	75.00%
4211 Camden County General	0.00	9,990.00	19,980.00	50.00%
4213 Chowan County General	2,456.50	22,108.50	29,478.00	75.00%
4215 Craven County General	20,818.91	187,370.27	249,827.00	75.00%
4217 Currituck County General	0.00	37,737.00	50,318.00	75.00%
4219 Dare County General	0.00	93,081.05	390,369.00	23.84%
4220 Gates County General	0.00	18,867.00	37,734.00	50.00%
42230 Hertford County General	6,479.17	58,312.53	77,750.00	75.00%
4233 Hyde County General	0.00	5,457.00	10,914.00	50.00%
4235 Jones County General	1,378.28	15,229.53	20,306.00	75.00%
4237 Martin County General	0.00	48,462.00	48,462.00	100.00%
4240 Northampton County General	6,467.83	58,210.47	77,614.00	75.00%
4245 Pamlico County General	2,381.63	22,944.71	30,593.00	75.00%
4247 Pasquotank County General	0.00	64,129.50	85,506.00	75.00%
4249 Perquimans County General	2,242.00	20,180.00	26,906.00	75.00%
4250 Pitt County General	61,188.58	421,528.06	487,500.00	86.47%
4253 Tyrrell County General	302.15	6,382.80	8,814.00	72.42%
4259 Washington County General	0.00	13,228.00	26,562.00	49.80%
4270 Rental Income	8,219.00	54,171.00	77,028.00	70.33%
4280 Miscellaneous Local	95,072.69	122,736.55	54,500.00	225.20%
4290 Interest Income	43,403.79	265,539.99	98,849.00	268.63%
4295 Shelter Plus	92,804.92	416,108.80	556,140.00	74.82%
4297 HUD Grant For Homelessness	0.00	95,455.58	136,232.00	70.07%
4390 Miscellaneous State	763,500.00	2,500,200.00	3,758,750.00	66.52%
4805 IPRS State Single Stream	2,473,830.48	22,174,582.80	29,538,533.00	75.07%
4810 CMH IPRS	35,628.55	33,926.40	256,142.00	13.25%
4815 AMH IPRS	25,647.99	622,583.59	691,683.00	90.01%
4820 CSA IPRS	118,980.22	330,402.24	1,379,951.00	23.94%
4825 ASA IPRS	982,716.00	2,564,607.88	4,447,712.00	57.66%
4850 IPRS Administrative Funds	356,553.00	3,037,315.68	4,356,292.00	69.72%
TOTAL REVENUES	20,115,747.01	168,437,635.30	223,486,044.00	75.37%
TOTAL REVENUE AND TRANSFERS	20,115,747.01	168,437,635.30	223,486,044.00	75.37%

EAST CAROLINA BEHAVIORAL HEALTH

Total Expenses
Summary of All Units
3/31/2013

	Current Month	YTD	Budget	% of Budget
PERSONNEL				
0120 Salaries & Wages	899,115.60	7,617,248.28	12,547,350.54	60.71%
0170 Board Member Expense	0.00	17,856.58	25,000.00	71.43%
0180 Fringe Benefits	272,510.97	2,291,969.53	3,899,521.46	58.78%
0181 Retiree Hospital	0.00	0.00	218,902.00	0.00%
0190 Other Professional Expense	140,111.49	960,707.18	1,934,994.00	49.65%
TOTAL	\$1,311,738.08	\$10,887,781.57	\$18,625,768.00	58.46%
SUPPLIES & MATERIALS				
0210 Houseclean/Supplies	140.90	3,414.45	23,400.00	14.59%
0220 Food & Prov	0.00	2,276.30	7,000.00	32.52%
0260 Office Supplies	8,863.56	44,928.80	124,250.00	36.16%
0290 Other Supplies/Materials	4,596.17	16,611.94	60,800.00	27.32%
TOTAL	\$13,600.63	\$67,231.49	\$215,450.00	31.21%
OTHER OBLIGATIONS & SERVICES				
0310 Travel	43,197.31	303,322.81	728,744.00	41.62%
0320 Communication	37,784.00	385,736.37	875,080.00	44.08%
0330 Utilities	8,350.85	74,227.84	320,000.00	23.20%
0340 Printing	(708.80)	12,902.52	25,000.00	51.61%
0350 Repairs & Maintenance	10,289.58	49,062.61	169,950.00	28.87%
0370 Advertising	2,516.22	23,105.79	31,000.00	74.53%
0380 Data Process Services	38,206.38	219,718.41	455,000.00	48.29%
0390 Other Training/Travel/Misc	23,599.84	120,503.14	237,600.00	50.72%
0395 Uncollectible Accounts Expense	6,454.64	6,454.64	0.00	0.00%
TOTAL	\$189,890.02	\$1,195,034.13	\$2,842,374.00	42.04%
FIXED CHARGES & OTHER EXPENSES				
0410 Rental Expense	20,334.64	225,115.07	374,430.00	60.12%
0412 Utility Deposit Expense	0.00	11,319.04	11,950.00	94.72%
0440 Service & Maintenance	78,660.98	878,431.37	1,134,400.00	77.44%
0450 Insurance	55,301.72	481,152.08	585,000.00	82.25%
0490 Dues & Subscription Other Charges	936.33	49,142.32	79,000.00	62.21%
TOTAL	\$155,233.67	\$1,645,159.88	\$2,184,780.00	75.30%
CAPITAL OUTLAY				
0510 Capital Outlay Furniture	723.03	16,932.73	20,000.00	84.66%
0520 Capital Outlay DP Equipment	33,045.13	275,172.17	525,000.00	52.41%
0580 Capital Outlay Buildings	(4,486.00)	18,923.00	50,000.00	37.85%
TOTAL	\$29,282.16	\$311,027.90	\$595,000.00	52.27%
CONTRACTS & GRANTS				
0690-00 Contracts SOC	13,157.98	38,495.74	380,000.00	10.13%
0690-02 Contracts Medicaid Pass Thru	10,501.15	322,348.24	3,000,000.00	10.74%
0690-03 Contracts Federal Non-UCR	652,509.44	3,548,524.28	4,371,435.00	81.18%
0690-05 Contracts County/Other	150,459.89	1,514,478.37	2,818,608.00	53.73%
0690-20 Contracts CAP/MR	0.00	0.00	200,000.00	0.00%
0690-45 Contracts State Non-UCR IPRS	510,555.67	6,435,260.56	9,993,514.00	64.39%
0690-95 Contracts State Funded IPRS	1,081,668.62	19,086,159.71	20,080,162.00	95.05%
0690-96 Contracts Other State UCR	0.00	325,500.00	3,758,750.00	8.66%
5000 Contracts Medicaid Services	9,168,666.37	102,062,202.50	150,873,618.00	67.65%
TOTAL	\$11,587,519.12	\$133,332,967.40	\$195,476,087.00	68.21%
TOTAL EXPENSES	\$13,267,063.66	\$147,439,202.37	\$219,939,459.00	67.04%
0820 Transfer to Medicaid Risk Reserve	0.00	0.00	3,501,585.00	0.00%
0890 Other Non Operating	1,837.38	46,629.94	45,000.00	103.62%
GRAND TOTAL	\$13,268,901.04	\$147,485,832.31	\$223,486,044.00	65.99%

Dates of Service	Actual to date amt spent thru 03 31 13		
April	10,915,015		
May	10,700,326		
June	10,075,110		
July	10,130,081		
August	10,007,279		
Sept	8,814,245		
Oct	8,718,857		
Nov	8,021,508		
Dec	7,900,298		
Jan	7,851,139	100,991,287	
Feb	6,418,900		
March	1,438,529		
Rubicon - April - March	25,312,756		
IBNR as of 03 31 13	12,654,960		
Estimated Mcaid expenditures 04/01/12 - 03/31/13	138,959,003		
Mcaid Revenue Rec'd 04/01/12 - 03/31/13	155,968,869		
Medicaid Revenue Due est 12/31/12	615,309		
Service funds Balance	17,625,176		
% spent of Service funds	88.74%		

**AREA BOARD MEETING
205 East Main Street, Williamston, NC**

**Tuesday, April 23, 2013 7:00 PM
AGENDA**

	<u>Minutes</u>			<u>Page</u>
I.		Call to Order	Jerry Langley	
II.	2	Approval of the February 26, 2013 Minutes	Jerry Langley	1-6
III.	10	Public Comment		
IV.		Matters of the Board		
a.	2	Adoption of Agenda	Jerry Langley	
b.	2	Oaths of Office	Rita Joyner	
c.	10	CFAC Report	Zack Commander	
		Old Business	Joy Futrell	
d.	10	New Audit Contract for FY 2013 - 2014	Joy Futrell	
e.	5	Building Committee Update	Joy Futrell	7
		New Business		
f.	2	Finance Committee Report and March Financials	Joy Futrell	8-16
g.	5	Draft Budget for FY 2013 - 2014 (No Action Needed)	Joy Futrell	17-20
h.	10	Chairman's Report	Jerry Langley	
i.	10	Board Governance Committee Update	Janice Cole	
j.	20	Director's Report	Leza Wainwright	21-23
k.	3	New Meeting Venue	Leza Wainwright	

AREA BOARD MEETING

February 26, 2013

M I N U T E S

The Area Board of East Carolina Behavioral Health met Tuesday, February 26 at 7:00 p.m., at 205 East Main Street in Williamston, NC. The following members were present:

Beaufort County
Jerry Langley

Bertie County

Camden County
Michael McLain

Chowan County
Dr. Alex Kehayes

Craven County

Currituck County

Dare County
Max Dutton

Gates County

Hertford County
Johnnie Farmer
Dr. Melvin Clayton

Hyde County

Jones County
Zack Koonce

Martin County
Ronnie Smith

Northampton County

Pamlico County

Pasquotank County
Denauvo Robinson

Perquimans County
Janice McKenzie Cole

Pitt County
Dr. Tom Johnson

Tyrrell County
Leroy Spivey

Washington County
Tracey Johnson

The following members were absent: David Brown, Anson Byrd, Scott Dacey, Chester Deloatch, Philip Faison, Ann Holton, Ken Jernigan, Cecil Perry, and Charles Smith.

Guests: Zach Commander, CFAC moderator; Cynthia Wiford, Executive Director, Addiction Consulting & Training Associates; Leesa Galloway, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services; Dwayne Holder, Finance Officer, Pitt County

Members of the Public

Staff Present: Leza Wainwright, Mike Kupecki, Joy Futrell, Cindy Ehlers, and Rita Joyner

I. CALL TO ORDER

Jerry Langley, Chairman, called the meeting to order and a quorum was declared.

II. APPROVAL OF DECEMBER 11, 2012 MINUTES

Mr. Langley asked for questions or discussion of the minutes for December 11, 2012. Dr. Clayton made a motion to approve the minutes. Mr. Koonce seconded the motion which passed unanimously.

III. PUBLIC COMMENT

Inez Dudley stated that although she was a member of the Consumer and Family Advisory Committee (CFAC), she was not speaking on behalf of CFAC. She stated that she was concerned that ECBH had frozen IPRS funds as of January 15, 2013, and would like help understanding why this had happened.

V. MATTERS OF THE BOARD

A. Adoption of Agenda

Ms. Cole asked that the agenda be amended to allow her time to report to the Board what is being done in moving towards the new Board structure and governance. Mr. Langley said that he would allow her to make this report under his time. Mr. Smith made a motion to approve the agenda. Mr. Koonce seconded the motion which passed unanimously.

B. Oaths of Office

Ms. Joyner administered the Oath of Office to Dr. Alex Kehayes, Chowan County Commissioner, and Mr. Leroy Spivey, Tyrrell County Commissioner. Mr. Langley welcomed these new members to the Board.

C. Chairman's Report

Mr. Langley yielded his time to Ms. Cole to give an update from the subcommittee regarding the Board transition. Ms. Cole reported that Chairman Langley had asked her to chair a committee regarding the transition that the Board will be required to make as of October 1, 2013. Other members of the committee are Mr. Koonce, Ms. Johnson, Mr. Farmer, and Ms. Wainwright. The committee met for the first time at the end of January. She explained that because one of the local management entities (LMEs) to the south of ECBH was possibly going to be required to join ECBH, and therefore causing us to be exempt from the new Board requirements, the committee decided to not take any action until a decision was made about this LME on February 15, 2013. As it turns out this LME will not be joining ECBH at this time. Ms. Cole stated that Smokey Mountain has asked for an exemption for their LME and that this is something we need to pay attention to. She reported that a letter along with a list of the prescribed positions, an application for those interested in serving, and a CFAC brochure, has been mailed to the Chairs of each of the Boards of County Commissioners and the County Managers. The purpose behind this is to make sure everyone is aware of what is happening and to give everyone an opportunity to have input into representation for their counties. In the letter they were asked to return information to Ms. Joyner by March 22, 2013, regarding commissioners or anyone else in their communities who would fit any of the specified positions and who would be willing to serve. Ms. Cole asked that the commissioners present make sure that this issue gets on their Board's agenda and that they take seriously looking at recommending people to serve.

Mr. Langley distributed a resolution urging members of the North Carolina General Assembly and Governor McCrory to revisit and revise the requirements in S-191 concerning the appointment of Board members to the LME Board. Mr. Farmer made a motion that Chairman Langley prepare and send the resolution. Mr. Koonce seconded the motion which passed unanimously.

D. CFAC Report

Zach Commander, CFAC moderator, gave a breakdown of the CFACs current membership. He stated that they are still working on recruiting members and would like to increase membership from other counties in the areas of mental health and addictive disorders. He reported that a sub-committee of the CFAC is working on planning a retreat to be held sometime after June. Mr. Commander stated that the CFAC has some concerns regarding, 1) right sizing of the network, 2) frustration concerning the denial of services and the short amount of time of service approval, and 3) concerns that ECBH is no longer approving new admissions for non-emergency IPRS services effective January 15, 2013 through July 1, 2013. He then yielded the floor to Sandra Buckman, chair of the CFAC's Gaps and Needs Committee. Ms. Buckman stated that gaps in services are escalating very rapidly and that the State legislature has given the CFAC the responsibility of looking at gaps in services. She stated that the CFAC is attempting to do this, but they do not know exactly how to collect the data or to whom they are supposed to disseminate it to. They would like input from the Area Board on what to do with the information and help with establishing a protocol to deliver the information.

Ms. Wainwright stated that the Board has a relational agreement with the CFAC. If Ms. Buckman is saying that the lines of communication between the CFAC and the Board are not clear, then perhaps that relational agreement needs to be updated so that it is clear how information flows from the CFAC to the Board. She stated that there are staff that work with the CFAC that could look at the relational agreement to see if there is any additional detail that needs to be fleshed out so that the CFAC would clearly understand what the lines of communication are.

E. Gaps and Needs Analysis

Cynthia Wiford, Executive Director of Addiction Consulting & Training Associates, gave a brief overview of the Gaps and Needs Analysis prepared for ECBH. The Board was provided with an Executive Summary of the analysis. She explained the context of the gaps and needs process and reported on the highlights of the analysis. She stated that a full report would be available on the web later in the week.

F. Finance Committee Report and January Financials

With there being no additional questions or discussion of the Finance Committee report or financials from what was addressed in the Finance Committee meeting, Ms. Futrell moved on to Budget Ordinance Amendment II.

G. Budget Ordinance Amendment II FY 2012 - 2013

Ms. Futrell presented Budget Ordinance Amendment II for the Board's review. She stated that it was an increase of \$1,236,470 and would bring the total budget to \$223,486,044. Mr. Langley asked for any questions about the Budget Ordinance. With there being none, Dr. Clayton made a motion to approve Budget Ordinance Amendment II. Mr. Smith seconded the motion which passed unanimously.

H. Building Sale Proposal

Ms. Futrell stated that ECBH owns eight buildings. Of the eight, one in Ahoskie and one in Camden houses MCO staff, four are leased to providers, and two are vacant. The Board previously approved to sell the vacant office building on Cardinal Road in New Bern. This

building has been listed with a realtor in New Bern, but the Board's motion to sell this property has expired. Ms. Futrell asked that the Board extend the agreement to sell this property with the same realtor through June 30, 2013 and reduce the price. There are two other properties in New Bern that no action has been taken on. She asked that these two properties and a building in Jackson that is currently occupied by a provider three days a week, be added to that same realtor's agreement. Mr. McClain made a motion to renew the contract with Tyson and Hooks Realty for the sale of all four buildings. Ms. Johnson seconded the motion which passed unanimously.

Mr. Smith made a motion to appoint a committee to look at the buildings to see what could be done to make them more sellable. Mr. McLain seconded the motion. Dr. Johnson felt that to say "to appoint a committee" was not specific enough. He prefers that the Finance Officer choose whatever assistance she needs to get the job done. Mr. Smith amended his motion to this affect. Mr. Langley asked that Ms. Futrell report back to the Board on her decision. The motion passed unanimously.

I. Medicaid Paid Claims and Denials

As follow up from the December meeting and discussion concerning provider payments and denials, Ms. Futrell distributed a report showing Medicaid service payments and denials to providers from July 1, 2012 through February 7, 2013, for dates of service from July 1, 2012 through September 30, 2012. Ms. Futrell reported that over \$38 million was billed from approximately 300 different providers during this time period. Of this amount, approximately \$29 million was paid out, \$4.3 million was adjusted off, and \$4.9 million was denied. The main reason for denial for this specific group of billing was because they did not have an authorization for the service or they had used all of the units for which they had been authorized. The number two reason was duplicate claim. The third reason was missing/incomplete/invalid diagnosis code. Ms. Futrell said that denials are watched closely to make sure there are not provider problems or system problems. She explained that per our contract with the Division of Medical Assistance (DMA), we have thirty days from the date the claim is approved to pay the claim and a monthly report that tracks this is submitted to DMA. From April 1, 2012 to January 31, 2013, claims were paid on an average of 8.7 days from when they were approved. Check write schedules for Medicaid and IPRS are on the ECBH website.

J. RFP for Financial Audit Update

Ms. Futrell reported that the Audit RFP was posted on the ECBH website on January 26th. An ad ran in the Daily Reflector several times between January 26 through February 10, 2013. Audit firms used by other MCOs and our most recent auditor were sent a notice of the RFP. A deadline of February 15th was given for those interested in requesting a copy of our most recent audit. Six audit firms requested copies of our past audit and of those six, four currently audit other MCOs. The deadline for interested firms to submit bids is March 5th. Ms. Futrell requested that since the Board does not meet again until April 23rd, that she be allowed to send an email to the members of the Board on March 19th indicating the audit bids received, their scores, and ECBH's recommendation. If no one has objected to the recommendation by April 2, 2013, then the Board would empower the Board chair to sign the contract with the recommended auditor. This would allow the auditors to begin to schedule work. If there is an objection, then the matter can be discussed at the regular meeting of the Board on April 23, 2013. Dr. Kehayes asked that along with the recommendation that Ms. Futrell elaborate a little rather than just giving the name of the firm. Mr. Farmer made a motion that the Board allow the Finance Officer to solicit the bids,

analyze the bids, and send an email to the Board with a description of each one of the firms and why she would choose the recommended bid. Mr. Dutton seconded the motion which passed unanimously.

K. Director's Report

Ms. Wainwright gave a brief report on the following items:

- A rate offer has still not been received from the Division of Medical Assistance (DMA).
- Several highly qualified individuals have applied for the Medical Director's position.
- Coastal Care received approval to operate under the waiver.
- ECBH has just undergone a review by the External Quality Review Organization (EQRO); the URAC (formerly the Utilization Review Accreditation Council) review is in three weeks and the annual Mercer review is in six weeks.
- The Department of Justice (DOJ) settlement.

Ms. Wainwright addressed Ms. Dudley's concern during the Public Comments section regarding the IPRS dollars. She explained that an allocation is received from the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services (DMH/DD/SAS) at the beginning of every year for State dollars and non-Medicaid federal dollars. Last year those dollars statewide were reduced about \$31 million. The demand for those State funded services has risen at the same time the availability of dollars has gone down. State law makes it very clear that there is no entitlement to State funding and Local Management Entities are required to live within the amount of monies that they are given. She stated that in looking at our utilization for the first six months of the year and the rate that we were spending those State dollars, the Executive staff made the decision that we needed to slow the spending down in order to live within our available resources. She explained that they did not want to cause anybody to not be able to access emergency services, so no constraints were put on any kind of emergency service. They also did not want to do anything to impact the services of people who were currently receiving services. The decision was made that we would stop new admissions to non emergency services until we could see some of that spending rate start to mitigate so that we would be living within our resources. Our communication said that this would continue no later than July 1, 2013. She stated that if the spending rate has leveled off earlier than this and we can allow new admissions, we can certainly make that change.

Ms. Wainwright distributed a spreadsheet showing a "snapshot" of persons served and the value of services rendered by county for the period of June 1 through August 31, 2012, in response to questions raised at the last Board meeting to ascertain if individuals from every county were receiving services. She reported that in total we have served 12,841 in this three month period of time and the value of those services was almost \$33.5 million dollars.

L. Board Policies for Consideration

Ms. Wainwright presented two draft policies for the Board's consideration. These were originally presented at the December meeting, but no action was taken. These proposed policies are regarding the Development of the Board Agenda and Public Comment at Board of Directors Meetings. Ms. Wainwright also presented a list of proposed meeting dates of the Board for 2013, to be formally adopted by the Board. Mr. Smith made a motion to accept the dates as presented. Mr. Koonce seconded the motion which passed unanimously. Mr. McLain made a motion to

approve the two policies that were presented. Mr. Smith seconded the motion which carried twelve (12) to one (1).

M. **Proposed Meeting Dates/Attendance by Video/Teleconference**

As the current meeting space does not have the capability to allow meeting by video or teleconference, it was the desire of the Board that ECBH staff explore other meeting venues. Ms. Wainwright will report back at the next meeting.

N. **Human Rights Committee Appointment**

Ms. Wainwright presented one application for membership on the Human Rights Committee (HRC). Mr. Smith made a motion to accept the application. Mr. Koonce seconded the motion. Mr. Farmer raised a concern that the applicant did not live in the ECBH catchment area. Due to this fact, Mr. Smith withdrew his motion.

Mr. Langley stated that he is supposed to be the Board's representative on the Human Rights Committee, but that his work schedule did not allow him to be able to attend when they have their meetings. Mr. Langley said he would like to ask, with the Board's permission and Dr. Johnson's consent, if Dr. Johnson would take this slot on the committee. Dr. Johnson declined. Mr. Langley asked the Board to consider this opening on the Human Rights Committee until the next meeting.

With there being no other business, Mr. Langley called for a motion to adjourn. Ms. Johnson so moved and Mr. Koonce seconded the motion which passed unanimously.

Respectfully submitted,

*Rita Joyner
Secretary*

*Jerry Langley
Chair*



ECBH Building Committee

Purpose:

The ECBH Building Committee is responsible for developing a plan to sell the buildings that we own but do not currently occupy for MCO staff.

Core Values:

- MCO responsibilities as outlined in our contractual agreements with DHHS

Goals:

- Sell all buildings owned by ECBH but are not occupied by ECBH staff
- Assure that providers who occupy the space are given the opportunity to purchase the property at a fair market amount
- List the above properties with a local real estate agent
- The contract with the real estate agent should contain a contingency clause that the buyer accept the current lease and any remaining terms on the lease
- Assure that providers who occupy the space, but cannot afford to purchase the space are given adequate notice if they need to move and those services are not lost in the community as a result of the move.

Governance of Building Committee:

- Recommendations will be made to the Area Board by majority vote.
- ECBH Staff (Joy Futrell) will serve as the convener of the Building Committee.
- The committee will establish its own ground rules to meet the needs of the committee.
- The committee will take minutes which will be shared with the Board at the next regular meeting.
- The committee will meet as often as necessary to meet the goals.

Building Committee Members:

Name

Leza Wainwright

Joy Futrell

Need 3-5 Board members who agree to serve

Meetings:

- The meetings can be held via a conference call. If a face to face meeting is needed it can be arranged prior to the Board meeting to avoid additional travel.

Duration:

- The Building Committee shall convene no later than June 1, 2013.
- Develop and present a plan to the Board no later than the December 2013 Board meeting.

Finance Committee Agenda and Report04/23/1303/31/13 Financials:Balance Sheet:

- The Medicaid Risk Reserve account balance is \$3,575,779.84 and as a reminder 2% of each of our Medicaid capitation payment is deposited into this account. These funds can only be accessed with approval from DHHS in the event our Medicaid service expenditures exceed our available funds.
- The negative amount in Accounts Payable is \$337,723.63. Again the primary reason for a negative amount is recoupments that have come over from our CI client system and are to be applied against payments to those clients. The payable will not apply until the provider has a payment. Until that next check write when the provider is paid, the recoupment remains in Accounts Payable, along with the amounts to be paid, as a negative balance. Recouping payments keeps our accounting system and client information system in synch and maintains the integrity of our data for encounter reporting to the State and the Division of Medical Assistance (DMA). It is also the method that is preferred by our providers, rather than our issuing invoices and providers having to write a check. Thirty-four percent is over 90 days and we have recently written a procedure which will allow us to write off the uncollectible ones.
- Our Medicaid IBNR as of 03/31/13 is \$12,654,959. This means based on our historical paid Medicaid claims, we estimate there is \$12,654,959 in claims which have not been billed to us as of 03/31/13. The IBNR is calculated each month based on our historical paid claims. This amount is a decrease from previous month. As you may recall, our original IBNR model was very conservative, so in addition to moving towards more realistic numbers now that we have a year of billing history, we have also seen decreases in specific service categories. These decreases have followed the clinical models we developed and anticipated going into the waivers. There is more detailed information on the Medicaid report included.
- The amount of our fund balance that is restricted has been significantly reduced from last fiscal year. The restricted amount of \$1,135,632 reflects funds restricted for purchase of computer equipment (\$1,000,000) and for Pugh Memorial (\$18,602 from AMHC) and we have now added the proceeds from the sale of the Clark building in New Bern (\$117,030).

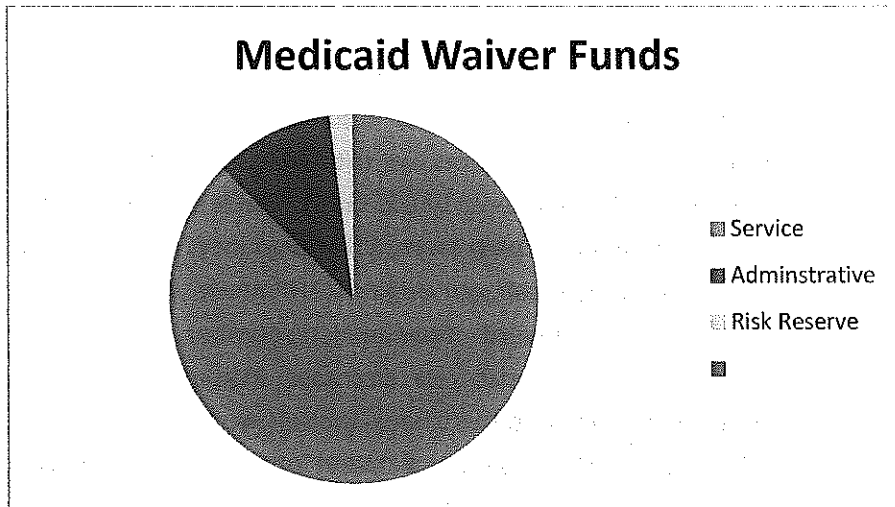
- Our year to date income is a \$20,951,802.99 which is a significant increase from prior months. This is primarily due to the changes discussed earlier made to the IBNR. Additional information on Medicaid funds is included at the back of this report.

Our total fund balance is \$61,467,029.93 and the total unrestricted as of 03/31/13 is \$51,085,807.90 which is 22% of our budget. (This unrestricted amount includes the year to date income and the unrestricted fund balance.) For next fiscal year we are considering separating our DMH/SA/IDD and DMA fund balances.

Total Revenues:

Since we are at 9 months of the year, the revenues should be at 75%.

- Account numbers 4030 – 4040 are funds that are pass through so while the revenue is below 75% the offsetting expense is as well.
- Account numbers 4045 – 4060 are our Medicaid waiver funds. As a reminder we receive these monthly and the payment is based on the number of Medicaid eligibles in our 19 counties. 87.5% of each payment is the service funds, 2% is for the risk reserve and the remaining 10.5% is for administration including care coordination. Each of these is approximately 77% for the year. This is due to a higher number of Medicaid eligibles. Below is a pie chart showing our Medicaid funds received to date in each of the categories.



- Account numbers 4105 – 4259 represent ABC and county general funds from each of our 19 counties. An employee routinely follows up with any counties that are behind on their contributions.
- Accounts 4810- 4835 are our federal funds from the Division. As our providers file claims, federal funds are drawn down first, prior to using our state single stream funds. These are always higher in the first part of the year. Some federal

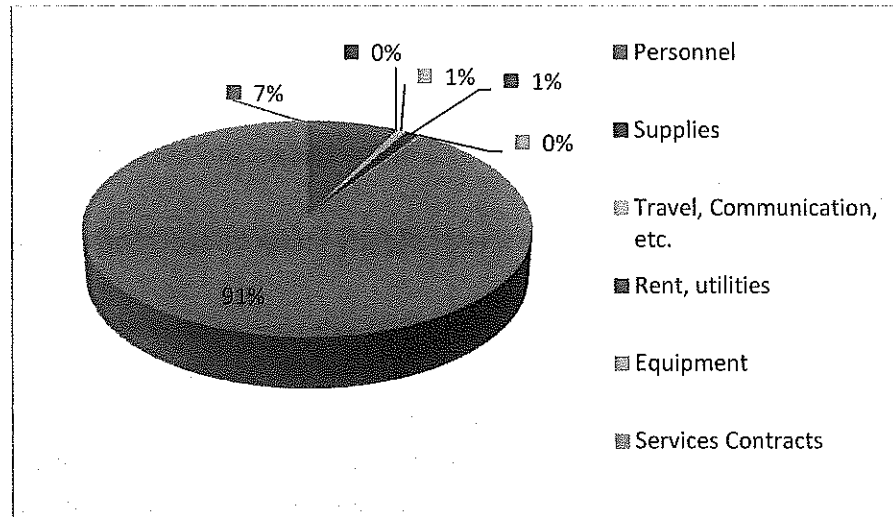
funds such as account 4820 Child Substance Abuse are always slower for providers to earn. As funds in all of these federal categories are earned, they are paid to us and then to the providers.

- Overall our revenues are 75.37% of the budget at 75% of the year.

Total Expenses:

- Most expenditures are in line or slightly under budget. Some exceptions are explained below.
- Contracts and Grants: Accounts 0690 –XX represent all of our contracts. This are for State and Pass through funding. You will note that 690-95 which represents provider IPRS billing is at 95%. This is due to the IPRS billing issues related to our new software CI last year. We may need to move some of these same type of funds budgeted in 690-45 to this account to cover expenditures for the year in a budget revision. It is also important to note that some of these expenses may need to be budgeted to be paid out of our fund balance since that is where unearned State Single Stream funds are from last fiscal year.
- Account number 5000 is our Medicaid service expenditures. Providers have 90 days for the date of service to bill for any services delivered and they also have an additional 90 days to re-bill a denied claim. There is more detailed information analyzing the Medicaid service fund expenditures in an additional report included. These accounts do include the posting of an accrual for outstanding claims in the amount of \$12,654,959. To date we have spent 67.65% of our Medicaid service funds at 75% of the year.
- Account 820 is to balance the budget for the Medicaid Risk Reserve and would be used in the future IF we were ever to have to pay or transfer funds for Medicaid services.
- Overall expenses are 65.99% of the budgeted amount at 75% of the year.

Below is a chart of our expenditures by category and percentage year to date from July 1 – March 31st:



1. General Journal Entries: As requested at the August, 2011 Finance and Board meeting, all general journal entries for February and March were emailed to the Director's executive assistant to send to the two Board members who requested them.

3. Medicaid Claims Fund Analysis: The Medicaid claims service funds as of 03/31/13 is attached and includes the accrual mentioned in the report above. Again, this is cumulative and includes Medicaid revenue received and Medicaid service expense funds paid from 04/01/12 through 03/31/13. As of 03/31/13 we are at 88.74% of our Medicaid service fund and this completes our first full contract year. This means that on an accrual basis, we have spent 88.74% of our Medicaid service funds received.

For our first contract year, our Medicaid service expenditure amount has ranged from a high of 99.81% in October to a low of 88.74% at contract year end in March. The majority of the decrease is due to requiring better adherence on the part of providers to DMA clinical policy guidelines for community services.

This is a delicate balancing act; we do not want to overspend our funds, nor do we want to underspend. Our DMA contract prohibits us from falling under 80% expenditures. We are examining changes for next year which should improve access to appropriate Medicaid services in our area and increase our earnings. Some of our upcoming changes include increased rates for services that do not typically pay for themselves under fee for service and that we want to

provide an incentive to providers to ensure their availability. Examples include mobile crisis, facility based crisis and psychological testing. We are also planning to make changes to payment rates for psychiatry services to ensure the continued availability of that scarce resource.

EAST CAROLINA BEHAVIORAL HEALTH

For the Nine Months Ending 3/31/2013

	<u>3/31/2013</u>
Cash In Bank - Southern Bank	\$46,336,462.99
IMS Health Ins Benefit Acct	324,206.97
IMS Flex Spending Acct	17,733.74
NC Cash Management Trust	3,811,043.26
Risk Reserve Account	3,575,779.84
Ironstone Securites Account	706,909.46
Accts Receivable Other	66,842.96
Reimbursable Expenses	160,630.00
Due From Other Government Unit	8,097,109.49
Prepaid Expense	<u>1,973,481.99</u>
CURRENT ASSETS	65,090,200.70
Land	612,971.81
Buildings	5,169,002.99
Leaseholds Improvements	212,248.73
Furniture And Fixtures	417,620.54
Equipment	2,816,468.92
Vehicles	<u>17,277.04</u>
FIXED ASSETS	9,245,590.03
TOTAL ASSETS	<u>74,335,790.73</u>
Accounts Payable	(337,723.63)
Accrued Expenses	198,540.51
IBNR- Medicald	12,654,959.00
Employee UNUM Life Ins W/H	24.00
Medical Flex Spending W/H	10,232.13
Reserve For Health Care Costs	274,251.93
Reserve For Retirees Hosp	<u>68,476.86</u>
LIABILITIES	12,868,760.60
Investments In Fixed Assets	9,245,590.03
Unrestricted Fund Balance	30,134,004.91
Restricted Fund Balance	1,135,632.00
YTD Income	<u>20,951,802.99</u>
FUND BALANCE	<u>61,467,029.83</u>
TOTAL LIABILITIES & FUND BALANCE	<u>74,335,790.73</u>

EAST CAROLINA BEHAVIORAL HEALTH
INCOME STATEMENT
CURRENT MONTH

	<u>March</u>	<u>YTD</u>
Total Revenue	\$20,115,747.01	\$188,437,835.30
Total Expense	<u>\$13,268,901.04</u>	<u>\$147,485,832.31</u>
Net Income	<u>\$6,846,845.97</u>	<u>\$20,951,802.99</u>

EAST CAROLINA BEHAVIORAL HEALTH
TOTAL REVENUES
3/31/2013

	Current Month	YTD	Budget	% of Budget
4030 CAP MR	\$0.00	\$26,099.05	\$200,000.00	13.05%
4040 Medicaid Patient Fees	6,240.21	309,629.65	3,000,000.00	10.32%
4045 Medicaid Waiver Service Funds	13,121,625.45	117,623,489.87	150,873,618.00	77.96%
4050 Medicaid Risk Reserve Funds	300,404.00	2,689,495.00	3,501,585.00	76.81%
4060 Medicaid Waiver Administrative Funds	1,598,147.00	14,161,655.82	18,468,267.00	76.68%
4105 Beaufort County ABC Funds	0.00	17,000.00	17,000.00	100.00%
4110 Bertie County ABC Funds	0.00	2,400.00	4,800.00	50.00%
4111 Camden County ABC Funds	581.99	2,467.67	4,246.00	58.12%
4113 Chowan County ABC Funds	(301.82)	2,297.47	3,000.00	76.58%
4115 Craven County ABC Funds	2,084.92	18,237.47	27,000.00	67.55%
4117 Currituck County ABC Funds	1,007.65	8,182.49	9,984.00	81.96%
4120 Gates County ABC Funds	0.00	772.22	1,700.00	45.42%
4125 Hertford County ABC Funds	661.75	6,822.33	6,000.00	113.71%
4130 Jones County ABC Funds	313.89	2,110.06	3,600.00	58.61%
4133 Hyde County ABC Funds	85.99	1,000.37	1,500.00	66.69%
4135 Northampton County ABC Funds	0.00	0.00	4,000.00	0.00%
4137 Martin County ABC Funds	0.00	0.00	3,500.00	0.00%
4140 Pamlico County ABC Funds	449.80	2,356.74	3,000.00	78.56%
4145 Pitt County ABC Funds	(17,203.85)	41,287.52	108,000.00	38.23%
4147 Pasquotank County ABC Funds	833.54	6,950.38	7,000.00	99.29%
4149 Perquimans County ABC Funds	221.35	1,944.06	2,500.00	77.76%
4153 Tyrrell County ABC Funds	523.35	1,046.70	1,092.00	95.85%
4159 Washington County ABC Funds	0.00	1,500.00	1,500.00	100.00%
4205 Beaufort County General	0.00	156,599.00	156,599.00	100.00%
4210 Bertie County General	0.00	33,442.50	44,590.00	75.00%
4211 Camden County General	0.00	9,990.00	19,980.00	50.00%
4213 Chowan County General	2,456.50	22,108.50	29,478.00	75.00%
4215 Craven County General	20,818.91	187,370.27	249,827.00	75.00%
4217 Currituck County General	0.00	37,737.00	50,318.00	75.00%
4219 Dare County General	0.00	93,081.05	390,369.00	23.84%
4220 Gates County General	0.00	18,867.00	37,734.00	50.00%
4230 Hertford County General	6,479.17	58,312.53	77,750.00	75.00%
4233 Hyde County General	0.00	5,457.00	10,914.00	50.00%
4235 Jones County General	1,378.28	15,229.53	20,306.00	75.00%
4237 Martin County General	0.00	48,462.00	48,462.00	100.00%
4240 Northampton County General	6,467.83	58,210.47	77,614.00	75.00%
4245 Pamlico County General	2,381.63	22,944.71	30,593.00	75.00%
4247 Pasquotank County General	0.00	64,129.50	85,506.00	75.00%
4249 Perquimans County General	2,242.00	20,180.00	26,906.00	75.00%
4250 Pitt County General	61,188.58	421,528.06	487,500.00	86.47%
4253 Tyrrell County General	302.15	6,382.80	8,814.00	72.42%
4259 Washington County General	0.00	13,228.00	26,562.00	49.80%
4270 Rental Income	8,219.00	54,171.00	77,028.00	70.33%
4280 Miscellaneous Local	95,072.69	122,736.55	54,500.00	225.20%
4290 Interest Income	43,403.79	265,539.99	98,849.00	268.63%
4295 Shelter Plus	92,804.92	416,108.80	556,140.00	74.82%
4297 HUD Grant For Homelessness	0.00	95,455.58	136,232.00	70.07%
4390 Miscellaneous State	763,500.00	2,500,200.00	3,758,750.00	66.52%
4805 IPRS State Single Stream	2,473,830.48	22,174,582.80	29,538,533.00	75.07%
4810 CMH IPRS	35,628.55	33,926.40	256,142.00	13.25%
4815 AMH IPRS	25,647.99	622,583.59	691,683.00	90.01%
4820 CSA IPRS	118,980.22	330,402.24	1,379,951.00	23.94%
4825 ASA IPRS	982,716.00	2,564,607.88	4,447,712.00	57.66%
4850 IPRS Administrative Funds	356,553.00	3,037,315.68	4,356,292.00	69.72%
TOTAL REVENUES	20,115,747.01	188,437,635.30	223,486,044.00	75.37%
TOTAL REVENUE AND TRANSFERS	20,115,747.01	188,437,635.30	223,486,044.00	75.37%

EAST CAROLINA BEHAVIORAL HEALTH

Total Expenses
Summary of All Units
3/31/2013

	Current Month	YTD	Budget	% of Budget
PERSONNEL				
0120 Salaries & Wages	899,115.60	7,617,248.28	12,547,350.54	60.71%
0170 Board Member Expense	0.00	17,856.58	25,000.00	71.43%
0180 Fringe Benefits	272,510.97	2,291,969.53	3,899,521.46	58.78%
0181 Retiree Hospital	0.00	0.00	218,902.00	0.00%
0190 Other Professional Expense	140,111.49	960,707.18	1,934,994.00	49.65%
TOTAL	\$1,311,738.06	\$10,687,781.57	\$18,625,788.00	58.46%
SUPPLIES & MATERIALS				
0210 Houseclean/Supplies	140.90	3,414.45	23,400.00	14.59%
0220 Food & Prov	0.00	2,276.30	7,000.00	32.52%
0260 Office Supplies	8,863.56	44,928.80	124,250.00	36.16%
0290 Other Supplies/Materials	4,596.17	16,611.94	60,800.00	27.32%
TOTAL	\$13,600.63	\$67,231.49	\$215,450.00	31.21%
OTHER OBLIGATIONS & SERVICES				
0310 Travel	43,197.31	303,322.81	728,744.00	41.62%
0320 Communication	37,784.00	385,736.37	875,080.00	44.08%
0330 Utilities	8,350.85	74,227.84	320,000.00	23.20%
0340 Printing	(708.80)	12,902.52	25,000.00	51.61%
0350 Repairs & Maintenance	10,289.58	49,062.61	169,950.00	28.87%
0370 Advertising	2,516.22	23,105.79	31,000.00	74.53%
0380 Data Process Services	38,206.38	219,718.41	455,000.00	48.29%
0390 Other Training/Travel/Misc	23,589.84	120,503.14	237,600.00	50.72%
0395 Uncollectible Accounts Expense	6,454.64	6,454.64	0.00	0.00%
TOTAL	\$169,890.02	\$1,195,034.13	\$2,842,374.00	42.04%
FIXED CHARGES & OTHER EXPENSES				
0410 Rental Expense	20,334.64	225,115.07	374,430.00	60.12%
0412 Utility Deposit Expense	0.00	11,319.04	11,950.00	94.72%
0440 Service & Maintenance	78,660.98	878,431.37	1,134,400.00	77.44%
0450 Insurance	55,301.72	481,152.08	585,000.00	82.25%
0490 Dues & Subscription Other Charges	936.33	49,142.32	79,000.00	62.21%
TOTAL	\$155,233.67	\$1,645,159.88	\$2,184,780.00	75.30%
CAPITAL OUTLAY				
0510 Capital Outlay Furniture	723.03	16,932.73	20,000.00	84.66%
0520 Capital Outlay DP Equipment	33,045.13	275,172.17	525,000.00	52.41%
0580 Capital Outlay Buildings	(4,486.00)	18,923.00	50,000.00	37.85%
TOTAL	\$29,282.16	\$311,027.90	\$595,000.00	52.27%
CONTRACTS & GRANTS				
0690-00 Contracts SOC	13,157.98	38,495.74	380,000.00	10.13%
0690-02 Contracts Medicaid Pass Thru	10,501.15	322,346.24	3,000,000.00	10.74%
0690-03 Contracts Federal Non-UCR	652,509.44	3,548,524.28	4,371,435.00	81.18%
0690-05 Contracts County/Other	150,459.89	1,514,478.37	2,818,608.00	53.73%
0690-20 Contracts CAP/MR	0.00	0.00	200,000.00	0.00%
0690-45 Contracts State Non-UCR IPRS	510,555.67	6,435,260.56	9,993,514.00	64.39%
0690-95 Contracts State Funded IPRS	1,081,668.62	19,086,159.71	20,080,182.00	95.05%
0690-96 Contracts Other State UCR	0.00	325,500.00	3,758,750.00	8.66%
5000 Contracts Medicaid Services	9,168,666.37	102,062,202.50	150,873,618.00	67.65%
TOTAL	\$11,587,519.12	\$133,332,967.40	\$195,476,087.00	68.21%
TOTAL EXPENSES	\$13,267,063.66	\$147,439,202.37	\$219,939,459.00	67.04%
0820 Transfer to Medicaid Risk Reserve	0.00	0.00	3,501,585.00	0.00%
0890 Other Non Operating	1,837.38	46,629.94	45,000.00	103.62%
GRAND TOTAL	\$13,268,901.04	\$147,485,832.31	\$223,486,044.00	65.99%

**BUDGET ORDINANCE
FY 2013-2014**

Be it ordained by the Area Board of East Carolina Behavioral Health meeting in regular session this 25th day of June 2013 that the following fund revenues and cost center expenditures with certain restrictions and authorizations are adopted for East Carolina Behavioral Health.

	FY 13-14 Budget	FY 12-13 Budget	Increase/(Decrease) in Budget
RECEIPTS and EXPENDITURES			
I. RECEIPTS			
A. Local Funds			
CAP MR	0	200,000	-200,000
Medicaid/HealthChoice patient fees	400,000	3,000,000	-2,600,000
Medicaid Waiver Service Funds	159,670,481	150,873,618	8,796,863
Medicaid Risk Reserve Funds	3,657,134	3,501,585	155,549
Med Waiver Administrative Funds	19,529,097	18,468,287	1,060,810
County General-Beaufort	156,599	156,599	0
County General - Bertie	44,590	44,590	0
County General - Camden	19,980	19,980	0
County General - Chowan	29,478	29,478	0
County General -Craven	249,827	249,827	0
County General -Currituck	50,316	50,316	0
County General -Dare	390,369	390,369	0
County General - Gates	37,734	37,734	0
County General - Hertford	77,750	77,750	0
County General - Hyde	10,914	10,914	0
County General - Jones	20,306	20,306	0
County General - Martin	48,462	48,462	0
County General-Northampton	77,614	77,614	0
County General-Pamlico	30,593	30,593	0
County General-Pasquotank	85,506	85,506	0
County General-Perquimans	26,906	26,906	0
County General-Pitt	487,500	487,500	0
County General-Tyrrell	8,814	8,814	0
County General-Washington	26,562	26,562	0
County ABC-Beaufort	17,000	17,000	0
County ABC-Bertie	4,800	4,800	0
County ABC-Camden	4,246	4,246	0
County ABC-Chowan	3,000	3,000	0
County ABC-Craven	27,000	27,000	0
County ABC-Currituck	9,984	9,984	0
County ABC-Dare	0	0	0
County ABC-Gates	1,700	1,700	0
County ABC-Hertford	6,000	6,000	0

County ABC-Hyde	1,500	1,500	0
County ABC-Jones	3,600	3,600	0
County ABC-Martin	3,500	3,500	0
County ABC-Northampton	4,000	4,000	0
County ABC-Pamlico	3,000	3,000	0
County ABC-Pasquotank	7,000	7,000	0
County ABC-Perquimans	2,500	2,500	0
County ABC-Pitt	108,000	108,000	0
County ABC-Tyrrell	1,092	1,092	0
County ABC- Washington	3,000	3,000	0
Misc Local	125,000	54,500	70,500
Rental Income	77,028	77,028	0
Interest Income	250,000	98,849	151,151

Total LOCAL FUNDS

185,799,482	178,364,609	7,434,873
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B. State and Federal Funds:

Shelter Plus	463,260	556,140	-92,880
HUD Grant Homelessness	-	136,232	-136,232
Miscellaneous State	3,558,750	3,758,750	-200,000
IPRS Administrative Funds	3,981,477	4,356,292	-374,815
State Single Stream	29,197,494	29,538,533	-341,039
AMH Federal	691,683	691,683	0
CMH Federal	256,142	256,142	0
ASA Federal	4,427,185	4,447,712	-20,527
CSA Federal	1,379,951	1,379,951	0
Total State and Federal Funds	43,955,942	45,121,435	-1,165,493

TOTAL REVENUES

229,755,424	223,486,044	6,269,380
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Total Budget

\$229,755,424	\$223,486,044	6,269,380
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II. EXPENDITURES

Appeals	202,044	188,024	14,019
Administrative and Governance	3,824,675	3,108,562	716,113
Business Management/HR	7,423,324	3,890,141	3,533,183
Claim Processing	1,206,922	1,250,187	-43,265
Information Technology	2,371,586	2,232,912	138,674
Provider Relations	1,977,691	1,962,759	14,932
Access	1,353,179	1,210,168	143,011
Utilization Review/Service Mgmt	1,912,854	1,749,506	163,348
Housing	314,505	289,091	25,414
Quality Improvement	966,303	971,274	-4,971
Contracts	200,487,088	198,627,672	1,859,416

System of Care	728,225	1,090,737	-362,513
HUD Grant Prevention	-	68,932	-68,932
HUD Grant Rapid Rehousing	-	10,250	-10,250
Gero Team	526,351	479,394	46,958
MH/SA Care Coordination	1,958,779	2,065,412	-106,633
I/DD Care Coordination	3,750,619	3,820,918	-70,299
Consumer Outreach and Education	317,581	308,522	9,059
CFAC	25,000	25,000	0
DOJ	408,697	136,583	272,114
TOTAL EXPENDITURES BY COST CE	\$229,755,424	\$223,486,044	6,269,380

2. Authorization Budget Officer

The Budget Officer shall have the authority to transfer monies between budget expense centers, fund reserves and line item expenditures within the provisions of G.S. 159.

3. Restrictions - Budget Officer

A. The utilization of any contingency appropriation shall be accomplished only with Board Approval.

4. Utilization of Budget and Budget Ordinance

A. This Ordinance and the Budget Document, shall be the basis of the financial plan for the East Carolina Behavioral Health during the 2013-2014 fiscal year. The Budget Officer shall administer the budget and shall insure operating officials are provided guidance and sufficient details to implement their appropriate portion of the Budget. The accounting section shall establish which are in consonance with the Budget and this Ordinance and the appropriate statutes of the State of North Carolina and budget procedures of the Department of Human Resources, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services.

Leza Wainwright, Area Director

Jerry Langley, Area Board Chairperson

Adopted this ___ day of June 2013.

State of North Carolina

County of

I certify that the above individuals appeared before me this 25th day of June 2013, to sign the above instrument.

Notary

My Commission expires _____

CERTIFICATION

We certify that this is a correct statement of the 2013-2014 annual budget for the East Carolina Behavioral Health, area authority, and that all contracts currently in effect for services to patients and/or clients and for professional services which the center is a party to are hereby attached. Anticipated contracts which have not been negotiated, approved, and/or signed will be forwarded within ten (10) working days of approval by the area board.

Signature of Area Director

Signature of Area Board Chairman

Date

Date

Leza Wainwright
Typed Name of Area Director

Jerry Langley
Typed Name of Area Board Chairman

Signature of Finance Officer

Date

Joy B. Futrell
Typed Name of Finance Officer

Governor McCrory's Medicaid Proposal

Governor McCrory has proposed replacing the current 1915 (b) and (c) Waivers with an 1115 Research and Demonstration Waiver. CCNC and the 11 (or 10, see below) LME/MCOs would be replaced by 3-4 Comprehensive Care Entities (CCEs). The Governor's plan calls for a phased-in implementation beginning July 1, 2015. Most experts believe this is a very ambitious timeframe. The plan will require not only approval by the NC General Assembly but by the federal Centers for Medicare and Medicaid Services.

The Governor states his plan is to ensure that services treat the whole person and that costs are contained. It envisions operating in a capitated, risk-based environment with outcome-based contracting. ECBH currently operates in that same manner under the 1915 (b)/(c) waiver; we are supportive of the goals the Governor's plan seeks to achieve, though we realize that "the Devil is in the details" and, to date, the details are scarce.

DHHS Secretary Aldona Wos and DMA Director Carol Steckel have said that they welcome LME/MCOs to be part of the planning process and that they believe there will continue to be a role for those of us who are performing well. We also realize, however, that they are planning to open the door for national, private managed care companies. We hope that we will get more clarity as the plan works through the General Assembly.

Waiver Operations

We have now received and accepted our rate offer from DMA for our second year of waiver operations. We were very pleased that they accepted our recommendations regarding increased funding for ICF/MR services. Our contract with DMA, as amended, extends to April 2014.

We are in the process of negotiating a new contract with DMH/DD/SAS. A subcommittee of the NC Council of Community Programs, which I am chairing on behalf of all LME/MCOs, is undertaking this negotiation. We anticipate those negotiations will continue for the next couple of weeks, with a new contract being ready for signature.

General Assembly

Legislation affecting ECBH includes:

- Bill to require OAH to follow federal Managed Care regulations when hearing consumer appeals and clarifies that provider appeals are contractual disputes that must go to Superior Court
- "Red Flags" bill that would require the Secretary of DHHS to certify, personally, every quarter that LME/MCOs continue to meet contractual requirements
- Steinburg/Tine bill related to LME/MCO Boards for 10 or more counties
- Medicaid county of residence bill allowing Innovations slots to follow the recipients movement
- Bills authorizing Governor McCrory's Medicaid reform proposal

In addition, based upon a number of meetings with General Assembly leadership, the NC Council members are working hard on standardizing a number of business practices to ease the administrative burden on providers.

Medical Director

We have made an offer for a new Chief Medical Officer. If the candidate has signed the offer letter, we will be able to make the announcement at the Board meeting.

Other LMEs' Waiver Implementation

Every LME is now operating under the Waiver. DMA notified Western Highland Network on April 5, 2013 that its contract would be terminated effective July 31, 2013. There is no word yet on how services for those 8 counties will be managed.

External Quality Review Organization (EQRO) Review

We submitted our Plan of Correction for 39 issues cited in their report to the Carolinas Center for Medical Excellence (CCME), the State's EQRO vendor, on March 14, 2013. CCME notified us on April 11, 2013 that they had accepted our corrections for 28 of the issues. They have requested additional information and documentation for 11 items. We will submit additional information and explanations for those 11 items by April 25, 2013.

URAC (formerly the Utilization Review Accreditation Council)

Our 3-year reaccreditation review by URAC was held on March 19-21, 2013. We learned today that we scored 100% in all areas and have received our reaccreditation!!

Annual Mercer Review

Mercer Government Human Consulting conducted our annual review on April 2-3, 2013. We have not yet received the report from that review. We expect to have a few issues that will need addressing but, in general, Mercer indicated they thought we were performing well.

US DOJ Settlement Agreement

Lindsay Henson, LMFT, has been promoted to the position of Transition Living Director. Lindsay was previously a Mental Health/Substance Use Care Coordinator. She is in the process of hiring her first 2 Transition Coordinators and will then focus on hiring the Certified Peer Support Specialists who will perform "in reach" activities into Adult Care Homes. We have received lots of referrals for individuals being diverted from admission to ACHs and just this week were awarded our first housing slot for someone to move from an ACH into a community apartment.

Legal Issues

Luz Terry and I have been deposed for the Divine Guidance lawsuit. Mandatory mediation is scheduled for April 30. The decision about whether or not to agree to a settlement offer in mediation will be up to our insurance carrier, Scottsdale Insurance. Though our attorneys completely agree that ECBH **should** have no liability in this case, the provider has gone out of business and disappeared, and there is some concern that a jury might feel like **someone** should pay for the tragic circumstances of the young person's death. The Scottsdale-appointed firm of Martineau King in Charlotte is defending us.

An attorney with the firm of Williams Mullen, Knicole Emanuel, has filed two cases against ECBH in the Office of Administrative Hearings (OAH). One relates to a contract termination following a monitoring visit in which practically everything that could have been done incorrectly by the provider was found to be incorrect; it is a very straightforward case, though we would say that OAH is not the proper venue since this should be a contractual matter heard in Superior Court (and currently pending legislation would fix that problem). The other is far more puzzling. A provider that has had a number of Treatment Authorization Requests (TAR) denied because the requests did not meet medical necessity appears to be claiming that by denying their TARs we are, in essence, terminating their contract, though we have taken no such action. The consumers for the TARs in question have all been given their full appeal rights. This is a very novel legal argument and all of the LME/MCOs will be watching this case closely. If OAH agrees to hear this case, it will really mean that managed

care will not work in NC. Richard Leissner, Jr., our ¹⁰⁶contracted attorney with Howard Stallings From and Hutson in New Bern, is defending us in these cases.

Current Board Membership

Currituck County has still not named a replacement for Commissioner Owen Etheridge.